

Impact Summary: Extending ERO's mandate to include the review of professional learning and development (PLD) accessed by schools, kura and early learning services

Section 1: General information

Purpose

The Ministry of Education and the Education Review Office are responsible for the analysis and advice set out in this Impact Summary, except as otherwise explicitly indicated. This analysis and advice has been produced for the purpose of informing stakeholders to be consulted in a government discussion document.

We are consulting on a proposal to amend the Education and Training Act 2020 to extend the mandate of the Education Review Office (ERO) to enable it to review the quality and impact of professional learning and development (PLD) accessed by schools, kura and early learning services.

Key Limitations or Constraints on Analysis

What issues are in or out of scope?

In this proposal ERO would review the quality and impact of the professional learning and development (PLD) accessed by schools, kura and early learning services. It would do this as part of the system evaluation work ERO already conducts with schools, kura and early learning services. When information gathered through these evaluations raises significant concerns about the quality of PLD offered by an individual provider, or when seeking to gather and disseminate examples of highly effective PLD provision, ERO would undertake a review of individual providers. The provider would be required to participate in this review.

Under this proposal, ERO could review how PLD contributes to teaching practice in different aspects of Te Whāriki or the National Curriculum, or for different groups of students. The information gathered in this way would improve our understanding of the quality and impact of PLD across early learning and schooling.

The proposal is limited to professional learning and development accessed by schools, kura and early learning services, and would not allow ERO to review tertiary programmes that sit within the New Zealand Qualifications Framework. During consultation we will undertake further work on ERO's powers of entry and whether these need amendment through legislation to better enable ERO to review PLD providers.

ERO would be able to make recommendations, but decisions about contracting PLD providers would remain with schools, kura, early learning services, and the Ministry of Education.

What is the evidence of the problem?

There is clear evidence about the value and importance of high quality PLD, as well as best practice for providing PLD in a way that strengthens teaching and learning to improve outcomes for diverse learners.

However, we do not have good information about the quality of PLD and its impact on education leadership or teaching practice across schooling and early learning in New Zealand. Teachers and leaders surveyed in reviews of PLD have indicated that its quality and provision varies across schools and kura and that this is a problem.

We propose that including evaluation of PLD in the work of ERO would provide us with better information and understanding of this problem and how to solve it.

We will use the consultation process to gain more evidence and to better understand the views of stakeholders about the lack of information on the impact of PLD, whether the proposal is a good solution, and the potential impact, including costs, on stakeholders.

What are the range of options considered?

We are presenting two options for consultation: the proposal and the status quo. Feedback received through consultation may present us with more options to explore.

What are the criteria used to assess options?

The following criteria were developed to assess options:

- a. Better information is available about the quality and impact of PLD accessed by schools, kura and early learning services in New Zealand;
- b. Clarity of responsibility and roles between different education agencies;
- c. Minimal financial cost to government and compliance burden on schools, services and PLD providers; and
- d. Effective and efficient use of system resources.

What are the assumptions underpinning the impact analysis?

A key assumption is that the current mechanisms to quality assure PLD do not provide sufficient information about PLD provision in New Zealand and how it influences teaching and leadership practice and the learner outcomes. Enabling ERO to review PLD accessed by schools, kura and early learning services, including the ability to review individual providers, would provide better information to inform policy and PLD provision.

Legislative amendment would be required for this.

ERO would initially undertake its review of PLD through its existing evaluation work with schools, kura and early learning services, so it is not expected to create much additional work or cost for ERO, places of learning or PLD providers.

ERO may review PLD providers if significant concerns are raised through its evaluation work, or where ERO is seeking to gather and disseminate examples of highly effective PLD. In these situations, PLD providers or their staff will be required to provide documents, attend interviews with evaluators and correct factual errors in any draft evaluation reports. ERO estimates this would be a maximum of 24 hours of additional staff time per PLD provider reviewed. This is in addition to ERO observation of facilitator practice, which would be cost-neutral.

Further work to determine the extent of additional resourcing required for ERO for this work will be undertaken by ERO and the Ministry of Education, and will be detailed in a subsequent RIA paper after public consultation is completed and the preferred option is identified.

What limitations have there been?

There is limited evidence of the problem or the potential improvement that could be gained by the proposal. To date there has been limited opportunity to assess the extent of possible impact of this proposal on places of learning and PLD providers. We will use the consultation process to better understand the views of stakeholders and the potential impact on them.

Responsible Manager (signature and date):

Dr. Andrea Schöllmann

Deputy Secretary

Education System Policy

Ministry of Education

To be completed by quality assurers:**Quality Assurance Reviewing Agency:**

Ministry of Education

Quality Assurance Assessment:

The Regulatory Impact Analysis panel at the Ministry of Education has reviewed this Regulatory Impact Summary Statement and has confirmed that it meets the assessment criteria.

Reviewer Comments and Recommendations:

Section 2: Problem definition and objectives

2.1 What is the policy problem or opportunity?

The current focus of the Education Review Office

The Education Review Office is the New Zealand government department that reviews and reports on the education and care of students in schools and early learning services. ERO publishes its findings on the provision of education to all young New Zealanders, where that education service is owned, operated or funded by government, other than services provided only to students over 16 who are not enrolled in a State school.

As well as reviewing schools and early learning services, ERO carries out research and evaluation that looks at how the education system supports learners to achieve positive outcomes in schools and early learning services, as well as in Kura Kaupapa Māori and Pacific Bilingual Education.

The importance of high quality PLD in the education system

There is clear evidence that teaching practice makes a significant difference to student engagement, learning, and progress, and that teachers can improve and develop their practice throughout their careers. High quality professional learning and development is an important way to support teachers, kaiako, teacher-aides and educational leaders to develop the skills, knowledge and dispositions needed to meet each learner's needs and contribute to wider system goals.

Current provision, funding and quality assurance of PLD

Professional learning and development for educators is provided through a range of mechanisms. Most is funded by government either through the Ministry of Education, other government agencies (NZQA and Teaching Council) or schools' operational grants. Alongside funding from their operational grants, schools, kura, and early childhood settings resource some PLD directly themselves.

The government and individual schools, kura and early learning services make significant financial investment in PLD. Most government-funded PLD sits within the Quality Teaching and Learning appropriation, which totals approx. \$102 million for 2020/21. Kura and schools reported 'staff development costs' for 2019 as approximately \$50 million.

We have some mechanisms to quality assure the provision of PLD. Providers that receive government funding are selected for contracts based on their proven ability to deliver quality PLD that meets current priorities. The Ministry has also developed a refreshed process to quality assure facilitators; this began in 2020 through the regional funding of PLD for Cultural Competencies, and other changes are being implemented this year. The Ministry is also working to strengthen its approaches to evaluating PLD through impact reporting by places of learning.

The need for a more centrally organised way of evaluating the impact and quality of PLD

We do not have good information about the impact of PLD on teaching and leadership practice and on learner outcomes in New Zealand, either at a national level or within individual places of learning.

We propose that it would be beneficial to have a centrally-organised way of looking at how PLD accessed by schools, kura and early learning services impacts on teaching and learning, and anticipate that this would help to continuously improve the quality and coherence of PLD services.

An opportunity to review the scope of ERO's mandate

The Education and Training (Amendment) Bill 2021 presents an opportunity to review and consult on the scope of ERO's mandate and whether enabling it to review professional learning and development accessed by schools, kura and early learning services, and on occasion to review individual providers of this PLD, is a good solution for the problem of limited information about the

quality and impact of PLD in New Zealand. The Act would require amendment to allow ERO to review PLD providers.

We anticipate that public consultation will provide views and evidence from PLD providers, places of learning, teachers and educational leaders on whether there is a need for a more systematic arrangement for evaluation of PLD, and whether they agree with the proposal to expand ERO's mandate to do this.

ERO is well-placed to review PLD

ERO is well-placed to review PLD accessed by schools, kura and early learning services, as well as individual providers of this PLD, as it has a strong understanding of effective teaching practice in its current role reviewing places of learning. ERO may need to develop new evidence-based evaluation indicators but is experienced in developing these in partnership with communities and stakeholders. Reviewing PLD would also fit with ERO's system evaluation function.

There is a risk that spreading ERO's capability across a new area could draw resources from its core function of reviewing schools and early learning services. ERO proposes to manage this by initially incorporating this new function into its existing system of school, kura and early learning service reviews. Discussion of potential costs is included below, and further work will be done on this and included in subsequent RIA papers.

Scope of the proposal

The proposal is limited to professional learning and development accessed by schools, kura and early learning services. Tertiary programmes that sit within the New Zealand Qualifications Framework would not be included.

ERO would initially review the quality and impact of the professional learning and development accessed by schools, kura and early learning services as part of the Te Ihuwaka - Education Evaluation Centre work that ERO already conducts.

Legislation needs to be amended to enable ERO to review PLD accessed by schools, kura and early learning services, as well as to review PLD providers.

In reviewing PLD, ERO could look at the following issues:

- how PLD providers contribute to improving teaching and leadership practice in delivering aspects of the curriculum
- how PLD providers contribute to improving teaching and leadership practice with different groups of students
- how well PLD on a specific curriculum area or priority is being delivered across the country
- which PLD providers are most effective in helping improve teaching practice, and which need more support

We propose that information gathered through reviews of individual PLD providers and places of learning would help improve our understanding of the quality and impact of PLD across the education system, and thereby inform and improve policy and provision. It will help PLD providers get a better understanding of the quality of their provision, and how to improve it. It will also give the PLD providers tools to self-assess the quality of their provisions.

ERO would be able to make recommendations, but decisions about contracting PLD providers would remain with places of learning and the Ministry of Education.

Further work will be undertaken on ERO's powers of entry and whether these need amendment through legislation for ERO to review PLD providers.

Potential costs of additional resourcing

Schools, kura and early learning services will not require additional funding as the review of PLD will be incorporated into existing evaluations. For the same reason, ERO will also not immediately require additional funding.

The review of individual providers is likely to involve new costs for providers. They or their staff will be required to provide documents, attend interviews with evaluators and correct factual errors in draft evaluation reports. ERO estimates this would be a maximum of 24 hours of additional staff time per PLD provider reviewed. This is in addition to ERO observation of facilitator practice, which would be cost-neutral.

Further work to determine the extent of additional resourcing required for ERO for the review of individual PLD providers will be undertaken by ERO and the Ministry of Education, and will be detailed in a subsequent RIA paper after public consultation is completed and the preferred option is identified.

How much confidence do we have in the evidence?

There is clear evidence about the impact of quality teaching practice on student learning and outcomes, the importance of quality PLD, and best practice for the provision and implementation of effective PLD.

Teachers and leaders surveyed in reviews of PLD have indicated that its quality and provision varies across schools and kura and that this is a problem. We propose that including evaluation of PLD in the work of ERO would provide us with better information and understanding of this problem and how to solve it.

We anticipate the feedback received through consultation process will provide us with evidence and perspectives about the need for a centrally organised way of looking at how the PLD accessed by schools, kura and early learning services impacts on teaching practice and student learning.

2.2 Who is affected and how?

Extending ERO's mandate to enable it to review the quality and impact of PLD accessed by schools, kura and early learning services would affect the following:

- Education Review Office – there is expected to be limited impact on ERO initially as the evaluation of PLD would be done as part of the evaluation work ERO already conducts across the system and in places of learning. ERO's reviews of individual PLD providers would be likely to mean additional cost for ERO, and further work to determine the extent of this will be undertaken and detailed in subsequent RIA papers.
- Schools, kura and early learning services – there would be little impact on these as ERO intends to review PLD as part of the evaluation work it already conducts in these places of learning. It is likely there will be some increased impact reporting in schools' self-assessments as part of these evaluations, but it is anticipated that no additional financial costs will be incurred.
- PLD providers – would be affected by ERO's reporting of the impact of their PLD provision on teaching and learning. ERO's recommendations could influence the contracting decisions made by the Ministry and individual places of learning. Where ERO reviews PLD providers, this is likely to mean additional cost for the PLD provider being reviewed. They or their staff will be required to provide documents, attend interviews with evaluators and correct errors of

fact in any draft evaluation reports. ERO estimates this would be a maximum of 24 hours of additional staff time per PLD provider reviewed. This is in addition to ERO observation of facilitator practice, which would be cost-neutral. Benefits to PLD providers include gaining a better understanding of the quality of their provision, and how to improve it. It would also give the PLD providers tools to self-assess the quality of their provision.

- Teachers, leaders, and other staff in schools, kura and early learning services who access PLD – would benefit from increased quality and coherence of the PLD they access. They may be involved in impact reporting in schools' self-assessments as part of ERO's evaluations.

We will use the consultation process to gain a better understanding of the views of PLD providers, educational leaders, teachers and others about how the proposal might impact them, and whether they see the proposal as desirable.

2.3 What are the objectives sought in relation to the identified problem?

The proposal to enable ERO to review PLD accessed by schools, kura and early learning services aims to provide us with better information about the quality and coherence of PLD. We anticipate this information will inform policy settings and provision of PLD, and thereby help to improve its impact on teaching practice and educational leadership in schools, kura, and early learning services.

Section 3: Options identification

3.1 What options have been considered?

We have considered the following two options:

1. Proposal: Amend the Education and Training Act 2020 to enable ERO to review professional learning and development accessed by schools, kura and early learning services.
2. Maintenance of the status quo (no centralised systematic review of PLD accessed by schools, kura and early learning services)

Further options to explore may be raised through the consultation process.

Criteria to assess options

The following criteria were developed to assess options:

- a. It will provide better information about the quality and impact of PLD in New Zealand;
- b. Clarity of responsibility and roles between different education agencies;
- c. Minimal financial cost to government and compliance burden on schools, services and PLD providers; and
- d. Effective and efficient use of system resources

The assessment of the two options against the criteria is outlined on the following page.

	Better information about the quality and impact of PLD	Clarity of responsibility and roles between different education agencies	Minimal financial cost to government and compliance burden on schools and services	Effective and efficient use of system resources
OPTION 1: Proposal	<p>A systematic review of PLD by ERO through the evaluation work it already conducts and through the review of individual providers will provide better information about the quality and impact of PLD and how to improve it</p> <p>We are seeking feedback on the likely benefits for schools, kura, early learning services and PLD providers to inform final policy decisions.</p>	<p>ERO currently reviews schools, kura and early learning services. Reviewing PLD would fit with its system evaluation function.</p> <p>ERO would review individual PLD providers where concerns are raised, or when seeking to gather and disseminate examples of highly effective PLD provision.</p> <p>ERO would not review tertiary education courses that sit within the NZQF, so would not overlap with quality assurance arrangements in the tertiary education sector.</p> <p>ERO would be able to make recommendations, but the contracting decisions would remain with individual places of learning and the Ministry of Education.</p>	<p>ERO intends to review PLD as part of the evaluation work it already conducts across the system and in places of learning. This will minimise additional costs and compliance burdens for schools, kura, and early learning services. It will also minimise initial costs for ERO and PLD providers.</p> <p>ERO would undertake reviews of individual providers where concerns are raised, or when seeking to gather and disseminate examples of highly effective PLD provision. This would involve additional costs for providers, estimated at a maximum of 24 hours of additional staff time per provider reviewed. We are seeking the views of providers on the potential costs and impacts of this.</p> <p>Further work to determine the extent of additional resourcing required for ERO for the review of PLD providers will be</p>	<p>Government & places of learning invest significant funding into PLD. It would be beneficial to know more about its quality and impact.</p> <p>There is a risk that spreading ERO's capability across a new area could draw its limited resources from its core function reviewing schools and early learning services, but this is mitigated by ERO's intention to evaluate PLD as part of its existing business-as-usual: No additional cost is expected for schools, kura, and early learning services.</p> <p>Further work to determine the extent of additional resourcing required for ERO for the review of PLD providers will be</p>

			detailed in a subsequent RIA paper.	
OPTION 2: Status quo	Some mechanisms are in place to gather information about PLD and assure its quality, but this is not systematic and information is light so we have limited understanding of the quality and impact of PLD in NZ.	There would be no change to the roles and responsibilities of education agencies. However, no agency would have the responsibility for systematic review of PLD accessed by schools, kura and early learning services.	There would be no added costs or compliance with maintenance of the status quo.	Government and places of learning will continue to invest significant funding to PLD without systematic review of the impact of this provision on teaching and learning. ERO's mandate will remain focussed on reviewing early learning and schooling, so its resources will not be diverted from this to review PLD as part of this evaluation work.

3.2 Which of these options is the proposed approach?

Our initial assessment is that Option 1 (the proposal to amend the Act to enable ERO to review PLD accessed by schools, kura and early learning services) is the preferred option. Although there are risks identified against the decision criteria, these can be mitigated and outweighed by the potential benefits in response to the problems and opportunities identified in section 2.1. We will finalise this assessment after the public consultation period.

Section 4: Impact Analysis (Proposed approach)

4.1 Summary table of costs and benefits

Affected parties	Comment:	Impact <i>\$m present value where appropriate, for monetised impacts; high, medium or low for non-monetised impacts</i>
Additional costs of proposed approach, compared to taking no action		
Regulated parties: PLD providers, schools, kura, and early learning services	Additional costs for PLD providers are estimated to be a maximum of 24 hours of additional staff time per PLD provider reviewed. Schools and early learning services will not require additional funding as review of PLD will be incorporated into existing evaluations.	
Regulators: ERO	ERO does not require additional funding initially as it will review PLD as part of the evaluation work it already does in schools, kura, and early learning services. Further work to determine the extent of any additional resourcing required for ERO to review PLD providers will be detailed in a subsequent RIA paper.	
Total Monetised Cost		
Non-monetised costs		(High, medium or low)

Expected benefits of proposed approach, compared to taking no action		
Regulated parties	Benefits to PLD providers include gaining a better understanding of the quality of their provision, and how to improve it. It will also give the PLD providers tools to self-assess the quality of their provision.	
Regulators		
Wider government		
Other parties		
Total Monetised Benefit	There will be benefits to government and to schools, kura and early learning services from being able to access better quality PLD.	
Non-monetised benefits	Further information on expected benefits will come after public consultation is completed and the preferred option is identified	(High, medium or low)

4.2 What other impacts is this approach likely to have?

We anticipate that consultation with the sector and the public will provide more information about other possible impacts the proposal may have.

Public consultation is scheduled for Wednesday 21st April to Wednesday 16th June.

Section 5: Stakeholder views

5.1 What do stakeholders think about the problem and the proposed solution?

Public consultation is intended to test the proposal with stakeholders and obtain their views on the current problem and proposed solution.

Section 6: Implementation and operation

6.1 How will the new arrangements be given effect?

To come once the preferred option is finalised.

Section 7: Monitoring, evaluation and review

7.1 How will the impact of the new arrangements be monitored?

To come once the preferred option is finalised

7.2 When and how will the new arrangements be reviewed?

To come once the preferred option is finalised