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# BILLS DIGEST

Digest No. 1720

## Education Amendment Bill 2009 (2009 No 25-2)

<b>Date of Introduction:</b>	09 April 2009
<b>Portfolio:</b>	Education
<b>Select Committee:</b>	Education and Science
<b>Date report presented:</b>	27 August 2009
<b>Published: 21 October 2009</b>  Prepared by <b>John McSoriley</b> BA LL.B, Barrister  Legislative Analyst  P: (04) 471-9626 (Ext. 9626)  F: (04) 471-1250	Caution: This Digest was prepared to assist consideration of the Bill by members of Parliament. It has no official status.  Although every effort has been made to ensure accuracy, it should not be taken as a complete or authoritative guide to the Bill. Other sources should be consulted to determine the subsequent official status of the Bill.

### Purpose

The main aim of this Bill is to amend the Education Act 1989 (the Act) to:

- introduce information matching between the New Zealand Teachers Council and the Ministry of Education to identify individuals teaching in schools without registration;
- reduce compliance costs relating to police vetting<sup>1</sup>.

*The Bill as introduced is described in [Bills Digest No 1681](#).*

### Main changes to the Bill

#### Police vetting

The Select Committee has recommended that:

<sup>1</sup> Education Amendment Bill, 2009 No 25-1, Explanatory note, General policy statement, p. 1.

- in relation to non-teaching staff, schools and service providers of licensed early childhood services must request a Police vet within two weeks of their commencing work (*Part 1, Clause 21, New Section 78CB, inserting new subsection (2); amending Clause 70 by inserting New Section 319F(2)*);
- in relation to the requirement for a three-yearly renewal of a Police vet, that requirement would not apply " ... to a person on whom a Police vet under [Clause] 78C or 78CA would not be required if he or she were about to be appointed to a position at the school [or licensed early childhood service] or to work at the school or [licensed early childhood service] at the time that the further Police vet would otherwise be required" (*Part 1, Clause 21, amending New Section 78CC; Clause 70, amending New Section 319FE (formerly New Section 319FA)* );
- the Police be required to vet the household members (who are 17 years of age or older) of licensed home-based education and care services (*Part 1, Clause 70, inserting New Sections 319FB - 319FD*);
- schools and licensed early childhood services be required to apply for Police vets of affected staff within four (instead of eight) weeks of the Act resulting from this Bill coming into force (*Part 1, amending Clause 76*).

## School governance

The Select Committee has recommended that:

- only natural persons and not bodies corporate may be appointed as limited statutory managers or commissioners of a school, but they may be appointed "as being of a named body corporate" (*Part 1, substituting Clauses 22 and 23 and deleting Clauses 24-26*);
- the Minister of Education be allowed to split one or more schools from a combined establishment board (*Part 1, inserting New Clauses 32A and 32B*);

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