



Improving quality: →
employment responsibilities in
kindergartens and
education and care services

May 2014

Foreword

The Education Review Office (ERO) is an independent government department that reviews the performance of New Zealand's schools and early childhood services, and reports publicly on what it finds.

The whakataukī of ERO demonstrates the importance we place on the educational achievement of our children and young people:

Ko te Tamaiti te Pūtake o te Kaupapa
The Child – the Heart of the Matter

In our daily work we have the privilege of going into early childhood services and schools, giving us a current picture of what is happening throughout the country. We collate and analyse this information so that it can be used to benefit the education sector and, therefore, the children in our education system. ERO's reports contribute sound information for work undertaken to support the Government's policies.

Effective employment practices in early childhood services are critical to the success of the children at those services. A robust and systematic approach to staff recruitment, development and appraisal will help build capability, improve teaching and will contribute significantly to positive learning outcomes for the children.

This report highlights effective employment practices in some services, identifies some of the challenges and, in the interests of improvement, makes recommendations to the Ministry of Education and early childhood services.

Successful delivery in education relies on many people and organisations across the community working together for the benefit of children and young people. We trust the information in ERO's evaluations will help them in their work.

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Overview

In 2013 the Education Review Office (ERO) evaluated how effectively kindergartens and education and care services implemented employment practices to manage and develop staff. The data for this evaluation was gathered as part of the regular education reviews of 235 services in Term 2, 2013.

This report presents ERO's findings in relation to:

- recruitment and appointment of staff
- support for ongoing staff development
- improvement of staff performance through appraisal processes
- staff turnover, managing complaints about staff and police vetting.

In this evaluation ERO acknowledges the differing employment relationships that exist in the early childhood sector, particularly for kindergartens and education and care services. These service types operate in different employment environments and governance structures. For example, kindergartens are bound by the requirements of the State Sector Act 1988 (s77A) which sets expectations related to employment practices. Education and care services are very diverse in terms of their governance and management structures, and ownership arrangements which have an impact on their employment practices. These contextual factors influence the expectations and practices associated with managing and developing staff in these two service types. ERO's findings highlight not only the overall variability of practice in terms of each aspect evaluated but also the variability of effectiveness within each service type.

Key Findings

Effective employment practices aim to develop, strengthen and make the best use of staff skills and knowledge to enhance teaching practice and maximise the safety and learning for all children. Many of the services in this evaluation were aware of their employment responsibilities and managed them well. Where ERO identified aspects of practice that needed improvement, service providers and managers were mostly responsive and took action to address matters raised. In services that were struggling with employment practices, poor leadership and a lack of robust self review were contributing factors.

Kindergartens and education and care services that were part of an umbrella organisation benefited from comprehensive employment-related policies and procedures. Staff in these services were more likely to be very well supported with ongoing and relevant professional development.

Where ERO found highly effective employment practices, services had up-to-date policies to guide practice and robust systems for regular review of policies that focused on alignment with practice. Managers and leaders had the capacity and commitment to recruit, manage and develop competent staff.

Most services managed recruitment and appointment processes well. Where improvements were needed, these related to consistency of implementation and/or regular review of policies and processes. Poor leadership was a factor in services that were not managing recruitment and appointment processes well. In a few services, processes to verify qualifications and conduct referee checks were not always carried out. This posed a potential risk in terms of children's safety and wellbeing.

Most early childhood services in this evaluation provided good induction and professional development support for staff. In some services, clear links between the service's vision, strategic plan and goals, professional development, and appraisal goals contributed to improved teaching practice. In other services, professional development was ad hoc, lacked a strategic focus and was not aligned to appraisal goals. Staff in these services were not well supported to improve their teaching practice.

Where ERO identified highly effective appraisal practices the focus was on systematically developing staff and improving teaching practice. In these services, well-documented processes were aligned to the Registered Teacher Criteria (RTC), included teacher reflection, and observation and regular monitoring of progress towards identified goals. However, in many services, appraisals were a one off activity rather than an ongoing process. In these services, appraisal was not necessarily viewed as a professional activity to improve and develop practice.

ERO's findings highlight the need for appraisal processes to be embedded in a performance management system focused on building staff capability and improving teaching practice. Appraisal goals need to be linked to the service's vision, strategic plan and goals, and professional development to have the greatest impact on teaching and learning outcomes for children.

ERO found that early childhood services were managing a range of complaints about staff from both internal and external sources. Services were often managing these complaints through a 'one-size-fits-all' policy where the same processes were applied for minor issues and serious misconduct. Although most services were aware of the New Zealand Teachers Council (NZTC) mandatory reporting requirements,¹ ERO found instances where complaints about staff were not reported to the NZTC. As mandatory reporting applies only to registered teachers, services are currently not required to report on issues associated with the competence or conduct of staff who are not registered. The Ministry of Education should consider whether services might be expected to report on the conduct and competence of staff who are not registered teachers and how this could be addressed.

Most services were aware of and had appropriate procedures for police vetting. Where ERO identified issues with police vetting these related to the lack of details to guide the process, services unaware of the requirement to vet staff every three years, or non-registered staff not being police vetted.

¹ Retrieved from www.teacherscouncil.govt.nz/content/conduct-competence/types-of-notifications#heading-mandatory-reports

Next steps

ERO recommends that the Ministry of Education uses the findings of this report:

- to further investigate how services might be expected to report on the conduct and competence of staff who are not registered teachers
- to provide further guidance to services about managing complaints about staff
- to provide guidance about good employment practices to services, particularly for those that are not part of an umbrella association or organisation.

ERO recommends that early childhood services use the findings of this report to review their:

- policies and practices for managing and developing staff, especially in relation to the appointment of staff
- policies for managing complaints about staff to ensure they have clear processes to follow depending on the nature of the complaint
- appraisal process to strengthen the links with the RTC, the service's vision and strategic goals, and the provision of ongoing professional development
- procedures for police vetting to ensure requirements are met.

Background

Legislative requirements

Early childhood services are required to implement suitable human resource management practices. In accordance with the Education Act 1989, if a service is licensed under the 2008 (Early Childhood Services) Regulations then Regulation 47, the Governance, Management and Administration (GMA) Standard, applies and this is assessed using criterion GMA 7² (or GMA 6 if a home-based education and care service).

Services are required to have documentation and processes for human resource management practices that include the following:

- selection and appointment procedures
- job/role descriptions
- induction procedures into the service
- a system of regular appraisal
- provision for professional development
- a definition of serious misconduct
- discipline/dismissal procedures.

Nine percent of the 235 services in this evaluation were still licensed under the 1998 (Early Childhood Centres) Regulations and associated Desirable Objectives and Practices (DOPs).³ The human resource management practices of these services must meet DOP 11a which states:

(a) Management should implement personnel policies which promote quality practices including appointment of competent staff, staff appraisal and professional development for both management and educators.

Kindergartens are bound by the requirements of the State Sector Act 1988 (s77A) which sets expectations related to employment practices. This includes operating a personnel policy that complies with the principle of being a good employer and making that policy (including the equal opportunities programme) available to its employees.

The Registered Teachers Criteria⁴ outline the essential knowledge and capabilities required for quality teaching in New Zealand. The criteria apply to all teachers in their everyday professional practice seeking to gain full registration, or to renew a practising certificate with full registration. However, not all staff working in early childhood services are registered teachers. Services are only required to have a

² Retrieved from

www.lead.ece.govt.nz/ServiceTypes/CentreBasedECEServices/GovernanceManagementAdministration/ProfessionalPractices/GMA7HumanResourceManagement.aspx

³ Revised Statement of Desirable Objectives and Practices (DOPs) for Chartered Early Childhood Services in New Zealand. 1996.

⁴ Retrieved from www.teacherscouncil.govt.nz/rtc

minimum of 50 percent of their staff comprising qualified teachers. According to Ministry of Education data, around 76 percent of teaching staff were qualified in 2013, while the number of registered teaching staff was 75 percent.⁵

In 2011, The Ministry of Education and NZTC developed *Tātaiako: Cultural competencies for Teachers of Māori Learners*⁶ as a guide for developing cultural competence for teachers, boards of trustees, educational leaders, and providers of professional learning development and initial teacher education. While the competencies are not formal standards or criteria, they are linked to the Graduating Teacher Standards⁷ and the RTC.

Appraisal systems commonly used in New Zealand's early childhood education sector require self and/or collegial assessment against the RTC, and collective agreements such as the Kindergarten Teachers, Head Teachers and Senior Teachers Collective Agreement⁸ or the Early Childhood Education Collective Agreement.⁹ Service providers may employ staff on individual contracts and these can set out the expectations against which appraisal will be undertaken. This may include a focus on specific tasks in job descriptions and/or competencies set out in the employment agreement.

Good practice

*Quality in Action- Te Mahi Whai Hua*¹⁰ provides services with useful guidance in relation to employment practices.

Performance management is the process of identifying, evaluating, and developing the performance of employees in an organisation so that organisational goals and objectives are more effectively achieved. At the same time, employees benefit in terms of recognition, constructive feedback, rewards, and professional guidance and support.

An effective appraisal system is a positive means of improving the performance of a service's management and educators and, ultimately, the quality of the service itself. Effective appraisals are supportive, rigorous and culturally appropriate.

Professional development allows management and educators to update their knowledge and respond to current issues. It also assists them to meet their performance objectives and helps a service to meet the goals and objectives of strategic and management plans.

By linking individual appraisals with professional development, services are able to develop the expertise of management and educators. This in turn leads to improved

⁵ Retrieved from www.educationcounts.govt.nz/statistics/ece2/annual-ece-summary-reports

⁶ Ministry of Education (2011). *Tataiako: Cultural Competencies for Teachers of Māori Learners*. Wellington: Ministry of Education.

⁷ Retrieved from www.teacherscouncil.govt.nz/content/graduating-teacher-standards

⁸ Retrieved from

www.minedu.govt.nz/NZEducation/EducationPolicies/SchoolEmployment/TeachersPrincipals/Kindergarten/CollectiveAgreement/AppendixB.aspx

⁹ Retrieved from www.nzei.org.nz/AgreementDoc/ECEA.pdf

¹⁰ Ministry of Education (1998). *Quality in Action – Te Mahi Whai Hua*. Wellington: Learning Media.

management practices and better quality outcomes for children. (Ministry of Education, 1998, p. 75)

According to Shorter¹¹ ‘an appraisal system which encourages self and collegial evaluation towards individual, and team professional learning goals may contribute to the development of a democratic and professional learning community’. Reflective practice, collective decision-making, dialogue, planning and a shared vision are valued as responsible and accountable ways of promoting positive teaching and learning outcomes. Shorter reiterated that collegiality must go further than just working and sharing together. The focus must be on the core business of improving learning outcomes for children.

Sheridan et al¹² state that there are two key objectives for early childhood teachers engaging in professional development. Firstly, it is to enhance the comprehension, skills, dispositions and teaching practices of early childhood teachers to assist them in educating children and supporting families. Professional development involves the improvement of a teacher’s knowledge, skills and dispositions. Secondly, professional development is to foster a culture for sustained professional growth for both individuals and services.

A recent evaluation of Ministry of Education funded professional development programmes reported considerable evidence of services making shifts from modest to extensive changes in attitude, knowledge and practice. A key factor that positively influenced changes in practice was the careful integration into programmes of self-review processes and related strategies that promoted teacher engagement and reflection. However, far less evidence was found that these changes in practice were improving learning outcomes for children.¹³

The impact of professional development on improving learning outcomes for children is very important, but is often a neglected area. Earley suggested that if the overall purpose of professional development is to enhance teaching practice and thereby impact positively on children’s learning, then it is vital to have evaluation processes in place to give an indication of whether this is happening or not.¹⁴

¹¹ Shorter, T. (2013) *Teacher Appraisal – its relationship to motivation, collegial relationships and pedagogical change in an early childhood context in Aotearoa, New Zealand*. Unpublished master’s thesis, University of Waikato, Hamilton, New Zealand.

¹² Sheridan, S. Pope Edwards, C., Marvin, C., & Knoche, L. (2009). *Professional development in early childhood programs: Process issues and research needs*. *Early Education & Development*, 20(3), 377-401.

¹³ Victoria University of Wellington (2013). *An evaluation of Ministry of Education funded early childhood education professional development programmes*. Report to the Ministry of Education. Wellington: Ministry of Education.

¹⁴ Earley, P. (2010). *Continuing professional development of teachers*. In P. Peterson, E. Baker, & B. McGaw (Eds.), *International encyclopaedia of education* (3rd ed., pp. 207-213). Oxford, England: Elsevier.

Methodology

Evaluation questions

ERO evaluated how effectively each service managed and developed its staff. ERO focused on:

- how well the service managed the recruitment and appointment of staff
- how well the service supported ongoing staff development
- how effectively the service's appraisal processes improved staff performance.

More detail about these areas for investigation is set out in the indicators ERO used to make judgements about the services' commitment and capability to implement employment practices that appoint, manage and develop competent staff.¹⁵

ERO also collected supporting information about:

- the nature and extent of staff turnover in the last two years
- the management of complaints about staff, including mandatory reporting to the NZTC
- the police vetting of all staff and volunteers.

Data gathering

ERO gathered data from 235 early childhood services that were reviewed in Term 2 2013.¹⁶ ERO collected information from a variety of sources including:

- management of the service
- teachers/ staff at the service
- observations of interactions
- documents related to the operations of the service, including self-review information.

This report does not include home-based education and care service and Playcentres. Home-based education and care services are not included because ERO only reviewed a small number (10) of home-based services in Term 2, 2013 when data for this evaluation was gathered. Playcentres are not included because they are generally not involved in employing a large number of staff.

¹⁵ See Appendix 1: Evaluation Framework and Indicators.

¹⁶ See Appendix 2: Information on service types in this sample.

Findings

The first section presents ERO's findings about the overall effectiveness of kindergartens and education and care services in managing and developing staff through their employment practices. The remaining sections include ERO's findings in relation to:

- recruitment and appointment of staff
- support for ongoing staff development
- improvement of staff performance through appraisal
- staff turnover, managing complaints about staff and police vetting.

Overall findings: employment practices for managing and developing staff

Highly effective practices

The services with highly effective practices had updated policies and procedures that were consistently implemented, regularly reviewed, reflected best practice and were aligned with current legislation. Many of these services had robust performance management systems and had access to staff with expertise in human resource management. External advice was sought when needed.

Leaders in these services had a range of skills and knowledge to support them in fulfilling their roles and responsibilities. A team approach to leadership supported growing staff capability. Leaders also had a good understanding of employment practices and were committed to employing staff who fitted well with the philosophy and context of the service. Management provided support for staff through documented guidelines and expectations, coaching, and shared team leadership. Service providers were committed to developing teacher capability.

Staff were encouraged and supported to individually review their teaching practices or critically reflect as a group. Leaders supported and appropriately resourced professional development. New staff were supported through induction and targeted professional development. Leaders provided a supportive, caring, open and respectful environment, and actively advocated for, and supported bicultural development and associated practices.

Some effective practices

Many of the services with some effective practices had up-to-date employment policies and procedures to support the management and development of staff. Comprehensive induction and ongoing professional development was provided for new governance and staff members who had clear roles and responsibilities. Professional development was supported and valued. Bicultural perspectives were discussed and understood.

In some of these services, improvements were needed to address one or more of the following aspects of practice:

- aligning management expectations, professional development and teaching practice
- having up-to-date job descriptions
- regularly reviewing the alignment between policy and practice
- providing good induction for new staff
- undertaking formal observations of teaching practice
- increasing understanding of bicultural development or associated practices
- evaluating and documenting the impact of appraisal processes on staff performance.

Minimally effective employment practices

In many of the services where practices were not effective ERO found it was because of poor leadership and the lack of up-to-date employment policies and procedures. In these services ERO also found a lack of clarity about the purpose of appraisals, low staff expectations and poor documentation of appraisal processes.

Self review was not developed to the level that enabled leaders to make informed decisions about priorities or service-wide developments. Support for staff was inadequate with very limited access to professional development. Some of these services had new owners/managers who were in the process of developing their policies and procedures.

Findings by service type

Table 1: Employment practices for managing and developing staff		
	Kindergartens	Education and care services
Highly effective practices	40%	22%
Some effective practices	56%	37%
Minimally effective or ineffective practices	4%	41%

These findings reflect the variability within each service type in terms of their effectiveness in managing and developing staff. Variability between the findings for kindergartens and education and care services is influenced by the different employment environments in which they operate.

Recruitment and Appointment of Staff

Managing the process very well

Services that managed recruitment and appointment processes very well had clear policies and procedures that reflected the requirements of current legislation and provided managers with useful guidance. Services that were part of an association or umbrella organisation were able to draw on a high level of internal expertise to develop and implement robust employment policies and procedures. Appointment policies and procedures were regularly reviewed, often as part of a three-year cycle, or annually in a few services.

These services had job descriptions and person specifications that were appropriate to the position advertised, reflected the philosophy and needs of the service and were linked to the RTC. Job descriptions were regularly reviewed to meet the services' changing needs.

Good practice in these services included advertising positions externally, the provision of application packs for prospective applicants, seeking information about any convictions and/or pending criminal charges, dismissals from previous positions, short-listing and interviewing. In many of these services, a preferred applicant was invited to spend some time 'on the floor' (usually a full day but sometimes a morning) so their suitability could be determined. Other practices included contacting referees, verifying qualifications and undertaking police vetting checks.

Managing the process adequately

Services with adequate processes for recruiting and appointing staff exhibited many of the practices described above. However, the rigour or quality of implementation of these practices varied. While most had appropriate written policies and procedures to guide practice ERO found a few services did not have written policies. Only a fifth of these services regularly reviewed their employment policies and procedures.

Services that did not manage recruitment and appointment of staff well

Where services were not managing the recruitment and appointment of staff well, issues largely related to not verifying qualifications and not conducting referee checks. In many, job descriptions were generic. Review of employment policies and procedures occurred in only two of these services.

Findings by service type

	Kindergartens	Education and care services
Managed the process very well	84%	38%
Adequate processes in place	14%	41%
Did not manage the process well	2%	21%

These findings reflect the variability within each service type in terms of how well they managed the recruitment and appointment of staff. Variability between the findings for kindergartens and education and care services is influenced by the different employment environments in which they operate.

Support for Staff Development

Services that supported staff very well provided newly appointed staff with an initial orientation, followed by an ongoing support programme. This often included peer mentoring and regular feedback on teaching practice. Some services provided staff with clear guidelines and expectations, and a framework to guide the induction process.

These services had a strong focus on ongoing staff development. Many favoured service-wide professional development as the most effective means of changing practice. Professional development was provided by senior staff, external facilitators, or by sharing internal expertise.

While a range of factors contributed to the level of staff turnover across all services, those services that proactively supported staff with ongoing professional development were more likely to have a low staff turnover. These services also supported Provisionally Registered Teachers (PRTs) to become fully registered and those staff newly appointed to leadership positions. This latter process was usually overseen by management, but in the case of services that were part of an association or umbrella organisation, assistance was also provided by staff with responsibilities for this process. Targeted professional development in some services enabled staff to develop their potential for future leadership roles.

In many of these services, the philosophy, goals and professional development were clearly linked. Professional development was also closely aligned to individual appraisal goals. In some of the kindergartens, teachers' appraisal goals were collated and, where particular needs were identified, the association designed and provided appropriate professional development.

Professional development was a priority and seen as a worthwhile investment because it enhanced team work, promoted professional discussion, reflection and debate, and contributed to ongoing improvement in the quality of education and care for all children. It was appropriately resourced, with some services generously resourcing this provision. Funding was usually allocated on a whole-service basis, however, in a few services there was an allocation per staff member.

In most of these services self review informed decisions regarding the focus and timing of professional development. In many, evaluation of the impact of the professional development on practice was a feature of both individual reflection and service-wide review.

Services that adequately supported staff development

The services that adequately supported staff development had many of the practices of services that supported their staff very well. However, ERO found some variability in the implementation of these practices. Although some had sound induction processes this was an area to be strengthened in many of these services.

While professional development was generally adequately resourced, a common characteristic of these services was the lack of a clear link between professional development and appraisal. Professional development was not well planned or documented, or linked to the services' priorities and goals. These services were less likely to review the impact of professional development as their self review was limited.

Services where staff were not well supported

Most of the services where staff were not well supported were education and care services. In some, poor leadership contributed to staff not being well supported in terms of induction processes and ongoing professional development. Induction processes were generally limited to the provision of a handbook or were non-existent.

Professional development, if available, was ad hoc and inadequately resourced. Service-wide professional development was non-existent and this was reflected in the poor quality of the education programme. Professional development was not informed by or linked to the outcomes of staff appraisal.

Findings by service type

Table 3: Support for Staff Development		
	Kindergartens	Education and care services
Supported staff very well	91%	37%
Adequate support for their staff	9%	47%
Did not provide adequate support for staff	N/A	16%

These findings reflect the variability within each service type in terms of how well they supported staff development. Variability between the findings for kindergartens and education and care services is influenced by the different employment environments in which they operate.

Improving Staff Performance

Highly effective appraisal practices

Where appraisal practices were highly effective they were not a one-off annual event, but part of a cycle that took place over the course of a year. Appraisal was linked to professional development and included provision for ongoing coaching or mentoring. Processes were aligned to the RTC and expectations were made explicit through performance indicators linked to job descriptions.

In these services, the appraisal process included opportunities for self reflection. Staff, in conjunction with the appraiser, identified specific and measurable goals, and progress towards achieving these was monitored through observations, conversations and ongoing feedback. The feedback was constructive, formative and, where necessary, critical.

These services had well-established practices to support newly qualified teachers. Provisionally registered teachers were usually assigned a buddy or mentor who was a registered teacher. Often this support was included in the appraisal process but with a more intensive focus.

In a few services, the *Tātaiako* cultural competencies were incorporated into the appraisal goals.

Some effective appraisal practices

ERO found that many of the features of the services with highly effective practices were evident in these services, but with more variability in terms of implementation. This was especially in relation to:

- including self appraisal as part of the process
- having specific and measurable goals
- linking appraisal and processes for attestation
- formalising observations of teaching practice as part of the process
- documenting all aspects of the appraisal process
- the provision of constructive feedback to improve teaching practice.

Minimally effective practices

Some of the services with minimally effective appraisal practices were in the process of reviewing their appraisal processes, sometimes as a result of a change of service ownership. The effectiveness of this process was not yet evident as a full appraisal cycle had not been completed. Improvements were needed in these services to ensure:

- goals and performance objectives are measurable
- PRTs are well supported through an induction and mentoring programme
- the alignment between appraisal and professional development
- clear links between appraisal goals and the RTC
- processes include observations of teaching practice

- staff receive constructive feedback on their teaching practice
- appraisal is an ongoing process rather than a one-off meeting
- service managers/leaders are appraised.

In other services, some attempts had been made to appraise staff but the appraisal process was low-level and not linked to the RTC. Observations of teaching practice were not part of the process. Although self reflection was common, the impact of this on teaching practice was unclear. In a few services, no appraisal had taken place in 2012 and PRTs were not supported to gain full registration.

Findings by service type

Table 4: Improving Staff Performance		
Key findings for the 235 services		
	Kindergartens	Education and care services
Highly effective appraisal practices	22%	12%
Some effective appraisal practices	73%	39%
Minimally effective appraisal practices	5%	49%

These findings reflect the variability within each service type in terms of how effectively they improved staff performance. Variability between the findings for kindergartens and education and care services is influenced by the different employment environments in which they operate.

Other areas of investigation

In addition to the main evaluative questions, ERO also investigated the following areas:

- the nature and extent of staff turnover in the last two years
- the management of complaints about staff, including mandatory reporting to the NZTC
- the police vetting of all staff and volunteers.

Staff Turnover

Almost two-thirds of services had less than 20 percent staff turnover in the preceding two years. Staff turnover was high in 12 percent of services. In these services, there had been more than 50 percent turnover in the preceding two years.

Low staff turnover cannot be attributed to any one single factor. However, in services that supported staff with ongoing professional development, staff turnover was more likely to be low. These services also supported PRTs to become fully registered. Many of the teachers who were fully qualified and registered had been working at the same service since gaining full registration.

In the services with high staff turnover, the most common reasons were staff moving out of the area or going on parental leave. Other contributing factors included staff

being employed by another early childhood service closer to their home, changing career or retiring. Services in some areas reported having difficulty attracting and retaining staff because of their geographical location. In a few services, issues such as dysfunctional staff relationships, restructuring, change in leadership style, or different expectations under new owners were reasons for high staff turnover.

Managing complaints about staff

ERO found that early childhood services were managing a range of complaints about staff from both internal and external sources. Twenty percent of services had managed one or more complaints about staff in the last three years. The nature of the complaints about staff varied considerably, ranging from a parent feeling unwelcome at a service, to more serious incidents where children's safety and/or wellbeing was placed at risk.

Complaints were a mix of internal and external, with parents being the main source of external complaints, and other staff or managers for the internal complaints.

Although most of these complaints were well-managed, they were often being dealt with through a 'one-size-fits-all' policy where the same processes were applied for minor issues and serious misconduct. Some services were using the policy for complaints about non-compliance with the regulations or criteria¹⁷ rather than a policy specifically related to making a complaint about staff. ERO also found that a few services had not documented the process followed when dealing with a complaint. Most of the services were aware of NZTC's mandatory reporting requirements.¹⁸ Seven services in this evaluation had reported to the NZTC in relation to teacher competence or conduct. However, ERO found instances in a few services where complaints about staff were not reported to the NZTC. As mandatory reporting applies only to registered teachers, services are not currently required to report on issues associated with the competence or conduct of staff who are not registered. This is a gap in the system which needs to be considered by the Ministry of Education

Police Vetting

Ninety percent of services had, and followed, appropriate written procedures for police vetting. As part of the registration process, police vetting was carried out by NZTC for teachers. Services did checks for non-registered and non-qualified teachers and other staff. These included non-qualified educators, contractors, trades-people, and volunteers such as 'story grans'. These services had systems to ensure that police vets were renewed every three years. Many associations and umbrella organisations kept records of all staff employed in their services with the dates of their initial police vetting, the most recent check, and the date when the next check was due.

In the remaining 10 percent of services police vetting procedures and practices were not robust. In some of these services police vetting was carried out according to requirements, but there were no clear written procedures to guide the process. In

¹⁷ Retrieved from

www.lead.ece.govt.nz/ServiceTypes/CentreBasedECEServices/GovernanceManagementAdministration/ParentInvolvementAndInformation/GMA1DisplayOfInformation.aspx

¹⁸ Retrieved from www.teacherscouncil.govt.nz/content/conduct-competence/types-of-notifications#heading-mandatory-reports

other services, a review of the procedures was required to make them more useful. Other issues related to procedures lacking detail to guide the process, service providers' not being aware of the requirement to vet every three years, or not police vetting personnel as required.

Conclusion

Effective employment practices aim to develop, strengthen and make the best use of staff skills and knowledge to enhance teaching practice and maximise the safety and learning for all children. The quality of the early childhood education workforce, in particular staff performance, impacts on the extent to which services have the capacity to promote positive learning outcomes for all children.

ERO found that many services had a good working knowledge of employment policies and procedures and used a variety of strategies to manage and develop staff. However, the rigour with which these were implemented varied.

While ERO's findings indicate that services that are part of an association or umbrella organisation are more likely to be effective in managing and developing staff, there are some services that clearly need more support to develop and implement robust employment policies and procedures. This is an area where more guidance is needed.

ERO's findings highlight the need for leaders to take an active role in ensuring professional development is well planned, aligned to appraisal goals and to the service's strategic goals, adequately resourced, and regularly evaluated in terms of the impact on teaching practice and outcomes for children. The 2013 evaluation of Ministry of Education funded professional development programmes¹⁹ notes that *'management and leadership of ECE services can have a significant influence on the success or otherwise of a professional development programme'*. While a range of factors contributed to the level of staff turnover across all services, those services that proactively supported staff with ongoing professional development were more likely to have a low staff turnover.

A continuing challenge for early childhood services is to implement an effective appraisal system as the mechanism for improving teaching practice and the provision of quality education and care. In some of the services, leaders lacked the understanding and competence required to implement a rigorous appraisal process. In particular, they were not confident in providing staff with the constructive, but sometimes necessary critical feedback, required to improve practice. Services need to strengthen the links between appraisal goals and their service's vision, strategic plan and goals, and align development needs with ongoing planned and relevant professional development.

This evaluation highlights several issues that have the potential to put the safety and wellbeing of young children at risk. All services must have robust checks in place at the time staff are being appointed to ensure qualifications are verified and referee

¹⁹ Victoria University of Wellington (2013). *An evaluation of Ministry of Education funded early childhood education professional development programmes*. Report to the Ministry of Education. Wellington: Ministry of Education.

checks are conducted. In addition, all services must be aware of their obligations with regards to police vetting.

The final issue relates to the gap in the current system for reporting issues about staff competence or conduct. The Education Act 1989 states that, in certain circumstances, mandatory reporting is required for registered teachers to NZTC.²⁰ However, there are no clear guidelines on how to deal with complaints about staff in early childhood services who are not registered or qualified. According to Ministry of Education data, in 2013 there was a total of 22,200 teachers working in teacher-led services and, of these, 25 percent (5,454) are not registered.²¹

ERO's evaluation highlights the need for further investigation and discussion about how to address the matter of identifying and reporting on issues of competence and conduct when staff are not qualified and registered as teachers.

Next Steps

ERO recommends that the Ministry of Education uses the findings of this report:

- to further investigate how services might be expected to report on the conduct and competence of staff who are not registered teachers
- to provide further guidance to services about managing complaints about staff
- to provide guidance about employment practices to services, particularly for those that are not part of an umbrella association or organisation.

ERO recommends that early childhood services use the findings of this report to review their:

- policies and practices for managing and developing staff, especially in relation to the appointment of staff
- policies for managing complaints about staff to ensure they have clear processes to follow depending on the nature of the complaint
- appraisal process to strengthen the links with the RTC, the service's vision and strategic goals, and the provision of ongoing professional development
- procedures for police vetting to ensure requirements are met.

²⁰ Retrieved from www.teacherscouncil.govt.nz/content/conduct-competence/types-of-notifications#heading-mandatory-reports

²¹ Retrieved from www.educationcounts.govt.nz/statistics/ece2/annual-ece-summary-reports

Appendix 1: Evaluation Framework and Indicators

Part A: Evaluation questions and indicators²²

Question 1

How well does this service manage the recruitment and appointment of staff?

Indicators of 'very well'

- Management has employment policies and procedures for recruiting and appointing staff
- The service regularly reviews its policies and procedures for recruiting and appointing staff
- Employment policies and procedures are in keeping with current legislation
- Job descriptions are regularly reviewed and reflect the service's philosophy and strategic goals
- Recruitment procedures are culturally appropriate for all applicants
- The service has effective systems for:
 - assessing job applicants, such as short-listing processes and structured interviews
 - determining effective methods for negotiating employment contracts
 - implementing fair and equitable appointment procedures
 - verifying qualifications and carrying out referee checks.

Question 2

How well does this service support ongoing staff development?

Indicators of 'very well'

Management has developed policies and procedures to ensure that:

- induction processes support new staff into the service
- a planned programme of development is implemented for new staff
- professional development is ongoing, planned and documented
- professional development is informed by the outcomes of the service's self review
- professional development is informed by and linked to individuals' performance appraisals
- professional development is sufficiently resourced
- professional development promotes a shared understanding of the service's vision, priorities and goals
- professional development is regularly evaluated and reviewed.

Question 3

How effective are the service's appraisal processes in improving staff performance?

Indicators of highly effective

- Effective appraisals are supportive, rigorous and culturally appropriate
- They should be regular, formal occasions, supported by ongoing coaching and with confidentiality guaranteed
- They can include:
 - opportunities for self-appraisal
 - evaluation against individual job descriptions or agreed, measurable goals and performance objectives
 - agreed procedures for consultation and negotiation
 - links to opportunities for professional development.
- Newly qualified teachers are supported (induction and mentoring) to achieve full registration as assessed against the Registered Teacher Criteria (this support is

²² These indicators have been sourced from ERO's evaluation indicators for early childhood services and Quality in Action.

- undertaken by a person who is a fully registered teacher)
- Processes for renewal of full registration and practising certificates meet NZTC requirements.

Overall Service evaluation question

How effective is this service in managing and developing staff?

Indicators of highly effective

- The service has up-to-date policies and procedures that support the recruitment, management and professional learning and development of competent managers, leaders and teachers
- New members into governance and management roles are well supported through induction and ongoing training processes
- Those responsible for governing and managing the service have a good understanding of and capability to carry out their roles and responsibilities
- Management values and supports ongoing professional development for themselves and teachers
- Management is aware of its obligations to advocate for bicultural development and associated practices
- Management promotes equity and social justice for children and their families through cross-cultural development and understanding
- Management is committed to and has the capability to recruit, manage and develop competent teachers.

Part B: Supporting information

Staff turnover

What is the nature and extent of staff turnover in last two years?

Managing complaints about staff

What procedures are in place for managing complaints (internal and external) about staff?

How do these ensure children's wellbeing/safety?

Has the service managed any such complaints in last three years? Were procedures followed? (verify by following through evidence associated with a complaint)

Is the service provider aware of, and/or following the mandatory reporting requirements associated with concerns about a teacher's conduct, competence or from a complaint?

Police vetting

What processes does the service have to ensure requirements for police vetting are met?

Appendix 2: Sample of services

ERO gathered data from 235 early childhood services (kindergartens and education and care services) that had a regular education review scheduled in Term 2, 2013. Table 1 shows the type of services in this evaluation.

Table 1: Service types

Service type	Number of services	Percentage of services in sample	National percentage of services ²³
Kindergarten	55	23	22
Education and care	180	77	78
Total	235	100	100

This sample is representative of national figures. There are no statistically significant differences between the national percentages and this sample.

The 55 kindergartens in this evaluation were affiliated to one of 8 associations. New Zealand Kindergartens Incorporated *Te Pūtahi Kura Pūhou o Aotearoa (NZK)* represents 29 of the 33 kindergarten associations in New Zealand. Five of the eight kindergarten associations in this evaluation are members of NZK.

Twenty-four of the 180 education and care services were owned by one of four umbrella organisations²⁴ and the remaining 156 were stand-alone education and care services.

²³ The national percentage of each service type is based on the total population of services as at October 2013. For this study, it excludes casual education and care services, home-based education and care services, Playcentres and kōhanga reo.

²⁴ National organisations with responsibilities for the governance and management of education and care services.