

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

## Coversheet

Purpose of Document	
Decision sought:	<i>Analysis produced for the purpose of informing final Cabinet decisions</i>
Advising agencies:	<i>Ministry of Education Education Review Office</i>
Proposing Ministers:	<i>Hon. Chris Hipkins, Minister of Education Hon. Jan Tinetti, Associate Minister of Education</i>
Date finalised:	<i>3 August 2021</i>
Problem Definition	
<p>Quality professional learning and development (PLD) is an important lever to improve teaching and leadership practice, and therefore learners’ experience and outcomes, in schools, kura and early learning services. Surveys and reviews of PLD in New Zealand have highlighted variability of provision and quality. However, we do not have good information about the impact of PLD in places of learning or at a national level to address this.</p>	
Executive Summary	
<p>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</p> <p>Professional learning and development for educators is provided through a range of mechanisms and providers in a diverse landscape. Most PLD, particularly for schools and kura, is funded by government either through PLD funding provided to schools and kura or through programmes delivered by the Ministry of Education and other agencies. Schools may also use their operational grants or locally raised funds to pay for PLD, and early learning services may draw on their funding from government as well as other income. The government and individual places of learning make significant financial investment in PLD.</p>	

Currently, the Ministry considers teaching outcomes for Ministry-funded PLD for schools and kura through impact reporting and good contracting practice.

The Education Review Office (ERO) reviews and reports 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 part of these reviews, evaluation partners make enquiries about how schools choose PLD, how they implement it, and how they evaluate its impact. ERO also carries out research and evaluation on how the education system supports positive outcomes for learners in schools, kura, and early learning services.

However, there is no centrally organised way of reviewing PLD, including PLD providers, and so we have limited information about its quality and impact in individual places of learning or at a national level, or to help education providers know whether they are purchasing good quality PLD.

To address this, the Ministry and ERO propose to amend the Education and Training Act to enable ERO to review PLD accessed by schools, kura and early learning services more systematically. The proposal aims to provide better information about the quality and coherence of PLD. We anticipate that over time, this information will inform policy settings and education providers' decision making and will help to improve the quality of PLD and its impact on teaching practice and educational leadership in schools, kura, and early learning services.

There are two main groups of stakeholders: education practitioners in places of learning, and PLD providers. Feedback from consultation indicates both are largely supportive of the proposal for a centrally organised way of evaluating the impact and quality of PLD. Those submitters that did not support the proposal raised a number of concerns about how ERO might implement its new powers, and unintended impacts this may have. ERO acknowledges these concerns and considers they can be addressed through further consultation and collaboration in the implementation and planning process.

ERO is not seeking additional funding for this function at this stage and intends to review PLD initially as part of the evaluation work it already conducts to minimise costs and compliance burdens for places of learning. It will also minimise initial costs for ERO and PLD providers.

Feedback also raised possible alternatives to ERO as the agency to centrally review PLD, such as the Ministry, NZQA, the Teaching Council, PLD provider networks, but there was no consistent alternative offered. The Ministry and ERO have considered these alternatives, but consider they may result in less clarity of roles and responsibilities or increase costs, and remain of the view that ERO is best-placed to undertake this function.

### **Limitations and Constraints on Analysis**

An important assumption in developing the proposal was that it is a problem that there is no agency with the mandate to review the quality of PLD, and this impacts on the quality and consistency of PLD provision.

Feedback from consultation has confirmed that this is a gap in the system that should be addressed.

**Responsible Manager(s) (completed by relevant manager)**

Dr Andrea Schöllmann  
**Deputy Secretary**  
**Education System Policy**  
**Ministry of Education**

03/08/2021

Ruth Shinoda  
**Deputy Chief Executive and Head of Centre**  
**Te Ihuwaka, Education Evaluation Centre**  
**Education Review Office**

**Quality Assurance (completed by QA panel)**

Reviewing Agency: Ministry of Education

Panel Assessment & Comment: The Ministry of Education's Quality Assurance Panel has reviewed the Regulatory Impact Statement: *Extending ERO's mandate to include the review of professional learning and development (PLD) accessed by schools, kura and early learning services* dated 'Week of 2 August 2021'. The panel considers that it partially meets the Quality Assurance criteria.

The RIS provides a clear explanation of the case for more systematic centralised information on the impact of PLD and the rationale for legislative change to enable ERO to undertake these reviews. Stakeholder views on the proposal have been sought and are well reflected in the RIS. The benefits of centralised information on the quality of PLD are explored, initial costs and benefits detailed, and an implementation pathway provided. As noted in the RIS, in the immediate term ERO proposes to use its baseline funding to review PLD services and regular reviews of all PLD providers will likely require additional resources to be secured in a future Budget. It will be important, therefore, that the review of the initial phase of implementation outlined in the RIS identifies and addresses issues of cost, potential risks or any unintended consequences for providers and purchasers of PLD over the longer term.

## Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

### ***The importance of high quality PLD in the education system***

1. 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.
2. 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 and funding of PLD***

3. Professional learning and development for educators is provided through a range of mechanisms and providers in a diverse landscape.
4. The majority of PLD is delivered by providers who are external to education sector agencies. Some of these providers are for-profit, and some are not-for-profit. Some are very large organisations, while some are small, sole-operator organisations. Many Universities have established wholly-owned entities which deliver PLD linked to their research in education. Some providers specialise in specific areas, and others cover a broad range of PLD. The Ministry of Education itself delivers some PLD directly through its employees.
5. Most PLD, particularly for schools and kura, is funded by government. This is either through PLD funding provided to schools and kura or through programmes delivered by the Ministry of Education and other agencies. Schools may also use their operational grants or locally raised funds to pay for PLD, and early learning services may draw on their funding from government as well as other income.
6. The investment in PLD by government and individual schools, kura and early learning services is significant. Most government funding that is explicitly designated for PLD sits within the Quality Teaching and Learning appropriation of Vote Education. This funding totalled approximately \$102 million for 2020/21. Kura and schools reported 'staff development costs' for 2019 as approximately \$50 million.

### ***Current Quality Assurance of PLD***

#### *Quality assurance by the Ministry of Education*

7. In relation to PLD funded through the Quality Teaching and Learning Appropriation of Vote Education, the Ministry of Education employs the following mechanisms to quality assure the provision of PLD where it is funded through the Quality Teaching and Learning appropriation of Vote Education:
  - **Accreditation:** Providers are selected for contracts based on their proven ability to deliver quality PLD that meets current national priorities for PLD.

Accredited providers are listed on a website, so schools and kura are able to select an accredited provider.

- *Quality assurance*: 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.
8. The Ministry is also working to strengthen its approach to evaluating PLD through impact reporting by places of learning.

#### *Quality assurance by the Education Review Office*

9. The Education Review Office reviews and reports on the education and care of students in schools, kura, 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.
10. As part of ERO's review of schools, kura and early learning services, ERO's staff assess whether:
- teachers seek professional learning in areas where they need further development
  - the place of learning makes appropriate choices around resourcing, for example focusing PLD on priority areas
  - teachers make changes to their practice as a result of PLD
  - there are any changes in practice resulting in improved learner outcomes.
11. As well as reviewing schools, kura and early learning services, ERO carries out research and evaluation on how the education system supports positive outcomes for learners in schools, kura, and early learning services.

#### **What is the policy problem or opportunity?**

##### ***The need for better information about the impact and quality of PLD, both at an individual school/kura level, and at the system level.***

12. Teachers and leaders surveyed in reviews of PLD have indicated that its quality and provision varies across schools and kura.
13. Aside from the quality assurance arrangements outlined in paragraphs 7 and 8 above, government funding for PLD for the schooling sector largely relies on schools/kura ability to select a provider available within their region who will provide high-quality PLD, and which is a good fit with their needs, professional learning focus, and context.
14. However, school and kura capability to assess the positive impact of PLD on the areas they've targeted for change is varied. In addition, there is limited information available to help education providers know whether they are purchasing good quality PLD.
15. At the system level, we do not have good information about the impact of PLD on teaching and leadership practice or on learner outcomes in New Zealand.

16. Independent review of PLD accessed by schools, kura and early learning services would better equip them to choose PLD programmes and providers likely to have the desired impact on teaching practice.
17. Independent review of PLD would also provide valuable information to inform the Ministry's management of the government funding for PLD.
18. In both cases, this review of PLD would be even more valuable where there is able to be a direct link between PLD and observed teaching practice in the school, kura or service that has accessed the PLD. For example, if ERO reviews the PLD that a school or kura has accessed and finds it makes no difference to what the school or kura was trying to achieve through that PLD, they can advise the school or kura on how to choose more effectively in the future. If ERO sees a pattern of mismatches between PLD and schools/kura, then it can advise the Ministry and the relevant provider, so that the Ministry could consider system changes and the provider can consider changes in their provision.

***There are two main groups of stakeholders. Both are largely supportive of the proposal for a centrally organised way of evaluating the impact and quality of PLD***

19. The two main stakeholder groups are:
  - Education practitioners (teachers, school principals, early learning services, kura Kaupapa Maori leaders and teachers)
  - Professional Learning and Development Providers
20. Submissions on the proposal confirmed that schools, kura and early learning services do not always know the quality of the PLD that they are purchasing, and often lack information about which programme would be most appropriate for their needs. There were also concerns that there is little accountability for PLD providers under the status quo.
21. Some PLD providers who submitted on this proposal raised that there was value in having a nationally-agreed framework on what constitutes good PLD.
22. Those submitters that did not support the proposal raised a number of concerns about how ERO might implement its new powers. These concerns are set out in the annexed Summary of Submissions.
23. We propose that putting in place better arrangements for ongoing review of the quality and impact of PLD would help to improve the quality and coherence of PLD services over time.

**What objectives are sought in relation to the policy problem?**

24. The proposal seeks to fill an information gap in relation to the quality and impact of PLD.
25. This information gap applies to all parties involved in the PLD "market":
  - the Ministry, which funds a large proportion of PLD as steward of the education system

- schools, kura, and early learning services, which are users of PLD and which invest a significant amount of their own resources in it
  - PLD providers.
26. The information provided by independent review of PLD – both in relation to individual providers of PLD, and in relation to PLD at the system level - will strengthen:
- the Ministry’s understanding of how well its system for supporting PLD is working, and its ability to make improvements
  - education providers’ decisions about the PLD they invest in
  - PLD providers’ insights and understanding of the impact their PLD is having on teaching practice in schools, kura, and services.
27. Given the size of the direct government investment in PLD, better arrangements for review of its impact will fill a particularly important gap.
28. Overall, this improved information will help to strengthen the impact of PLD on teaching practice and educational leadership in schools, kura, and early learning services.

## **Section 2: Deciding upon an option to address the policy problem**

### **What criteria will be used to compare options to the status quo?**

29. The following criteria were used to assess the options:
- a. Clarity of responsibility and roles between different education agencies;
  - b. Independence of the PLD market and decision making about the funding and purchase of PLD
  - c. Expertise in reviewing PLD
  - d. Minimal financial cost to government and minimal compliance burden on schools, services and PLD providers; and
  - e. Effective and efficient use of system resources

### **What scope will options be considered within?**

30. As noted by the Independent Taskforce to review Tomorrow’s Schools, the management of government funded PLD by the Ministry changed in 2016, moving away from a model of centrally contracted supply to a model which relies on schools and kura making their own applications for PLD based on their analysis of outcomes for students, and the aspects of teaching they consider need to change. This followed the review of PLD conducted by the PLD Advisory Group in 2014, and drew on the evidence that the most impactful PLD is linked to schools and kura’s own analysis of how their teaching impacts on student outcomes. Considering the relatively recent

introduction of these changes and their link to the available evidence, fundamental changes to this system were not considered.

31. The Tomorrow's Schools review also noted that this current system is seen by both users and providers as being over-regulated, bureaucratic, and time-consuming for schools and providers. In this context, options focused on strengthening the existing contracting and accreditation arrangements, such as setting tighter rules for the accreditation of providers, or more tightly prescribing the choices that schools, kura and early learning services can make about PLD, were not considered in detail. These options would be likely to place higher compliance burdens on providers and places of learning, and would weaken the ability of places of learning to select the PLD provision that is the best fit for them.
32. Instead, the decision was made to focus on improving the information about the quality and impact of PLD, to strengthen the role played by the Ministry, places of learning, and PLD providers within the existing system. The proposal is limited to professional learning and development accessed by schools, kura and early learning services. Tertiary education programmes that sit within the New Zealand Qualifications Framework would not be included.
33. Some responses to consultation suggested alternatives to ERO as the agency to review PLD. These options were considered and the results are outlined below.

## **What options are being considered?**

### **Option One – *Status Quo***

34. Maintenance of the status quo (no centralised systematic review of PLD accessed by schools, kura and early learning services)

### **Option Two – *Proposal for ERO to review PLD***

35. 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.

### **Option Three – *Other government agencies or government funded agencies***

36. Alternatives to ERO as the agency to review PLD: Submitters in the public consultation process offered a range of alternatives to ERO such as the Ministry of Education, NZQA or NZCER, but there was no consistently mentioned alternative. Several submitters suggested that places of learning and PLD providers undertake self-review instead, unaware that this was expected in the status quo.



## How do the options compare to the status quo?

### Key for qualitative judgements:

- ++ much better than doing nothing/the status quo
- + better than doing nothing/the status quo
- 0 about the same as doing nothing/the status quo
- worse than doing nothing/the status quo

	Option One – [ <i>Status Quo</i> ]	Option Two – [ <i>Proposal for ERO to review PLD</i> ]	Option Three - [ <i>Alternatives to ERO as the agency to review PLD</i> ]
<b>Better information about the quality and impact of PLD</b>	<p style="text-align: center;">0</p> <p>Existing arrangements are:</p> <ul style="list-style-type: none"> <li>• MOE contracting arrangements</li> <li>• ERO review within schools, kura and early learning services, which look at how they evaluate their use of PLD</li> <li>• evaluation by PLD providers of their own provision</li> <li>• individual schools' evaluation of PLD they have used</li> </ul> <p>These are not centralised or systematic. The information provided through these arrangements is relatively light, so there is limited understanding of the quality and impact of PLD in NZ.</p>	<p style="text-align: center;">++</p> <p>Review of PLD by ERO will provide better information about the quality and impact of PLD and how to improve it</p> <p>Overall, feedback received in consultation indicated conditional support for this proposal.</p> <p>Overall we consider that combining this function with ERO's ongoing review of schools, kura and services provides a better opportunity to directly link PLD provision to its impact on teaching practice as part of the ongoing review of schools, kura and early learning services.</p>	<p style="text-align: center;">+</p> <p>Submitters suggested several alternatives to ERO, including the Ministry of Education, the Professional Learning Association of New Zealand (PLANZ), NZQA, NZCER, teachers' unions, the Teaching Council, or an independent review panel.</p> <p>Submitters suggested some PLD sector-owned models for review, including independent review panels and cooperative models across the system</p> <p>Review of PLD by these agencies/organisations would be likely to provide better information about the quality and impact of PLD than the status quo.</p>

<p><b>Clarity of responsibility and roles between different education agencies</b></p>	<p>0</p> <p>There would be no change to the roles and responsibilities of education agencies. However, no agency would have a clear mandate or responsibility for reviewing PLD accessed by schools, kura and early learning services.</p>	<p>++</p> <p>ERO currently reviews schools, kura and early learning services. Reviewing PLD would be consistent with its system evaluation and review functions.</p> <p>ERO would not review tertiary education courses that sit within the NZQF, so this proposal would not overlap with quality assurance arrangements in the tertiary education sector.</p>	<p>- NZQA / + Ministry of Education</p> <p>The Government agencies that were suggested as alternatives to ERO were MOE and NZQA.</p> <p>The Ministry has review functions for wellbeing of students in special schools, and has an evaluation function. We think there is value in the review of PLD being independent of contractual decision making and policy advice on PLD.</p> <p>Review of PLD by NZQA would be a significant change to NZQA's existing functions. Overall, however, neither of these options would create duplication or uncertainty over the role of education sector agencies.</p>
<p><b>Independent of PLD market and decision making about PLD</b></p>	<p>0</p> <p>Current arrangements are limited to decision makers and PLD providers</p>	<p>++</p> <p>ERO is independent of both the PLD market and decision making about PLD. ERO would make recommendations, but contracting decisions would remain with places of learning and the Ministry.</p>	<p>+ NZCER &amp; NZQA / - Ministry of Education</p> <p>Other government agencies like the Ministry of Education have decision making responsibilities about PLD and having them review PLD could create a perception of conflict of interest.</p> <p>Other agencies such as NZCER would be independent</p>
<p><b>Expertise in PLD and evaluation</b></p>	<p>0</p> <p>PLD providers doing self-evaluation have expertise in PLD</p>	<p>++</p> <p>ERO has flexibility to employ and designate someone as a review officer as long as they</p>	<p>+</p> <p>Other government agencies have expertise in education, evaluation. and</p>

<p><b>of education provision</b></p>		<p>are suitably qualified. This means ERO can build a review team that includes those experienced in PLD. Because of its existing role, ERO has a deep knowledge base on quality teaching, and this includes knowledge of the evidence about the most effective PLD.</p> <p>ERO has in-house expertise in developing review and evaluation methodologies within the education sector in a range of settings. ERO will use that expertise to develop framework(s) for reviewing PLD.</p>	<p>PLD. However, ERO is uniquely placed to review PLD accessed by schools, kura and early learning services as part of its role reviewing places of learning across the country, and in its system evaluation function.</p>
<p><b>Minimal financial cost to government and compliance burden on schools and services</b></p>	<p>0</p> <p>There would be no added costs or compliance with maintenance of the status quo.</p>	<p>-</p> <p>Some submitters were concerned about possible costs, time and additional workload that may be associated with a review of PLD.</p> <p>ERO already gathers information about the impact of PLD on teaching practice as part of its reviews of schools, kura, and early learning services. This means there will be no additional costs or compliance burdens for schools, kura, and early learning services.</p> <p>ERO will use its existing funding to implement this new role, in terms of reviews of PLD providers. It will draw on</p>	<p>--</p> <p>In addition to the costs associated with the ERO options, government would need to set up a new function in another government department, or fund this function from another provider.</p>

		<p>the models established in its reviews of schools, kura and early learning services.</p> <p>When ERO decides to undertake a system evaluation of PLD provision, it will require a trade-off with other possible system evaluation work. It will not displace ERO's reviews of schools, kura and services.</p> <p>If Government wishes to establish ongoing, regular reviews of PLD providers at scale, this would be likely to require additional funding. In this case, we consider that the funding required for ERO to do this work would likely be lower than for another agency, given that ERO will be able to draw on the findings, models, and expertise developed in its existing review work.</p>	
<p><b>Effective and efficient use of system resources</b></p>	<p>0</p> <p>Government and places of learning will continue to invest significant funding to PLD without systematic arrangements for review of PLD, linked to the observed practices employed by educators in schools, kura or services that have accessed the PLD.</p>	<p>+</p> <p>Government &amp; 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 assess the impact of PLD on teaching practice as part of its existing</p>	<p>+ -</p> <p>Government &amp; places of learning invest significant funding into PLD. It would be beneficial to know more about its quality and impact.</p> <p>Other agencies would be likely to require significant additional funding to perform this function, whereas ERO would largely incorporate this work into its existing review of schools, kura, and early learning services.</p>

		business-as-usual. No additional cost is expected for schools, kura, and early learning services.	
<b>Overall assessment</b>	0	++	+ (+/- cancel each other out)

## What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

37. Feedback received in consultation confirms our initial assessment that Option 2 (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 in relation to the decision criteria, these can be mitigated and would be outweighed by the potential benefits in response to the problems and opportunities identified in Section One.
38. Regarding Option 3: ERO already incorporates the impact of PLD in its reviews of schools, kura and early learning services, and supports them to embed self-evaluation into their decision making. This approach would not achieve the aims of the proposal to solve the problem. Enabling ERO to also review PLD providers intends to:
- result in a shared understanding between PLD providers, schools, kura and early learning services on what quality PLD looks like.
  - help PLD providers to improve the quality of their provision by allowing ERO to collect and share good practice
  - allow ERO to look across the training component and teachers implementing their learning to share what works in using PLD to improve teaching quality.
39. Officials have considered suggested alternatives and their implications and remain of the view that ERO is best-placed to undertake this function.

## What are the marginal costs and benefits of the option?

<b>Affected groups</b> <i>(identify)</i>	<b>Comment</b> <i>nature of cost or benefit (e.g. ongoing, one-off), evidence and assumption (e.g. compliance rates), risks.</i>	<b>Impact</b> <i>\$m present value where appropriate, for monetised impacts; high, medium or low for non-monetised impacts.</i>	<b>Evidence Certainty</b> <i>High, medium, or low, and explain reasoning in comment column.</i>
<b>Additional costs of the preferred option compared to taking no action</b>			
Regulated groups: PLD providers and individual schools, kura and early learning services	ERO estimates that costs for PLD providers would be a maximum of 24 hours of additional	Low	Medium – this is based on experience of contracted

	<p>staff time per PLD provider reviewed. Schools and early learning services will not require additional funding as review of PLD will be incorporated into ERO's existing reviews of them.</p>		<p>services previously reviewed by ERO</p>
	<p>Decreasing diversity of market or ranking providers</p>	<p>Low – ERO will not rank providers. Whilst this change may impact on the market, it should only make lower quality PLD less desirable, and increase the quality of PLD overall,</p>	<p>High – based on ERO's assessment of impact on ECE market</p>
	<p>Impact on individual providers of an adverse review</p>	<p>Medium – an adverse review could potentially have a high impact on a provider. It could cause the Ministry to reduce or remove the provider's contract, it could cause places of learning not to select that provider for PLD, and in some cases these impacts could mean the provider needs to go out of operation.</p> <p>This impact is ranked as medium, rather than high, because it is anticipated that this risk would impact a small proportion of PLD providers overall.</p> <p>These risks need to be balanced against the ongoing risk of having investment go into poor quality PLD that is having little positive impact on teaching practice.</p>	<p>Medium – as noted above, ERO's reviews have not had a major impact on the ECE market, but this new mandate could impact in different ways.</p> <p>As is its current practice with schools and early learning services, ERO will share draft reports with providers and give them an opportunity to comment and correct any factual errors.</p>
<p>Regulators: The Education Review Office</p>	<p>ERO does not require additional funding initially. As noted elsewhere, ERO already asks about PLD accessed by the school, kura or service as part of its normal evaluation</p>	<p>Low</p>	<p>medium – this is based on ERO's assumptions, but will depend on future direction of government, which is unknown</p>

	<p>process, so the proposal will not change anything in terms of this aspect of ERO's work, and no additional funding will be required.</p> <p>ERO will use its baseline funding to implement the new mandate. This includes the development of the practice framework, and consultation with the sector.</p> <p>Initially, where ERO decides that it should review a PLD provider, this decision will involve trade-offs with other aspects of ERO's overall evaluation work programme. This work will not displace ERO's existing statutory responsibilities to review schools, kura, and early learning services.</p> <p>ERO proposes to use its baseline funding to review PLD services (see section 3 for further detail). However, if there was a move to undertake regular reviews of all PLD providers, that would be likely to require additional resources. This decision would need to be made through a Budget process, and would be subject to the usual considerations for Ministers in relation to fiscal pressures, priorities and trade-offs. The expansion to ERO's mandate to include the review of PLD will not commit Ministers to additional funding for</p>		
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	ERO to undertake this work.		
Others (e.g. wider govt, consumers, etc.)	This proposal is expected to have no impact on wider government or stakeholders outside education.	Low – no additional costs to wider government or consumers have been identified.	High
<b>Total monetised costs</b>		Unknown	unknown
<b>Non-monetised costs</b>		Low	Medium
<b>Additional benefits of the preferred option compared to taking no action</b>			
Regulated groups: PLD providers and individual schools, kura and early learning services	<p>Benefits to PLD providers include gaining a better understanding of the quality and impact of their provision, and how to improve it. It will also give the PLD providers tools to self-assess the quality of their provision.</p> <p>There will be benefits to schools, kura and early learning services from being able to identify access better quality PLD.</p>	Medium	Medium – there has been no formal pilot of this change. Sharing good practice improves practice.
Regulators: ERO	Better understanding of how to continuously improve teacher quality and improve learner outcomes	High	High
Others (e.g. wider govt, consumers, etc.)	Communities (including students, whanau and others with interest in NZs education system) will be able to see how PLD improves teacher outcomes	High	High
<b>Total monetised benefits</b>		Unknown	Unknown
<b>Non-monetised benefits</b>		High	High

## Section 3: Delivering an option

### How will the new arrangements be implemented?

40. As noted in paragraph 10 above, ERO's reviews of schools, kura, and early learning services already include inquiry into what PLD educators seek out, and what impact PLD has on their teaching practice. This means there is no need for change to ERO's current practice in relation to discerning the impact of PLD on teaching practice.
41. What will be new is the mandate for ERO to review the delivery of PLD by providers, with the link made to how this translates into changed practice in the schools, kura and services that have received that PLD.
42. ERO is planning to implement the new mandate by including it in its system evaluation function. Examples of system evaluation questions that ERO will look at include:
  - How does PLD improve the quality of teaching in a subject area or for a particular group of teachers?
  - What contribution does PLD make in an education system that supports students learning and how effective is it?
43. Before implementing the new mandate, ERO intends to develop a quality framework for reviewing PLD providers. It will do this in close consultation with the sector. The use of a clear, agreed quality framework is consistent with ERO's approach to its reviews of schools, kura, and early learning services.
44. Through the submissions process schools, kura, early learning centres and PLD providers raised issues that will need to be worked through as part of implementation. These included:
  - Having a clear and shared problem definition and purpose for reviewing PLD, including the scope of provision that would be reviewed
  - ensuring review of PLD is fit-for-purpose across different sectors and contexts, including Māori medium and early learning
  - privacy and commercial concerns of providers in the publication of review reports
  - the need for the Ministry of Education and ERO to consult further and work collaboratively with actors across the PLD and education sectors.
45. ERO proposes a four stage implementation process for this new legislation:
  - Stage One: Stakeholder engagement
  - Stage Two: Development of quality framework and evaluation rubrics
  - Stage Three: Initial implementation with a small group of PLD providers
  - Stage Four: Move to business as usual
46. The major stakeholders are: education providers (schools, kura, early learning services), education peak bodies, PLD providers and their peak bodies, government agencies and interested communities (including parents, students, whanau/hapu/iwi).

**Stage One: Stakeholder engagement (January 2022-June 2022)**

47. Over the period, ERO will carry out stakeholder engagement to raise stakeholder awareness of EROs operating approach, and to get a greater understanding of the problem: specifically, how the current quality assurance practice helps to improve the quality of teachers PLD, and how where it doesn't?
48. This engagement will also canvass what a practice framework for PLD is and get agreement on the process used to develop the framework.

**Stage Two: Development of quality framework (July 2022)**

49. While the exact process for developing the practice framework will be influenced by stakeholder engagement, ERO expects that this process will include development of an evidence brief on quality practice in PLD provision for educators, with different perspectives of Kura Kaupapa Maori provision, and ECE provision. Working alongside key stakeholders, a quality framework will be developed on the basis of the literature review.
50. A communications plan will sit alongside this project to support ERO to keep stakeholders informed of progress with the practice framework.

**Stage Three: Initial implementation with a small group of providers (once legislation has passed)**

51. Once the legislation has been passed, ERO proposes to carry out an initial thematic review of PLD. The nature of this review will be informed by the views of stakeholders, but the decision will be the Chief Review Officer's. ERO will need to work through a range of issues in its first review including how it will:
  - include the range of expertise required for the evaluation team, including experience in the PLD sector
  - consider privacy and commercial interests
  - ensure there is an expert advisory group to inform the implementation of the evaluation
  - look for opportunities to minimise compliance burden and ensure that the process provides value to those involved with information to improve their practice
  - ensure any providers reviewed are given the opportunity to correct any errors of fact before they are published.
52. A communications plan will sit alongside this project to support ERO to keep stakeholders informed of progress with the review.

**Stage Four: Move to business as usual (nine to 12 months after legislation is passed)**

53. ERO will review the first review of PLD, to look for lessons learnt – what worked well, what were the challenges, what needs to be done differently. ERO will also get feedback from stakeholders on how informative and useful the review was and how it could be improved in the future.
54. At this point ERO will be able to give advice to Ministers on how it intends to use this power over future years. This advice will be influenced by the views of stakeholders. It will also be influenced by any other changes to the system.

### How will the new arrangements be monitored, evaluated, and reviewed?

55. ERO carries out internal evaluative activity across its business, including a lessons learnt after each system evaluation and post-evaluation surveys of stakeholders. ERO will use these mechanisms to review the implementation of reviewing PLD and will report on the first evaluation of PLD in our annual report.
56. ERO's existing mechanisms will be used to enable interested parties to raise concerns. These are largely machinery of government mechanisms, like Ministerial oversight, OIA for transparency, complaints to the Ombudsman.