

Regulatory Impact Statement 4:

Improving planning and reporting for schools

Agency Disclosure Statement

This Regulatory Impact Statement (RIS) has been prepared by the Ministry of Education (the Ministry). It provides an analysis of options to address systemic issues with the current planning and reporting framework that make the framework not fit for the range of purposes it fulfils.

The Taskforce on Regulations Affecting School Performance identified an effective planning and reporting framework as a vital tool for raising achievement. However, it found systemic issues with the current framework that make it not fit for purpose.

This RIS forms part of a group of four RISs that recommend linked regulatory changes to set the strategic direction for the education system by letting early childhood services and schools know what New Zealand's education objectives and medium-term priorities are, and how they contribute to, and are accountable for them. The group of four RISs include:

1. Establishing enduring goals or objectives for education for children and young people aged 0 to 18 years
2. Establishing a mechanism for government to set out its medium-term priorities for early childhood education and schooling
3. Clarifying Boards of Trustees' roles and responsibilities
4. Improving accountability (planning and reporting) for schools (this RIS).

This group of four RISs form part of a suite of RISs on amendments to update the Education Act 1989 (the Act). The analysis and resulting policy proposals focus on meeting the needs of schooling and early childhood education now and into the future.

The Ministry undertook a public consultation on the policy proposals for updating the Act between 2 November and 14 December 2015 and received over 1800 submissions. A report on the submissions is available on the Ministry's website.

The Ministry considers this document to be a fair representation of available options.



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Setting the Strategic Direction for the Education System

Overview

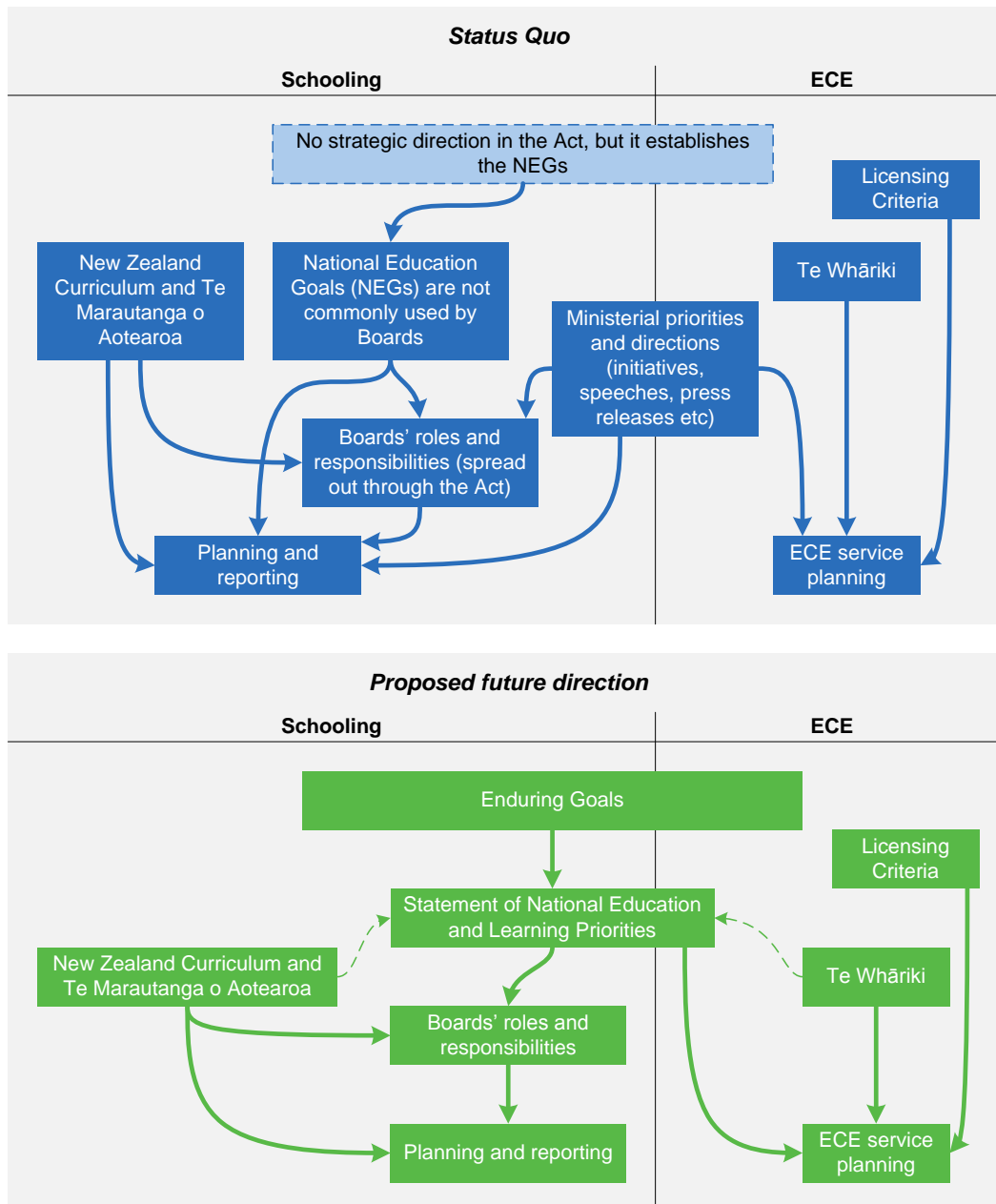
1. This group of RISs has been prepared by the Ministry. It comprises the following RISs:
 - Establishing enduring goals or objectives for education for children and young people aged 0 to 18 years
 - Establishing a mechanism for government to set out its medium-term priorities for early childhood education and schooling
 - Clarifying Boards of Trustees' roles and responsibilities
 - Improving accountability (planning and reporting) for schools.
2. Together the RISs recommend linked regulatory changes to set the strategic direction for the education system by letting early childhood services and schools know what New Zealand's education objectives and medium-term priorities are, and how they contribute to, and are accountable for them.
3. The Government has a clear vision for an education system that meets the educational achievement challenge for every child and young person. This requires that system policy settings, including regulation, are fit for purpose and support early childhood services and schools to improve practice and decision making on the ground.
4. Currently, early childhood education and schooling do not have a shared set of objectives and medium-term priorities to guide their actions. Statements of objectives are in third-tier legislation and spread across a number of guiding documents which apply inconsistently to early childhood education and schooling. There is no appropriate mechanism for government to set out its priorities for the education of children and young people aged 0 to 18 years.
5. Legislation should support the education system to perform well by letting early childhood services and schools know what New Zealand's education system aims to achieve. It should allow them to prioritise between competing priorities, and unify focus on raising achievement and learning for every child and young person.
6. The strategic direction set by the objectives and government's medium-term priorities needs to be given effect through the roles and responsibilities of school boards of trustees, and the planning and reporting requirements for schools as Crown entities. Early childhood services have their own regulatory regime, and would need to take the government's priorities into account when setting their strategic direction, and reporting to parents, whānau and government agencies.
7. These regulatory changes support the increasing collaboration that is taking place through Communities of Learning, where groups of early learning providers, schools, and tertiary providers across the learning pathway, have come together to raise achievement for children and young people.
8. The changes align with the Taskforce on Regulations Affecting School Performance¹ recommendation that the Act should provide a clear and enduring statement of purpose

¹ The Taskforce was established by the Government in November 2013 to consider how improved legislation and regulation could contribute to the goal of raising the achievement of all students, but particularly the most vulnerable.

(objectives) for education for 0 to 18 year olds, from which medium-term priorities, and planning and reporting requirements can flow.

9. The diagram below shows the status quo and the system with the new strategic direction in place.

How strategic direction flows through the Education system



Status quo

10. The state school system is made up of over 2400 self-managing entities. School planning is the key process through which the objectives and government's medium-term priorities for education flow through to what happens in schools and classrooms. School reporting allows interested parties to monitor and support the effectiveness of this.

11. Together, planning and reporting should provide parents and whānau, communities and government with the information they need about how well each individual school is performing, so they can hold it to account.
12. An effective planning and reporting framework can also be a vital tool for raising achievement. If planning and reporting frameworks are ineffective, schools are unlikely to take cohesive steps to address student achievement issues. A recent paper from the Education Review Office² identified that the two key qualities that distinguish the actions of more successful schools in raising student achievement from the less successful are coherence and alignment. Strategic planning plays a key role in aligning purposeful action across a school.
13. A number of changes to the Act are proposed to improve the strategic framework for education. These changes include introducing objectives for education in the Act, and clearly establishing what is required of schools and boards of trustees (boards) at a high level. Objectives will also inform a proposed statement of National Education and Learning Priorities, set by the government of the day in consultation with stakeholders.
14. In order to ensure the strategic direction embedded in the Act will flow through to the actions of school leaders, planning and reporting will need to be designed with this in mind.

The current planning and reporting process

15. The planning and reporting documents currently required by the Act for all state schools consist of a charter, a statement of variance, and an annual report. All of these are required to be provided to the Ministry annually, with the statement of variance provided twice (alongside the charter in March and the annual report in May).
16. The school charter is made up of three sections: a strategic plan, an annual plan and provisions for Māori culture, identity and language.
17. The annual report requirements for schools reflect those in the Crown Entities Act 2004.
18. Schools also have other reporting requirements including:
 - providing a wide range of data, including National Standards and/or Ngā Whanaketanga Rumaki Māori data, to the Ministry on a regular basis
 - reporting to parents on the progress of their individual children.
19. Further detail on the planning and reporting process is attached in Appendix A.

Planning and reporting in legislation

20. The planning and reporting requirements are spread between the Act and the National Administration Guidelines (NAGs).
21. Currently the Act contains a large amount of detailed information about the charter and the annual report. It also establishes the NAGs and Ngā Whanaketanga Rumaki Māori and/or National Standards.
22. The NAGs contain smaller detailed requirements like plans and targets for improving the achievement of Māori students, reporting to parents on individual student performance,

² *Raising student achievement through targeted actions*, December 2015.

and what breakdown of National Standards and/or Ngā Whanaketanga Rumaki Māori data is required.

23. In addition to planning and reporting related requirements, the NAGs contain requirements on teaching and learning, assessment, careers education, and boards' roles and responsibilities.

Problem definition

24. The Taskforce on Regulations Affecting School Performance (the Taskforce) identified an effective planning and reporting framework as a vital tool for raising achievement. However, it found systemic issues with the current framework that make it not fit for purpose.
25. Many problems stem from the inclusion of planning and reporting within a document that was never designed for this purpose (the charter). The charter was originally an establishing document for schools, designed through consultation with the school community and not expected to change. The addition of annual changes has confused the purpose and intent of the charter, leading to a design that does not fulfil any of its purposes well.
26. The Taskforce commented that “the charter is currently attempting to perform multiple functions. It is an accountability document, a strategic plan, a way of communicating with the community, a guide for the principal of the board’s intentions and a contract between the school and the Crown”. The Taskforce recommended that a more effective planning and reporting process for schools be designed. This process should clarify the purpose and requirements of all planning and reporting documents.
27. Following the Taskforce report, a wide public consultation on proposed changes to legislation as part of the update of the Act took place in late 2015 covering many of the areas recommended by the Taskforce. The consultation found strong overall support for the concept of simplifying planning and reporting (with some submitters expressing the opinion that that legislation should help schools, kura and early childhood education providers by being clear about the strategy, planning and reporting requirements).
28. The need to align planning and reporting requirements with proposed changes to strengthen the strategic framework for education is therefore an opportunity to address other problems identified with the current requirements.

There is little flexibility to reflect changing practice

29. The locations of planning and reporting requirements make some minor details difficult and time consuming to change (in the Act), while other more significant aspects can be changed very quickly with no external review required (in the NAGs).
30. The Taskforce recommended that the obligation for planning and reporting be clearly defined in the Act, and the details be contained in regulation. This would better enable requirements to change as best practice evolves, and provide flexibility in application.
31. Consultation on the update of the Act generally supported this view. Submitters raised the importance of retaining flexibility in planning and reporting requirements in legislation.

Current requirements do not reflect enhanced strategic direction and increasing collaboration

32. The addition of objectives and medium-term priorities are designed to be reflected in the planning and reporting process. In order to realise this, changes will be required in the planning and reporting process.
33. Consultation on the update of the Act asked *“How can we better provide for groups of school and kura to work together more to plan and report?”* Consultation feedback was generally clear on the benefits of collaboration, but that these only applied when the collaboration was voluntary. Communities of Learning (CoLs) were mentioned often as a method of collaboration, but continued individual school planning and reporting were preferred by most submitters.
34. Currently CoLs plan together to accomplish their achievement challenges, but how this is reflected in individual school planning varies. In order to recognise the importance of CoL activities for those schools taking part, achievement challenges should be reflected in individual school planning and reporting.

There is an unnecessary regulatory burden

35. Schools are unclear about their responsibilities and find that current planning and reporting requirements do not always add value. Many consultation submitters identified the potential to reduce burdens on schools, with suggestions including:
 - a standardised system (for example, using a template), so that boards find planning and reporting easier to manage, there is less time spent on administration, and every school is judged from the same information
 - planning and reporting that is genuine rather than just a requirement, focusing on student and school development rather than ‘ticking boxes’
 - a high trust model with a reduced regulatory burden and more autonomy (this was particularly supported by board members)
 - a planning and reporting process involving less paperwork.
36. The annually required charter was seen as an issue by many. Submitters considered that the planning and reporting cycle should be extended. Reasons given included that much of the information which is being reported is repetitive, and the workload is burdensome. Some submitters suggested that charters or strategic plans should be more infrequently reported than the other annual requirements.
37. There was strong support for a planning cycle longer than one year for all schools.

Best practice strategic planning should support student achievement

38. There are some structural issues with the planning and reporting processes that make it difficult to ensure best practice strategic planning is taking place.
39. Firstly, when approving charters, the Ministry is only given the legislative power to assess whether the charter contains specific types of information. This limits the ability to ensure that all schools are planning as effectively as possible to raise student achievement. This is a problem for students and schools because it may encourage schools to ignore serious problems in favour of addressing other less important issues.
40. Secondly, the small time frame allowed (24 days for more than 2400 charters) means that the Ministry has limited time to review all charters properly every year.

Accountability and transparency is sometimes weak

41. The variation in charter content resulting from the detailed and confusing requirements in the Act and NAGs makes it difficult to compare or contrast school planning. This:
 - reduces the Ministry's ability to analyse system information or identify where help is needed
 - makes it hard for boards to see how they are doing in comparison with other schools
 - causes difficulties when large groups of schools try to work together (e.g. in a CoL)
 - means that parents have difficulty comparing school plans, for example when choosing a school for their child.
42. Due to the wide variety of objectives and targets set within each school's charter (as is appropriate to reflect their school needs), it is also difficult to compare school performance when it is presented in each annual report (or the Statement of Variance).
43. Schools already provide large amounts of data to the Ministry, but there is variation in the amount that parents and other schools can access. To increase transparency it has been proposed that some specific measures are included in all schools' annual reports.
44. Consultation on the update of the Act, and further specific consultation, both asked about what system wide indicators or measures could be used to guide reporting. The majority of respondents were not supportive of any system wide measures due to the diverse nature of schools, the views of the school community, and the variety of challenges faced by different schools. However, some respondents were supportive if these measures were wider than purely academic measures.
45. Currently, reporting to parents on whole school performance can be limited. Some schools are providing large amounts of information to parents, and others are not. The Act currently has no requirements for schools to provide the annual report or any other whole school reporting to parents. There is also no consultation requirement applied to the preparation of the school charter.
46. Some consultation feedback from both parents and other respondents supported increased involvement of families and communities. This included those who supported publishing, planning and reporting information to families and communities, and those who valued whānau and community involvement in the setting of planning goals and targets for schools.

Objective

47. The objective is to modernise the planning and reporting framework in order to:
 - enable flexibility to change requirements, with appropriate external review and consultation
 - ensure that school practice reflects the strengthened strategic direction in the Act and increasing participation in CoLs
 - reduce unnecessary regulatory burden and support autonomy
 - ensure that best practice strategic planning is supporting student achievement
 - strengthen accountability and transparency to parents and government.

Options

48. The planning and reporting process is complex, with a range of intents and purposes. In order to address all the changes to the planning and reporting process recommended through the Taskforce, consultation on the update of the Act, further consultation on planning and reporting, and internal Ministry analysis, we have separated options and proposals as set out below.
49. Firstly, we have set out two options for the **location of legislation relating to planning and reporting**:
- **Option A:** Status quo (In the Act and NAGs) (non-regulatory option)
 - **Option B:** Creating new planning and reporting regulations
50. These options were assessed against the following criteria:
- requirements can be changed reasonably quickly to reflect changing circumstances
 - external review takes place on changes
 - consultation takes place with affected stakeholders.
51. Secondly, we have set out three options for the **form and content of planning and reporting**. Strong support was expressed through the consultation for changes to the planning and reporting framework, and the need to reflect changes enhancing the role of legislation in conveying the strategic direction. We have therefore not considered retaining the status quo as an option.
52. The options are:
- **Option A:** Updated status quo – reflecting the strategic changes in the wider Act and removing unnecessary requirements
 - **Option B:** Separating the planning document into a strategic and annual plan allowing flexibility in process and content
 - **Option C:** Only strategic planning and annual reporting required by schools.
53. These options were assessed against the following criteria:
- ensures that school practice reflects the strengthened strategic direction in the Act and the increasing use of CoLs
 - removes unnecessary compliance measures.
54. Thirdly, we have set out three proposals that will fit with each of the options proposed above:
- **Proposal A:** Strengthening the Secretary of Education's (the Secretary) ability to review planning documents for quality – to ensure that best practice strategic planning is supporting student achievement
 - **Proposal B:** Requiring planning and reporting documents to be published online – to ensure access and strengthen accountability and transparency to parents
 - **Proposal C:** A selection of measures (chosen from data already available to the Ministry) will be required in all school's annual reports – to ensure some comparison between schools is possible and to strengthen accountability and transparency to parents and government.

55. We recommend that the creation of new planning and reporting regulations and the separation of the charter into two separate documents best fulfil the criteria. In addition, we recommend the adoption of the three additional proposals. Our analysis is set out in full below.

Impact Analysis

Options for the location of legislation relating to planning and reporting

Option A: Status quo (In the Act and NAGs) (non-regulatory option)

56. This would maintain the status quo of requirements split between primary legislation in the Act (maintaining a time consuming and detailed process for change) and third tier legislation in the form of Gazette notices (a very simple and quick process for change, with no external review required).
57. This option would not respond to the Taskforce's recommendation or consultation feedback that recommended changes.

Requirements can be changed reasonably quickly to reflect changing circumstances

58. This is likely to maintain the current situation where any changes needed are made quickly through the NAGs via Gazette notice. This can lead to confusion (working around the Act rather than through it) and lacks visibility.

External review takes place on changes

59. No external review is required for NAG changes. Significant external review by government agencies, Cabinet, a Select Committee, and Parliament is required for changes to the Act.

Consultation takes place with affected stakeholders

60. No consultation is required for NAG changes. The Minister of Education (the Minister) may choose to undertake consultation at her/his discretion, and it is a convention that this takes place in proportion to the significance of the change.
61. Significant consultation is required when changing the Act, including Ministry led consultation and Select Committee consultation.

Option B: Creating new planning and reporting regulations

62. Option B would leave the creation of powers and high level requirements in the Act. It would create a new set of second tier regulations that would combine the more detailed provisions currently located in the Act with the type of planning and reporting requirements that are currently set out in the NAGs.
63. This option would respond to the Taskforce's recommendation and the consultation feedback that recommended changes.

Requirements can be changed reasonably quickly to reflect changing circumstances

64. While not as quick as a Gazette notice process, changes could be made in as little as nine weeks, dependent on complexity.
65. Shifting detail about the charter and the annual report from the Act into regulation will significantly reduce the time currently needed for changes.

External review takes place on changes

- 66. Significant changes to regulation require the preparation of a RIS reviewed by Treasury, approval from Cabinet and drafting by the Parliamentary Council Office. Very minor changes can be done without a RIS.
- 67. Significant external review by government agencies, Cabinet, a Select Committee, and Parliament would be required for changes to the provisions remaining in the Act.

Consultation takes place with affected stakeholders

- 68. Consultation is not mandatory for regulation changes. The Minister may choose to undertake consultation at her/his discretion, and it is a convention that this takes place in proportion to the significance of the change.
- 69. Significant consultation is required when changing the Act; including Ministry led consultation and Select Committee consultation.

Options for the form and content of planning and reporting

Option A: Updated status quo – reflecting the strategic changes in the wider Act and removing unnecessary requirements

- 70. Option A would retain the current planning and reporting documents (charter and annual report), but update the content required. This would retain many of the current processes, but reflect the strategic changes in the wider Act and remove unnecessary requirements.

Ensures that school practice reflects the strengthened strategic direction in the Act and increasing participation in CoL

- 71. The charter requirements would be designed to reflect the new objectives and medium-term priorities. School boards' planning and reporting would be based on delivering the most important outcomes.
- 72. The achievement challenges from a CoL would have a clear place in the charter.

Removes unnecessary compliance measures

- 73. The requirements in the charter could be streamlined with the aim of removing extraneous detail and focusing on what is most important. They would reflect how the school intends to achieve the objectives and government priorities and those for any CoL the school belongs to.
- 74. As currently, the charter would need to be provided to the Ministry every year as it contains the annual plan. This is likely to continue to result in limited review of charters due to time constraints. This limits the effectiveness of a key lever for transferring strategic direction though to school practice.
- 75. Data reporting requirements would continue as currently, for example, National Standards data being reported annually.

Option B: Separating the charter into a strategic and annual plan allowing flexibility in process and content

- 76. Option B would create two new planning documents (a strategic plan and an annual plan) replacing a single charter. The two documents would have different purposes and

processes but together would ensure that the objectives and the government's priorities for education flow through to what happens in schools and in classrooms.

77. The strategic plan would need to be reviewed, consulted on (with the school community, including the school's Māori community), and updated every four years. It would then be provided to the Ministry for review.
78. The annual plan would be more detailed and link clearly through to the strategic plan. This would not be required to be provided to the Ministry, strengthening the autonomy requested by boards via consultation.
79. The provisions for Māori culture and language currently located in the charter would be included in the roles and responsibilities for the board.
80. A clarification of the current annual report process would reduce frustration with the current need to provide two copies of the analysis of variance to the Ministry. The analysis of variance would be required once (in March) and the audited financial statements would be required as currently (May), with the two together being considered as fulfilling the annual report requirements.

Ensures that school practice reflects the strengthened strategic direction in the Act and increasing participation in CoL

81. The strategic and annual plan requirements would be designed to reflect the new objectives and government priorities. Boards' planning and reporting would be based on delivering the most important outcomes for their school.
82. The importance of strategic planning would be emphasised. In practice, a board preparing its strategic plan would consider:
 - the objectives for education and the education priorities, with regards to their school
 - the current student body and its particular needs, for example, English as a Second Language, special education needs, low socioeconomic, Maori, Pasifika
 - current data about student achievement and engagement
 - the views of parents, family, whānau, iwi, and the wider community (through a consultation process)
 - previous targets, actions and plans – what happened and why
 - the achievement challenge of the relevant CoL.
83. The annual plans would be the detailed and practical aspect of the planning process, allowing schools to reflect on how they are progressing and outline exactly how they will achieve their strategic objectives in the upcoming year.

Removes unnecessary compliance measures

84. The separation of the strategic and annual plans allows for only one aspect to require review by the Ministry (the strategic plan). This reduces the burden on schools, removes a time delay while schools wait for the Ministry to review their charters every year, and increases school autonomy. The Ministry would be able to spend less time reviewing compliance, and more time focused on working with those schools that need further support.

85. Increased autonomy is balanced by increased transparency; with the requirement that planning and reporting documents must be published online by schools. This is discussed in more detail below.
86. Consultation asked about the length of the strategic plan cycle, and the majority of respondents were in favour of a three-year cycle to fit with board elections. A four-year cycle is currently proposed to ensure continuity when board members change.
87. The audited annual report, with an additional short easily understandable financial dashboard, will continue to be required to be provided to the Ministry. The requirements will continue to be consistent with Crown Entities Act 2004 requirements.
88. Data reporting requirements will continue as currently, e.g. National Standards and other data reported at specified intervals.

Option C: Only strategic planning and annual reporting required by schools.

89. In this option the charter is reduced to only a strategic plan. Schools are left to implement their own more detailed planning frameworks within the school. Annual reporting continues to be required by schools.
90. As in option B, the new strategic plan would reflect how the school intends to achieve the objectives and government's strategic directions and those for any CoL the school belongs to. It will set individual school objectives and targets to address the particular needs of the school.
91. It would be developed every four years and include requirements for consultation with the school community. The strategic plan would be required to be provided to the Ministry for review.
92. There would be no requirement for an annual plan.
93. The provisions for Māori culture and language currently located in the charter would be included in the roles and responsibilities for the board.
94. The audited annual report, with an additional short, easily understandable financial dashboard, would continue to be required to be provided to the Ministry.
95. Data reporting requirements would continue as currently, e.g. National Standards and other data reported at specific intervals.

Ensures that school practice reflects the strengthened strategic direction in the Act and increasing participation in CoL

96. The strategic plan requirements would be designed to reflect the new objectives and government priorities. Boards' planning and reporting would be based on delivering the most important outcomes.
97. The achievement challenges from a CoL would have a clear place in the strategic plan.

Removes unnecessary compliance measures

98. The removal of an annual plan requirement would significantly reduce the planning burden on schools. It would also remove a time delay while schools wait for the Ministry to review their charters every year, and increase school autonomy. This is the most significantly streamlined option for schools.

99. However, effective planning frameworks have both a high-level strategic component and a more detailed plan for action. The removal of the annual plan may significantly reduce the effectiveness of planning for some schools.
100. It is likely that high performing schools will continue to produce an annual plan for their own use. Those schools that are struggling may decide not to, and further compound their difficulties.

Proposals to improve the planning and reporting framework

101. These proposals would fit within each of the options for the form and content of planning and reporting outlined above.

Proposal A: a quality review process occurs - to ensure that best practice strategic planning is supporting student achievement

102. Currently, the Ministry doesn't review charters for quality; rather it is only given the legislative power to assess whether the charter contains specific types of information. The Ministry can provide advice on quality matters, but has no power to require changes.
103. We propose that the Secretary's power to assess strategic plans on quality is strengthened. In addition to the power to assess whether the plan fits the criteria in the Act, he or she would also assess whether the plan is sufficient to support the school to fulfil the objectives and priorities for education. The current power to require changes will be retained.

Proposal B: planning and reporting is visible to parents and community - to strengthen accountability and transparency to parents

104. We propose that boards are required to publish their required planning documents and annual report online, so that parents, the Ministry, and other interested parties can access them easily.
105. In further consultation, 15 out of 20 submissions supported publishing schools planning and reporting documents online. Concern was raised by a few submitters that the public nature of the documents would mean schools spend too much time making them 'publicity friendly' and not enough on the content and effectiveness. However, we consider the enhanced review process would ensure that quality documents are produced.
106. In addition, the planning document(s) could take the form of a range of flexible mandatory templates (developed with the sector), reducing burdens on schools and enabling easier comprehension of the content and comparison with other schools.

Proposal C: some comparison between schools is possible - to strengthen accountability and transparency to parents and government.

107. The Ministry is currently able to request, and regularly receives a wide range of data from which to consider school performance, but little of this is seen by parents or communities.
108. Charters currently vary widely between schools. Every document is different so it is hard to compare schools' planning and subsequent reporting. This can make it difficult for parents and boards to compare or contrast schools' planning and performance.

109. As above, the use of templates would ensure that the key parts of the planning documents and annual report are consistent across schools, enabling comparisons.
110. We have considered further options to strengthen accountability and transparency. Some submitters suggested that schools could set and report on their own performance measures. This would have the advantage of school communities being able to determine what is most important to them, with the measures reflecting community need and priorities. It would encourage schools to innovate in the measurement of the areas that matter most to them.
111. Over time, a rich set of measures might emerge from a school led approach to performance measures. However, it would not lead to consistency across schools and the objective of enabling some comparison would not be met.
112. At the other end of the spectrum, some countries use standardised test results as the key measure of school performance. This is not an appropriate approach for New Zealand's education context.
113. We therefore propose that selected measures (sourced from available data) be included in the annual report for all schools. To accomplish this, a new power would be created in the Act to allow the Minister to set national performance measures for schools.
114. The introduction of national performance measures would provide a small number of important outcomes where schools' results can be compared by parents and communities. These measures would relate to the objectives and government priorities.
115. The development of new measures or strengthening current measures can take place over time to improve comparability.
116. The majority of feedback from both rounds of consultation was opposed to the creation of national measures. Reasons for this included the diverse nature of schools, the views of the school community, and the variety of challenges faced by different schools. However, some respondents were supportive if these measures were wider than purely academic measures.

Consultation

117. Public consultation on the update of the Act was held from 2 November to 14 December 2015. The consultation received over 1800 responses from teachers, parents, family and whānau, board of trustee members, other education sector professionals or education sector groups, members of iwi groups or Māori organisations, members of community groups, businesses, other stakeholder groups and interested citizens. Some of the themes arising from the consultation are outlined below.
118. The consultation document asked for responses and comment on:
"What changes could be made to simplify planning and reporting?"
119. Nine hundred and four submitters answered this question. There was strong overall support for the concept of simplifying planning and reporting with various suggestions for how this could be achieved.
120. Eighty two submitters preferred a standardised system for reports, while thirty five submitters thought schools should determine their own form. Reasons for preferring a

standardised system included it being easier to manage with less time spent on administration.

121. One hundred and one submitters highlighted that the planning and reporting process should be genuine and not just a 'tick box' requirement. Fifty five submitters suggested that the reporting cycle should be extended to between every three to five years, citing that the annual requirement was burdensome and repetitive. There was also strong support for a planning cycle of longer than one year, with a three-year cycle being the most frequent suggestion. There was a mixed response about the level of involvement from the Ministry, with 58 submitters requesting more support and 140 submitters requesting more autonomy. The consultation document also asked for responses and comment on:
"How can we [the Ministry] better provide for groups of schools and kura to work together more to plan and report?"
122. Nine hundred and four submitters answered this question. There was a common theme that collaboration, while positive, should not be compulsory. The largest number of submitters (129) supported informal collaboration involving shared information and resources between schools.
123. Two hundred and eighty submitters wanted more support from the Ministry for collaboration including funding for teacher release time, professional development, advisors, board remuneration and more technology and resources.
124. Further consultation was undertaken through the Cross Sector Forum and online between 11 March and 8 April 2016. This consultation asked questions about boards' composition, roles and responsibilities, and planning and reporting. One hundred and sixty nine submissions were received, with 38 of these commenting on planning and reporting.
125. This consultation asked submitters what aspects of planning and reporting could be put into regulation. Only 14 people responded to this question, and opinions were evenly split between those who supported, and those that opposed the concept of shifting requirements into legislation. Responses from national and regional Cross Sector Forum meetings to the question were generally supportive. This quote summarises views well - "[we] support having the 'what' in regulation, 'why' in legislation and 'how' left to schools".
126. Fifteen out of 20 submissions supported publishing schools planning and reporting documents online. Concern was raised that the public nature of the documents will mean schools spend too much time making them 'publicity friendly' and not enough on the content and effectiveness.
127. Support for mandatory consultation on planning documents was mixed, with many commenting that it should only be on the strategic plan aspect. Consultation was seen as valuable for strategic plans, but not for the more practical annual plans.
128. Seventeen out of 20 submissions opposed a four year strategic plan interval, with three years proposed as the preferred option by many.
129. Twenty three out of 32 submissions opposed the creation of National Performance Measures. Support was expressed if schools could choose their own measures or if they were well rounded (including student well being and the principles of the Treaty of Waitangi).

Conclusions and recommendations

130. Changes to planning and reporting affect more than 2400 schools, and are the key mechanism through which strategic direction flows through the schooling system and a key lever for accountability.
131. The creation of a new set of planning and reporting regulations would best allow reasonably quick changes, while establishing an appropriate middle ground of scrutiny and consultation.
132. Regarding the content of planning and reporting, option B (the separation of the charter into two separate documents) best fulfils the criteria. It creates a less burdensome and autonomous process for schools and the Ministry, which supports strategic direction to flow through into practice on the ground.
133. The three additional proposals support option B to: enable best practice, provide the greatest amount of information to the school community and strengthen school accountability to parents and government. In particular, publishing planning and reporting documents online (including a small number of comparable measures) would provide parents and communities with a better picture of how their school is performing.

Implementation plan

134. If the recommended changes proceed and the Act is amended in relation to school planning and reporting requirements, the Ministry would begin work on the design and content of regulations in consultation with stakeholders.
135. The timeframe for the introduction of any new planning and reporting requirements is dependent on the enactments of the objectives for education and the statement of National Education and Learning Priorities. The intention is that the new system will be fully operational by the beginning on 2019.
136. The Ministry would prepare advice and guidance for schools, and plan for the operational changes that would be required. The bill that makes any legislative changes would need to provide for transitional arrangements and these will be worked through in the drafting process.

Monitoring, evaluation and review

137. Monitoring, evaluation and review is an inherent part of planning and reporting. The Ministry will investigate methods of reviewing the new framework as part of regulation design with the sector.
138. Other current school and student performance measures could be used to assess how well providers are meeting the strategic direction of education. A regular timeframe for evaluation will be established.
139. The combined impact of the proposals to set the strategic direction will be monitored through the alignment of teaching and learning outcomes to the strategic direction. Analysis of school and early childhood performance that occur at regular intervals can be used to evaluate the efficacy of the policy.

Appendix A: Details of the current planning and reporting process

1. The planning and reporting documents currently required by the Act for all state schools consist of a charter, a statement of variance, and an annual report.
2. The school charter is made up of three sections: a strategic plan, an annual plan and provisions for Māori culture, identity and language. A copy of the updated charter must be sent to the Ministry of Education each year. The NAGs mandate that the charter is received by the Ministry by 1 March.
3. A school charter takes effect on the 25th working day after the date that the Secretary of Education receives it. This means the Ministry has 24 working days from receipt of a school charter in which to check that it meets legislative requirements and to advise the board of any matters that need amending.
4. The charter is the planning part of a cycle of planning, action, review, and reporting. The charter is only an effective accountability document in that it is the starting point for reporting on progress. The charter must be accompanied by the analysis of variance for the previous year (in this schools explain how they have performed against the targets in their Charter).
5. The Annual report (required financial statements) is due with the school auditor prior to 31 March. Once audited, it must be provided to the Ministry, along with another copy of the analysis of variance, by a day fixed by the Secretary (generally around 1 June).
6. Schools are required to provide a large range of administrative and other data to the Ministry. This includes National Standards and/or Ngā Whanaketanga Rumaki Māori data, broken down into Māori, Pasifika, European/Pākehā, Asian, gender, and year level.
7. Schools are also required to report to parents on the progress of their individual children, including in relation to National Standards and/or Ngā Whanaketanga Rumaki Māori at least twice a year.