



NEW ZEALAND POST PRIMARY  
TEACHERS' ASSOCIATION  
TE WEHENGARUA

[www.ppta.org.nz](http://www.ppta.org.nz)

## **Information for school guidance counsellors on changes in registration, certification and authorisation (LATs)**

The information here is to update guidance counsellors on the impact of the Education Amendment Act 2015, which replaced the Teachers Council with the Education Council. The Amendment Act made significant changes to the registration framework, including a separation of registration from the holding of practising certificate and major changes to LATs. The Education Council's Registration Policy is currently labelled 'Interim', so further changes can be expected in the coming months.

### **Registration and certification for teacher trained counsellors**

A trained and qualified teacher may now retain registration indefinitely, but they may not be employed in a school in a "teaching position" (which includes guidance counselling positions) without holding a current practising certificate in one of three categories: full, subject to confirmation, or provisional. Holding a practising certificate is now called 'certification' rather than 'registration'. This change also led to the Registered Teacher Criteria becoming Practising Teacher Criteria (PTCs), because they are the criteria that must be met to continue to hold a practising certificate. The Criteria themselves have not changed.

#### ***Maintaining a full practising certificate***

For teachers who already hold a full practising certificate, the requirements to maintain this are the same as they were previously, i.e.:

- Being satisfactorily trained to teach, which should not require evidence because it will already have been supplied when first applying for registration and a provisional practising certificate;
- Being of good character and fit to be a teacher, as evidenced through a police vet plus evidence that they have the qualities and attributes for teaching and

do not have any physical or mental health conditions that affect ability to carry out the role;

- Having evidence of satisfactorily completed recent teaching experience, i.e. evidence of being meaningfully assessed using and meeting all of the Practising Teacher Criteria in employment in teaching positions. These teaching positions must have covered two years within the last five years or one year within the last three. This needs to be uninterrupted employment in blocks of six consecutive weeks or more;
- Having completed satisfactory professional development;
- Showing commitment to the Code of Ethics, evidenced through a declaration on the renewal application;
- Proficiency in English or Te Reo Maori, which will already have been evidenced in the initial registration and meeting the PTCs.

### ***Subject to Confirmation certification***

When a guidance counsellor does not meet the requirements to maintain a full practising certificate, they can hold a practising certificate that is Subject to Confirmation. While some teachers who have held a full practising certificate feel that this is a lesser category of certification, it is not. It is simply a reflection that in that teacher's particular role at this time, they are unable to meet the requirements of full certification. That could be because the position consists of too few hours, or for some other reason there is insufficient evidence against the Practising Teacher Criteria to be able to meaningfully pull together evidence using the Criteria to meet the requirements for maintaining full certification.

However, there is no reason why a guidance counsellor should not be able to pull together such evidence from their counselling work. The material that used to be on the Teachers Council website about how people in secondary specialist positions can show they meet the Criteria is now on the Education Council website at <http://educationcouncil.org.nz/content/how-can-registered-teacher-criteria-be-met-teachers-specialist-roles-secondary-schools>.

### ***Moving from provisional to full certification***

A small number of guidance counsellors may hold provisional certification, particularly in situations where they have been on LATs and then done initial teacher education, but have not yet moved to full certification.

The Education Council does not allow teachers to hold provisional certification indefinitely. Its Registration Policy outlines what happens after a 6 year period of provisional certification. A teacher who has not been issued with full certification within this time period is most likely to be required to complete a Teacher Education Refresh Programme – see <http://educationcouncil.org.nz/content/teacher-education-refresh-ter-programme>. These programmes are at the cost of the teacher and can

cost up to \$5,000 in fees, for which a student loan is not available. You can apply for a review of the requirement, but the conditions are quite stringent – see <http://educationcouncil.org.nz/content/requesting-review-requirement-complete-teacher-education-refresh-ter-programme>

It is therefore very important that provisionally certificated counsellors ensure that they can be issued with full certification in their role. A guidance counsellor who has recently done initial teacher education will need to do some classroom teaching as part of the process of qualifying for full certification, but it can be a limited teaching load, with one or two full classes, some smaller tutorial group programmes in specialist topics such as a course in anger management, and evidence of effective participation in supervision. An induction and mentoring programme should be developed in writing at the beginning of the provisional certification period in consultation with the Beginning Teacher Coordinator of the school, and to be safe, checked with the Education Council to ensure that it would meet their expectations.

Once a teacher has been issued with full certification they will not be provisionally certificated again. If in the future they are in roles that are too part time to maintain full certification they would become certificated as Subject to Confirmation (see above).

There are specific requirements to be issued with full certification from provisional certification<sup>1</sup>. They are:

- Having been meaningfully assessed using the Practising Teacher Criteria, which requires being employed in a teaching position of at least 0.5 FTTE for at least two years in the last five years, and completing an appropriate induction and mentoring programme;
- Meeting the Practising Teacher Criteria. This requires endorsement from the professional leader in relation to their most recent teaching service. This service must have been at least a six week block of teaching completed with an Induction and Mentoring programme. The recommendation must have been made within the six months prior to applying;
- Recent teaching experience, such that endorsements recommending a guidance counsellor for full certification from a professional leader and mentor come from employment in one or more approved setting completed within the last 6 months.

## Limited Authorities to Teach

### ***New criteria for a LAT***

The Education Amendment Act 2015 made a big change in the criteria for granting a LAT. It states that a LAT may be granted to a person either because they have:

- Skills and experience appropriate to advance the learning of students, or
- Skills that are in short supply.

The previous link between a specific person in a specific position in a specific school and the granting of an authorisation has been removed, and a counsellor can now apply for a LAT **before** being appointed to a position. The Education Council will determine the length of the authorisation, up to a maximum of three years. Once the LAT is granted, it will be for a specialist subject area (i.e. in this case guidance counselling) and a specific geographic region, and the person may then apply for guidance counsellor positions within the region relevant to their application.

The Education Council's website states:

*To be granted a LAT a person will generally need to hold qualifications in a specialist subject area to at least Level 6 on the New Zealand Qualifications Framework, and provide the Education Council with information about their recent relevant employment or experience. The application will need to be supported by quality information in the form of testimonials from employers who can attest to the person's skills demonstrated in practice, and the person's own reflection on their understanding of official curricula and assessment tools and strategies to be able to advance the learning of students.*

*The Education Council may also require evidence from professional leaders that the person's relevant skills are in short supply amongst locally available certificated teachers. <http://educationcouncil.org.nz/registration-changes#LATs>*

### ***Applying for a LAT***

The application for a LAT must be accompanied by an endorsement from a professional leader (principal) within the region in which the counsellor is planning to apply for work. The professional leader is asked to endorse:

- That the applicant is "of good character and fit to be a teacher", and either
  - Has specialist skills and experience appropriate to advance the learning of students (and these are described), and
  - That they have sighted and endorsed the applicant's self-reflection, or

- That there is a shortage of certificated teachers with the applicant's specialist skills in the region (and a testimonial to that effect is provided).

Evidence must be provided in support of these endorsements. The fully certificated professional leader also agrees to their name being published on the Council's LAT list on the website as the endorser of the person.

The applicant for a LAT has to provide evidence of qualifications, relevant experience, and:

... a self-reflection linking your qualifications or training, recent employment or experience and their relevance to learners in the area in which you intend to teach. Testimonials should also be provided from any employer or person who has engaged you to deliver your specialist skills (this may include within a volunteer or community capacity) in the last five years. Testimonials must be on letterhead and signed and dated.

[http://educationcouncil.org.nz/sites/default/files/ec40\\_0.pdf](http://educationcouncil.org.nz/sites/default/files/ec40_0.pdf)

### ***Why a non-teacher trained counsellor requires a LAT***

Firstly, guidance counselling in schools is regarded as a teaching role which advances the learning of students, and therefore a LAT is required if a non-teacher is appointed.

The Education Council's registration policy says the following:

#### *Teaching position*

*Under s348 of the Education Act 1989, a teaching position is defined as a position in the general education system that:*

- *requires its holder to instruct students...*

*The Education Council interprets 'instructs students' as the person in the teaching position having responsibility for teaching and learning.*

*A person is considered to have responsibility for teaching and learning if their job description expects them to:*

- *cause learning (either as an individual or a member of a teaching team) and*
- *to act autonomously and without day to day supervision.*

*(<http://educationcouncil.org.nz/registration-policy>)*

A guidance counsellor, through their work with students as individuals or in small groups, is "causing learning" in relation to the NZ Curriculum's Key Competencies and Values, and almost certainly in relation to aspects of learning areas such as Health or Social Sciences, and is also ensuring that students are experiencing the

emotional health and wellbeing that enables them to learn in other aspects of their school life.

Secondly, guidance counsellors are normally employed using entitlement staffing, which is provided for teaching positions, not for other purposes.

Thirdly, having a LAT entitles the counsellor to be paid on the Secondary Teachers' Collective Agreement and to seek union coverage by PPTA. The coverage clause in the NZEI Support Staff Agreement specifically excludes its use for guidance counsellors (Clause 1.3.3x). Employing a counsellor on the Support Staff Agreement and without a LAT renders them ineligible for coverage by either teacher union.

### ***Length of LAT***

The time period of employment specified in the LAT application is critical. If you wish to be eligible to be employed for the maximum three years available under the Act, you need to pay for that period (according to the fees stated on the application form) but the Council has the discretion as to whether they grant you the maximum period of authorisation.

Despite the separation of a LAT from a specific position, the Education Council is still saying that a school should not appoint someone to a teaching position who is not qualified and certificated as a teacher unless they have advertised the position and been unable to find someone who has a teaching qualification and is suitable for the position. If a decision is made to appoint someone on a LAT, the appointment should also not be finalised until the person has been issued with a current authorisation.

### ***Tenure***

Someone on a LAT may not, under any circumstances, be employed in a permanent position. (This would be a breach of the Education Act, to permanently employ in a teaching position someone who does not have a current practising certificate.)

## **New proof of identity requirements**

There are also new "proof of identity" requirements as a result of the Vulnerable Children Act 2015. These apply to both LAT and practising certificate applications and are detailed in the application forms.

These application forms can be found at: <http://educationcouncil.org.nz/forms>

This information was correct at 15 October 2015.

For further information, contact PPTA National Office, Judie Alison, [jalison@ppta.org.nz](mailto:jalison@ppta.org.nz)