

# Minutes

MEETING SUBJECT:	Teaching Council Inclusive Education Advisory Group (TCEIAG) Meeting
DATE OF MEETING:	5 November 2021
TIME OF MEETING:	9:00am – 4:15pm
VENUE:	ZOOM
ATTENDEES:	Frian Wadia (Chair), Thecla Moffat, Liz Cassidy, Jude MacArthur, Heather Lear, Maree Kirk, Tracey McConach, Jenny Ritchie to 11AM  Pauline Barnes (DCE-Professional Services), Jayne Franklin (Manager Teacher Capability and Collaboration), Poppy Shelton (Analyst), Libby Treager (Senior Analyst), Kelly Turner (Team Leader), Susan Fogarty (Communications and Advisor Manager), Fiona Majendie- Williams (Senior Communications Advisor)
APOLOGIES:	Chloe Stokes

## 1. Karakia / Convenors Update /What's on top

Meeting started at 9:36AM by the Chair who led the group in a karakia.

Frian noted that the apology from Chloe Stoke. Also noted was the resignation of Matthew Truman. This creates a gap with no disability representation on the advisory group.

**ACTION:** To inform the Governing Council the gap in advisory group in disability representation.  
Change Tracey's email to the principal one

## 2. Minutes from the previous meeting

### Recommendation:

That the TCIEAG **approves** the minutes as a true and accurate record of the meeting held on 19 March 2021

**Amendment to clarify ACTION:** The Teaching Council consider including ITE panel members from inclusive education, who are not Registered Teachers, with comprehensive understanding of up-to-date inclusive practice onto ITE panels (from March 2021 hui)

MOVED  
SECONDED  
CARRIED

## 3. Teaching Council Workplan Update

PB

Pauline gave an update on the workplan and what has progressed from the last meeting in March noting the work being done on the consultation of the proposed fees increase. This has included discussions with peak bodies and seeking assistance on how they would like the TC to engage with their members.

The TC is also considering options in service levels that may reduce the fees. This option would mean there would be a reduction in service. Peak Bodies is seeking an understanding from peak bodies and

the questions ensuring feedback from the profession. This is an on-going process, and the TC is hoping to begin formal consultation in the New Year.

Second key piece of work is the COVID situation which has ever changing advice. Firstly, TC is reviewing ITE students, as lockdowns impact their practical experience and secondly, the vaccination requirement which impacts the providers. The mandate has affected some students who are in their 3<sup>rd</sup> year and are questioning whether they can graduate without a vaccination. Communication and guidance with the profession in this area is ongoing.

When a Kaiako is dismissed in a Kura, there is a statutory law of mandatory reporting; the Teaching Council is considering a change to the law, so this is not required.

The current work also includes the professional growth cycle which has good uptake, and we are working with those who require assistance in starting this programme.

The changes in the law for Competence and Conduct is going through the house. These changes will streamline the process while keeping a robust review when considering complaints. The Teaching Council is looking at how the law changes will impact staff, current processes, and policy. The transition will be a 12-month process once the law change is passed.

DCE-PB noted that assistance may be sought on how to communicate the findings of the review to the families who may feel the process did not resolve the issue. This is not always possible by the Teaching Council as the focus is on the Kaiako and not necessarily the whanau/student centric. Sometimes what the complainant is looking for is rebuilding the relationship – TC will take this up with the teacher. We can refer people to other places i.e., ombudsman, privacy, and human rights – as we have good relationships with them. TC do not have mandate to sit with the family and resolve many of these issues.

Several concerns were raised by TCIEAG members as they felt like the review to consider issues of fairness and rights for students and whanau is not being done currently. The process is ineffective for students and families when relating to matters of discrimination, unfair punitive measures and harsh discipline which does not consider the student's disability. Queries were made about how CAC consider inclusive teaching practice and their understanding of it, as currently there is no cohesive understanding of inclusion across schools and education sector.

PB clarified CAC look at teacher and the offence, and if it is about inclusion then the relevant standard will be used to determine the finding. If it is a conduct case this is slightly more complicated. The issues of rights and kiwi stand downs and exclusions were being considered by MOE as a Dispute Resolution Panel/Process and did not fall under TC CAC work.

TC is in process of publishing the ITE feedback and will send members the link on how the ITE programme could achieve being more inclusive. Members made suggestions to have inclusive advisors on the panel for the ITE EC programme. KT shared their variety of panellists, some of whom have worked within inclusive spaces especially in the tertiary environment.

Members suggested that TC and MOE should look together at standards for inclusive teaching practice and expectations across mainstream education settings.

**RECOMMENDATION:** To have non-teaching / teaching inclusive education advisors with lived experience and expertise to sit on the ITE panels.

**ACTION:** Send TCIEAG members the link to the ITE report and consider how the ITE programme could be more inclusive and how this could be incentivised and achieved.

## 4. Inclusive Education Competency Framework Update

*PB and JF KT*

DCE- PS introduced this mahi and handed over to JF. JF noted this work will take guidance from tapasa and current frameworks and will seek advice from TCEIAG to ensure that teachers are developing their skills. Not much to report right now as TC are reviewing what the gaps are and what would be useful in terms of a competency framework or something else/similar.

1. What themes within capabilities need to be used in the framework?
2. What model of framework would be useful for the profession?

Breakout rooms were created for a brainstorming session:

JR LC MK and PB

HL JF and Jude

FW KT the TMS (2)

Teaching Council made notes and will consider the suggestions.

**ACTION:** questions to go out to members  
TC to feedback out to members break out session discussion

Pauline left the meeting at 10:38

## 5 Report back from Disability Studies 2021 conference

*PS joined the room at 10:38*

FW reported the conference's key discussions on ableism in education and across other spaces of disabled people's lives, and the need to identify ableism and address it. Lots of real-life stories which were empowering.

Some key takeaways were on how policy and practice can create ableism, segregation, exclusion, and strip away humanity of disabled people. Educators acknowledged the trauma they created for students and their attempts to shift practices to become more inclusive. FW stated the conversations heard and experiences shared at the conference were experienced by many disabled learners and their whanau but are not always seen/heard in the profession. We need to get more of these discussions out in education spaces.

Poppy discussed her attendance with another colleague. There was rich information, with broad topics that spanned education and life experiences. Suggestions from the conference on how the Teaching Council can learn from what is currently being considered. These will be shared once finalised. Poppy noted that there is a clear need for better inclusion and the movement against ableism is not waiting. It could happen without the Teaching Council, so we need to think about this space and how to engage with it.

Jude agreed and shared that the work done around the disposable humanity project was a shocking reminder of the discrimination history and Heather stated history needs to be considered to help us build a future that includes and values our disabled communities. Everyone agreed Teaching Council needs a programme like Unteach Racism to Unteach Ableism. TC can consider and address this through the ITE lever and extension of the unteach racism app.

There was a query about what if any internal policy/strategy guides inclusion and attitudes towards diversity in TC.

Susan and Fiona joined the hui at 10:45AM

**RECOMMENDATION:** The TC governing council to consider development of an Inclusion and Diversity Policy/Strategy that guides internal organisational practice and the outward work that we do with the profession.

**ACTION:** Poppy to share back with TCIEAG the internal piece of work that emerged because of attending the disability studies conference.

## 6 Disability Commissioner collaboration for the International Day of Disabled Persons – seeking ideas

SF and FMW introduced this topic

Jenny R – left the hui at 10:56

Fiona shared the seminar asked for ideas that TC can consider for the IDDP. A hui is set with TC CE and the HRC regarding this and TCIEAG members hope to hear back when possible.

Members expressed desire for Unteach Racism to be extended and a similar program/app launched for Unteach Ableism. This is depended on resourcing and collaboration with HRC, seems a great idea but not doable at short notice.

Promoting people with disabilities as a valued person, celebrated as a whole human being, respected, sharing of positive stories/practices in schools that work.

Important to highlight ableism and highlight those working against it.

Panel discussed what ableism looks like in your school – showing what it is and how a school goes against this. NZEI is looking at a panel discussion perhaps we could do something like that.

Star Jam shows great stories, and we should use everyday images with disabled students participating alongside peers in arts and music and learning.

Share positive whanau perspectives of disability and valuing disabled children/students.

<https://www.teaomaori.news/whanau-finds-autism-gift-atua-maori>

Tiktok has some great videos from disabled people and their perspective

Key takeaways: Important to get the conversation started across the various TC communication platforms, easy to access material/stories, and variety of different media e.g., info graphics/ videos/ links/readings etc.

Members were keen to see sharing about disability and inclusion/diversity related issues on a regular basis by TC and felt it was valuable to keep the conversation going. **SF and FWM to consider how to do this**

### **ACTION:**

- TCIEAG members to email feedback and thoughts on increasing conversations/messages about inclusive education/ableism/celebrating diversity to SF.
- SF to bring back ideas on this to keep actions going

SF and FMW – left hui at 11:04AM

## 7 PRAG update and ECE Regulations Review Tranche 3 discussion

LT joined the hui @ 11:05Am

### Physical restraint update

- PRAG (Physical Restraint Advisory Group) hui last met February 2021, met again 3 November 2021
- Public consultation on draft Rules and Guidelines expected late Nov 2021 to Feb 2022 – including a survey
- Teaching Council will encourage the profession to provide feedback.

Suggestions included panel discussions with different perspectives and particularly from educators who had managed to minimise/eliminate restraint in their educational settings.

Discussed the TCIEAG being part of the submission from the Governing Council but would be advised from this group.

Timeframe is narrow from Nov to Feb, and TCIEAG members are keen to provide their input the governing council for consultation/submission. LT will keep us informed and perhaps TCIEAG will meet once the consultation is started, either Dec/Jan to allow time for final submission in Feb 2022.

**ACTION:** LT to inform TCIEAG when public consultation and submission on PRAG begins. Friar to convene a meeting for TCIEAG to provide feedback based on availability in Dec or Jan.

### ECE Regulations Review Tranche 3 discussion

LT discussed the submission sent out for tranche two and what the TC will submit for tranche three.

THM noted there is nothing in consultation around inclusion. AS ECE is not compulsory, there were no stipulations about inclusion, and complaints go through to HRC once MOE has failed to resolve. Perhaps we should look at referencing international and national frameworks that NZ has signed up to: UNCRPD article 24, UNCRC, Disability Strategy, EGL principles.

Regulations could include guidelines for ECE centres on using conventions and creating inclusion. More groundwork is required to assist mainstream to accept and include the student. Inclusive education understanding is urgently needed.

All centres have an extensive licensing criterion which I believe ERO is guided by, but very little focus on inclusion of disabled children.

Is there perhaps scope to ensure that ECE have inclusion criteria/framework in place? Inclusive of physical/sensory disability, review ratios of support required, support funding needs and specialists to be considered as it is capped when extra assistance is required.

JUDE left hui @ Noon

Perhaps a LSC or SENCO or liaison role equivalent in ECE is needed to ensure inclusive education practice in ECE. Need to have early identification built into regulations submission, as there is too much variance regionally. Need to build better communication and relationships between ECE and schools early on. Avoid too many layers and paper pushing, so ākongā and whānau experience have smooth transitions and necessary support.

LC – agree need someone but it should be a person who is already doing this work within the centre and Kura – need a liaison with next centre so they understand and are ready for the tamariki. Some schools don't know where to go for support and how to access support from MoE.

FW There is a clear need for better processes and a person who is responsible to ensure inclusion and support for disabled tamariki in ECE, including transitions at school, coordination of specialist supports and communication with whanau. Many ECEs do not know how to access specialist supports and neither do whanau.

Libby left the hui @ 12:12pm

**ACTION: LT to circulate the ECE reg review tranche 3 once received for consultation.**

## 8 ITE Symposium – briefing and discussion

*KT joined at 1:10*

*PW joined at 1:20*

ITEAG has been on hold but is starting up soon. More ITE partnerships were needed with community groups and many practitioners are seeking more practical experience. TC and MoE continue to have discussions regarding this.

Relationships are a mutual responsibility and a specified goal. Some partnerships are with Kura/schools/ iwi/advocacy groups/community groups and others. Nature of relationship varies depending on the group, context, and community.

One issue is the timing and a pragmatic approach. An approval panel is looking for an initial stage of partnership and looking to strengthen over time.

TC approval has a section on partnerships and includes partnership development and focus. We expect to see evidence on the formation of partnerships. This includes discussion selection of process, entry, and professional development of Kaiako. We expect to see strong relationships once this is settled and developed.

In section 1.3, we can set a condition where they can work on and come back to the table for us to review. Many providers have a condition set on 1.3, which is the one on 1.3. Many of these sits at University Level. This can be due to large organisations where partnerships are an issue.

An example from AUT was given noting the extension of partnership with lead (disabled youth).

Next steps

- Strengthening the authentic partnerships and how they work in practice
- Teaching Council kaimahi have a shared goal to investigate partnerships and run a symposium to build capability and scope.
- Explore what ako partnerships could look like, particularly with over- stretched Iwi.
- Explore the wide variety of possible partnerships, particularly those that could enhance student teachers understandings of supporting students' learning and behaviour.

Symposium 29 Nov – TCIEAG to present and share the importance of inclusive education and ITE – community group partnerships to improve inclusive education through ITE programs.

- Questions: What are some barriers and enablers to building partnerships with community/interest groups?
- What is one thing you would want the Council to initiate in support of building authentic partnerships to support inclusive education?

PW – what will be intersection of TC – MoE and new Disabled Peoples Ministry – what will be their part in the ITE space. MOE has already indicated that they are looking to consider EGL principles in the

Highest Needs Review, but no detailed action plan or strategy to connect with the new Ministry. TC needs to get on board early, as it is a new way of looking at and supporting the disability community.

Approval panel is the beginning of a program's life and this is approximately 6 years. They are reviewed every year for the 1st 3 and then dependant on programme. Monitoring is being reviewed and the TC could build this into this review.

Are there any must haves to sit on an ITE approval panel? Are there any whanau?

Look at each panel to ensure it meets the needs of the sector it's from. i.e., an ECE specialist we do take this into consideration, all panellists need to indicate their experience and background knowledge. Try to make sure the program has an inclusive lens. Currently no whanau.

Representation is needed around the table when building a framework and making changes. This is a core part and there is a gap in ITE. The issue is around clarity across Aotearoa within inclusion practice and protocol – we need to define this before we can have the right representation on a panel. ITE review must ensure inclusion is entwined in the program and approval process.

What is doable? Is there value in us setting up opportunities for groups to come together and discuss their capacity/expectations so you can take this forward?

Perhaps yes, from TC perspective this is early in the discussion. Discussions with providers and groups/connections need to happen. We have had a trial symposium a few months ago which had 89 people to come along – there is a real hunger out there for connections.

#### **RECOMMENDATIONS:**

- TC to consider putting together an advisory group of young disabled people to share their lived experiences and guide TC work in ITE and other spaces.
- TC to improve connections and build relationships with disabled youth/people's networks and other stakeholders interested in inclusive education.
- Consider setting up a directory of community groups that ITE providers can connect with. Stipulate ITE providers engage with some of them; and approval is contingent on engagement with them.
- Include disabled people/whanau voices/inclusion experts in the ITE approval panels in some sort of advisory capacity to ensure inclusion.
- TC to consider ways to incentivise inclusive education within ITE providers.

**ACTION:** KT to send and people to feedback when ready

## **9 Improving TC communications and engagement in ITE space – briefing and discussion**

KT noted we are launching a bulletin with student teachers – KUKARI. This will allow sign up from student teachers, and a way to connect and build early understanding, capability, and knowledge of the education sector about our professional standards and codes.

We will seek information once we send this out to ensure we include inclusive messaging.

TCM – how does the TC ensure they do not exclude ITE teachers with disabilities? Is this something that TC reviews?

KT – this is not our remit – groups did mention they have seen an increase in this space

PW – noted upcoming consultation and the council's commitment to assist with issues facing the sector

Tamahau R and Pauline B joined at 2:40PM

PS joined us at 2:43PM

## 10 Professional Responsibility Review: Competence Workshop

Introduced the agenda item PR and TCC purpose is to introduce you in the review work and TR is going to discuss the mahi is progressing in this space

Discussing why we are proposing, what needs to happen, and seek feedback on current thoughts around change. Intent is for more efficient & effective process, serve teachers better, law changes that will drive change, preserve mana of teachers, more assessors for faster processing, be te tiriti lead, keep them in the profession, restorative approach and recognition of the environmental factors, apply natural justice.

TR discussed the lens being used as Te ao Māori led regulatory process shared with like-minded organisations and how we could learn off each other. SWREG – NZNC- WSNZ. Currently different organisations each use different approaches. TC decided to set a framework of the model and define the terms for those who may use them. Have held space for a Pasifika, this shows the draft 'space' for more development moving forward.

We looked at 4 principles Te ao Māori – kind – cultural values – focus on person and whanau. Trialling for the next 6 months we are focusing on triage area of the process. Groups will work together to build and learn. PB noted it is ground-breaking. There is no programme like it to benchmark and this takes time. Looking to move people's thinking not just fix the process. The partners have an evaluation process for each other.

Improving triage process may involve having a te ao Māori lens. Seeking the voice of the Kaiako before triage committee meets and trialling a Kaituitui someone to responsible to act as a guide in a relational way. This would not be an investigator but someone who understands the role and process.

Currently triage NFA (No Further Action) is at approximately 50% and may change with early voice of the kaiako.

TCIEAG members really appreciated the te ao Māori lens placed on the process and how well it had been done to maintain mana and dignity of teacher going through the process.

**ACTION** – send TR's presentation to the members via email.

Triage and Competence issues arise when knowledge and skill to meet standards are not met – TC is getting a definition in place on what matters are competence and conduct – competence is seen as covering the standards

Competence issues are referred to the profession/employer. We are working on this to assist with the definition

1. How do you differentiate competence and conduct?
2. Do you agree with competence going back to employer?

That process is hard when the competence goes back to their employer as the issue is back to the community where it didn't work in the first place. Not okay. Competence is seen as an individual



teacher's issue, but often it is a school wide or whole school culture issue. Systemic issues are at play and must be considered too.

One thing to consider is that we do not have an inclusive education system. When an issue like discrimination/ableism is sent back to the organisation, it is considered as justified behaviour because TC didn't act. There isn't an outcome for the complainants so sending things back to them is often not useful. This has been the case for most parents who lodged complaints against discrimination and lack of inclusive teaching practices.

PB shared that it will be a good discussion to have, and TC are looking into training and practice that would be required in this space. Links to conference and cost analysis would be useful.

**ACTION** – TC team to discuss at next meeting, children rights and how they are upheld against natural justice and code and standards for teaching profession.

**RECOMMENDATIONS:**

- TC engage ex Children's Commissioner Judge Andrew Becroft to have a look into how TC conduct and competence areas can be more aware, responsive, and mindful of upholding children and disabled people's rights (UNCRC and UNCRPD).
- TC to consider training for all who sit on triage, competence and conduct committees/DT to better understand children's rights to inclusive education.

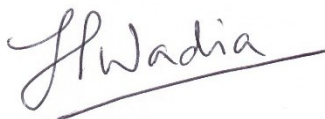
Liz left at 4:05 pm

## 11 Closing remarks and deliberations on recommendations and actions

MK will be attending and presenting at the Australasian Disability Conference and will feedback to the AG at next hui. FW emphasised the need to carry on conversations about to deliver information on inclusion to the profession, what kind of info and how. HL stressed the importance of the right messages and understanding of inclusion.

## 12 Closing and Karakia

The meeting adjourned at 4:27pm with a karakia by Chair.



Signed \_\_\_\_\_ Dated 4<sup>th</sup> Feb 2022

Frian Wadia  
Chair - Teaching Council Inclusive Education Advisory Group