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Introductory statement by Nicholas Pole – Chief Executive Education Review Office

Mihi

I am the Chief Reviewer for the Education Review Office (ERO). I have been in this role since June 2017 covering a period of five years.

In beginning I wish to make some overarching comments to this Commission.

Having had a long career in education, I am deeply distressed and saddened by what witnesses who have presented to this Royal Commission have told you about the abuse they have suffered from those working in or connected with their education. I want to acknowledge the survivors for their bravery in coming forward and opening the door on atrocities which for too long have been kept hidden. This harm has come from some who have exploited their positions and failed in their duty and their moral and professional obligation to support and protect. Equally we have had periods in our history, where there have been omissions in our system or practices, which from today's perspective cannot be condoned.

This Commission provides us with an opportunity to acknowledge the shadows of our past, to provide redress for our failings, and to reflect on our current settings to ensure that we learn and strengthen our systems of protection, so such events do not happen again.

The purpose of my appearance here today is to provide current information about ERO, including our role and operations, and the changes we have made and are continuing to make to improve the care and protection of children, and ensure that every learner in Aotearoa receives a quality education. Where the Commission's questioning raises matters that I have not been directly involved in, I rely on information provided to me, including documents provided to the Royal Commission. There may still be gaps in the information that I can provide, especially in relation to historical practices, but I will endeavor to assist the Commission to the best of my abilities.

Iona Holsted, the Secretary of Education, yesterday addressed the current organisational and regulatory framework which operate in the delivery of Education in Aotearoa.

ERO was established as an independent government department, as part of the major transformation of the education system that occurred in 1989. Prior to this, the responsibility for school review (or inspection as it was called) rested with the former Department of Education. In its establishment, it is my assessment that ERO extended the inspection mandate, adopting a more rigorous and systematic approach to school review and assessment.

The Department of Education which operated through much of the time period covered by your inquiry, operated its processes of review with few guidelines, with a primary function of assessing the performance and grading of teachers. This activity equally had little transparency by today's standards.

Since the introduction of Tomorrow's Schools in 1989, local governance and self-management of schools in the state system (including faith based integrated schools) has aimed at strengthening community involvement in local school provision and decision making. Reducing substantially the social distance between the central bureaucracy and the operation of schools within their communities. This governance arrangement has increased the accountability of practitioners working in schools by opening them up to greater scrutiny from their communities.

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ERO has played a major part in, driving local accountability, and ensuring that Boards focus on those things that matter most – the care and protection of children, and ensuring that every learner receives a quality education.

In saying this, self-management has also seen many struggle to fully understand their obligations, introduced differences in interpretation, and there has been a lack of understanding of the intent of central guidelines and legislative. Many continue to work in isolation, with little opportunities for lateral support, and the adoption of change as a system can be slow. I believe the recent establishment of Te Mahau within the Ministry starts to address this issue.

Today, ERO's prime emphasis revolves around ensuring the quality of education provision, understanding learners' achievement and progress, and the underlying conditions that contribute towards these outcomes. Our whakataukī, Ko te Tamaiti te Pūtake o te Kaupapa, places the child at the heart of the matter.

ERO's mandate is provided by the Education and Training Act 2020. The Act empowers me, as Chief Review Officer, to initiate reviews, report and publish findings on the provision of education and the care for children and young people in New Zealand. In practice, ERO fulfils this mandate through two core functions: institutional reviews, and a significant programme on system-wide inquiry, evaluation and research.

As Chief Review Officer while accountable to the Minister of the day we remain independent from influence. I administer reviews on my own motion or at the request of a Minister.

Our mandate extends to education entities that are owned or operated by the Crown, funded by parliamentary appropriation, or regulated by or under statute. Our focus does not go beyond secondary schooling.

ERO is not mandated to deal with complaints, resolve disputes or to provide an advocacy function. We do not have powers to direct or enforce compliance or action by individual entities. Where we identify concerns, our obligation is to report on these and to raise them with the appropriate entity. We equally do not function as a policy or resourcing agency.

ERO monitoring and oversight also differs between state and state-integrated schools, and registered private or independent schools, where our scope is substantially more limited.

ERO's institutional reviews are conducted by approximately 135 review officers that I designate in my capacity as Chief Review Officer. They review and report on education delivered by early learning, kōhanga re, puna reo, schools and kura throughout New Zealand. This wide spectrum of education providers reflects the breadth of ERO's work across paradigms. They also review and report on the care provided by school hostels and boarding facilities.

As a crown department we strive to give effect to the Crowns obligations to Te Tiriti through partnership, participation in decision making and placing a focus on successful outcome for Māori in the settings and communities we work in.

There are currently 2400 schools and 5400 early learning services, which are generally reviewed on a three-to-five-year cycle. Our focus is on the quality of education provision, and recent shifts in our approach aim to work alongside a school and early learning services in a drive for improvement. Where we hold concerns, we will place greater intensity and frequency in working with these entities.

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Reports on our findings are prepared for the Minister of Education and for the wider community of Aotearoa. While providing natural justice opportunities for entities to correct errors of fact, the findings and recommendations that we report on are based on our integrity as an agency and the judgements and assessment of the evidence we collect.

We also maintain a national programme of inquiry into features of the performance of the education system. Areas pertinent to this Royal Commission include exploration of education provision for:

those in residential care and youth justice settings; learners with disabilities; the safety of students in hostels and schools; alternative education; teen parent units; and bullying in schools.

Over recent years, ERO has also developed an extensive programme of research into Māori medium education provision and the delivery of te reo Māori. As an example of our recent work, Te Kura huranui, provide an insights into Māori enjoying educational success as Māori, aspects of Mātauranga Māori, Te reo Māori and Te ao Māori.

The establishment of ERO in partnership with other central education agencies including the Ministry of Education and the Teaching Council; changes in legislative and regulatory settings; greater teacher professionalisation; and the strengthening of systems and practices in child safety and wellbeing have over recent decades contributed to an increase in awareness and improvements in the protective settings for children and young people in education.

In performing our role, we provide one element in the protective layers aimed at ensuring children and young people are safe and that their welfare is supported while in education.

In saying this I acknowledge that we have made mistakes and let down individuals and families. Where we have identified these failings, it has been our approach to learn and improve our practices and oversight.