



12 October 2019

S19.23

## **Submission to the Education and Workforce Select Committee on the Education (Vocational Education and Training Reform) Amendment Bill**

### **Introduction**

- 0.1. The National Council of Women of New Zealand, Te Kaunihera Wāhine 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. This submission has been prepared by the NCWNZ Parliamentary Watch Committee based on previous consultations with members and on established policy.
- 0.2. NCWNZ welcomes the opportunity to submit on such a major reorganisation of the vocational Education sector. As outlined in our previous submission on the Reform of Vocational Education [RoVE] consultation document earlier this year, access to vocational and sub-degree education is important for the wellbeing of many women, not only on leaving school but also later in life.<sup>1</sup> We support the provisions in this Bill that:
- foster cooperation between providers in different areas<sup>2</sup>
  - ensure people living in rural regions can access vocational education<sup>3</sup>

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<sup>1</sup> NCWNZ. 2019. Submission to the Ministry of Education on the Reform of Vocational Education Discussion Document. S19.02. <https://www.ncwnz.org.nz/wp-content/uploads/2019/04/S19.02-Reform-of-Vocational-Education.pdf>

<sup>2</sup> NCWNZ. 2016. Submission to the Productivity Commission on the draft report New Models of Tertiary Education Discussion Document. S16.26. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S16.26-New-Models-of-Tertiary-Education.pdf>

NCWNZ. 2006. Submission to the Ministry of Education on developing the second Tertiary Strategy 2007. S06.45. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S06.45-NZ-Curriculum-Draft-Consultation-Developing-the-Second-Tertiary-Strategy-2007.pdf>

<sup>3</sup> Committee on the Elimination of Discrimination against Women. 2018. Concluding observations on the eighth periodic report of New Zealand. CEDAW/C/NZL/CO/8.

- continue the tradition of workplace learning<sup>4</sup>
- guarantee the academic freedom of the New Zealand Institute of Skills and Technology (NZIST).<sup>5</sup>

0.3. In this submission we highlight two general principles for consideration: the need for gender impact assessments and for gender-balanced governance within the proposed structures. This is followed by recommendations for specific legislative clauses.

## 1. Gender Impact Assessments

1.1. NCWNZ welcomes the focus in the proposed legislation on meeting the needs of Māori, Pacific and disabled learners, and notes that the regulatory impact document specifically addressed the needs of these learners. We are disappointed that the impacts on different genders were not given a similar focus.<sup>6</sup> Of particular concern is the ability of the system to meet the needs of learners in a field traditionally dominated by one gender, for example support for women studying construction or for men studying hairdressing. If the gender pay gap in the employed workforce is to be eliminated, the gender segregation in fields of study must also be addressed. This will not be done unless gender is the focus of policy impact analyses. NCWNZ has been calling for gender impact analysis of proposed legislation for almost two decades and would like to see this as a standard part of policy development.<sup>7</sup> 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,<sup>8</sup> noted that:

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[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fNZL%2fCO%2f8&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fNZL%2fCO%2f8&Lang=en)

<sup>4</sup> NCWNZ. 2002. Submission to the Education and Science Committee on the Tertiary Education Reform Bill. S02.11.

<http://www.ncwnz.org.nz/what-we-do/ncwnz-archive/submissions/s02-11-tertiary-education-reform-bill/>

NCWNZ. 2000. Submission to the Education and Science Committee on the Apprenticeship Training Bill. S00.64.

<http://www.ncwnz.org.nz/what-we-do/ncwnz-archive/submissions/s00-64-education-science-select-committee-on-the-apprenticeship-training-bill-2/>

<sup>5</sup> NCWNZ. 2002. Submission on the Tertiary Education Reform Bill. S02.11.

NCWNZ. 2007. Submission to the Education and Science Committee on the Education (Tertiary Reforms) Amendment Bill.

S07.30. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S07.30-Tertiary-Reforms-Amendment-Bill.pdf>

<sup>6</sup> Ministry of Education. 2019. Regulatory Impact Assessment: Reform of vocational education.

<https://conversation.education.govt.nz/assets/RoVE/AoC/R-27-CP1-short-2-RIA.pdf>

<sup>7</sup> 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>

<http://www.ncwnz.org.nz/wp-content/uploads/2013/06/115-years-Register-everything-2.pdf>

NCWNZ. 2007. Submission on the Education (Tertiary Reforms) Amendment Bill. S07.30

NCWNZ. 2016. Submission on New Models of Tertiary Education Discussion Document. S16.26.

NCWNZ. 2019. Submission on Reform of Vocational Education Discussion Document. S19.02.

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

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.

1.2. 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.

1.3. Unless gender impact analysis is a regular part of policy development, work to eliminate “stereotypes and structural barriers” can be easily overlooked.

## 2. Gender Balanced Governance

2.1. NCWNZ is an advocate for regulation to ensure that governance bodies have a gender balance, as shown in previous submissions regarding Polytechnic<sup>9</sup> and University Council composition. The proposed legislation for the New Zealand Institute of Skills and Technology [NZIST] includes representation of staff, students and Maori, which we support. However, we do not consider that the legislation goes far enough when it says that “it is desirable in principle that, insofar as possible, NZIST’s Council should reflect the ... gender diversity... of New Zealand’s population”. NCWNZ strongly believes that the Minister should be instructed to appoint a gender-balanced Council and that this is entirely feasible given the number of members appointed by the Minister (at least five), and the quality and number of women candidates available.

2.2. With respect to the membership of the Advisory Committees of NZIST and the Workforce Development Councils, NCWNZ recognises that it is potentially more difficult to ensure a gender balance. However, achieving a gender balance can still be included as “desirable in principle”, in order to encourage active recruitment of a diversity of genders to these governing bodies.

## 3. Specific Clauses

### Part 15A NZ Institute of Skills and Technology

3.1. **New Section 222H Matters to be considered when Minister appoints members to NZIST’s Council.** NCWNZ recommends that a gender balance on the NZIST Council should be made mandatory.

3.2. **New Section 222M Membership of advisory committees.** NCWNZ recommends that clauses be added to encourage a gender balance on these committees.

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<sup>9</sup> NCWNZ. 2009. Submission to the Education and Science Committee on the Education (Polytechnics) Amendment Bill. S09.30. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S09.30-Submission-to-the-Education-and-Science-Select-Committee-on-the-Education-Polytechnics-Amendment-Bill-70-1.pdf>

NCWNZ. 2014. Submission to the Education and Science Committee on the Education Amendment Bill (no 2). S14.08. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S09.30-Submission-to-the-Education-and-Science-Select-Committee-on-the-Education-Polytechnics-Amendment-Bill-70-1.pdf>

### Part 34 Work-based Training

3.3. **New Section 479 Establishment of workforce development councils.** NCWNZ recommends that an addition be made to sub-clause 3 to encourage a gender balance, for example:

(3) In making a recommendation relating to the governance arrangements for a workforce development council, the Minister must, as far as is reasonably practicable, ensure that those arrangements provide for—

(a) the collective representation of employees in the governance of the council; and

(b) the representation on the council of Māori employers from any or all of the one or more specified industries; and

(c) a gender-balanced council.

## 4. Conclusion

4.1. NCWNZ supports this legislation in principle, as we would like to see a fairer, more cooperative vocational education system that meets the needs of the diversity of learners in Aotearoa New Zealand. We would encourage the Select Committee to ask for a gender impact analysis of the legislation before it is passed into law, and also that the 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.



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