

Cabinet Paper material

Proactive release

Minister & portfolio	Hon Chris Hipkins, Minister of Education and Hon Jan Tinetti, Associate Minister of Education (School Operations)
Name of package	Policy Approvals for School Planning and Reporting Regulations
Date considered	28 November 2022
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These documents have been proactively released:

Cabinet Minute: CAB-22-MIN-0535

Date considered: 28 November 2022

Author: Cabinet Office

Cabinet Minute: SWC-22-MIN-0223

Date considered: 23 November 2022

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Cabinet Paper: Policy Approvals for School Planning and Reporting Regulations

Date considered: 28 November 2022

Author: Hon Chris Hipkins and Hon Jan Tinetti

Some deletions have been made from the documents as the information withheld does not fall within scope of the Minister's portfolio responsibilities, and is not relevant to the proactive release of this material.

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<http://legislation.govt.nz/act/public/1982/0156/latest/DLM64785.html>



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Report of the Cabinet Social Wellbeing Committee: Period Ended 25 November 2022

On 28 November 2022, Cabinet made the following decisions on the work of the Cabinet Social Wellbeing Committee for the period ended 25 November 2022:

Out of scope



SWC-22-MIN-0223

Policy Approvals for School Planning and Reporting Regulations


CONFIRMED

Portfolios: Education / Associate Education (School Operations)

Out of scope



Out of scope



Rachel Hayward
Secretary of the Cabinet



Cabinet Social Wellbeing Committee

Minute of Decision

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Policy Approvals for School Planning and Reporting Regulations

Portfolio Education/ Associate Education (School Operations)

On 23 November 2022, the Cabinet Social Wellbeing Committee:

- 1 **noted** that the Education and Training Act 2020 (the Act) provides that, from 1 January 2023, the National Education Goals, National Administration Guidelines and school charters will be replaced by a new planning and reporting process for schools and kura, requiring boards to prepare a three-year strategic plan, an annual implementation plan and an annual report which includes the board's annual statement of variance;
- 2 **noted** that if, at the commencement of the new planning and reporting framework, a board has a charter in effect for 2022, the charter is to be treated as the board's first strategic plan;
- 3 **noted** that regulations are needed, under section 639 of the Act, to set out the detailed requirements for planning and reporting;
- 4 **agreed** to regulations being drafted under section 639 of the Act to reflect Option 2, as described in Appendix Two of the paper under SWC-22-SUB-0223;
- 5 **noted** that a differentiated approach to planning and reporting requirements is proposed for boards associated with Te Rūnanga Nui (TRN), Ngā Kura ā Iwi (NKAI), and hapū and iwi affiliated kura so that planning and reporting is relevant and effective for them;
- 6 **agreed** that planning and reporting regulations be applied differently for boards associated with TRN, NKAI, and other hapū and iwi affiliated kura so that those boards may:
 - 6.1 develop their strategic plans and annual implementation plans that reflect Te Aho Matua in relation to TRN and local tikanga in relation to schools associated with NKAI and hapū and iwi;
 - 6.2 include less detail in their plans and reports about the Tiriti/Treaty obligations in relation to planning and reporting (for example, less specificity about how the board will achieve its Te Tiriti/ The Treaty obligations;
 - 6.3 report on the kura performance using targets and measures that are relevant to Te Aho Matua (in relation to TRN schools) and local tikanga for schools associated with NKAI and hapū and iwi;

- 7 **noted** that the Minister of Education and Associate Minister of Education (School Operations) have directed the Ministry of Education to review school consultation processes after one cycle of strategic planning and report back to me on whether additional specificity and/or consultation requirements are needed;
- 8 **invited** the Minister of Education to issue drafting instructions to the Parliamentary Counsel Office for new regulations for school planning and reporting to give effect to the above decisions;
- 9 **authorised** the Minister of Education to make technical changes to the regulations, which align with the policy intent of the proposals, during the drafting process to respond to the continuing work to differentiate requirements for kura;
- 10 **authorised** the Minister of Education to make minor adjustments to the policy that may arise during the drafting process;
- 11 **agreed** to the Ministry of Education seeking the Attorney-General's permission to publicly consult on an exposure draft of the regulations in early 2023.

Rachel Clarke
Committee Secretary

Present:

Hon Grant Robertson
Hon Kelvin Davis
Hon Carmel Sepuloni (Chair)
Hon Andrew Little
Hon Poto Williams
Hon Jan Tinetti
Hon Dr David Clark
Hon Dr Ayesha Verrall
Hon Priyanca Radhakrishnan
Hon Meka Whaitiri

Officials present from:

Office of the Prime Minister
Office of the Chair
Officials Committee for SWC

In Confidence

Office of the Minister of Education

Office of the Associate Minister of Education (School Operations)

Cabinet Social Wellbeing Committee

Policy approvals for school planning and reporting regulations

Proposal

- 1 I seek Cabinet agreement for regulations which would implement the new school planning and reporting framework by setting out detailed requirements for:
 - 1.1 the content of strategic plans, annual implementation plans, annual reports, and statements of variance; and
 - 1.2 how and when plans are prepared and published.

Relation to Government priorities

- 2 These proposals support the Government's Education Work Programme objective of ensuring learners and their whānau are at the centre of education. They will support school and kura boards to use planning and reporting as tools for meeting their primary overarching objectives set out in the Education and Training Act 2020 (the Act) and to give effect to the Government's priorities for education as set out in the National Education Learning Priorities (NELPs).

Executive Summary

- 3 The Education (Update) Amendment Act 2017 introduced a new planning and reporting framework for State and State integrated schools and kura. These changes were carried over into the Education and Training Act 2020 (the Act). The changes reflected concerns that:
 - 3.1 planning and reporting should be for the school communities' benefit rather than central government, and accountability for school performance should be to the community;
 - 3.2 school charters had lost their focus and did not have sufficient strategic focus;
 - 3.3 the law around the content of charters was too complicated and lacked focus; and
 - 3.4 schools and their communities were not getting sufficient value from the planning and reporting process which was administratively burdensome.
- 4 From 1 January 2023, The National Education Goals (NEGs) and National Administration Guidelines (NAGs) for schools will cease to have effect. From then, new planning and reporting provisions in the Act come into force, requiring schools to prepare a 3-year strategic plan and annual implementation plan instead of an annually updated charter.

- 5 The current compliance requirements, which range from broad objectives to highly prescriptive content, are set out in different places¹ making the process complex and unclear for boards. The new framework seeks to ensure boards have strong engagement with, and accountability to, their communities, as well as reporting to the Ministry, alongside reducing the compliance burden for boards. It is focused on ensuring boards give effect to three focuses for government – the board’s primary objectives as set out in the Act,² their Te Tiriti o Waitangi/ The Treaty of Waitangi obligations and the National Education Learning Priorities (NELPs).
- 6 The new framework consists of regulations, support and implementation. Regulations set out minimum standards to guide the regulatory system. However, it is the support, and implementation of the framework provided by the Ministry of Education and other agencies, that will make the difference in ensuring that planning and reporting processes deliver on the change envisaged. The framework provides a clear link between the primary objectives set out in the Act by requiring boards to develop strategies and practical actions.
- 7 The Act sets out regulation-making powers to specify the detailed requirements for strategic and annual implementation plans and annual reports (including the statement of variance).
- 8 I have considered three options for the regulations, on a continuum from minimum standards and maximum flexibility (option 1), through to a high degree of prescription and national consistency (option 3). I propose to create regulations that strike a middle ground between these two ends of the continuum (option 2) and set out the detailed requirements for the content and timing for school planning and reporting.
- 9 I am seeking Cabinet’s approval to issue drafting instructions to the Parliamentary Counsel Office to draft the regulations that give effect to my preferred option, and Cabinet’s agreement to consult on an exposure draft of the regulations in early 2023.
- 10 The Act provides flexibility to develop different planning and reporting requirements for kura. The Ministry has been working in consultation with Te Rūnanga Nui on Ngā Kura Kaupapa Māori o Aotearoa (TRN) and Ngā Kura-ā-Iwi o Aotearoa (NKAI) to develop regulations that will enable boards of those kura, and other hapū and iwi kura, where appropriate, to recognise Te Aho Matua and local tikanga in their planning and reporting documents. This is intended to provide less specificity in their planning and reporting documents in respect of their te Tiriti obligations, and reporting requirements that allow for measures and targets that reflect what is important to those kura.
- 11 I propose that the regulations provide for differentiated requirements for school boards associated with TRN and NKAI and other kura as described above. Should Cabinet agree to this approach, the Ministry will continue to work with TRN and NKAI during the regulation drafting process on the technical details of this differentiated approach.

Background

- 12 The National Education Goals (NEGs) and National Administration Guidelines (NAGs) for schools will cease to have effect from 1 January 2023. From then, new planning and

¹ Compliance requirements for planning and reporting are spread across the Education Act 1989, the Education and Training Act 2020, and the National Administration Guidelines and National Education Goals.

² The primary objectives set out in section 127 of the Education and Training Act 2020 are that boards must ensure every student is able to attain the highest possible standard of educational achievement; schools must be physically and emotionally safe places, be inclusive of students with differing needs, and they give effect to Te Tiriti o Waitangi / Treaty of Waitangi.

reporting provisions in the Education and Training Act 2020 (the Act) come into force, requiring boards to prepare a 3-year strategic plan and annual implementation plan instead of an annually updated charter. While boards will still need to submit their strategic plans to the Secretary of Education (the Secretary), the Secretary will not need to approve these.³ Boards will continue to be required to submit to the Secretary an annual report and its analysis of variance (now called a statement of variance).

13 In place of the ability to make NEGAs and NAGs, the Act sets out:

13.1 the consultative process for making strategic plans;

13.2 regulation-making powers, at section 639, to specify the content and commencement of strategic plans, annual implementation plans and annual reports (including the statement of variance);

13.3 transitional provisions to enable a school board's charter to be treated as its first strategic plan (until regulations are made).

14 I propose regulations be made by mid-2023 setting out the content and timing for school planning and reporting.

Rationale for the new planning and reporting framework

15 While many learners do well, our system has persistently failed to address disparities in educational outcomes and has resulted in inequity for particular groups of learners including Māori, Pacific, learners with disabilities and additional learning support needs.

16 The Government has strengthened the regulatory framework to respond to the inequities in educational outcomes through the Act, which sets out the overarching objectives for schools and kura. The NELPs then set out the government's medium-term priorities for schools and kura, which boards are required to have particular regard to when developing their strategic plans.

17 Planning and reporting processes support boards to translate their overarching objectives and Government priorities into practical actions. The new framework is intended to address issues with our current processes including that the process is government compliance driven, rather than community led; that the process is not student centred and has not addressed equity considerations; and that the compliance requirements, which range from broad objectives to highly detailed requirements, are set out in different places,⁴ making the process complex and unclear for boards.

18 The new framework consists of regulations that set minimum standards alongside supports and implementation tools from the Ministry and other parties, and evaluation and monitoring from the Education Review Office (ERO). It is intended to provide clarity, reduce unnecessary compliance burden and to focus schools on setting meaningful goals to meet, or contribute to meeting their primary objectives, the Te Tiriti/ The Treaty obligations and the NELPs. It is also intended to provide for schools to have more accountability to students, parents, whānau, communities and, where appropriate, to government.

³ The Act requires boards to submit their strategic plans to the Secretary. Through changes made by the Education and Training Amendment Bill (No.2), the Secretary is no longer required to approve these plans.

⁴ Compliance requirements for planning and reporting were spread across the Education Act 1989, and the National Administration Guidelines and National Education Goals.

Targeted engagement shows support for a flexible framework that prioritises learner outcomes, equity and Te Tiriti o Waitangi/The Treaty of Waitangi

- 19 In May-August 2022, the Ministry of Education undertook targeted engagement, with board members, principals, learners, whānau and communities on what good planning and reporting looked like and on a set of proposed content for regulations. Approximately 2,200 people responded across three surveys.⁵ The key themes were:
- 19.1 Many board members and principals:
 - 19.1.1 felt there should be flexibility so they can decide some content for themselves with their communities
 - 19.1.2 considered no change from our current school planning and reporting process was required and that all elements were useful
 - 19.1.3 were comfortable with the proposed set of regulation content included in the targeted engagement.
 - 19.2 Learners, whānau and communities said:
 - 19.2.1 schools must share information about their and their students' performance so whānau and communities can be involved in planning and hold their schools accountable
 - 19.2.2 learners should be involved in school planning as these decisions affect them
 - 19.2.3 child wellbeing, student achievement, Te Tiriti o Waitangi/ The Treaty of Waitangi and equitable outcomes for all learners should be priorities in planning and reporting.
- 20 The Ministry also engaged with a number of education agencies and peak bodies on the proposed set of regulation contents. Key feedback included:
- 20.1 ERO consider schools should be regularly evaluating their own progress throughout the year, not just at the end, particularly as it relates to the statement of variance. It is also important that reporting on progress against the strategic plan should be in easily accessible language for whānau and communities.
 - 20.2 The New Zealand School Trustees Association (NZSTA) shared their concerns that a compliance driven framework would not support schools to solve problems unique to their circumstances. They suggested guidance, rather than regulations, would encourage schools to take a more aspirational approach.
 - 20.3 The Mātauranga Iwi Leaders Group (MILG) emphasised the importance of whānau involvement in school decision-making but that this must be balanced alongside ensuring whānau, hapū and iwi are not overloaded with consultation. MILG were also keen to understand how iwi and hapū could hold schools accountable for delivering great outcomes for their tamariki and rangatahi.
- 21 The Ministry has also tested ideas for the proposed regulations with Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa (TRN) and Ngā Kura-ā-Iwi o Aotearoa (NKAI).

⁵ Not every person responded to every question in the surveys.

Further information on this is at paragraph 27–31 and a more detailed summary of engagement feedback is attached as **Appendix One**.

Developing regulations for planning and reporting

- 22 The first part of implementing the new framework is to develop regulations that set out minimum standards for planning and reporting. Taking into account what I have heard, I consider that, to support all boards to undertake effective planning, we need regulations that:
- 22.1 provide clear and simplified requirements to integrate the Act's primary objectives for boards with government and community priorities. This will help to reduce the compliance cost on schools so they can plan, measure and report on the things that matter for improving learner outcomes;
 - 22.2 support boards to build strong relationships with their whānau and communities throughout the planning process. This includes requiring board plans to reflect whānau and community identities, aspirations and needs, so that whānau and communities are involved in planning and can hold schools accountable for learner outcomes; and
 - 22.3 provide a model that gives effect to Te Tiriti o Waitangi to lift educational outcomes for Māori learners. This model should meet the needs of Māori medium and kaupapa Māori kura so that kura can plan in ways relevant for them.

Policy proposals for school planning and reporting regulations

- 23 I have considered three options for regulations that range from minimum standards to enable maximum flexibility for boards (Option 1), to a greater degree of specificity focussed on equity and excellent outcomes and Te Tiriti/The Treaty (Option 2) to a high degree of prescription to ensure certainty and national consistency (Option 3). **Appendix Two** sets out full descriptions of the options.
- 24 My preferred approach is option 2 because it finds the middle ground between the increased flexibility boards are calling for and the need to ensure boards are focusing on their primary objectives and the NELPs. It also ensures that whānau and communities have better engagement and information from their schools to input into planning and hold their school accountable. Option 2 also recognises government priorities and investment for learners that have been underserved by the school system and requires boards to identify how they are meeting the needs of those students. These requirements also most closely resemble the proposed regulations we consulted on during targeted engagement with many respondents expressing they were comfortable with them.
- 25 I considered whether to include more specific consultation requirements for planning with iwi and Māori. However, the Act already requires boards to consult with the Māori community associated with the school when developing strategic plans. The Ministry of Education has heard from Māori groups that iwi and hapū may not have the resources to engage with every school in their rohe. I propose that support is provided to boards on effective community consultation and that the Ministry of Education undertake a review of board consultation after one cycle of strategic planning and report back to me on whether additional specificity and/or consultation requirements are needed.
- 26 I am seeking approval for new regulations, as set out in Table 1 below, that give effect to Option 2. I am also seeking approval to issue drafting instructions to the Parliamentary

Counsel Office to prepare an exposure draft of the regulations which I intend to consult on in early 2023, subject to the Attorney-General's consent.

Table 1: Proposed content for planning and reporting regulations

	Strategic Plans	Annual Implementation Plans	Annual Reports Including Statements of Variance
All	<p>Must include:</p> <ul style="list-style-type: none"> The school's vision The board's strategic goals for the next 3 years for meeting its primary objectives and other goals identified through consultation, and information about how they prioritised those goals Strategies for making progress towards strategic goals including strategies for identifying and catering for learners whose needs have not yet been well met⁶ and strategies for giving effect to the board's Te Tiriti/ The Treaty obligations⁷ Measures, evidence and processes the board will use to evaluate their progress towards strategic goals Information on how the board's strategic goals are linked with the NELPs and relevant national education strategies/plans such as Ka Hikitia, Action Plan for Pacific Education, the Learning Support Action Plan and the Oranga Tamariki Action Plan. Strategic plans must be written and presented in a way that is accessible to their communities. <p>Consultation:</p> <ul style="list-style-type: none"> Regulations would clarify that boards must consult with the school's community, including the Māori community associated with the school on their strategic plans. <p>Timing:</p> <ul style="list-style-type: none"> The first strategic plan must be prepared by 1 January 2024 Strategic plans must be published and submitted to the Secretary of Education by 1 March. 	<p>Must include:</p> <ul style="list-style-type: none"> Information about the previous year's performance (including how the board will address any unachieved targets from the previous year) Annual targets for each of the board's strategic goals Actions the board will take to meet annual targets How the board will allocate resources to meet their targets The measures and evidence the board will use to evaluate progress towards achieving their annual targets Teaching and learning programmes and strategies with particular emphasis on foundational learning for the year to address the needs of learners whose needs have not yet been well met Information on how the board's annual targets and actions will support it to give effect to Te Tiriti/ The Treaty <p>Timing:</p> <ul style="list-style-type: none"> Annual implementation plan must be prepared and published each year by 31 March 	<p>Annual reports must include:</p> <ul style="list-style-type: none"> Financial statements which are required under section 134 of the Education and Training Act and S87(3) of the Education Act 1989 A report on the whole school's student progress and achievement for the previous year in plain language which includes information on the progress and achievement of groups of learners whose needs are not yet well met Report on how the school has given effect to Te Tiriti/The Treaty (including the progress and achievement of Māori learners and the progress towards making instructions available in tikanga and te reo Māori) <p>Statements of Variance must include:</p> <ul style="list-style-type: none"> Actions the board took in the previous year to achieve its annual targets for that year Outcomes of the board's actions and the sources of information the board used to determine them Reasons for any differences between the outcomes and targets How the differences in outcomes and targets will inform next year's planning (including what the board will do to address any unachieved targets)

⁶ This includes Pacific learners, students with disabilities, students with learning support needs (included gifted and talented learners), students who are not progressing and/or achieving, students who are at risk of not progressing and/or achieving, and one of the Oranga Tamariki Action Plan priority populations (children and young people who are involved with the care and protection and youth justice systems) Boards are to develop these strategies for relevant groups of learners based on the identity, needs and aspirations of their school communities.

⁷ This includes strategies for ensuring the school plans, policies and local curriculum reflect local tikanga, mātauranga and te ao Māori, improving progress and achievement for Māori learners and making progress towards providing instructions in te reo Māori.

Specific for kura	<p>Boards associated with Te Rūnanga Nui, Ngā Kura ā Iwi and other hapū and iwi kura:</p> <ul style="list-style-type: none"> • may develop their strategic goals that also reflect Te Aho Matua and local tikanga respectively • are not required to set out their full strategies for meeting their Te Tiriti/The Treaty obligations and instead can provide a general statement about how the kaupapa of the kura reflects Te Tiriti/The Treaty. 	<p>Boards associated with Te Rūnanga Nui, Ngā Kura ā Iwi and other hapū and iwi kura are not required to set out a full description of how their targets and actions support giving effect to Te Tiriti/The Treaty and instead may provide a general description of how their targets and actions reflect the kaupapa of the kura.</p>	
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Application of regulations to Māori Medium and Kaupapa Māori settings

- 27 While all school and kura boards must prepare each planning and reporting document, the regulations can prescribe different requirements for different classes of schools and kura. There are strong Te Tiriti/ The Treaty reasons for taking a differentiated approach to requirements for kura. Kura Kaupapa Māori boards must adhere to Te Aho Matua. Similarly, kura associated with NKAI and other iwi and hapū affiliated kura must adhere to their different character which reflects the tikanga of the relevant hapū and iwi. While both need to comply with the key elements of planning and reporting set out in the Act, we recommend that the regulations provide flexibility for kura to plan and report in ways that align with their kaupapa.
- 28 The Ministry has developed the following proposals in consultation with TRN and NKAI that will provide more flexibility for their respective boards. These proposals will also reduce unnecessary and inappropriate compliance costs associated with those boards' Te Tiriti/ The Treaty obligations. These differentiated requirements are included in **Table 1** above. I propose that the Regulations for kura boards provide for:
- 28.1 them to develop strategic plans and annual implementation plans to reflect Te Aho Matua in relation to TRN and local tikanga in relation to kura associated with NKAI and other hapū and iwi⁸;
- 28.2 including less detail in their plans and reports about Te Tiriti/Treaty obligations in relation to planning and reporting (for example, less specificity about how the board will achieve its Te Tiriti/The Treaty obligations) This is because all school planning and reporting in kura are already tikanga and kaupapa-Māori based; and
- 28.3 reporting on the kura performance using targets and measures that are relevant to Te Aho Matua (in relation to TRN kura) and local tikanga for kura associated with NKAI and other hapū and iwi.
- 29 The Ministry will continue to work with TRN and NKAI on the details as the regulations are being drafted. I seek authorisation from Cabinet to make technical changes that respond to the ongoing work to differentiate requirements for kura and make changes

⁸ Kura associated with TRN are already required to operate, (including school planning) in accordance with Te Aho Matua under the Act and other kura are required to operate in accordance with their different character. Including reference to Te Aho Matua and local tikanga in the regulations is intended to affirm current practices.

Implementation and monitoring of the new framework

- 30 I propose the regulations will be in force from mid-2023 and will specify that the first strategic plans must be prepared by 1 January 2024, providing schools with a six-month transition period during which boards will need to undertake consultation and develop their first strategic and annual implementation plans.
- 31 The Ministry, together with ERO and NZSTA, are currently designing implementation supports to meet the differing needs of boards and communities and these will be available from mid-2023. This will include tools such as optional templates, a recommended process and how-to guides to support them to plan, consult and report effectively. The supports for English-medium schools will be developed through a co-design process working with key partners and stakeholders. The Ministry will also work closely with TRN and NKAI to help them to develop supports for their kura.
- 32 From July 2023 – December 2024, boards and communities will be supported by Te Mahau, ERO and NZSTA to improve their planning and reporting practices to work towards delivering equitable and excellent outcomes for all learners. Te Mahau staff will be integral to supporting schools to transition to the new planning and reporting framework.
- 33 From January 2024 onwards, boards will be supported by Te Mahau frontline staff, ERO and other external governance advisors. The support package will need ongoing refinement to ensure that it remains a relevant resource for schools and kura into the future. As schools put in place their first strategic and annual implementation plans under the new framework, ERO will, as part of its regular activity, evaluate how well these plans are supporting boards to give effect to their primary objectives, Te Tiriti/ The Treaty and the NELPs, through their monitoring and evaluation processes.
- 34 I have set out my plan for implementing the new framework in Table 2 below.

Table 2: Timeframe for implementing the new planning and reporting framework

Timeframes	Regulations	Support and implementation
November 2022	Policy approval for regulations	Ministry, ERO and other supporting agencies developing tools and support products and testing these with key stakeholders.
November 2022–February 2023	PCO drafting regulations	
February - March 2023	Public consultation on exposure draft of regulations	
March – May 2023	Submissions analysis and drafting of final regulations	
June 2023	Approval and Gazetting of Regulations	Initial capability building of frontline staff.
July 2023	Regulations come into force	Communications, support, and tools available for boards and communities
1 January 2024	First strategic plans are due to be prepared	
31 March 2024	First annual implementation plans are due to be prepared	
31 May 2024	Annual reports (including Statement of Variance) due to be submitted.	

Financial Implications

- 35 There are no funding implications from the proposals in this paper.

Legislative Implications

- 36 The proposals in this paper require the creation of new regulations under section 639 of the Education and Training Act 2020. I seek approval to issue drafting instructions to the Parliamentary Counsel Office to draft these regulations. I am also seeking permission to ask the Attorney-General's permission to consult on an exposure draft of the regulations in early 2023.

Population Implications

- 37 Population impacts for the proposals in this paper are in **Appendix Three**.

Treaty of Waitangi implications

- 38 The Government has an enduring focus on improving educational outcomes for Māori learners and giving effect to Te Tiriti o Waitangi/the Treaty of Waitangi and its principles. Officials have assessed the proposals in this paper against the three articles of Te Tiriti/The Treaty and its principles.
- 38.1 *Kāwanatanga/government* – the proposal requires boards to include strategic goals related to meeting its Te Tiriti/the Treaty obligations. It ensures that boards include a range of content in their plans and reports which identify and cater for learners, including Māori learners, whose needs are not yet well met in the education system. In recognition of te reo Māori as a taonga, it ensures that boards plan and report on the progress they are making to make instructions available in te reo Māori.
- 38.2 *Rangatiratanga/chieftainship* – as the Act sets out the overarching framework for planning and reporting, the degree to which the regulations can provide agency and authority for whānau, hapū and iwi in decision-making is limited. The proposal is intended to be flexible to enable Māori medium and kaupapa Māori kura to plan and report according to their needs and aspirations.
- 38.3 *Ōritetanga/equity* – the proposal has a strong focus on ensuring board plans and reports support equitable outcomes for Māori learners and gives effect to Te Tiriti/The Treaty. It is intended to support boards to understand the needs of Māori learners and to lift their progress and achievement. It is also intended to support boards to sustain the identities and aspirations of its Māori learners by ensuring they reflect tikanga, te ao and te reo Māori in their curricula, plans, policies and reports.

Human Rights

- 39 All the proposals appear to be consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. A final determination as to the consistency of these proposals with the New Zealand Bill of Rights Act will be made when the new regulations have been drafted.

Regulatory and climate implications

- 40 The Ministry of Education Quality Assurance Panel has reviewed the Regulatory Impact Statement "Regulations for the Planning and Reporting Framework" produced by the Ministry of Education on 31 August 2022. The panel considers that it meets the quality assurance criteria.
- 41 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to these proposals as the threshold for significance is not met.

Consultation

- 42 The Treasury, Department of Prime Minister and Cabinet, Public Service Commission, Ministry for Pacific Peoples, Ministry for Women, Ministry of Business, Innovation and Employment, Te Puni Kōkiri, Ministry of Social Development, Ministry of Youth Development, Office for Disability Issues, Ministry of Health, Ministry of Justice, Oranga Tamariki, Ministry for Ethnic Communities, Department of Internal Affairs, Office of the Auditor General, Education Review Office and the New Zealand Qualifications Authority have been consulted.

Communications

- 43 I propose to announce these decisions once Cabinet decisions are made. Subject to the permission of the Attorney General, the Ministry of Education will run a four-week public consultation process, between February – March 2023, on an exposure draft of the regulations.

Proactive Release

- 44 I intend to proactively release this paper after Cabinet decisions are made subject to redaction as appropriate under the Official Information Act 1982.

Recommendations

- 45 The Minister of Education recommends that the Committee:
 - 1 **note** that under the Education and Training Act 2020 (the Act), from 1 January 2023, the National Education Goals, National Administration Guidelines and school charters will be replaced by a new planning and reporting process for schools and kura, requiring boards to prepare a three-year strategic plan, an annual implementation plan and an annual report which includes the board's annual statement of variance;
 - 2 **note** that if, at the commencement of the new planning and reporting framework, a board has a charter in effect for 2022, the charter is to be treated as the board's first strategic plan;
 - 3 **note** that regulations are needed, under section 639 of the Act to set out the detailed requirements for planning and reporting;
 - 4 **agree** to regulations being drafted under section 639 of the Act to reflect Option 2 described in this paper at paragraph 26 and Appendix Two;

IN CONFIDENCE

- 5 **note** that I am proposing a differentiated approach to planning and reporting requirements for boards associated with Te Rūnanga Nui (TRN), Ngā Kura ā Iwi (NKAI), and hapū and iwi affiliated kura so that planning and reporting is relevant and effective for them;
- 6 **agree** that planning and reporting regulations be applied differently for boards associated with TRN, NKAI, and other hapū and iwi affiliated kura so that those boards may:
 - 6.1 develop their strategic plans and annual implementation plans that reflect Te Aho Matua in relation to TRN and local tikanga in relation to schools associated with NKAI and hapū and iwi;
 - 6.2 include less detail in their plans and reports about the Tiriti/Treaty obligations in relation to planning and reporting (for example, less specificity about how the board will achieve its Te Tiriti/ The Treaty obligations;
 - 6.3 report on the kura performance using targets and measures that are relevant to Te Aho Matua (in relation to TRN schools) and local tikanga for schools associated with NKAI and hapū and iwi;
- 7 **note** that I have directed the Ministry of Education to review school consultation processes after one cycle of strategic planning and report back to me on whether additional specificity and/or consultation requirements are needed;
- 8 **invite** the Ministry of Education to issue drafting instructions to the Parliamentary Counsel Office for new regulations for school planning and reporting to give effect to Option 2;
- 9 **authorise** the Minister of Education to make technical changes to the regulations, which align with the policy intent of the proposals, during the drafting process to respond to the continuing work to differentiate requirements for kura;
- 10 **authorise** the Minister of Education to make minor adjustments to the policy that may arise during the drafting process; and
- 11 **agree** to the Ministry of Education seeking the Attorney-General's permission to publicly consult on an exposure draft of the regulations in early 2023.

Authorised for lodgement

Hon Chris Hipkins
Minister of Education

Hon Jan Tinetti
Associate Minister of Education (School Operations)

IN CONFIDENCE

Appendix One: Summary of targeted engagement feedback on planning and reporting

Our targeted engagement process

Stage 1 targeted engagement

In May 2022, the Ministry of Education gathered feedback from board members, principals, whānau and community members through a survey which asked what people thought should or shouldn't be compulsory to include in planning and reporting, and how schools could better engage with local whānau and community members.

Not all respondents who engaged with the survey answered all the questions, therefore an average was generated for each question across both groups of respondents. Each question was answered by an average of 273 board members and principals and 281 whānau and community participants.

Stage 2 targeted engagement

The second targeted engagement survey (Stage 2) took place from the second half of June 2022. The purpose of stage 2 was to check that the key themes heard during stage 1 were an accurate reflection of the sector's thoughts and to test with the sector the high-level content likely to be proposed for regulations.

Respondents from Stage 2 ranged from board members, principals, and community and whānau members, to peak bodies and other educational entities. An average of 177 respondents answered each question. The survey asked a total of 5 questions based on the content of regulations and guidance, asking respondents about various aspects of planning and reporting such as whether there should be requirements around the content and timing of strategic and annual plans and reports.

Limitations of the analysis

- **Limited consultation timeframe** - the Stage 2 survey was open from the 20 June – 1 July (11 days). This truncated timeframe has contributed to fewer people responding to the stage 2 survey than stage 1.
- **Misinterpretation of questions** - the survey questions were designed to be open-ended to draw out diverse feedback. This resulted in some misinterpretation of the questions and some responses being out of scope of the engagement.
- **Limited engagement with whānau Māori and Māori groups** - a total of 192 whānau Māori and 13 iwi and/or mana whenua engaged with Stage 1 of the survey, however only an average of 56 whānau Māori and 4 iwi and/or mana whenua respondents answered each question. At the time of preparing this report, we have not completed our engagement with Māori medium and Kaupapa Māori education providers on what the regulations for Māori medium and Kaupapa Māori education settings should include.
- **Loss of nuance and specificity** - drawing multiple perspectives into a thematic summary will result in the loss of nuance and specificity around the feedback provided.

Stage One: What good planning and reporting looks like

We asked what good strategic planning looks like and how regulations and support can strengthen planning and reporting and ensure excellent and equitable educational outcomes for all learners. The main feedback we received were:

- Most respondents felt some content such as student achievement information, goals that reflect national and local strategies, and demonstration of commitment to Te Tiriti o Waitangi should be compulsory for school planning and reporting.
- Board members and principals wanted regulations to be flexible, so school plans and reports reflect their local contexts and what their whānau and communities want to see.
- Respondents wanted to see more community participation in both planning and reporting, including giving regular feedback and schools reporting back information in clear and accessible ways.

Strategic and Annual Implementation Planning

Strategic and Annual Implementation Plan content

We asked respondents what content should be included in strategic and annual implementation plans. Most principals and board members felt that most content should be left for them to decide so they can include content unique to their local contexts. Board members and principals also emphasised that student achievement information, goals that reflect local and national strategies, and demonstrating commitment to Te Tiriti/ The Treaty should be compulsory. Whānau and community members agreed that Te Tiriti/ The Treaty should be a priority in planning, and they also felt child wellbeing and equity considerations should be compulsory.

Community engagement in Strategic and Annual Implementation Planning

We asked how schools could partner with whānau, learners, and communities to create school plans. Most board members and principals felt that schools should engage more with the community. Whānau and community also felt that schools should actively reach out to them more frequently via varied modes of communication, so they have the information they need to understand how their school is performing.

Annual Reporting

Principals and board members felt that reporting should reflect what matters most to communities, with many calling for regular feedback mechanisms throughout the year. Boards and principals stated that it should be compulsory for schools to include certain content in their reporting such as goals and targets, student achievement, student health and hauora, and information about property and finance.

Whānau and community members said that they would like to see information on student achievement and student health and hauora reported back in the annual report. Whānau and community members also reiterated that they want to be involved in the reporting process, and that boards needed to be transparent about their progress against their goals and the measures they use in their annual reports – a key mechanism for whānau and communities to hold their school accountable.

Stage Two: what regulations should include

In state two, we asked what content should be included in regulations to help support schools and their communities with the new planning and reporting framework. The main themes expressed by respondents during this targeted engagement were:

- Most respondents felt that regulations should outline the content of strategic and annual plans but provide enough flexibility for schools to reflect their local priorities.
- Schools felt that they should have the ability to decide how they respond to the needs of learners with differing needs as they are best placed to identify and understand their concerns.
- Schools did not want to use standardised measures to chart progress against their objectives as it may fail to take into consideration unforeseen changes and circumstances.
- A small number of respondents wanted regulations to give effect to Te Tiriti o Waitangi and te ao Māori and demonstrate this commitment through their curriculum and engagement with Māori students and local mana whenua.
- Some boards and principals felt that the start date of the new planning and reporting framework was unsuitable as it does not take into consideration the existing workload of principals, and the unique circumstances of some schools.

Regulations for the content of Planning and Reporting

Sixty-seven respondents commented that they wanted regulations that provide minimum standards for the content of their strategic and annual implementation plans with enough flexibility to reflect the unique character, aspirations and needs of their communities. Boards, principals, whānau and community members stated that a minimum set of standards would help create consistency and would help boards and principals to understand what was required. Forty-eight respondents raised concerns that highly prescriptive regulations would inhibit the ability of schools to reflect local priorities.

Content that should be compulsory in Strategic and Annual Implementation Plans

Strategies for identifying and catering for learners with differing needs

In Stage 2, we proposed that the content of strategic and annual implementation plans should include regulations requiring boards to identify and cater for:

- the needs of:
 - students that are not/or are at risk of not achieving;
 - students with disabilities and learning support needs;
 - Māori and students at the school;
 - Pacific students at the school; and
- areas of the curriculum that need particular attention.

We also suggested that regulations should require boards to include the teaching and learning programmes, policies, plans and targets to address the needs of these students.

Fifty respondents agreed with the proposed content of regulations for school strategic and annual implementation plan.

Thirteen respondents however felt that it should not be a requirement to include strategies for each of these student groups as it would complicate planning documents. Commenters acknowledged that each school would have different numbers of students from various population groups with differing needs. Boards, principals, whānau and community members argue that schools would invariably be better placed to identify, understand, and provide for the needs of specific groups rather than having a standardised set of regulations.

Targets and measures should not be compulsory

Nine respondents felt that school planning should not use standardised measures to chart progress against school objectives. They argued this could restrict their school's ability to adapt to unforeseen changes and circumstances, as recently observed with COVID-19.

Schools need to give effect to Te Tiriti o Waitangi and Te Ao Māori

Ten respondents thought that regulations should require schools to outline its use of te reo and demonstrate how it has given effect to Te Tiriti o Waitangi and te ao Māori. Respondents thought that regulations could include school-wide indications of the use of te reo Māori as a way to place value on the language. Other respondents argued that regulations should require schools to illustrate how they have given effect to Te Tiriti o Waitangi and te ao Māori, including in their curriculum and through their engagement with Māori students and local mana whenua.

The timing of Strategic and Annual Implementation plans

The timing of plans is suitable

We asked boards, principals, whānau and community members if they were comfortable with the proposed regulations on the timing of strategic and annual plans. Most respondents (45) stated that they were comfortable with the timing, however 20 respondents felt that the 1 January 2024 start date was too early.

Some respondents felt that timing should be context specific and that the 1 January 2024 date does not take into consideration the differing circumstances of schools which may be impacting their ability to produce their reports on time. For example, primary school and secondary school end of year results are collected at different times. Additionally, some Kura want cycles to be based on te tau hou Māori which is traditionally a time for wananga.

Tamariki and rangatahi survey

The Ministry of Education undertook a survey to gather responses from tamariki and rangatahi on the new planning and reporting framework. A total of 348 tamariki and aged between 5 - 18 took part in the survey.

What rangatahi would like a say on

The majority of tamariki and rangatahi (60.6%) wanted to have a say in their school's planning and reporting rules. Those who wanted to engage in the process felt it was important to be involved as it directly affects all learners and their experiences at school. 39.4% of rangatahi said they did not want to have a say, with the majority stating that they were already happy with the current process or that the process was too complicated for them to be involved in.

We asked rangatahi what the most important aspects were of the planning and reporting process that they would like a say in, providing set options for them to choose from. The majority of rangatahi felt that the most important aspects of planning and reporting were what

they learn about, followed closely by how to make their school/kura a safer and more enjoyable space. When asked if there was anything else they would like to say in, rangatahi mentioned aspects including uniform rules, school's teaching and learning programmes, school opening hours, and how to create a safe space for LGBTQIA+ learners.

How to improve school engagement with learners

Most rangatahi felt that the best way for them to express their views was in class or via an online survey. Alternative ways that students suggested they could participate include during student leadership group meetings, one-on-one interactions with a teacher, and via social media. When asked how their school/kura should keep them and their parents or carers updated on how their school/kura is doing, rangatahi overwhelmingly preferred online options such as regular contact through email, posting the information on the internet, and communicating via social media.

Feedback from Education Organisations and Engagement Forums

Education Review Office

Ministry of Education officials met with representatives from the Education Review Office (ERO) to discuss the proposed changes to planning and reporting. ERO's strong view is that strategic planning and reporting is a driver for improving equity and excellence for all learners. Evaluation is integral to the strategic planning and reporting process and schools will need support in areas that make the greatest difference for learners - quality of teaching, responsive curriculum, opportunities to learn, educationally powerful connections with parents, family and whānau and giving effect to Te Tiriti o Waitangi/The Treaty of Waitangi

Commitment to Te Tiriti o Waitangi

- ERO felt that consultation with whānau, hapū, and iwi can itself act as a demonstration of giving effect to Te Tiriti o Waitangi allowing schools to meet iwi aspirations. ERO acknowledges that while certain iwi groups and members may not have the capacity to engage in this process, others may be able to be involved. Plans may need to be developed to attend to the additional stress this may put on iwi resources.
- ERO would like to see regulations that require boards to report on how they are giving effect to Te Tiriti o Waitangi.

Planning and Reporting Content

- Evaluation (Schools and ERO) supports schools to identify key priorities to improve outcomes for all learners. ERO recommended the use of the School Improvement Framework to support schools' continuous improvement journey.
- ERO has a key monitoring role working alongside schools to evaluate the effectiveness of actions taken on learner's progress, achievement and wellbeing.
- Schools want feedback on the quality of strategic planning and reporting.

New Zealand School Trustees Association (NZSTA)

Ministry of Education Officials met with representatives from the New Zealand School Trustees Association (NZSTA) to discuss the proposed changes to planning and reporting. Key points raised by NZSTA were:

- Boards may interpret planning and reporting as a compliance driven exercise. This may influence the way schools create their strategic and annual implementation plans, particularly their ability to incorporate issues unique to the school's context.
- Guidelines can act as a suitable mechanism to encourage schools to be more creative and context-specific approach to planning. NZSTA however recognises that this may have unintended consequences including a lack of consistency in approach, risk of a loss in minimum standards, and an inability for the Ministry to intervene where necessary.
- Boards may feel that their community lacks the knowledge to effectively participate in the planning and reporting process. NZSTA suggests that community engagement could be increased through regulations requiring schools to consult with their communities and supported by upskilling workshops from the Ministry of Education to foster better community engagement.
- Principals may consider that the Statement of Variance is a Ministry review mechanism rather than a self-review tool and recommends clarification of this.
- The school charters and reports are too demanding and are often left incomplete.
- Further clarification is needed on how schools measure their goals and what performance indicators are used to chart progress.

Ending Streaming (Tokona Te Raki) engagement

The Ministry collected feedback from Tokona Te Raki, a co-design forum for Ending Streaming comprised of officials from organisations including Mātauranga Iwi Leaders group, NZQA, NZEI, Professional Learning Aotearoa NZ (PLANZ), PPTA and others.

Mana whenua concerns about consultation burden

- Requiring partnership or consultation may be too demanding on mana whenua who do not have the resources to facilitate such engagement. The group recommends that the Ministry adopt a systematic approach to consultation using high-level engagement to obtain mana whenua and whānau voice. This system would need to ensure that mana whenua are able to exercise mana within the system.

Equity and Te Tiriti/The Treaty in planning

- Planning and reporting needs to ensure that Te Tiriti partnerships are at the centre of the process. The group questioned how the Ministry could ensure that schools give effect to Te Tiriti and give voice to those who are often left unheard.

Reporting considerations

- Annual reports could be improved with the inclusion of student-teacher evaluations and student wellbeing reports. This may provide valuable information and is used in other similar contexts including universities as an evaluation mechanism.

Curriculum Advisory Group

The Ministry engaged with the Curriculum Advisory Group (CAG) - an external group of curriculum advisors from across the education system from early childhood education, schools and kura in both English and Maori medium.

- schools need to provide better opportunities for communities to give their feedback.
- it is important to understand student needs, and these should be reflected in local priorities and incorporate wellbeing outcomes.
- examples of good planning and reporting supplemented by training and development would be useful to schools, especially for new principals.

Youth Law

Ministry of Education Officials met with Youth Law to discuss the proposed regulations. The key points they raised were:

- the Education and Training Act states that when developing their school plans, boards must consult with, among other groups, the school's students where appropriate. Youth Law raised that some schools may use the qualifier of 'where appropriate' to justify instances where they have not consulted their students. Youth Law want regulations to clarify when it is appropriate not to consult with students (when they are too young).
- planning and reporting should have a focus on the school's responsibilities. They considered the primary objectives of the school board to be significant and that schools needed support from the Ministry to understand those objectives.

Post Primary Teachers Association

Officials' engagement with members of the Post Primary Teachers Association as part of the stage two engagement. The key points raised were:

- Regulations need to ensure that there is sufficient flexibility to appropriately reflect a schools' local context – ie a school may only have a small number of Pacific students or none at all and therefore the focus in the strategic plan on strategies to support Pacific students must be proportionate to the local context.
- It would be useful to understand through a matrix or checklist how the new approach to strategic planning differs to the current requirements under charters.
- We need to be conscious of expectations around planning and reporting in the sector i.e. this is not the change that is at the forefront of schools minds at the moment and there are examples of what good looks like currently.
- We need to be conscious of the impact on hapū and iwi and need to consider resourcing to support this.

Mātauranga Iwi Leaders Group (MILG)

Officials met with the Mātauranga Iwi Leaders Group to hear their feedback on draft options for inclusion in the education report. MILG represent iwi within the education sector. They provide advice on the mātauranga strategic priorities of iwi. The key points raised were:

- The importance of regulations and support having a stronger focus on equity outcomes and reflecting local tikanga

- The challenges for whānau in having a say on decisions and knowing how to navigate or be involved in decision-making. This has to be balanced alongside ensuring whānau, hapū and iwi are not overloaded with engagement and consultation as it is often the same person(s) in one community.
- The importance of considering resourcing for hapū and iwi in the development of supports around the regulations.
- The Ministry considers how information from multiple schools and kura strategic plans within a rohe could be reported back to iwi to understand how well schools are performing for their tamariki and rangatahi (a similar point to what was raised by the Ka Hikitia Steering Group)

NZ Principals Federation

Officials' engagement with the NZ Principals Federation Executive meeting as part of the stage two engagement. The key points raised were:

- Annual plans are the most important for schools ie the strategic plan sets out a high level vision which could be on a page, it's the annual plan that determines the steps schools will take to deliver on that vision. They also emphasised that the vision for a school was critical and something they would like to see reflected in the regulations
- The importance of resourcing for hapū and iwi in the development of supports around the regulations.
- Opportunity that these regulations and supports ensure that schools are fulfilling Te Tiriti o Waitangi obligations – must haves in the regulations were reflecting local curricula and reporting on te reo Māori provision.
- The importance of aligning the timing of development of strategic plans with the curriculum refresh and the synergies between the two.
- Financial resourcing for principals was needed in the development of strategic plans – ie it largely falls on the principal rather than the board.

Ka Hikitia Steering Group

Officials met with the Ka Hikitia Steering Group to hear their feedback on draft options for inclusion in the education report. The Group includes Māori members from across New Zealand, including rangatahi members. The group focuses on improving education services and outcomes for Māori, whānau, iwi and communities. The key points raised were:

- The Ka Hikitia framework should be embedded in school planning and reporting as this provides a framework for schools to ensure success for their Māori learners.
- Learners need to be at the centre of planning and reporting practices and processes.
- There needs to be strong whānau, community and learner participation in shaping planning and reporting documents and determining what good looks like.
- The consultation requirements may create administrative burden for hapū and iwi if every school in their rohe approaches them to consult. The group recommended that hapū and iwi should be resourced and supported for that engagement.
- We should consider how the Ministry will capture information and data from school planning and reporting documents and understand how well schools are performing for their tamariki and rangatahi. This information and data collaged centrally can then be provided to iwi and hapū partners so they can know how schools in their rohe are delivering for learners.

Ngā Kura -ā- Iwi o Aotearoa

Officials met with the Chairperson of Ngā Kura-ā-Iwi o Aotearoa (NKAI) to test ideas for the content of regulations. The key feedback included:

- NKAI consider the proposed set of regulations for the content of strategic and annual implementation plans are enabling for kura and that all elements sound relevant for kura.
- NKAI are supportive of regulations for planning and reporting focussing on Te Tiriti/ The Treaty and equitable outcomes for all learners and that the proposed set of regulations set a good bottom line for planning and reporting.
- The regulations relating to the content of strategic plans should include the school's vision as this is an important part of the school and community kaupapa.
- While it is appropriate for kura to be required to include strategies for giving effect to te Tiriti/ The Treaty, it may not be necessary for all kura to report back in their annual reports how they are making progress towards meeting their Te Tiriti/ The Treaty obligations. This can be a point of differentiation between planning and reporting requirements for schools and kura.
- While NKAI supported the inclusion of student reporting in the annual report, they emphasised that reporting requirements must be flexible so kura can decide on what to measure and report with their whānau and communities.

Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa

Officials have held an initial meeting with the Chairperson of Te Rūnanga Nui o Ngā Kura Kaupapa Māori (TRN) to discuss these regulations. We will continue to test ideas with TRN and their initial feedback is that it is important for us to use Te Aho Matua to guide the development of regulations.

Appendix Two: Description of options

	Option 1	Option 2 (preferred)	Option 3
Strategic Plans	<p><u>The form of Strategic Plans</u> is up to the board and their communities to decide.</p> <p><u>Strategic Plans must include:</u></p> <ul style="list-style-type: none"> The school's vision The board's strategic goals over the next 3 years for meeting each of its primary objectives set out in S127 of the Act and any other objectives identified through consultation Information about how the board prioritised its goals The strategies the board will use over the next 3 years to achieve or make progress towards its goals Measures, evidence and processes the board will use to evaluate their progress towards strategic goals Strategic plans must be written and presented in a way that is accessible to their communities <p><u>Strategic plans may also include:</u></p> <ul style="list-style-type: none"> Information of how the board's strategic goals: <ul style="list-style-type: none"> are linked with the NELPs reflect relevant national education strategies/plans - Ka Hikitia, Action Plan for Pacific Education the Learning Support Action Plan, and the Oranga Tamariki Action Plan <p><u>Timing for strategic plans:</u></p> <ul style="list-style-type: none"> The first strategic plan must be prepared by 1 January 2024. Strategic plans must be published and submitted to the Secretary of Education by 1 March. 	<p><u>The form of Strategic Plans:</u> is up to the board and their communities to decide.</p> <p><u>Strategic Plans must include:</u></p> <p>All content from Option 1 (that a strategic plan must and may include) with the following additional details:</p> <ul style="list-style-type: none"> Strategies the board will use to achieve or make progress towards strategic goals must include: <ul style="list-style-type: none"> Strategies for identifying and catering for the needs of (boards to develop these strategies for relevant groups of learners based on the identity, needs and aspirations of their school communities): <ul style="list-style-type: none"> Pacific learners; learners with disabilities and learners with learning support needs (including gifted and talented learners; learners who are not progressing and/or achieving as anticipated; Oranga Tamariki Action Plan priority population (children and young people who are involved with the care and protection and youth justice systems); and learners who are at risk of not progressing and/or achieving; Strategies for meeting the board's Te Tiriti o Waitangi / The Treaty of Waitangi obligations, including for: <ul style="list-style-type: none"> ensuring that the schools plans, policies and local curriculum reflect local tikanga, mātauranga and te ao Māori improving progress and achievement for Māori learners; and making progress towards providing instruction in tikanga and te reo Māori. 	<p><u>Form of Strategic Plans</u> – Boards are required to complete these on a prescribed template which guides them through the compulsory sections of the Plan</p> <p><u>Strategic Plans must include:</u></p> <ul style="list-style-type: none"> All content from Option 2 with the following additional details: <ul style="list-style-type: none"> Boards must create at least 4 strategic goals (1 per each of the primary objectives) Summary of the community consultation the board undertook to develop their Strategic Plan Financial and property plans for the next 3 years <p><u>Timing for strategic plans:</u> same as option 1</p>

		<u>Timing for strategic plans:</u> same as option 1	
AIPs	<p><u>The form of Annual implementation plans</u> is up to the board and their communities to decide</p> <p><u>Annual implementation plans must include:</u></p> <ul style="list-style-type: none"> Information about the previous year's performance Annual targets for each of the board's strategic goals Actions the board will take to meet annual targets How the board will allocate resources (staff, funding, other investments) to meet their targets The measures and evidence the board will use to evaluate progress towards achieving their annual targets <p><u>Annual implementation plans may also include:</u></p> <p>Additional information about the school's teaching and learning strategies and programmes, with a particular emphasis on foundational learning for the year to address the needs of:</p> <ul style="list-style-type: none"> Pacific students; students with disabilities and students with learning support needs (including gifted and talented learners); students who are not progressing and/or achieving; Oranga Tamariki Action Plan priority population (children and young people who are involved with the care and protection and youth justice systems); and students who are at risk of not progressing and/or achieving <p>Additional information about how the board's annual targets and actions will support it to give effect to Te Tiriti o Waitangi / The Treaty of Waitangi.</p> <p><u>Timing for annual implementation plans:</u></p> <ul style="list-style-type: none"> Annual implementation plan must be prepared and published each year by 31 March 	<p><u>The form of Annual Implementation Plans</u> same as option 1</p> <p><u>Annual implementation plans must include:</u></p> <ul style="list-style-type: none"> All content from Option 1 that the annual implementation plan must include, with the following additional detail: <ul style="list-style-type: none"> Information about the previous year's performance must include information about how the board will address any unachieved targets from the previous year (drawn from the Statement of Variance) All content from Option 1 which annual Implementation plans may include <p><u>Timing for annual implementation plans:</u> same as option 1</p>	<p><u>Form of Annual Implementation Plans</u> – Boards are required to complete these on a prescribed template which guides them through the compulsory sections of the Plan</p> <p><u>Annual implementation plans must include:</u></p> <ul style="list-style-type: none"> All content from Option 2 that the Annual Implementation Plan must include, with the following additional details: <ul style="list-style-type: none"> Information about the previous year's performance and the evidence the board will use to measure progress in the coming year must include student progress and achievement and attendance data Information about annual targets must include how the board developed these targets and how they support the relevant strategic goal Evidence the board will use to measure progress must include student progress and achievement, attendance data <p><u>Timing for annual implementation plans:</u> same as option 1</p>

<p>Annual Reports + SoV</p>	<p><u>The form of Annual Reports and Statements of Variance</u> are up to the board and their communities to decide</p> <p><u>Annual Reports must include:</u></p> <ul style="list-style-type: none"> Financial statements which are required under section 134 of the Education and Training Act and S87(3) of the Education Act 1989 as boards are Crown entities who must meet Crown entity financial requirements A report on the whole school's student progress and achievement for the previous year, written in plain language <p><u>Annual Reports may also include:</u></p> <ul style="list-style-type: none"> Report on the progress and achievement of: <ul style="list-style-type: none"> Pacific students students with disabilities and students with learning support needs (including gifted and talented learners) students who are not progressing and/or achieving students who are at risk of not progressing and/or achieving; and Oranga Tamariki Action Plan priority population (children and young people who are involved with the care and protection and youth justice systems) Report on how the school has given effect to Te Tiriti / The Treaty including: <ul style="list-style-type: none"> The progress and achievement of the school's Māori students the progress the school has made towards making instruction available in tikanga and te reo Māori <p><u>Statements of Variance must include:</u></p> <ul style="list-style-type: none"> Actions the school took in the previous year to achieve annual targets Outcomes of the board's actions Reasons for any differences between targets and the year's outcomes How the outcomes and differences will inform next year's planning 	<p><u>The form of Annual Reports and Statements of Variance</u> same as option 1</p> <p><u>Annual Report must include:</u></p> <ul style="list-style-type: none"> All content from Option 1 that the Annual Report must include All content from Option 1 that the Annual report may include <p><u>Statements of Variance must include:</u></p> <ul style="list-style-type: none"> All content from Option 1 with the following additional details: <ul style="list-style-type: none"> outcomes of the board's actions must include the sources of evidence the board has used to determine their outcomes Discussion of how the outcomes and differences will inform next year's planning must include what the board will do next year to address any targets that were not achieved 	<p><u>Form of Annual Reports and Statements of Variance –</u> Boards are required to complete these on a prescribed template which guides them through the compulsory sections of the Plan</p> <p><u>Annual Report must include:</u></p> <ul style="list-style-type: none"> All content from Option 2 that the Annual Report must include Dashboard on financial health for whānau including: <ul style="list-style-type: none"> Roll numbers for the year, compared to the previous year Staffing levels compared with the previous year Current cash position Level of borrowing compared to operational grant funding Statement of school property spending in relation to the school's 10 Year Property Plan <p><u>Statements of Variance must include:</u></p> <ul style="list-style-type: none"> All content from Option 2 for what Statements of Variance must include with the following additional details: <ul style="list-style-type: none"> When completing their Statements of Variance, boards must use information about its performance obtained through its process of monitoring and evaluation
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	Statements of Variance must be written in plain language		
Consultation	<u>Consultation Requirements:</u> no further consultation requirements in regulations – the Act sets out minimum standards for consultation.	No further consultation requirements over and above those in the Act, with a commitment to review whether additional requirements are necessary after the first round of strategic plans.	<u>Consultation Requirements:</u> When developing their Strategic Plans and Annual Implementation Plans, Boards must consult with their school community, staff and students (where appropriate), and as part of that, must take all reasonable steps to engage with: a. Whānau Māori, hapū and iwi b. The Pacific families associated with the school c. The disability community associated with the school
Differentiated requirements for kura across all options	Boards associated with Te Rūnanga Nui, Ngā Kura ā Iwi and other hapū and iwi affiliated kura: <ul style="list-style-type: none"> may develop their strategic goals that also reflect Te Aho Matua and local tikanga respectively are not required to set out their full strategies for meeting their Te Tiriti/The Treaty obligations and instead can provide a general statement about how the kaupapa of the kura reflects Te Tiriti/The Treaty. are not required to set out (in their Annual Implementation Plans) a full description of how their targets and actions support giving effect to Te Tiriti/The Treaty and instead may provide a general description of how their targets and actions reflect the kaupapa of the kura 		

Appendix Three: Population Impacts

Officials have assessed the population implications for these proposals in the table below.

Population group	How the proposal may affect this group
Children	The proposals will support school boards to meet their primary objectives set out in the Act, which include ensuring that every student is able to attain their highest possible standard of educational achievement, and that the school is inclusive of and caters for students with differing needs. Boards will be required by these regulations to plan for, measure and report on learner outcomes, paying close attention to the needs of learners who have traditionally been underserved in our schooling system. They will also support boards to operationalise the NELPs which set out the government's medium-term priorities for education focussed on achieving equitable and excellent outcomes for learners. Learners will also be included in school planning as boards are required to consult with students (where appropriate) when developing their strategic plans.
Māori	Boards will be required to demonstrate how they are giving effect to Te Tiriti/The Treaty including by reporting to whanau and the government on how they are supporting equitable outcomes for their Māori learners, ensuring their plans, policies, curriculum reflects local tikanga, mātauranga and te ao Māori, and making progress towards providing instructions in tikanga and te reo Māori. These regulations will help boards focus on meeting their primary objectives to give effect to Te Tiriti and support equitable outcomes for Māori learners. Additionally, the proposed regulations are intended to be flexible enough to include differentiations that enable Māori medium and kaupapa Māori kura to plan and report in ways that best suit them and their whānau and communities. The new framework requires boards to consult with the Māori community associated with the school on developing strategic plans. This provides an opportunity for whānau to both be involved in school planning and hold their schools accountable for its learner outcomes.
Pacific people	These proposals strongly focus boards on achieving equitable outcomes for Pacific learners. They will support boards to pay close attention to and lift the progress and achievement of Pacific learners. Boards will be required to demonstrate that they have strategies for supporting equitable outcomes for Pacific learners. They will also be required to report on the progress and achievement of Pacific learners. Pacific families associated with the school will have the opportunity to be involved in school planning during the board's consultation process to develop the strategic plan.
Women	Women will not be disproportionately affected by the proposals in this paper, either positively or negatively.
Disabled people	The proposed regulations are intended to focus boards on achieving equitable outcomes for all learners, including learners with disabilities, and learners with learning support needs. It requires boards to demonstrate that they have developed strategies and actions for catering for learners with learning support needs and report on the progress of these learners. Inclusion of these strategies, actions and reporting will provide the disabled community associated with the school with the information they need to hold their schools accountable for outcomes for learners with disabilities, and learners with learning support needs.
Ethnic communities	Boards will be required to develop strategic goals, with targets and actions to meet those goals relating to each of their primary objectives set out in the Education Act. This includes that the school takes all reasonable steps to eliminate racism, stigma, bullying and any other forms of discrimination within the school and ensuring that the school is inclusive of and caters for, students with different needs. This will help to ensure that schools are focussed on creating a safe and inclusive environment and working to achieve equitable outcomes for learners from different backgrounds and ethnicities.