

20 September 2016



EDUCATION COUNCIL
NEW ZEALAND | Mātātū Aotearoa

Alice Collard
fyi-request-4566-cc0c782e@requests.fyi.org.nz

Dear Ms Collard

RESPONSE TO YOUR REQUEST UNDER THE OFFICIAL INFORMATION ACT

On 6 September 2016 you requested information about teachers referred to the Complaints Assessment Committee (CAC). You asked:

How many teachers have been referred to the Conduct Assessment Committee over the period 1 July 2015 to 1 July 2016?

Of the number of teachers referred, how many were:

- *as the result of complaints by members of the public*
- *subsequently referred to the Disciplinary Tribunal*
- *subsequently referred to a competency review*
- *resolved through agreement between complainant and teacher*
- *not resolved because the Conduct Assessment Committee decided to not to take further action*
- *a breach of the teacher code of ethics but were not deemed to be 'serious misconduct' by the Conduct Assessment Committee so no further action was taken*

You also asked:

- *Please describe the review or appeal process which is taken to ensure that decisions of the Conduct Assessment Committee are independent, transparent and fair.*

My answers to these questions are as follows:

396 teachers were referred to the Complaints Assessment Committee over the period 1 July 2015 to 1 July 2016.

Of these:

- 69 were referred as the result of complaints by members of the public
- 42 were subsequently referred to the Disciplinary Tribunal
- 9 were subsequently referred to a Competency Review

EDUCATION COUNCIL OF AOTEAROA NEW ZEALAND

Phone: 04 471 0852
Fax: 04 471 0870
www.educationcouncil.org.nz

Postal address
PO Box 5326
Wellington 6145
New Zealand

Physical address
Level 12, 80 Boulcott Street
Wellington 6011
New Zealand

- 21 resolved through agreement between complainant and teacher
- In 49 cases, the CAC decided to not to take further action

You also asked how many referrals were breaches of the teacher code of ethics but were not deemed to be 'serious misconduct' by the CAC resulting in no further action being taken. We are unable to ascertain this figure in isolation because it is subsumed in the figure provided in the previous question. I am therefore refusing this question under section 18 (e) of the Act as the information requested does not exist.

In answer to your final question, there is no formal appeal process for a decision of the CAC. Complaints or concerns about the process may be referred to the Manager Teacher Practice at the Education Council who will investigate and respond. A complaint about the process may also be made to the Office of the Ombudsman. A decision of the Disciplinary Tribunal may be appealed to the District Court.

Thank you again for your enquiry and I hope that my response is useful.

If you are not satisfied with my reply you have the right to seek an investigation and review by the Ombudsman, who can be contacted by writing to: The Ombudsman, PO Box 10152, Wellington 6143, or emailing: info@ombudsman.parliament.nz.

Yours sincerely



Andrew Greig
Manager Teacher Practice