**Te Whakangārahu Ngātahi: Planning Together for Ākonga Success – Our School, Our Community**

**Draft regulations consultation guide**

**What is this document about?**

Kia ora and welcome to the description of our intended changes to the regulations for school and kura planning and reporting.

In November 2022, the Government agreed to regulations to put in place a new planning and reporting framework for schools and kura.

This document sets out the background to the changes, explains what will be required under the proposed new regulations, and lets you know how you can provide your feedback.

**What is planning and reporting and why are we making changes now?**

Planning and reporting helps schools and kura to plan how they will prioritise their resources to deliver excellent and equitable outcomes for all students and then to report on the implementation of those plans.

Previously, all State schools and kura had to have a charter as their school plan. In their plans, schools had to include a long-term strategy and an annual plan, which had to be revised each year based on the previous year’s results.

In 2017, the Government changed the law to clarify what schools must do as part of their planning and reporting processes. The changes reflected concerns that planning and reporting should be for the benefit of the schools’ community, rather than for central government, and that schools should be accountable to their communities. There were also concerns that school charters had lost their focus and were too complicated.

The changes introduced three separate planning and reporting documents:

* **A strategic plan** that sets out strategies for how the school board is working towards achieving [primary objectives](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS274508.html) set out in the Act and any other priorities identified with their community
* **An annual implementation plan** that sets out how school boards will implement the strategies in the strategic plan, and
* **An** **annual report** **and statement of variance** that sets out the school’s performance for the year and includes an audited financial statement.

It also included a new requirement for schools to consult their communities when developing their strategic plans to help schools reflect, and be more responsive to, community priorities.

The law did not specify what should be included in these documents and instead allowed for this detail to be included in regulations.

The regulations will be made by the middle of this year so that school boards’ first strategic plans can be in place from 1 January 2024. This will give schools the second half of this year to consult and develop their strategic plans with their community.

**Why are we consulting now?**

Last year, the Ministry asked schools, kura, students, whānau, communities, as well as those in the education sector about how regulations could make school and kura planning and reporting more effective for improving schools’ performance and more useful for the community.

We were told that we should remove the many detailed requirements in the charter, allow for communities to have their say on what schools deliver for their students, and be more student focussed, especially for those students that have been underserved in the education system.

With this in mind, the Government agreed that the regulations would:

* Provide clear and simplified requirements focusing boards on their [primary objectives](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS274508.html)
* Support boards to build strong relationships with their whānau and communities throughout the planning process so that plans reflect their communities’ identities, aspirations and needs
* Ensure annual reports are easier to read to enable communities to hold their schools accountable for their performance
* Give practical effect to Te Tiriti o Waitangi / the Treaty of Waitangi to lift educational outcomes for Māori students, and
* Provide flexibility for kura boards so that they can plan and report in ways that reflect their kaupapa.

**What are the proposed regulations?**

*Strategic plans*

The proposed regulations set out what boards must focus on and include in their strategic plans, these include:

* The school’s vision
* The board’s strategic goals for the next 3 years for meeting its [primary objectives](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS274508.html) and other goals identified through consultation, and information about how they prioritised those goals
* Strategies the board will use over the next 3 years to achieve, or make progress towards achieving, their strategic goals, including strategies for identifying and catering for students whose needs have not yet been well met, and strategies for giving effect to the board’s Te Tiriti / The Treaty obligations as in section 127(d) of the Act
* 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 [national education learning priorities](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS261289.html#LMS261289) and other relevant national education strategies/plans such as the [Ka Hikitia plan](https://www.education.govt.nz/our-work/overall-strategies-and-policies/ka-hikitia-ka-hapaitia/), [Action Plan for Pacific Education](https://www.education.govt.nz/our-work/overall-strategies-and-policies/action-plan-for-pacific-education-2020-2030/), [the Learning Support Action Plan](https://conversation.education.govt.nz/conversations/learning-support-action-plan/) and the [Oranga Tamariki Action Plan](https://www.orangatamariki.govt.nz/about-us/how-we-work/oranga-tamariki-action-plan/).

*Why?*

The regulations have been designed to help focus boards on their key commitments to their communities and the Government.

They introduce tools and measures that enable boards to translate their overarching government priorities, including their [primary objectives](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS274508.html), their [Te Tiriti o Waitangi/The Treaty of Waitangi obligations](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS274508.html#:~:text=the%20school%20gives,for%20M%C4%81ori%20students.), and government’s medium-term priorities in the [national education and learning priorities](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS261289.html#LMS261289), into practical actions.

The regulations enable boards to develop strong relationships with their community so that they can support good engagement with, and accountability to, their communities. This includes a school or kura having a particular focus on strategies to support the needs of underserved students. This includes:

* Māori students
* Pacific students
* Students with disabilities
* Students with learning support needs (including gifted and talented students)
* Students who are, or are at risk of, not progressing towards or achieving their highest possible standard of educational achievement
* Children and young people for whom a care or protection order has been made under the Oranga Tamariki Act 1989, and
* Students in the youth justice system.

*Timing of strategic plans*

Government has agreed that schools’ first strategic plans will be made by 1 January 2024 and be in effect for two years (2024 and 2025). The plans must be published and submitted to the Secretary for Education by 1 March.

The regulations then set out that all subsequent strategic plans will be in place for three years. This is to align the start of plans with the beginning of the school year after board elections. In establishing these dates, the Government is trying to ensure that school boards have enough time to consult with their communities in the development of their plans, and enough time to be held accountable for delivering on the goals in their plans during the board’s election term.

*How to see it in the Regulations*

**Regulations 5 to 7 set out the content, timing, and submission requirements for strategic plans.**

*Questions on strategic plans*

1. Do you think that the proposed regulations reflect the things that the Government is trying to achieve?
2. Do you agree with the timing of the start date for schools’ strategic plans?

*Annual implementation plans*

Annual implementation plans help boards plan and track their performance each year towards meeting their three-year strategic goals. The proposed regulations require boards to include in their annual plan:

* Annual targets for each of its strategic goals
* Actions the board will take to meet its 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
* Information about its previous year’s performance (including how the board will address any unachieved targets from the previous year)
* Teaching and learning programmes and strategies with particular emphasis on foundational learning for the year to address the needs of students whose needs have not yet been well met, and
* Information on how the board’s annual targets and actions will support it to give effect to Te Tiriti o Waitangi/The Treaty of Waitangi
* Annual implementation plans must be prepared and published each year by 31 March.

*Why?*

It’s important for schools to monitor their progress towards meeting their three-yearly strategic goals. The annual implementation plan helps schools and kura to track this progress and focus on their annual approach to reflect these goals. These requirements help boards review and evaluate their performance so that they can make progress on their goals.

*How to see it in regulations*

**Regulations 8 and 9 set out the timing and content of annual implementation plans.**

*Questions on annual implementation plans*

1. Do you think that the proposed regulations reflect the things that the Government is trying to achieve?
2. Do you agree with the timing of when the annual implementation plans must be published and submitted to the Secretary for Education?

*Annual reports and statements of variance*

The proposed regulations set out what schools and kura must include in their annual reports and statements of variance, these include:

* Financial statements which are required under section 134 of the Education and Training Act and S87(3) of the Education Act 1989[[1]](#footnote-2)
* A report on the whole school’s student progress and achievement for the previous year which includes information on the progress and achievement of groups of students whose needs are not yet well met
* A report on the progress and achievement of Māori students and how the board has given effect to their Te Tiriti o Waitangi objective in section 127(1)(d) of the Act.
* Actions the board took in the previous year to achieve its annual targets
* Outcomes of the board’s actions and the sources of information the board used to determine them
* Reasons for any differences between the targets and the school’s actual performance, and
* How the differences in targets and performance will inform next year’s planning (including what the board will do to address any unachieved targets).

*Why?*

The requirements in schools’ annual reports and statement of variance have been shaped to provide information that is meant to help whānau and communities monitor and evaluate their school’s progress around their strategic goals. These are the main documents that boards use to communicate to their communities and to government about what they have done in the past year and how they have used their resources.

The timing of annual reports and statements of variance must be submitted as set out in [section 134](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS262217.html) and [section 135](https://legislation.govt.nz/act/public/2020/0038/latest/LMS177764.html) of the Act.

*How to see it in regulations*

**Regulations 10, 11 and 12 set out the provisions on the annual reports and statements of variance, including the content of annual financial statements.**

*Questions on annual reports and statement of variance*

1. Are there any further requirements within the schools’ annual reports and statements of variance that you think should be included to better inform schools’ communities?

*How regulations are applied to kura boards*

Kura Kaupapa Māori boards, or boards of kura that are a designated character school that are hapū or iwi based that affiliate with Ngā Kura ā Iwi o Aotearoa, or boards of a State-integrated school with a special character that is hapū or iwi based, have more flexibility in their strategic plans and annual implementation plans. This means that these kura boards:

*In strategic plans:*

* May develop strategic goals that also reflect Te Aho Matua and local tikanga
* Don’t need 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.

*In annual implementation plans:*

* Don’t need 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 their kura.

*Why?*

As kura are State schools, they must also meet the requirements in the law. However, some of our proposed requirements do not make sense for kura and so the regulations provide flexibility for kura to plan and report in ways that align with their kaupapa.

*How to see it in the Regulations*

**Regulations 7(1)(b)(ii) and 9(2)(a) and (b) set out the content of strategic plans and annual implementation plans for kura boards as described above.**

*Questions on proposals for kura boards*

1. Do you think that the proposed regulations for kura boards reflect the things that the Government is trying to achieve?

*Accessibility to school communities*

The regulations propose that every strategic plan, annual implementation plan, annual report, or statement of variance must be written and presented in a way that is easily understood by school communities.

*Why?*

It is important for schools’ communities to be able to check on their school’s progress and performance. This is essential to ensure that boards are accountable to their communities.

*How to see it in the Regulations*

**Regulation 13 sets out the accessibility of plans, reports, and statements to school communities.**

**What else is the Ministry of Education doing to get the new requirements up and running?**

From March 2023, the Ministry will be seeking input from people across the education sector – schools, students, families/whānau, communities, and other education organisations to develop the supports needed to help schools genuinely engage and consult with students, family/whānau and their wider communities to get planning and reporting right for them.

We are also developing the supports required for schools to be ready for the coming changes. This will include creating tools, resources, how-to guides, explaining the vision, communications, and templates to help schools and regional Ministry staff do this well.

If you would like to participate in this process, please contact your regional Ministry office or write to [planning.together@education.govt.nz](mailto:planning.together@education.govt.nz)

**Providing feedback**

Thank you for taking the time to read our consultation guide. Your feedback will enable us to make any necessary changes to schools’ planning and reporting requirements.

*How to provide feedback*

Submissions are open from 13 March to 6 April 2023. You can make a submission on the planning and reporting Regulations online at [consultation.education.govt.nz](https://consultation.education.govt.nz/).

**Further information**

You can find the full extent of the changes on the Ministry’s schools’ planning and reporting information page [Improving schools' planning and reporting](https://www.education.govt.nz/our-work/legislation/education-and-training-act-2020/education-and-training-act-2020-improving-planning-and-reporting/), which also contains the proactively released Cabinet paper and Regulatory Impact Statement and other policy documents for school planning and reporting.

If you have any questions about making a submission, or would like more information, please email us at [legislation.consultation@education.govt.nz](mailto:legislation.consultation@education.govt.nz)

Any feedback you provide will be confidential to those involved in analysing it. We will not identify any individuals in our consideration unless you expressly give us permission to do this. However, submissions, including submitters’ names, and documents associated with the consultation process may be subject to an Official Information Act 1982 request.

1. There is no change to the financial reporting information required. However, some of the requirements of the previous Education Act will be set out in regulations. [↑](#footnote-ref-2)