



National Council of
Women of New Zealand
Te Kaunihera Wahine o Aotearoa

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MAKING EQUALITY REALITY

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S20.03

Submission to the Education and Workforce Select Committee on the Education and Training Bill 193-1

Introduction

- 0.1. The National Council of Women of New Zealand, Te Kaunihera Wahine o Aotearoa (NCWNZ) is an umbrella group representing over 200 organisations affiliated at either national level or to one of our 15 branches. In addition, about 450 people are individual members. Collectively our reach is over 450,000 with many of our membership organisations representing all genders. NCWNZ's vision is a gender equal New Zealand and research shows we will be better off socially and economically if we are gender equal. Through research, discussion and action, NCWNZ in partnership with others, seeks to realise its vision of gender equality because it is a basic human right.
- 0.2. Graduate Women New Zealand (GWNZ) is a non-government, not-for-profit, charitable organisation. Our global body, Graduate Women International (GWI) was founded in 1919 and carries Special Consultative Status to the United Nations Economic and Social Council. As a national federation of GWI we are part of a network of similar federations and associations in 61 countries, with several branches of Graduate Women within NZ.
- 0.3. NCWNZ welcomes the opportunity to submit on the new Education and Training Act, which is simpler, more modern, and less prescriptive than the current education legislation. This submission

has been written with reference to the education and work policy resolutions¹² set by the NCWNZ membership over the past 123 years in collaboration with the GWNZ Public Affairs Convener and reflects the views of all our members. GWNZ believes in empowering women. We do this through education, advocacy, and community. GWNZ aims to create positive differences in education and employment outcomes for girls and women both in New Zealand and globally. As part of our support of education in New Zealand we provide scholarships, grants, debates, seminars, conferences, and publications. We advocate for girls and women at the local, national, and also the international level by making submissions on bills and policy and initiating or supporting campaigns on specific issues. We also create spaces for women to flourish, to connect, and to support each other.

- 0.4. National Council of Women New Zealand (NCWNZ) and Graduate Women New Zealand (GWNZ) support this Bill and have the following comments.

1. Our Interest in Education and Work

- 1.1. NCWNZ and GWNZ have always lobbied for the rights of women and their families to have access to high quality education and training. In 1905, the NCWNZ membership resolved that there should be an organised system of education from kindergarten to specialist college. In more recent times, NCWNZ has recognised the value of adult community education as a social, personal and economic good and advocated for ACE funding to be reinstated by government.
- 1.2. Put simply, equal access to lifelong education for women and girls is GWNZ's mission. We advocate for equality at all levels of the education system, including adult and alternative education, and often work with NCWNZ to work to further these aims.
- 1.3. We welcome and mostly support this Bill. An effective and efficient education system at all levels is critical for New Zealand's thriving economy and the well-being of its people. The system needs to be designed for the current New Zealand economic and social context including the lifelong role education plays in developing the social, cultural, intellectual, and technical capabilities of individuals. It also needs to have the ability to adapt to a rapidly changing global environment and the nature of the Future of Work in New Zealand.

2. United Nations Sustainable Development Goals

- 2.1. NCWNZ and GWNZ are active supporters of the United Nations' Sustainable Development Goals (SDGs)³ and urge the government to integrate them within the development of the Education and

¹ NCWNZ. 2012. 115 years of resolution. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/115-years-Register-everything->

² NCWNZ. 2019. Appendix "D": Resolutions of National Meetings 2011-2019. <https://www.ncwnz.org.nz/wp-content/uploads/2019/10/Appendix-D-Resolutions-2011-2019.pdf>

³ United Nations. About the Sustainable Development Goals. <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

Training Bill. While the SDGs should be considered as an integrated framework, we wish to draw particular to the following goals and targets:

- a. **SDG4 (Education):** Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. We note in particular the following targets:
 - 4.4: By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship
 - 4.5: By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations
 - 4.6: By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy
 - 4.7: By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development
 - 4.A: Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all
- b. **SDG5 (Gender Equality):** Achieve gender equality and empower all women and girls.
 - 5.1: End all forms of discrimination against all women and girls everywhere
 - 5.5: Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life
- c. **SDG8 (Sustained, Inclusive and Sustainable Growth, and Decent Work):** Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.
 - 8.2: Achieve higher levels of economic productivity through diversification, technological upgrading and innovation, including through a focus on high-value added and labour-intensive sectors
 - 8.3: Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small-and medium-sized enterprises, including through access to financial services

- 8.5: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value
- 8.6: By 2020, substantially reduce the proportion of youth not in employment, education or training

2.2. Our combined members believe that the new Bill will go some way to clarify the intent of the legislation which previously was confusing and difficult to interpret. However, it will need considerable resourcing and commitment from educational professionals to modify practice to be sure that the change is as positive for growth and social outcomes as well as educational attainment.

3. CEDAW Recommendations on Education and Work

3.1. We also wish to draw the Ministry's attention to the recommendations of the United Nations Committee on the Elimination of All Forms of Discrimination Against Women (the CEDAW Committee)⁴. In 2018, the CEDAW Committee made specific recommendations to the New Zealand Government about ways that they could improve education and work outcomes for women, and better meet its commitments under the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). As an umbrella organisation for women's organisations, NCWNZ took a leadership role coordinating an alternative report on CEDAW and presenting an alternative report for NGOs at the United Nations that led to these recommendations.

3.2. The education and work recommendations include:

31. The Committee commends the State party for its efforts aimed at increasing opportunities for women in the fields of science, technology, engineering and mathematics and in information and communications technology (ICT) industries, in particular the fact that education and careers in science, technology, engineering and mathematics have been promoted among secondary school students, in particular among Pacific islanders, and the fact that in 2014 the State party allocated \$28.6 million over four years for an ICT graduate school programme aimed at increasing diversity among ICT students. However, the Committee is concerned about the following:

- a. The limited access to secondary and tertiary education for many girls and women living in rural areas;
- b. The lack of inclusion in school curricula of comprehensive, culturally sensitive and age-appropriate sexuality education or education on harmful practices and gender-based violence against women and girls, which further exacerbates the high rates of sexual

⁴ Committee on the Elimination of Discrimination against Women. 2018. Concluding observations on the eighth periodic report of New Zealand. CEDAW/C/NZL/CO/8. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fNZL%2fCO%2f8&Lang=en

violence and early pregnancy, and the lack of sexuality education that specifically addresses the needs of Māori young people and communities;

- c. The increasing rate of girls who drop out of school, including as a result of teenage pregnancy;
- d. The lack of data, disaggregated by sex, ethnicity and disability, on enrolment at all levels, in particular in higher education, and on dropout rates and the reasons for them;
- e. The fact that women and girls are concentrated in traditionally female-dominated fields of study and under-represented in science and technology;
- f. The increasing impediments to the education of girls living in rural areas due to growing transportation costs, the closing of rural schools, the reduction in government financing for community education services and the information barrier regarding the obligation to pay so-called “voluntary donations” to schools.

32. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party take the legislative and policy action and allocate adequate resources necessary to:

- a. Facilitate access to secondary and tertiary education for girls and women living in rural areas, including through increased resources;
- b. Ensure the inclusion in school curricula of mandatory, culturally sensitive and age-appropriate education on sexual and reproductive health and rights and responsible sexual behaviour, focusing on the prevention and consequences of early pregnancy and sexually transmitted infections;
- c. Provide girls with a safe educational environment free from discrimination and sexual violence and include education on non-violence in the curricula;
- d. Strengthen the efforts aimed at ensuring that no pressure is placed on pregnant teenage girls to leave school or change courses and establish a reintegration policy for teenage mothers, while safeguarding against the risk of having teen pregnancy and motherhood perceived as a norm;
- e. Continue eliminating stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated fields of study, provide girls with career counselling, scholarships and other incentives to orient them to science and technology subjects, including meteorological studies, disaster risk reduction and climate change, and ensure that stereotypes are addressed in the teacher-training curriculum;
- f. Address all impediments to the education of girls living in rural areas, including financial and transportation-related obstacles.

4. Gender Impact Assessments

- 4.1. NCWNZ has been calling for more informed gender impact analysis of proposed legislation for almost two decades and would like to see this as a standard part of policy development.⁵ Further, the United Nations Committee for the Convention on the Elimination of Discrimination Against Women (CEDAW), in their concluding remarks after Aotearoa New Zealand's eighth periodic report in 2018,⁶ noted that:

11(c) Legislation adopted in the State party is generally gender-neutral, and gender-neutral language may fail to capture the specificity of gender-based discrimination, resulting in inadequate protection of women against direct and indirect discrimination and impeding the achievement of substantive equality between women and men.

- 4.2. The CEDAW committee recommended that the State Party should:

32(e) Continue eliminating stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated fields of study.

- 4.3. Unless more attention is paid to gender impact analysis as a regular part of policy development, work to eliminate "stereotypes and structural barriers" can be easily overlooked.

5. The Education and Training Bill Specific Sections / Clauses

5.1. Part 1 Clause 9: Section 122(1) (d)

NCWNZ has long advocated for the recognition of Te Tiriti o Waitangi and believes that practical changes to our schooling system that directly benefit the lives of Māori students and their families can be seen as a way of honouring such a commitment.

5.2. Part 2 Early childhood education:

Subpart 1—Licensing and certification

NCWNZ and GWNZ support these clauses as the new regulations will allow the Government to decline/grant licences on the basis of demographics and demonstrated community need, something not possible currently.

We support **Clause 27** which amends the offence for a service provider operating an early childhood education and care centre without a licence where there is no reasonable excuse for doing so, to carry a maximum penalty of \$50,000.

Subpart 2—Administration

Clause 22 Currently the Education Review Office (ERO) has limited oversight of the quality of curriculum delivery by home-based educators and of the health and safety of children receiving home-based early childhood education. We support this bill which provides ERO with the power to

⁵ NCWNZ. 2012. 115 years of resolution. 5.3.9.1(passed 2001). <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/115-years-Register-everything-2.pdf>

⁶ CEDAW. 2018. Concluding observations on the eighth periodic report of New Zealand. CEDAW/C/NZL/CO/8.

enter homes where home-based early childhood education is taking place to “review and evaluate curriculum delivery and health and safety performance”.

Clause 24 Police vetting in respect of early childhood education services and **Clause 26** Parent’s right to entry:

Concern was expressed by some of our members that parents could be turned off from participating in playcentres because they were afraid of police vetting. We consider that parent’s participation in an early childhood centre is important and has been sufficiently provided for in clause 26 although it would be good to provide more detail for clarification.

5.3. **Part 3 Primary and secondary education**

Subpart 1—Priorities, rights, and responsibilities

Clauses 32 and 33 NCWNZ has presented submissions over the years on the right to free state education and is pleased to note that the Bill clarifies this right, including the right for enrolled students and those with learning difficulties⁷ to attend the school in which they are enrolled for all the hours that the school is open for instruction. This right is also enshrined in the United Nations Conventions on the Rights of the Child, the Rights of Persons with Disabilities, and the Convention on the Elimination of All Forms of Discrimination Against Women, all of which have been ratified by New Zealand.

Clause 35 Growing poverty in New Zealand and the rising cost of education has often caused the school attendance of children from low income families to be erratic which in turn leads to low achievement and poor life choices. It is important the governments do everything in their powers to reduce education inequality.

Clause 56 We support an inclusive, diverse education for all students in State schools. Therefore, we support the opt-in nature of religious instruction, as a move away from the current opt-out system. Anecdotally, much religious instruction is of Christian faith which does not wholly reflect New Zealand’s growing non-Christian and non-religious demographics. As noted in the explanatory note of this Bill, often there is little opportunity for parents to opt-out of such instruction. We are not opposed to religious instruction in schools *per se*, but it should encompass many religions and cultures. Religious instruction should be respectful, open, and part of a wider curriculum on diversity of culture and society, with the aim of fostering a more tolerant and understanding future.

Subpart 3—Teaching, learning, and well-being

Clause 86 It is essential that every effort is made to reduce gender bias in curricula and raising awareness of the likely consequences of male and female choices of fields of study in their careers and earnings. To stay relevant in the future – both economically and socially - students also need to be taught resilience and emotional intelligence as well as traditional academic intelligence.⁸

Work on the NGO alternate report for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Committee, led by NCWNZ, has highlighted the central role

⁷ [S15.24 Inquiry into Special Needs Education](http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S15.24-Inquiry-into-Special-Needs-Education.pdf) <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S15.24-Inquiry-into-Special-Needs-Education.pdf>

⁸ [S18.12 Education \(National Education and Learning Priorities\) Amendment Bill](https://www.ncwnz.org.nz/wp-content/uploads/2018/04/S18.12-Education-National-Education-and-Learning-Priorities-Amendment-Bill.pdf) <https://www.ncwnz.org.nz/wp-content/uploads/2018/04/S18.12-Education-National-Education-and-Learning-Priorities-Amendment-Bill.pdf>

of sensitive and informed career advice to break down the gendered participation in different school and tertiary subjects and qualifications. Good career advice has the potential, for example, to encourage girls to consider trades as a career option, and boys to consider roles in the caring and health sectors. The breaking down of gender segregation in different types of studies and subsequent employment is a necessary part of addressing the gender pay gap that is large and persistent in Aotearoa New Zealand. NCWNZ's vision of a gender equal New Zealand requires elimination of the gender pay gap.

5.4. **Part 4 Tertiary and vocational education and training**

Subpart 4 — New Zealand Institute of Skills and Technology

NCWNZ and GWNZ support the establishment of a centralised polytechnic institution, and emphasise the importance of regional engagement at every level of the organisation. The polytechnic sector has faced a number of challenges in previous years, and centralisation helps to minimise shared costs and ensure equitable access to a quality education throughout the country. However, we acknowledge that there are institutions within NZ — most notably, Otago Polytechnic and Southern Institute of Technology — that are leaders in the sector, and therefore we recommend that any centralised institution does not detract from the work such regional institutions are doing well.

In particular, we support the following parts of the NZIST charter, which speak to our points above:

- 3 (a) offer in each region a mix of education and training, including on-the-job, face-to-face, and distance delivery that is accessible to the learners of that region and meets the needs of its learners, industries, and communities; and
 - (b) operate in a manner that ensures its regional representatives are empowered to make decisions about delivery and operations that are informed by local relationships and to make decisions that meet the needs of their communities; and
 - (d) ensure that there is collaboration across its national network; and
 - (e) maintain a high-quality, coherent network of infrastructure that meets regional skills needs.
- 4 (b) programmes of study and qualifications are portable and consistent, yet flexible enough to meet local needs

We would also note that many of the courses NZIST will provide are currently male-dominated, leading to work in equally male-dominated fields, particularly in construction, engineering, and the trades. We encourage the Ministry to engage with underrepresented populations to further the aim of a future workforce that represents the working population as a whole. This includes dismantling barriers to women entering such courses, as well as ensuring a culture free from discrimination and harassment.⁹

⁹ [S19.02 Reform of Vocational Education https://www.ncwnz.org.nz/wp-content/uploads/2019/04/S19.02-Reform-of-Vocational-Education.pdf](https://www.ncwnz.org.nz/wp-content/uploads/2019/04/S19.02-Reform-of-Vocational-Education.pdf)

5.5. **258 Matters to be considered when appointing council members**

NCWNZ is an advocate for regulation to ensure that governance bodies have a gender balance. The legislation for the New Zealand Institute of Skills and Technology [NZIST] includes representation of staff, students and Maori, which we support.

It is pleasing to see the statement that:

*It is desirable that an institution's council should, as far as is reasonably practicable, reflect—
(b) the fact that approximately half the population of New Zealand is male, and half the population is female.*

It is however essential that these clauses for establishing the NZIST Council, Advisory Committees and Workforce Development Councils are strengthened to ensure or encourage active recruitment of women, and thus achieve gender-balanced governance. This is entirely feasible given the number of members appointed by the Minister to the NZIST (at least five), and the quality and number of women candidates available.

6. Conclusion

- 6.1. NCWNZ and GWNZ support this legislation in principle. We would encourage the Select Committee to ask for a gender impact analysis of the legislation before it is passed into law to ensure it meets the goals of the SDGs and recommendations of the CEDAW committee. Our members have always been concerned with the effect of education on women's future life opportunities and employment, as well as the way education changes affect women's roles as parents. It is a citizenship right that the education system in Aotearoa New Zealand is broad based, inclusive, accessible to all New Zealanders and provides lifelong learning opportunities for all.



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