

Education & Training Amendment Bill 2024



New Zealand Council Of
Christian Social Services

July 2024

Tirohanga Whānui | Overview

The New Zealand Council of Christian Social Services (NZCCSS) welcomes the opportunity to provide feedback on the Education & Training Amendment Bill 2024. We challenge the kaupapa to repeal the early childhood network approval provisions and hold concerns regarding the introduction of charter schools and rules regarding the form and content of attendance data that schools are required to provide.

NZCCSS supports a publicly funded education system that upholds children's rights, provides high-quality learning experiences for tamariki and rangatahi, is equitable and inclusive, allows for the diverse needs of learners, is delivered by a skilled and supported workforce, and is underpinned by evidence-based theory and best practice. We query the extent to which the amendments contained in this Bill will improve these elements of our education system.

Our main points are:

Charter Schools

1. Greater evidence is needed to justify investment in the charter school model

Robust analysis of how best to improve student attendance and achievement is needed, independent of an assumption that increasing school choice is the best way to achieve this.

2. Concern at disregard for democratic process

Policy development must occur at a pace that enables strong analysis and consultation with those affected.

3. A high level of accountability is needed to protect the education and wellbeing of children and young people

Accountability mechanisms and evaluation must be prioritised as part of the charter school model.

4. Concern for the safety of children

We seek assurance that improved oversight of charter schools will enhance the safety of children and young people.

5. Concerns regarding the provision for the Minister to direct existing, underperforming state schools to apply to convert to charter schools

We query what has guided this provision being included and the level of consultation that will inform decisions about which schools are directed to become charter schools.

6. Concern for the impact of transitions on children and young people

We query how tamariki and rangatahi will be supported through state – charter school transitions.

7. Efforts to improve engagement and achievement must be holistic

Increased school choice must be accompanied by the availability of holistic support that is responsive to the needs of children and young people.

Attendance

The government's focus on attendance data should be used to guide engagement with those families most at need of support and must more adequately recognise the significant societal shift that has occurred as a result of Covid-19.

Early Childhood Network Service Provisions

The Early Childhood Network Services provisions should be retained to support the accessibility, sustainability and effective prioritisation of ECE services.

Taunakitanga | Recommendations

We raise the following points and recommendations for consideration:

Charter Schools

1. **Greater evidence is needed to justify investment in the charter school model**

While NZCCSS supports the intent of the Bill to address falling student achievement levels in New Zealand, we are concerned that charter schools are being re-introduced for ideological reasons, rather than due to robust evidence that supports this approach over alternatives.

We suggest that greater evidence is needed to both justify directing \$153m away from existing school models and demonstrate the return on investment that will be achieved through the introduction of this alternative educational approach. Evaluation of the previous charter school model in Aotearoa fails to identify improved educational achievement for those students who attended charter schools, and there is little evidence in the Regulatory Impact Statement (RIS) to assure the public that increasing school choice alone, and the charter school model specifically, have a higher likelihood of success in improving student attendance and achievement than the existing educational models or alternative strategies.

The RIS acknowledges that the charter school model is limited in its ability to provide additional choice given that only a small number of the total student population will benefit from access to a charter school. This, combined with the absence of targeting for priority learners within the model, highlights that substantial funding is being provided to initiate a model that will benefit a small number of children who may not be at risk of underachievement to begin with. As discussed in the RIS, this may in fact serve to reinforce inequities within the education system (p.32). This is of high concern with regards to tamariki Māori and Pacific children who have long been underserved by our education system and who may stand to gain little from an approach that assumes the market will deliver to meet their needs.

There is also no evidence within the RIS to support the provision for the Minister to direct a school to convert to a charter school. We query what evidence has guided this aspect of the amendment and charter school strategy.

Recommendation: We urge the government to undertake robust analysis of how best to improve student attendance and achievement, independent of an assumption that increasing school choice is the best way to achieve this.

2. Concern at disregard for democratic process

NZCCSS advocates for strong stewardship of our nation's resources and an approach to legislative change that mitigates the risk and impact of policy swings, of which our children and young people are collateral damage. We believe that the way this bill is being progressed sets a potentially worthy concept up to fail and urge the government to progress at a pace that allows for greater consultation and analysis during the policy development phase. As stated in the RIS, *"Introducing and expanding school choice requires well-thought out policies that ensure that benefits are maximised while risks are minimised"* (p.9).

Comments such as those following from the RIS are becoming all too familiar:

"There are some limitations and constraints to this analysis, including the Minister's preference for a specific option, the limited time available to complete the legislative work and the uncertainty in effectiveness of the policy solution."

"Due to time constraints, the Ministry of Education has not been able to undertake formal consultation with the public on any of the proposals in the Bill"

Changing the content of a Bill two days before submissions are due, without any assurance that the closing date would be extended, demonstrates a concerning disregard for democratic process, the role of consultation, and the voices of those affected by this Bill. This is yet another example of the coalition government's indifference to the voice of its citizens, clearly demonstrated using urgency to pass a record number of bills during the first 100 days, and by subsequent legislative changes that have been accompanied by narrow consultation windows occurring at little notice.

Recommendation: We urge government to work at a pace that enables strong analysis and to uphold consultation as a useful and essential component of the policy development process.

3. A high level of accountability is needed to protect the education and wellbeing of children and young people

New Zealand currently has various types of schools enabling a variety of cultural and character-based approaches to education, whilst also being held to specific standards with regards to accountability, curriculum, operations and teaching expertise. NZCCSS is concerned that the charter school model, the nature of the performance outcomes agreements schools are based on, and the mechanisms for monitoring and reporting, will result in reduced accountability for the education and wellbeing of children.

A high degree of accountability and transparency is needed to:

- protect tamariki and rangatahi's educational outcomes and wellbeing
- provide clarity on the effectiveness of this model and any future investment
- protect staff associated with charter schools and the professionalisation of teaching across the sector.
- maintain levels of trust and confidence across the education sector.

We are also interested in understanding the *specific* outcomes desired from this legislation with regards to student attendance and achievement, and how these intersect with other government strategy focused on the same, such as the focus on 1 hour per day of reading,

writing and mathematics, improving the existing English and mathematics curriculum and increased monitoring of student achievement. These initiatives within the state schooling system appear to be, to some extent, at odds with the increased autonomy within the charter school model.

We note that the evaluation model is yet to be developed or funded, and that there is an expectation that the impact of this model on student outcomes cannot be measured until the system has been in place for several years. A government committed to social investment must be highly focused on evaluating the effectiveness of the model and we expect to see this prioritised in future budgets.

Recommendation: Strong accountability and evaluation of charter schools must be prioritised.

4. Concern for the safety of children

Increased autonomy and flexibility, and fewer regulations within the charter school system, pose a potential risk with regards to the safety and wellbeing of children. While there are assurances within the RIS that this will be coupled with increased accountability and monitoring, we observe that the nature of this is yet to be defined and that primarily charter schools will be subject to a self-audit process. Current and historic concerns about the transparency of charter schools raise doubts about the effectiveness of accountability measures and oversight mechanisms previously used. We query what learnings can be taken from the previous model, as well as the just-released Whanaketia report by the Royal Commission of Inquiry into Abuse in Care, that might improve the oversight and safety of a more autonomous model of schooling for children and young people.

Recommendation: We seek assurance that improved oversight of charter schools will enhance the safety of children and young people.

5. Concerns regarding the provision for the Minister to direct existing, underperforming state schools to apply to convert to charter schools

With regards to this provision, we query the criteria for a school to be defined as “underperforming” and seek clarification of the evidence base that maintains that an already underperforming school is more likely to achieve improved outcomes under the charter school model. We are concerned about the impact of this approach on the level of choice children will experience, given that they may then be required to attend a charter school due to not having another state school in proximity, or travel further afield for schooling given that charter schools typically have smaller rolls than state schools.

We also query the minimum level of consultation that will be required by the Authorisation Board to determine support for the conversion from the existing school board, community, staff and students, noting that where this is not clearly defined, consultation may be poorly and inconsistently implemented. This is of particular concern with regards to how consultation with youth, and especially children, will occur. Under Article 12 of the UN Convention on the Rights of the Child, all government agencies hold responsibility to enable children’s right to have a meaningful say in matters that affect them. We observe the absence of a consistently applied government approach to consultation with children and seek clarification of how this right will be upheld throughout a potential school conversion process.

Recommendation: We seek clarification of the evidence base that has informed this provision and the level of consultation that will inform decisions about which schools are directed to become charter schools.

6. Concern regarding support for children involved in school transitions

Points of transition are a critical consideration in the lifecourse approach to development. We suggest that the converting of a state school to a charter school presents a potentially significant transition for children outside of the typically anticipated school transition points (ECE – primary – intermediate – secondary). The impact of a change of leadership, teaching staff, curriculum and teaching approach stands to influence children’s development across a range of domains. We query how children will be supported through these transitions and to what extent the potential positive and negative impacts of this transition will be monitored and mitigated.

Recommendation: We seek assurance that tamariki and rangatahi will be well-supported through state – charter school transitions.

7. Efforts to improve engagement and achievement must be holistic

The RIS highlights that increased flexibility and choice will not improve learn outcomes alone, recognising the complex factors and broader societal issues that impact engagement and achievement (p. 9). Our membership works across Aotearoa with children and young people and their families and whānau to address many of these societal issues. We are concerned by the government’s investment in charter schools occurring concurrent to reductions in funding across agencies that work closely to support children and young people. This is demonstrated by the reduction in funding of \$30m for community services contracted through Oranga Tamariki. A holistic focus on children’s wellbeing is needed to ensure the charter school model has the best chance of success and does not simply increase choice for a minority of children in the absence of other needed support.

Recommendation: We urge the government to ensure increased school choice is accompanied by the availability of holistic support that is responsive to the needs of children and young people.

Attendance

NZCCSS supports children’s right to education and recognises the impact of attendance on student outcomes. Our membership works with families and whānau across New Zealand to address drivers of nonattendance. While we do not oppose the provision to allow for real-time reporting of attendance data, we are concerned that this data may be used for the targeting of punitive measures, such as non-attendance fines.

We are also concerned that commentary on attendance data fails to adequately recognise the significant societal shift that has occurred because of Covid-19. It is clear from the attendance data that illness continues to be the primary driver of non-attendance for children, suggesting that there is an ongoing cautiousness embedded in our communities about children attending school when they are unwell. This cautiousness has been shaped by messaging within the education and health settings, and significant levels of fear and concern for our own children and the wellbeing of others over the course of several years. It is unrealistic to expect that we will simply return to pre-Covid behaviour with regards to student illness now that the government is focused on attendance. We query whether the focus on general attendance may be better used to work intensively with the

smaller subset of students who are facing genuine attendance issues and require high levels of family/whānau support.

Early Childhood Network Provisions

NZCCSS opposes the repeal of the early childhood education (ECE) network approval provisions. We believe the network approval provisions play a useful role in ensuring ECE services are accessible, sustainable and prioritised effectively according to need and demand. We urge government to retain these provisions.

Ko wai tātou | Who we are

NZCCSS has six foundation members; the Anglican Care Network, Baptist Churches of New Zealand, Catholic Social Services, Presbyterian Support and the Methodist and Salvation Army Churches.

Through this membership, NZCCSS represents over 230 organisations providing a range of social support services across Aotearoa. We believe in working to achieve a just and compassionate society for all, through our commitment to our faith and Te Tiriti o Waitangi. Further details on NZCCSS can be found on our website www.nzccss.org.nz.

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