



Briefing Note: Agency feedback on Cabinet paper *Education (School Trustee Elections) Regulations 2000*

To:	Hon Chris Hipkins, Minister of Education		
Date:	31 January 2020	Priority:	Medium
Security Level:	In Confidence	METIS No:	1213205
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Messaging seen by Communications team:	No	Round Robin:	No

Purpose of Paper

This paper provides an updated version of the Cabinet paper "Education (School Trustee Elections) Regulations 2000 – approval to consult on proposed amendments" following departmental consultation. If you are happy with the changes, the paper is ready for you to undertake Ministerial consultation.

Summary

- Feedback from consultation with agencies was broadly supportive of the proposed changes.
- The Ministry for Pacific Peoples (MPP) commented that some Pacific communities still rely on newspapers. MPP was concerned that the proposal to replace the requirement for returning officers to publish election-related notices in local newspapers may enable schools to use a method of communication that will not meet the needs of some Pacific communities. In response to this, we propose to clarify that returning officers will be required to notify the school community and any other affected parties in a manner that best meets the needs of the school community. ✓

Proactive release recommendation

Agree that this Briefing will be proactively released once Cabinet decisions have been made.

Agree / Disagree

Ben O'Meara

Ben O'Meara
Group Manager
Education System Policy
31/01/2020

Chris Hipkins

Hon Chris Hipkins
Minister of Education

6/2/20

Background

1. We have now undertaken departmental consultation on the Cabinet paper that will seek approval to consult on proposed amendments to the Education (School Trustee Elections) Regulations 2000 (the Regulations) to make the board elections framework more workable.
2. These changes are part of the first phase of a two-phased review of the board elections framework. Phase one is focused primarily on removing some of the timing issues associated with the reliance on the postal system. The second phase will be a more fundamental review and will include examining whether the current paper-based voting system is still the best system for board elections, or whether other approaches (e.g. online voting or hui-based systems) might be more appropriate.

Agency feedback

3. We received feedback from the Department of Internal Affairs, Te Puni Kōkiri and the Department of the Prime Minister and Cabinet that was supportive of the changes we are proposing to consult on.
4. The Ministry for Women had no comments on the paper. The State Services Commission and the Ministry of Justice did not provide comment.
5. The Treasury determined that the proposals are exempt from the regulatory impact analysis requirements on the grounds that they would have no or only minor impacts on businesses, individuals or not-for-profit entities.
6. The Office for Disability Issues (ODI) suggested we consult on an additional proposal. ODI would like us to require schools to make a commitment to ensuring that communications about boards of trustees elections are accessible to all, including disabled members of school communities. In response to this, we have agreed to amend one of the principles guiding the overall review of the Regulations that focuses on inclusion. We will be more explicit about making processes and communications accessible to all.
7. "Accessible communications" may require schools to use multiple formats such as notifying their communities about board elections in te reo Māori and other languages, providing sign-language or visual communications. As this will have cost implications for schools, we propose to consider this further in phase two. No change to the proposals in the attached phase one discussion document has been made.
8. The Ministry for Pacific Peoples (MPP) commented that some Pacific communities still rely on newspapers. MPP is concerned that the proposal to replace the requirement for returning officers to publish election-related notices in local newspapers may enable schools to use a method of communication that will not meet the needs of some Pacific communities. In response to this, we propose to clarify that returning officers would be required to notify the school community and any other affected parties in a manner that best meets the needs of the school community and the wider local community.

Discussions with the New Zealand School Trustees Association (NZSTA)

9. We are working with NZSTA on the plan for targeted consultation for the revised Regulations. We intend to consult principals, board members and parent representative groups, as well as peak bodies, from 11 March to 3 April.

Next Steps

10. The proposed timeline for phase one of the review is set out below:

Action	Date
Ministerial consultation on Cabinet paper seeking approval to consult on proposed changes	Completed by 18 February
SWC	4 March
Targeted consultation	11 March – 3 April
SWC – seeking policy approvals	13 May
LEG	30 June
Executive Council	July
Mid-term board elections	December

Annexes

Annex 1:

