



**Te Tāhuhu o
te Mātauranga**
Ministry of Education

**NZEI
TE RIU ROA**

Therapists' Pay Equity Claim Report

Processes, evidence, and information for
assessing pay inequity for therapists in the
education sector

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Executive Summary

In November 2020, the New Zealand Education Institute Te Riu Roa (NZEI Te Riu Roa) raised a pay equity claim under the Equal Pay Act 1972 (the Act) with Te Tumu Whakarae mō te Mātauranga | the Secretary for Education (the Secretary) on behalf of therapists employed in the education sector. The claim states that the work of therapists is undervalued because it is currently and historically performed mostly by women.

The Therapist Pay Equity Claim (the Claim) was investigated in partnership by NZEI Te Riu Roa and Te Tāhuhu o Te Mātauranga | the Ministry of Education (the Ministry). The parties have undertaken a thorough, collaborative and quality assured process which has ensured that the outcome is robust, transparent, equitable and grounded in the evidence outlined in this report.

Therapists are employed by the Ministry or by school boards in state and state-integrated schools, and they work in a range of settings including primary, intermediate, secondary, area and specialist schools, and across English, mixed and Māori medium. According to Ministry payroll data from 2022, 92 percent of all therapists employed across the Ministry and schools were female.

Ministry-employed therapists are employed on the Ministry of Education Collective Agreement for Field Staff (Field Staff CA) or an individual employment agreement that mirrors those terms and conditions.

Occupational therapists and physiotherapists in schools can be employed under the Kaiārahi i te Reo and Therapists' Collective Agreement (KiTCA), and school speech language therapists can be employed under the Primary Teachers' Collective Agreement (PTCA). Alternatively, therapists can be employed on individual employment agreements which often mirror the terms and conditions of the relevant collective agreement. Music therapists have been employed under a number of collective agreements. It is intended moving forwards that they will be employed under the KiTCA or an individual employment agreement that mirrors those terms and conditions.

As outlined in the terms of reference, the parties agreed to progress the claim in good faith and in accordance with the Act. The terms of reference also acknowledged the long history of the Act, particularly the 2018 Reconvened Joint Working Group's (RJWG) Pay Equity Principles (the Principles). The Principles help guide parties to progress claims in accordance with the Act.

To complete the work assessment, the parties agreed to use the gender-neutral Pay Equity Aromatawai Mahi (PEAM) factor-scoring tool and the corresponding interview guide as the method for factor-based data collection and assessment. The 14 factors used by the PEAM tool (p30-31) describe essential aspects of work, including skills, responsibilities and the conditions and demands placed upon someone carrying out the work. This was key to uncovering aspects of work that are often overlooked or undervalued in female-dominated work.

Between November 2021 and April 2022, 48 interviews were carried out with a randomly selected sample of therapists, plus their direct supervisors. The final sample was broadly reflective of the total workforce population in terms of occupational group sizes, employer types and key demographics. The interview transcripts were analysed, and the key areas of



responsibility and associated tasks and activities identified (the General Areas of Responsibility or 'GARs'). This was shared with all therapists and their supervisors via an online survey on the Ministry's consultation space. A link to the survey was sent to Ministry employees via email and to schools via the school bulletin which was released on Monday 19 September 2022. 121 submissions of feedback were received, and analysis of this feedback led to 9 follow up phone calls. After clarification of the feedback submitted, no further interviews were required.

The parties then identified potential male-dominated comparators and investigated their work. The parties agreed to use existing comparator data from previously settled pay equity claims where relevant alongside one new comparator group, senior scientists. The parties would like to thank the organisations and employees involved for their participation and commitment to pay equity.

The next stage in the process was factor scoring the claimant and comparator transcripts. This stage was undertaken as a joint exercise by the Ministry and NZEI Te Riu Roa using the PEAM tool to ensure alignment with section 13ZD of the Act.

Through the factor-scoring process it was found that there was little variance in the level of work seen across different therapy roles and between Ministry and school board-employed claimants. The factor-scoring process also showed that a variety of new and existing comparators, including settled claimants, were comparable to the claimants. Analysis of the remuneration and terms and conditions of the claimants, and suitable comparators, demonstrated that the claimants' work has been subject to historical sex-based undervaluation. The recent settlement of a new pay scale in the Ministry of Education Field Staff Collective Agreement has resulted in rates which have largely rectified any historic sex-based undervaluation for therapists employed pursuant to this collective agreement. However, undervaluation in remuneration continues for the claimants who are school board-employed. This evidence provides a good basis to consider how solutions may be developed.

After a settlement has been agreed upon, a review process will occur periodically to ensure that pay equity is maintained in accordance with s13ZH of the Act.



Introduction

Background of the claim

In November 2020, NZEI Te Riu Roa raised a pay equity claim under the Act with the Secretary on behalf of therapists, including but not limited to physiotherapists, occupational therapists, and speech language therapists, and those doing the same or substantially similar work, employed by the Ministry and school boards in state and state-integrated schools.

The Claim stated that 'Therapists within the Education Sector assess and treat students who have limited ability to carry out everyday activities because of illness, injury, disorders, or circumstance related to physiology. This may include difficulties with speech, language, thought processes or moving their bodies. They work to understand the impact of the child's physiological difficulties in the context of their home, school, and community. They observe, assess, and work closely with children and young people with special education needs. They work closely with parents and caregivers, teachers and schools, and other specialists to help children and young people participate at school and achieve educationally. They identify, set up and provide advice about the support, equipment, and technology a child or young person may need, and support children and young people to develop the skills to manage themselves in their daily lives.'

The Claim also stated that the work of therapists is historically and currently undervalued as it is performed predominantly by women, along with other factors that may have affected wage setting such as the origins of the profession and its characterisation as women's work. It is therefore possible that some aspects of the skills, responsibilities and degrees of effort needed to carry out the work are less visible, and so not always recognised and equitably remunerated.

On 19 January 2021, the Ministry agreed that the Claim was arguable. On 16 November 2021, NZEI Te Riu Roa and the Ministry signed the terms of reference for the Claim. The terms of reference can be found in Appendix 1. This formally marked the end of the 'raising phase' of the process and initiated the enquiry into the claim to determine whether the female-dominated therapist workforce within the education sector is subject to undervaluation on the basis of sex.

In the terms of reference, the parties agreed to progress with the Claim while acting in good faith and within the parameters of the Act. The terms of reference also acknowledged the long history of the Act, particularly the RJWG's Principles¹.

Background of the claimant workforce

Workforce data for 2022 showed that there was a total of 747 therapists employed by Te Tāhuhu o te Mātauranga | Ministry of Education or by state and state integrated school boards. There were 472 therapists employed by the Ministry², 79 of whom were casual employees or contractors. School workforce data showed 275 occupational, physio and speech language

¹ The RJWG Principles are available here: [Pay-Equity-Context-and-Principles.pdf](https://publicservice.govt.nz/pay-equity-context-and-principles.pdf) (publicservice.govt.nz)

² Ministry of Education workforce data 'Ministry-employed therapists data 2022.xls'



therapists³ were employed by school boards. Through discussion directly with schools, a small number of music therapists were also identified. Numbers in these roles are estimated at nine employees, however, because job titles for music therapists are not recorded in the Ministry payroll system, employees in these roles have been recorded as occupational therapists, teachers, or sometimes teacher aides. Therefore, data relating to the small number that are recorded as teachers or teacher aides, as well as casual employee or contractor data is not reflected in the analysis below.

Demographic data for 2022 showed that each profession was predominantly female, averaging 92 percent across all claimants.

Therapy type ⁴	No. of Ministry-employed	No. of school board-employed
Occupational	63	111
Physio	24	52
Speech Language	385	112
Total	472	275

Purpose of the report

The report sets out the process used to investigate and assess the claim, and the evidence and information gathered throughout the process.

The evidence reported here is primarily drawn from the interviews of claimants and comparator roles, and the subsequent analysis of the evidence, including the final process of assessing the evidence through factor scoring and comparison.

To proceed to bargaining and settlement of the claim, parties will draw on this report, along with the body of evidence gathered from analysis of remuneration and terms and conditions from collective agreements, data from the claimant and comparator organisations, and historical information about the development of these roles to determine where pay inequities on the basis of sex exist, and how these should be addressed.

The process used to assess the claim and inform parties' views of undervaluation

The process for raising, assessing, and settling a pay equity claim was informed by the recommendations of the Reconvened Joint Working Group on Pay Equity, RJWG, and is outlined in the Act⁵. A Central Agency Pay Equity Governance Group (CAGG) was also established to provide guidance for employers and to ensure government oversight of the claims. The group is made up of representatives from Te Kawa Mataaho | Public Service Commission (the Commission), the Department of the Prime Minister and Cabinet, and the Treasury. In December 2019, a framework for the governance and oversight of State sector pay equity claims (the Framework) was approved by Cabinet. It clarified the roles of the Ministers

³ Ministry of Education workforce data 'School therapist data 2022.xls'

⁴ Music therapists have not been included in this table as their role is not captured in internal payroll data. Where a music therapist has been designated as a different therapy role for payroll purposes only, they will have been captured in the total.

⁵ The principles for the implementation of equal pay were identified by the JWG.



and the Central Agencies throughout the claim process. The Framework also outlined six key milestones where agencies present their progress to the Central Agency Governance Group and seek assurance regarding the process undertaken and the proposed direction of the claim.

In brief, there are four key stages to the Pay Equity Process: (1) Raising a claim; (2) Assessing a claim; (3) Settling a claim; and (4) Review (Figure 1). In order to initiate a claim, the claimant (or claimants) and/or union must set out in writing information that supports their claim of differentiation in rates of remuneration by reason of sex. Section 13Q of the Act states that the employer must acknowledge the claim and decide if the claim is arguable within 45 working days of receiving the claim and that employers must apply a 'light-touch approach' when deciding on whether the claim is arguable. A claim is arguable if the workforce is or was predominately female, that is approximately 60 percent or more, and if it is arguable that the work is currently or has historically been undervalued.

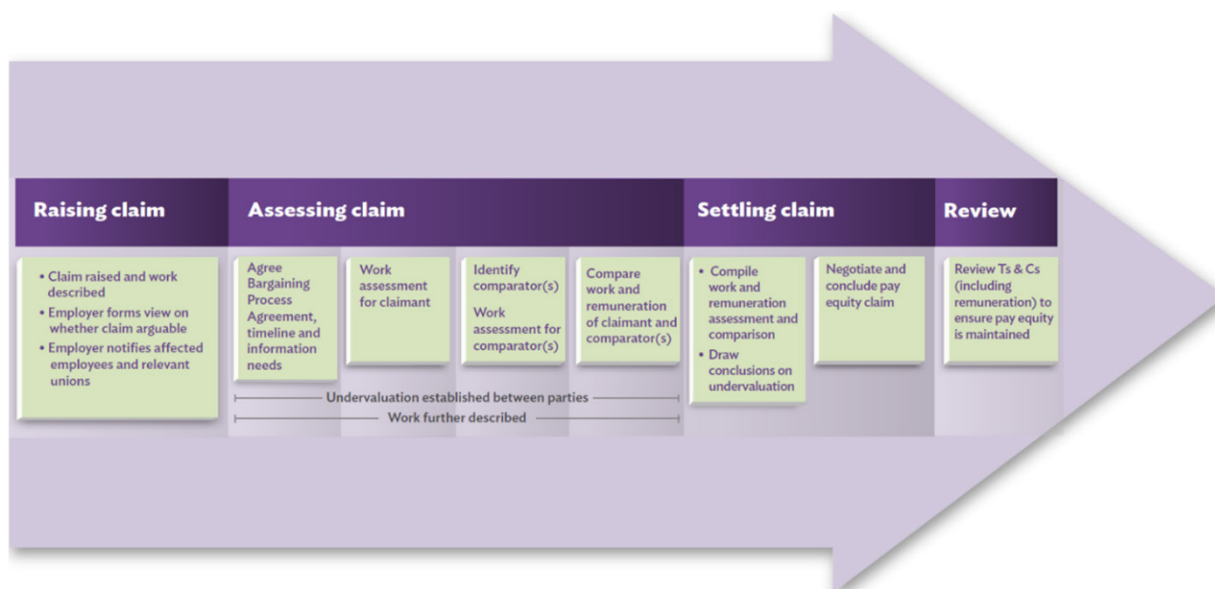


Figure 1: Process for addressing pay equity claims developed by the Commission⁶

If a claim is accepted as arguable, the parties must work together in good faith to determine whether the work of the claimant or claimants is undervalued. First, the parties assess the nature of the work to which the claim relates. This includes an assessment of the skills and experience required; the responsibilities imposed; the conditions of work; the degree of effort required to perform the work; any other relevant work features; and terms and conditions of employment. Next, to ascertain whether an occupation is systemically undervalued on the basis of sex, the work is assessed against appropriate comparators. Comparable work can include work performed by male comparators that is the same as, or substantially similar to, the work to which the claim relates. It can also include work performed by male comparators that is different to the work to which the claim relates but the skills and experience, responsibilities, working conditions, and/or degrees of effort are the same as, or substantially

⁶ Public Service Commission, *Pay Equity in New Zealand Context and Principles* (2020). <https://www.publicservice.govt.nz/system/public-service-people/pay-gaps-and-pay-equity/pay-equity/#Understanding-process>



similar to, those required to perform the work to which the claim relates. In addition, work performed by any other comparators that the parties of the Authority or court considers useful and relevant can be used, including comparators who perform work that has been the subject of a pay equity claim settlement⁷. The work assessment process for comparators is carried out in the same manner as the work assessment for claimant work. Once all the information has been obtained, a work assessment panel is convened to assess the nature of the work according to the adopted gender-neutral tool.

If there is evidence of differentiation in rates of remuneration on the basis of sex, then a process of bargaining takes place. In instances where the parties are unable to reach an agreement, they can refer issues to mediation or to the Employment Relations Authority (the Authority). After a settlement has been agreed upon, a review must occur periodically to ensure that pay equity is maintained in accordance with requirements in the Act.

The benefit of implementing pay equity is not only the tangible terms through pay adjustments but also the symbolic recognition of the work of female employees.

Steps used to assess the claim

Work assessment for the claimant

- a. Interviews were conducted with a portion of the claimant group, from a random sample of Ministry, specialist school and mainstream school employees, to understand their responsibilities, experience, tasks, skills, degrees of effort required and conditions of work.
- b. Interview transcripts were analysed to identify the range of responsibilities and activities performed by interviewees.
- c. The findings from this analysis (the General Areas of Responsibility/GAR document) were shared with all Ministry-employed therapists and their supervisors, as well as schools via an online survey to ensure the range of work was covered.

Work assessment for comparators

Parties identified and selected potential comparator roles through agreed criteria, underpinned by the Act. Parties collected interview data of an appropriate range of potential comparator roles to understand the responsibilities, experience, tasks, skills, degrees of effort required and the demands of the role, and conditions of work.

Comparing work of claimants and comparators

Comparison of the skills, responsibilities, experience, efforts and working conditions of the claimants' and potential comparators' work was undertaken using a gender-neutral work assessment tool (PEAM).

Comparing remuneration of claimants and comparators

Comparison of the claimants' and comparators' remuneration, terms, and conditions was undertaken primarily through the review of collective agreements and payroll data.

⁷ [Equal Pay Act 1972 No 118 \(as at 01 December 2022\), Public Act 13ZE Identifying appropriate comparators – New Zealand Legislation](#)



Scope and Arguability of the Therapists' Pay Equity Claim

Scope of the claim

On 6 November 2020, a pay equity claim was raised by NZEI Te Riu Roa for therapists, including but not limited to physiotherapists, occupational therapists and speech language therapists. The claim covers union members and non-union employees who are employed as therapists by either a school board or the Ministry and those doing the same or substantially similar work.

Therapists are covered by three collective agreements:

- Kaiārahi i te Reo and Therapists' Collective Agreement (KiTCA)
- Primary Teachers' Collective Agreement (PTCA)
- Ministry of Education Field Staff Collective Agreement (Field Staff CA)

The remainder of this workforce were employed under individual employment agreements which often mirror the terms of the collective agreement.

In 2020, 723 therapists were identified in the Education Payroll Limited and Ministry of Education payroll systems. This was updated to 747 therapists employed in 2022. These therapists work in a range of settings, including Ministry offices, primary, intermediate, secondary, area and specialist schools, as well as within English-medium, Māori-medium and mixed-medium schools.

NZEI Te Riu Roa is the union that represents this workforce, and the Secretary is the delegated employer for the purpose of responding to this pay equity claim.

An arguable claim

In response to the notification, the Secretary for Education, acting under delegation from the Public Service Commissioner, acknowledged the Claim and work was done to determine its merit within 45 working days as stated in s13Q of the Act.

2020 workforce data showed that there were 723 therapists employed in the broader education sector; 455 were employed by the Ministry and 268 were employed by state and state integrated schools. 95 percent of these employees were recorded as female. This exceeded the threshold of approximately 60 percent needed to be considered female dominated as stipulated in s13F of the Act⁸.

Historical data

In nineteenth-century New Zealand, the prevailing social norm in relation to gender responsibilities was that a woman's place was in the home as a mother or wife, while men were

⁸ MoE internal payroll data 'Workforce at a glance - Learning Support'



the breadwinners for the family⁹. However, from the 1930s onwards, women's participation in the country's labour market increased markedly¹⁰. Women's employment was concentrated in certain industries such as clerical work, nursing and, a pattern of workforce gender segregation was established, which continues into the twenty-first century¹¹. The International Labour Organisation argues that women tend to dominate certain occupations because they draw on perceived 'innate' skillsets of the female sex; for example, the skills needed to run a home and care for children¹². Therefore, it can be argued that the role that therapists play in supporting children's emotional wellbeing and learning development fit with gender stereotypical assumptions about women's inherent mothering capabilities, which may have contributed to the characterisation of the occupation as woman's work.

Physiotherapy

The first documented origin of Physiotherapists as a professional group dates back to 1813 with the founding of the Royal Central Institute of Gymnastics by "Father of Swedish Gymnastics" Per Henrik Ling. Physiotherapists were given official registration by Sweden's National Board of Health and Welfare in 1887¹³.

In New Zealand, the Otago University School of Massage was established in 1913, emerging due to an interest from health professionals such as masseurs to gain scientific legitimacy and official recognition. The events of World War I and outbreak of polio in the community further increased recognition of the need for physical rehabilitation therapies in New Zealand.

Across the 1930s the teaching syllabus was expanded beyond therapeutic massage to include techniques such as electrotherapy and exercise therapy. With the introduction of new techniques practitioners were increasingly referred to as physiotherapists¹⁴.

Occupational therapy

Psychiatrists were the first proponents of occupational therapy, and they challenged traditional medical thinking by advocating for the link between occupation and health as a treatment or therapy. The first actors in 'occupation therapy' were nurses working under medical direction, with defined and specific roles emerging progressively¹⁵.

The health profession of Occupational Therapy emerged internationally in the 1910s, merging ideas such as having a strong work ethic and handcrafting with scientific and medical principles¹⁶. By the early 1930's educational guidelines and accreditation procedures had been developed¹⁷.

9 Coalition for Equal Value Equal Pay (CEVEP), "1897 to 1936", last modified February 2004, accessed 3 May 2022, <http://www.cevep.org.nz/history/payhist1.html>

10 Cook, Megan, "Women's labour organisations", Te Ara - the Encyclopedia of New Zealand, accessed 3 May 2022, <https://teara.govt.nz/mi/womens-labour-organisations/page-4>

11 Statistics New Zealand, Women at work: 1991-2013, 2015, 11. Women at work: 1991-2013 (stats.govt.nz)

12 Anker, R., Melkas, H. and Kortten, A. "Gender-based occupational segregation in the 1990's", International Labour Office, 2003, 5, Gender-based occupational segregation in the 1990's (ilo.org)

13 Chartered Society of Physiotherapy (n.d.). "History of the Chartered Society of Physiotherapy". Chartered Society of Physiotherapy. Retrieved from (<http://www.csp.org.uk/director/about/thecsp/history.cfm>).

14 Knox, Bruce (2007-01-29). "History of the School of Physiotherapy". School of Physiotherapy Centre for Physiotherapy Research. University of Otago. Retrieved from (<http://physio.otago.ac.nz/about/history.asp>).

15 Clouston, T. J., & Whitcombe, S. W. (2008). The Professionalisation of Occupational Therapy: a Continuing Challenge. *British Journal of Occupational Therapy*, 71(8), 314-320. <https://journals.sagepub.com/doi/pdf/10.1177/030802260807100802>

16 Quiroga, Virginia A. M., PhD (1995), *Occupational Therapy: The First 35 Years, 1900-1930*. Bethesda, Maryland: American Occupational Therapy Association, Inc. ISBN 978-1-56900-025-0

17 Colman W (January 1992). "Maintaining autonomy: the struggle between occupational therapy and physical medicine". *The American Journal of Occupational Therapy*. 46 (1): 63-70.



The first course in Occupational Therapy in New Zealand was offered in 1940. Hazel Skilton, an early leader of Occupational Therapy in New Zealand established the New Zealand Registered Occupational Therapists Association Inc. in 1949. Formal registration for Occupational Therapists was endorsed in 1955¹⁸.

Speech language therapy

Speech language therapy finds its origins in elocution, dating back to the 19th century in England. Publication of John Wyllie's book Disorders in Speech (1984) brought greater publicity to the field, which can be divided into two broad groupings: oratory and medical. The former can be traced to the claimant group for this pay equity claim and is the focus of literary research.

Many early practitioners, particularly in elocution, came from backgrounds in teaching or theatre. From 1945 formal speech language therapy education programmes were well established across the UK. There was a high incidence of voluntary practice in early speech language therapy¹⁹.

Over time, like most professions in the health and social care sector, changes to the job design, working practice, hours of work and pay, and the imposed regulation of the professions have altered the nature of these roles.

¹⁸ History of Occupational Therapy New Zealand Whakaroa Ngangahau Aotearoa. Retrieved from (<https://www.otnz.co.nz/otnz-wna/history/>).

¹⁹ A Brief History of Speech language Therapy in the UK. Retrieved from (<https://www.rcslt.org/-/media/Project/RCSLT/a-brief-history-of-speech-and-language-therapy-in-the-uk.pdf?la=en&hash=E7A926C218C1DFB292D9146F332CED2E96ACF1D7>)



Investigation of therapist roles

Data collection methodology

Factor-based analysis was used to provide a structured approach to the work investigation. This involves separating the work into its constituent parts, referred to in pay equity as 'factors'. The factors describe elements of what the work entails including the skills used, responsibilities undertaken and the conditions and demands placed on someone who is carrying out the work. This is key to uncovering aspects of the work that are often overlooked, hidden, or undervalued and ensuring their inclusion in the assessment.

The parties agreed on the Pay Equity Aromatawai Mahi (PEAM) tool as the method for primary data collection. The PEAM tool was jointly developed by NZEI Te Riu Roa and the Ministry in 2018 and has been endorsed as gender neutral by the Commission. It has also been used successfully in settling the Teacher Aide Pay Equity Claim (TAPEC), Administration Staff Pay Equity Claim (APEC), Kaiārahi i te Reo Pay Equity Claim (KPEC), Librarians and Library Assistants' Pay Equity Claim (LPEC), and Science Technicians' Pay Equity Claim (SPEC).

The PEAM tool comprises a gender-neutral questionnaire which is used to guide an interview process and a factor plan which analyses the information gathered and helps compare the work of claimants and comparators. The same questionnaire is used throughout the interview process with both claimants and comparators.

Interviews were carried out with individual employees and their direct supervisors.

The claimant sample

The parties agreed to an initial sample of 45 claimant interviews plus supervisor interviews, across both Ministry and school board-employed therapists. In order to select employees to participate in interviews, all employees covered by the claim were identified. The sample was then stratified by location, and a random number generator was used to select participants. An iterative approach to the evidence gathering was agreed to allow more interviews to be added to the sample if parties agreed this was necessary to achieve sufficient coverage of the workforce.

Additional research to identify other therapist roles employed by school boards was undertaken while early claimant interviews were in progress. This research identified the role of 'music therapist' working in schools and the parties agreed, based on the information available, that the work likely met the definition of being same or substantially similar (s13W of the Act) to the work described by NZEI Te Riu Roa in the claim letter. The parties therefore agreed that music therapists be added to the sample, and three additional supplementary interviews with music therapists were conducted²⁰.

In total, 48 interviews were conducted between November 2021 and May 2022 with therapists and their direct supervisors. In some cases, the direct supervisor was unavailable for an

²⁰ Through discussions with schools and analysis of role titles recorded through MoE payroll data we have identified nine school board-employed music therapists in total.



interview, in these instances the parties agreed to conduct the supervisor interview with a more senior colleague who had oversight of the employee's work.

The below chart shows the spread of interviews across the identified therapist groups. Of this group, 18 (38 percent) of the interviews conducted were with school board-employed therapists with the remaining 30 (62 percent) interviews being with therapists employed by the Ministry of Education. These interview numbers are representative of the proportion of therapists employed by the Ministry or by school boards.

Therapist interview sample – number of interviewees

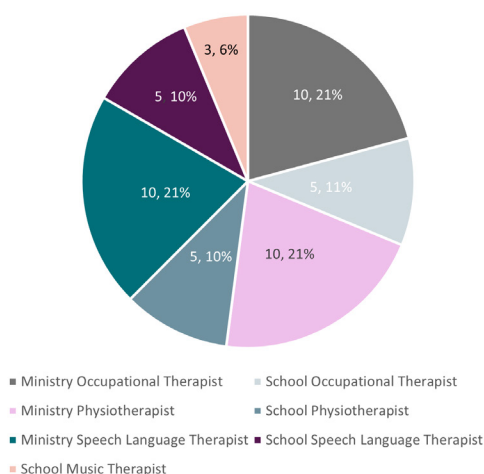


Figure 2: Number of therapists in the interview sample with breakdown of therapy role and employer

Key components of the interview process:

The interview process incorporated the following elements:

- » Interviewer training day
 - A dedicated training day was attended by all interview team members from both the Ministry and NZEI Te Riu Roa, during which interviewers were trained in the pay equity process, the use of the PEAM tool, and interview best practice. The training day was facilitated by both the Ministry and NZEI Te Riu Roa in partnership prior to interviews commencing.
 - Attendees used discussion and role play of interview scenarios to develop interviewer skills of enquiry, probing, avoiding leading questions and eliciting examples to reveal the less visible skills often undervalued in female-dominated work. Tips were also given to the interview teams to create an environment during the interviews where the interviewees could discuss their work comfortably, in a clear and comprehensive way.
 - The training mitigated the risk of personal bias affecting the data-gathering process through a dedicated workshop on unconscious bias and ways to maintain data objectivity.
 - Due to the parties' agreement not to digitally record interviews, scribing workshops emphasised the importance of preserving the wording of the respondent rather than

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summarising interview content by providing clear guidelines to interviewers and conducting scribing practice during the training day.

- Attendees developed an understanding of the ethical considerations, including the confidential nature of interview content, importance of anonymising interview transcripts by removing names, locations, and any identifying elements, and gaining informed consent by talking through the consent form with interviewees and explaining how their data will be used.
 - Interviewers signed confidentiality agreement forms in line with Ministry and NZEI Te Riu Roa policies.
- » Interview protocol
- Interviews were conducted in interviewer/scribe pairs consisting of one Ministry of Education representative and one NZEI Te Riu Roa member where possible. This helped to mitigate institutional bias and to continue the collaborative nature of the work.
 - Interviewees signed interview consent forms including agreement that information provided may be used for future pay equity claims and will be stored for this purpose in the government's pay equity data repository service.
 - Interviews were approximately an hour and a half in length with the employee and up to an hour with their direct supervisor which allowed time for full and detailed answers.
 - In-person interviews were preferred, but due to the impacts of the COVID-19 pandemic most (33) were conducted using Microsoft Teams. This did not influence the data quality.
- » Interview outputs and data validation
- The output of each interview was a transcript, the content of which was agreed by both interview partners.
 - A quality assurance (QA) process was used in which a Ministry representative, and a NZEI Te Riu Roa representative who were not present in the interview reviewed each transcript to ensure all sections of the interview guide were covered, any points that needed to be clarified were identified and that there was consistency between the interviews.
 - Respondents received the transcript of the interview to review and verify as a true record of the interview and to answer any additional questions brought up in the QA process.



Interview findings: General Areas of Responsibility

In accordance with s13ZD of the Act, the nature of the work of the claimant must be thoroughly understood. To ensure we fully captured the work of therapists, the Pay Equity Project Team, in collaboration with NZEI Te Riu Roa, analysed the 48 interview transcripts.

The analysis showed that therapists complete a diverse range of tasks to support the needs of students with moderate to high ongoing needs. This includes assessing the needs of children, assisting or completing referrals, conducting therapy sessions and lessons, managing and assisting with student behaviour and creating plans.

In order to carry out the work, therapists work collaboratively in multidisciplinary teams to meet the leaning support needs of young people. They collaborate with teachers, teacher aides, whānau, senior leadership, learning support specialists and other professionals to meet student needs. Therapists are also responsible for procuring and maintaining resources and equipment for student use.

A detailed summary and analysis of the work documented in the transcripts formed the general areas of responsibility (GAR).

The GAR were agreed between parties and shared to all therapists and their supervisors via an online survey on the Ministry's consultation space. A link to the survey was sent to Ministry therapist employees and their supervisors via email and to schools via the school bulletin which was released on Monday 19 September 2022.

The survey allowed school principals, direct supervisors and/or claimants themselves to check that the work was fully covered or if something was missed. This feedback helped ensure the interview sample was representative, and the range of work was fully captured and included in the claim.

We received 121 submissions of feedback, and analysis of this feedback led to 9 follow up phone calls. After clarification of the feedback submitted, the parties agreed that the range of therapy work covered by the claim had been captured.

The GAR below reflects the range and variety of responsibilities and activities that therapists perform. No therapist role is expected to carry out every activity identified, but therapists should see the responsibilities of their role reflected in one or more of the general areas of responsibilities identified. The full GAR document can be found in Appendix 2. A summary of the 10 general areas of responsibility are as follows:

- 1. Supporting students with moderate to high ongoing needs:** Therapists support and provide hands-on therapy, assistance and consultancy services to children and students with differing level of needs from the ages of 0 to 21 years to help them access, participate, and engage in learning. Children and students may have complex multiple disabilities, high health needs, or physical, sensory, or intellectual difficulties. They may also have varying abilities and backgrounds, such as those with deteriorating conditions and challenging home environments. Therapists assess, observe, and assist students in a variety of settings, including early education centres and kōhanga reo, schools and kura, communities, and private homes, including those that are high pressure, noisy or confined, to enable students to enjoy the same opportunities and choices in their education as their peers.

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- 2. Contributing to the planning, development, and delivery of an effective therapy service:** Therapists report on and document essential information to ensure the safety and inclusion of children and young people in education. This can be paper-based, electronic, or both. Information needs to be relevant, accurate, complete, up to date, and kept securely. Therapists plan, develop and improve their therapy services to shape an education system that strives to deliver equitable and excellent outcomes. Therapists need to have an in-depth knowledge and understanding of all relevant legislation, guidelines and policies such as the Human Rights Act 1993, Privacy Act 2020, Children's Act 2014 as well as Ministry of Education guidelines and processes.
- 3. Caring for the physical, mental, and emotional wellbeing of students:** Therapists' respond to the wellbeing needs of students and build positive rapport with them in a variety of ways. This can range from supporting students' physical wellbeing such as pain management and assistance with toileting to recognising when a child is at risk and making the appropriate referrals. Therapists may support a student outside of the school setting by accompanying them to medical appointments or visiting them in hospital.
- 4. Negotiating problems and building relationships with family and whānau, colleagues, professionals, and communities:** Therapists work collaboratively in multidisciplinary teams to meet the learning support needs of children and young people. Within the education sector therapists are often a point of contact in relation to the child. They collaborate with teachers, teacher aides, whānau, senior leadership, learning support specialists and other professionals to meet student needs. Therapists also provide a coordinated service with external experts such as child health therapists, orthopaedic surgeons, paediatricians, agencies such as Accident Compensation Corporation, Ministry of Health, and Oranga Tamariki, and organisations such as Accessible, Blind & Low Vision Education Network NZ, and TalkLink Trust. Therapists must communicate complex information clearly and often need to negotiate difficult or emotional situations with a range of stakeholders involved in a child's care.
- 5. Develop, upskill, and share relevant knowledge and expertise with others:** Therapists equip people with the practical knowledge, skills, and tools to support children and young people. They provide early childhood education professionals, teachers, teacher aides, learning support assistants, Special Education Needs Coordinators/Learning Support Coordinators, and parents or carers with strategies and techniques to be embedded into the routines of the school day and at home. Therapists educate, model, and coach on issues and topics, such as operating equipment including wheelchairs, walking frames, and sliding boards, through to moving and handling students including sitting to standing, lateral transfers, and using a hoist. They also provide guidance on using assistive technology including computer hardware, software/applications, hearing, vision, and equipment for physical access, and low-tech or adaptive tools. Therapists often conduct presentations on topics, run group training workshops, and/or provide one-on-one guidance. In order to do this work, therapists are required to continually refresh their own knowledge and expertise as well as maintain professional certification through ongoing training.



- 6. Maintenance of resources and equipment:** Therapists are responsible for procuring and maintaining resources and equipment for student use. Some examples of resources and equipment used with or provided to students and whānau, include but are not limited to iPads, bendy pens, boardmaker 7, core boards, PODD books, eye gaze, poi, tī rakau, slope and slide boards. Therapists need to be familiar with and use a variety of software, systems, programmes and technology including touch chat, Bluetooth, AAC, Microsoft and Google suite.
- 7. Implement and adhere to health and safety practices:** Therapists help to ensure a safe and healthy education environment and workplace. They can analyse, assess, and remedy any challenges to ensure people follow best practice and regulations such as when administering medication or during the movement and transportation of students. Therapists can also teach others to improve health and safety conditions in homes, centres, schools, and the workplace. They may do this by creating resources, plans or guides about health and safety processes.
- 8. Managing workflow and providing people leadership and guidance:** Therapists manage their day-to-day tasks and activities. They have an overarching understanding of what needs to be completed, how, when, and by whom. They may work across multiple sites and need to travel for work, organise their schedule or caseload and readily adapt to different settings. Some therapists take on leadership responsibilities, which can range from formally supervising other staff members, to coaching less experienced team members and allocating and evaluating work.
- 9. Cultivating cultural competencies:** Therapists provide support to and work amongst a culturally diverse population. They value and respect Māori and uphold the principles of Te Tiriti o Waitangi. They have an awareness of cultural diversity and can function effectively and respectfully when supporting learners and families of different cultural backgrounds.
- 10. Contribute towards the effective functioning of the workplace:** Therapists work in home, school and office environments and perform a range of activities to contribute to the smooth running of the workplace. These activities support their own work and the work of colleagues, management, students and school staff. Therapists may also undertake financial administration tasks to do with budget, expenditure, grants and funding. They also help to organise or support school activities and events, and provide advice on accessibility in regard to school sites and buildings.

Other relevant interview findings

In addition to the above GAR, the interviews also uncovered information related to working conditions and demands, professional development and additional hours. Below are some noteworthy findings from the interviewed sample of 48 therapists and supported by information from the associated supervisor transcripts.



Professional Development (PD) and induction

Professional requirements (set out in the 'Therapist professional requirements, contract terms, remuneration and funding settings' section of this report, p38) for all groups state that a certain amount of professional development (PD) must be completed each year in order to maintain registration with the relevant compulsory or optional regulatory body, and to obtain a current annual practising certificate, eg for physiotherapists, a minimum of 20 hours per year is required, with 100 hours required every three-year period. The types of PD mentioned included webinars, reading around specific conditions, conferences, Ministry general staff training, moving and handling, assistive technology, functional skills, sensory processing, specialised seating, and courses in sign language, te reo Māori and tikanga.

Access to PLD

Forty-six out of 48 interviewees mentioned that they had undertaken some professional development. The remaining two interviewees were Ministry-employed therapists and did not mention whether they had undertaken professional development.

Professional development accessed

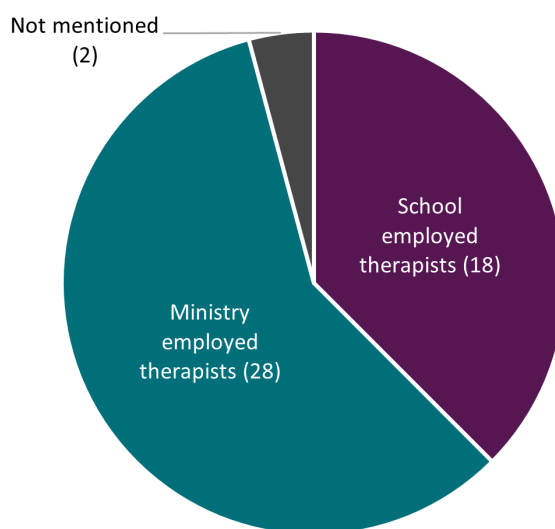


Figure 3: Therapists in the interview sample who did professional development

Ten interviewees mentioned that it can be difficult to find relevant professional development, and seven of these were employed as occupational therapists.

Reimbursement for PD

Although not a feature that came through strongly in the evidence with the majority of claimants not mentioning reimbursement for professional development, of the 46 interviewees, eight noted covering at least part of the costs (six school board-employed therapists and two Ministry-employed therapists). One stated that they had self-funded some PD that was not directly related to their therapy and two stated they do not request reimbursement for PD from the school as they feel there is not enough funding available. Other reasons provided included paying for monthly supervision or food expenses and additional accommodation costs.



Thirty-six of the 46 interviewees did not mention whether they had undertaken any of their professional development outside of their normal working hours. Of the 10 that had undertaken PD outside their normal working hours, five were school board-employed therapists and five were Ministry-employed therapists. Eight interviewees provided reasoning for doing professional development outside of ordinary working hours. Five stated that professional development courses were often held outside of normal working hours such as on weekends, evenings, and their days off (if they worked part-time). Two interviewees noted that professional development was done in their own time as it mainly consisted of doing additional research and reading literature in their relevant field. One employee said that they did professional development that required additional work outside of their normal working hours (such as study or preparation).

Induction

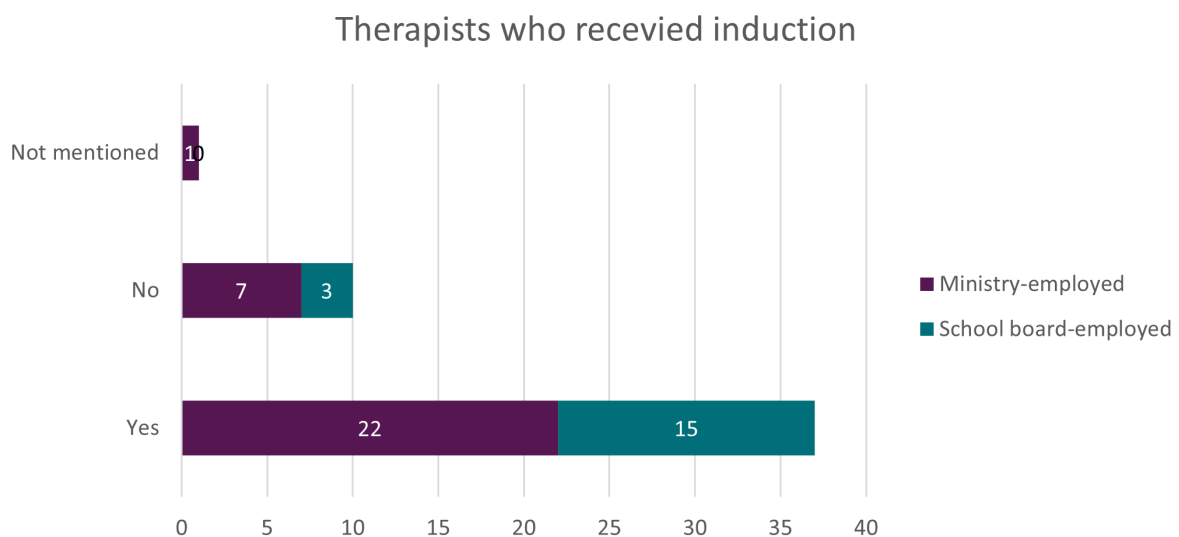


Figure 4: Therapists in the interview sample who received an induction

Thirty-seven of the 48 interviewees mentioned they received an induction. The depth and length of the inductions varied across the different work sites. These included a range of experiences, from comprehensive programmes over a few weeks, to inductions mainly based on policies, processes and systems, to the provision of a handover document or working through a checklist. A number of interviewees noted that therapy specialism focused inductions were useful, eg shadowing existing staff.



Additional hours

Therapists who worked additional hours

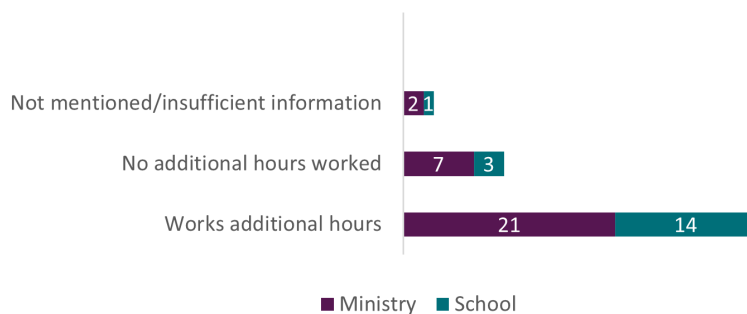


Figure 5: Therapists in the interview sample who worked additional hours

For Ministry of Education-employed therapists:

Twenty-one of the 30 Ministry-employed interviewees mentioned that they worked additional hours outside their ordinary working hours. Of these, eight mentioned that they worked additional hours regularly and these could include longer days or working in the evening to meet families, complete emails, or professional development. 14 interviewees mentioned working additional hours that were not expected, however five noted that it is necessary due to workload. The other nine mentioned a range of reasons, including self-learning, presenting in the evening, travel, or wanting to 'catch up'. Three did not allude to whether it was an expectation or not.

Of those that worked additional hours, twelve Ministry-employed therapists mentioned that they were able to take time off in lieu as compensation for additional hours worked, while 8 inferred they were not compensated, and 2 did not comment on this. No-one noted being paid for the additional hours.

For school board-employed therapists:

Fourteen of the 18 school board-employed interviewees mentioned working additional hours. Of these, nine mentioned that they worked additional hours regularly and these could include longer days or working in the evening to meet professional registration/certification requirements, attend meetings, complete planning and resource creation. Nine interviewees that worked additional hours said that it was not expected, and seven of these noted needing to do so to keep up or fit everything in.

Of those that worked additional hours, five school board-employed therapists mentioned being compensated with time off in lieu while eight said they were not compensated and one interviewee did not mention whether the additional hours were compensated. No-one noted being paid for the additional hours.



Travelling for work

Driving was a feature of the work of the majority of the therapists interviewed, some needing to drive substantial distances either on a daily, weekly, or sometimes termly basis. For Ministry-employed therapists in general, travelling to visit students or schools is a fundamental aspect of the work and formed a larger time commitment than for school board-employed therapists who may need to travel between their base and the school satellites.

For Ministry of Education-employed therapists:

Three Ministry-employed interviewees specified that they drove for around two hours each day. Three interviewees mentioned needing to drive to locations that required an overnight stay to minimise driving at times. Four mentioned that they needed to drive for five hours or more in a day occasionally.

For school board-employed therapists:

Thirteen of the 18 school board-employed interviewees mentioned using their own vehicle to drive to school satellites. Three had use of a school van to drive between sites, or to homes or appointments.

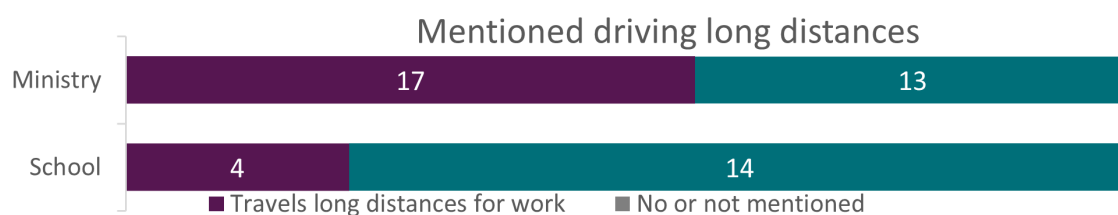


Figure 6: Therapists in the interview sample who mentioned driving long distances

Tiaki work and personal care of students

'Tiaki work' refers to cleaning up human and/or animal bodily waste.

For Ministry of Education-employed therapists:

Twenty-seven of the 30 Ministry-employed therapists did not mention conducting tiaki work. The three who mentioned tiaki work described having to clean up bodily waste at times. Seven interviewees mentioned that their work over the past 12 months had involved the personal care of students such as dressing, bathing, and toileting at times.

For school board-employed therapists:

Eight of the 18 school board-employed therapists did not mention conducting tiaki work. 12 mentioned that their work involved some cleaning up of bodily fluids or waste on some occasions, including saliva, assisting with toileting students, changing wet nappies, or cleaning up vomit or blood. Seven interviewees also mentioned being involved with other personal care tasks for students, including dressing, eg after hydrotherapy sessions, assisting with feeding at times with students who are tube fed, and supporting students with medication needs including oxygen from a ventilator.



Medical appointments and home visits

Fourteen of the 48 interviewees have attended medical appointments with a student and their family. This included helping to explain medical terms used by health professionals to families.

For Ministry of Education-employed therapists:

Thirteen of the 30 Ministry-employed interviewees had made home visits for students or attended medical appointments with them.

For school board-employed therapists:

Fifteen of the 18 school board-employed interviewees had attended home visits or accompanied students to medical appointments.

Conducted home visits

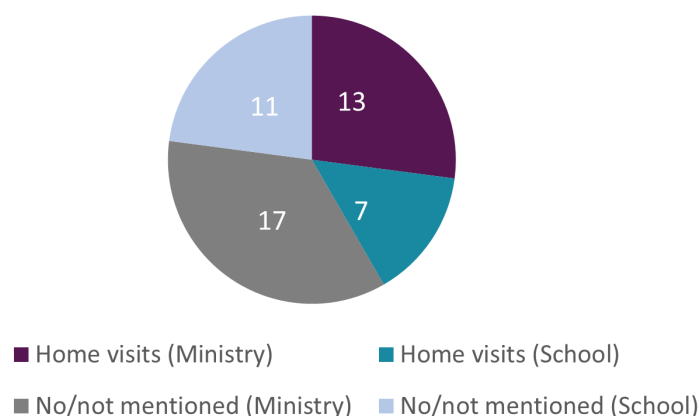


Figure 7: Therapists in the interview sample who conducted home visits

Working conditions

Thirty of the 48 interviewees did not mention being exposed to physical harm in their work. Of the 18 who did, this included being exposed to children that would bite, kick or punch. Of these, 12 were school board-employed therapists, of whom six mentioned being exposed to physical harm at least once a week.

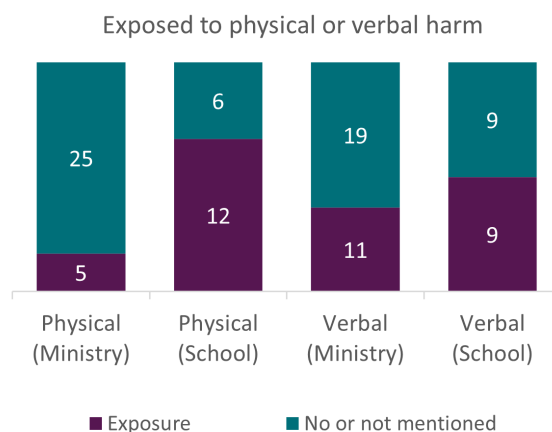


Figure 8: Therapists in the interview sample exposed to verbal or physical harm

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Thirty-three of the 48 interviewees reported working in awkward or confined spaces as part of their work. This mostly included crawling on the ground and working in tight spaces when delivering therapy to students.

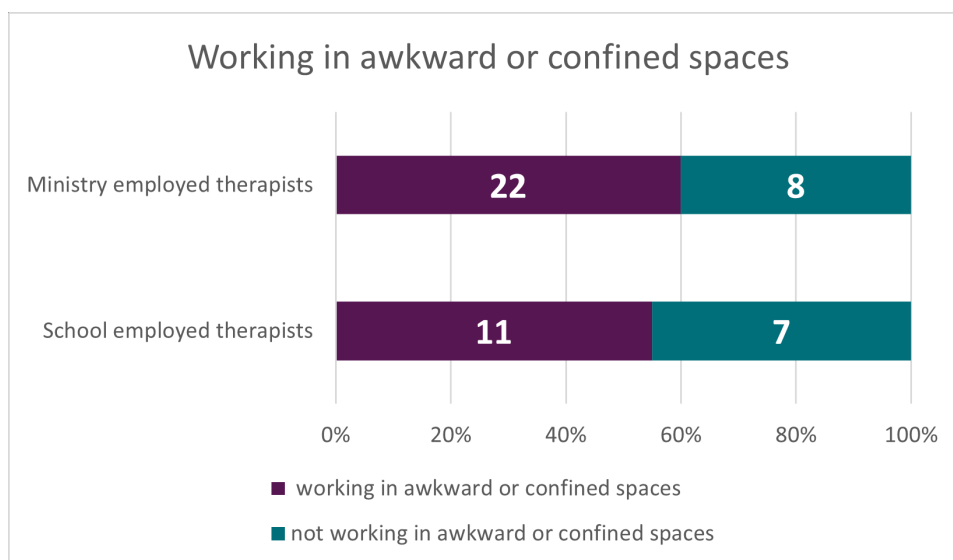


Figure 9: Therapists in the interview sample working in awkward or confined spaces

Selection and investigation of potential comparators

Criteria for selection

To select an appropriate range of comparator roles, the Ministry and NZEI Te Riu Roa agreed on a three-step process to identify a longlist of potential comparators. The process was used during previous education claim investigations:

Step one: identify male-dominated comparator occupations whose work, skills, experience, responsibilities, working conditions and degrees of effort are the same or substantially similar to the claimant group.

Step two: apply the Therapist Claim comparator criteria to create a first draft longlist of potential comparators.

Step three: refine this list by weighting towards potential comparators that are established comparators in settled claims and/or have higher likelihood of participating (accessibility).

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Section 13ZE of the Equal Pay Act specifies the factors for identifying appropriate comparators as:

- » work performed by male comparators that is the same as, or substantially similar to, the work to which the claim relates
- » work performed by male comparators that is different to the work to which the claim relates, if the skills, experience, responsibilities, working conditions, and/or degrees of effort are the same as, or substantially similar to, those of the claimant
- » work performed by any other comparators that the parties consider useful or relevant, including comparators that have been the subject of a pay equity settlement.

As well as consistency with the Act, NZEI Te Riu Roa and the Ministry agreed that the comparator occupations must be:

- male dominated (or a settled female-dominated claimant occupation)
- employed (not self-employed) » of a substantial workforce size (as a preference)
- accessible (collective agreement preferable)
- New Zealand based
- not significantly impacted by COVID-19 (avoid workforces that are essential to New Zealand's COVID-19 response, or that are experiencing job losses due to redundancy or vaccine mandates)
- not currently or recently involved in an industrial dispute.

Method for comparator selection

The initial selection process used the Australia and New Zealand Classification of Occupations (ANZSCO) occupational list which provided a full list of occupations found in New Zealand. Using a combination of census data and individual role research, the list was narrowed down, filtering for the criteria and principles outlined above to exclude female-dominated occupations according to New Zealand Census data, occupations with high numbers of self-employed workers, and small businesses.

The resulting shortlist included a range of occupations around the ANZSCO defined level for therapists, acknowledging that ANZSCO may not provide a precise indication of the level an occupation works at in terms of skills, responsibilities, demands and working conditions and, in particular, the less visible skills recognised through gender-neutral work assessment. Selecting multiple potential comparators at different ANZSCO levels helps to mitigate this. Back-up options for each preferred comparator occupation were also chosen in case the preferred comparator did not agree to participate. The final list also included existing claimant and comparator data gathered during previous pay equity claims to be used if appropriate. This ensured that the full range of work found in the claimant investigation would be covered.

The shortlisting rationale was centred around similarity of work performed, accessibility, usability across the active Ministry claims and consensus between the parties at the longlist stage. Parties agreed on a shortlist of potential comparators on 14 April 2022.



List of potential comparator roles

Potential comparator roles from the agreed shortlist were contacted and invited to participate in the claim. One new comparator group who had not been interviewed for a previous claim, senior scientists, agreed to participate.

Table 1: Shortlisted new potential comparator and rationale

Role	Organisation	Rationale
Senior scientists	Government	<ul style="list-style-type: none">• 61% male dominance• Collective agreement in place• Employed (not self-employed) and of a substantial size• Likely to provide coverage across the level of work therapists

Re-use of settled-claims data

The Ministry and NZEI Te Riu Roa also agreed to use other existing data from the APEC, KPEC, LPEC and SPEC where relevant, including settled claimant occupations whose pay has been corrected to remove sex-based discrimination.

As part of the investigation of these claims, the parties interviewed a range of male-dominated comparator roles as listed in Table 2. These interview transcripts went through the PEAM factor-scoring process. Both work and remuneration comparisons were drawn and agreed between the parties.

The roles are either still male dominated or part of a settled pay equity claim and were seen as likely to contribute to providing good coverage of the range of work in the claim.

Table 2: Previous claim data for possible re-use

Role	Organisation	Rationale
Fishery and senior fishery officer	Government	78 percent male dominance. Also used for the settled APEC, KPEC, SPEC and LPEC
Cadastral surveyor	Government	91 percent male dominance. Also used for the settled SPEC and LPEC.
Librarian and library assistant	Ministry of Education	Settled pay equity claim (LPEC) with undervaluation corrected.
Science technicians	Ministry of Education	Settled pay equity claim (SPEC) with undervaluation corrected.
Administration staff	Ministry of Education	Settled pay equity claim (APEC) with undervaluation corrected.



Data collection process for comparator roles

In June 2022, interviews commenced with senior scientists. The full interview process and outputs mirrored that of the claimant interviews (outlined in previous section of this report). This was fundamental in assuring fair and consistent comparisons during the factor-scoring assessment process.

An online comparator interviewer training session was completed in April 2022 by all interview team members, focussing on the same aspects of the process that were addressed prior to claimant interviews, including:

- a. the pay equity process, use of the PEAM tool, and interview best practice
- b. interviewer skills of enquiry, probing, avoiding leading questions and eliciting examples to reveal less visible skills often undervalued in female-dominated work
- c. creating an environment during the interviews where the interviewees could discuss their work comfortably, in a clear and detailed way
- d. mitigating the risk of personal bias affecting the data-gathering process through a dedicated workshop on unconscious bias and ways to maintain data objectivity
- e. the importance of preserving the wording of the respondent rather than summarising interview content was embedded through providing clear guidelines to interviewers and conducting scribing practice during the training day
- f. the confidential nature of interview content, importance of anonymising interview transcripts by removing names, locations, and any identifying elements, and gaining informed consent by talking through the consent form with interviewees and explaining how their data will be used.

The training day included some lessons learned throughout the claimant interview process from experienced interviewers.

Seven Senior Scientist comparator employees were interviewed in total, along with three of their supervisors.



Factor scoring

Overview of the factor-scoring tool and preparation

The PEAM factor-scoring tool consists of 14 factors which describe the constituent elements that the work entails including the skills used, responsibilities undertaken, experience required, and the conditions and demands placed on someone who is carrying out the work, in line with the question guide used in the claimant and comparator interviews. The below list outlines the 14 factors the PEAM tool addresses:

1. Knowledge Skills
2. Planning and Organising Skills
3. Problem Solving Skills
4. Interpersonal and Communication Skills
5. Bi- and Multi-Cultural Skills
6. Physical Skills
7. Responsibility for People Leadership
8. Responsibility for Resources
9. Responsibility for Organisational Outcomes
10. Responsibility for Services to People
11. Emotional Demands
12. Sensory Demands
13. Physical Demands
14. Working Conditions

The factor scoring was conducted by a panel comprising three NZEI Te Riu Roa representatives and three Ministry representatives as well as a support person who took notes and facilitated. In preparation for the factor scoring, the panel took part in an interest-based problem-solving workshop in which the professional interests of both parties were identified, and common goals highlighted. The session provided a model for constructive negotiation and consensus decision making which is crucial to the process. The assessment panel practiced factor scoring a job description unrelated to the claim to solidify the negotiation skills covered during the workshop.



Overview of the factor-scoring panel process

From the 48 therapists interviewed, the parties jointly selected 24 benchmark roles to assess the range and variety of work performed. These transcripts went into the factor-scoring process alongside six²¹ of the new comparator transcripts.

Claimant and comparator interview transcripts were factor scored in a series of panel discussions conducted in March and April 2023.

The transcripts were assessed against the 14 factors in PEAM. Within each factor, the roles were assigned a level, which aligned with a score. These scores were then tallied up, collated, and analysed. The same process was undertaken for claimants and comparators and individual pre-scoring of the transcripts occurred before panel discussions to avoid group think and bias that might naturally creep in. The panel reached consensus on the scores for each role.

The same process was undertaken when factor scoring comparator data gathered for previous education claims, therefore the scores allocated to existing comparators were accepted for use in this claim.

Therapist work assessment

Agreed PEAM scores for therapists ranged from 496 to 575 points. Different therapy roles and Ministry and school board-employed claimants scored similarly in all factors indicating that the level of skill, experience, responsibility, demands and working conditions were similar across all roles. In particular, all claimants scored highly in the 'knowledge skills' factor, 'interpersonal and communication skills' factor, and the 'responsibility for services to people' factor, reflecting the professional requirements of the work and the importance of the work in enabling students' ongoing access to the curriculum.

Due to the discrete range of work displayed by the PEAM scores and the firmly prescribed professional scope of the roles, a 'profile' score was calculated for the claimants, whereby the modal (or most common) score was taken for each factor, and these were added together. This score helps to reduce the impact of outliers and gives a tighter representation of the level of work required of therapists to be used for comparison (discussed below). The profile score for the claimants is 542.

A PEAM score upper boundary, representing the upper range of the fully competent work of therapists, was also agreed at 566, accepting that individual scores above this limit were due to specific and/or advanced skills and responsibilities beyond the requirements of the majority of the therapy work in schools.

Analysis of the PEAM scores also indicated that a single grade pay scale is an appropriate representation of the claimants' work and that the same scale could be applied to all therapists across both Ministry employees and school board employees if appropriate.

While the therapy roles included in the claim are regulated by existing standards set by their professional bodies, a description of work has been developed as follows to ensure settlement

²¹ The seventh senior scientist transcript was not deemed necessary to score as the transcripts already assessed had shown a consistent role with little variance, indicating the work requirements of the occupation had been covered.



coverage is clear. The draft description, tested with a selection of therapists, employers and associations, is as follows:

Professional therapists covered by this settlement are speech language therapists, occupational therapists, physiotherapists, and music therapists. Therapists apply the scope of their professional practice as set by the applicable regulatory body. Therapists are registered, or eligible for registration, or eligible for membership of, and according to the relevant regulatory body.

Therapists are employed by school boards in state and state integrated schools, and the Ministry of Education/Te Tāhuhu o te Mātauranga to work in education settings including early childhood centres, schools, specialist schools, Kaupapa Māori and Māori Medium education to support ākonga, and tamariki who have an identified need for therapy due to their developmental or disability needs. Ākonga and tamariki may require therapy due to difficulties with communication, cognitive development, and/or the function or movement of the body.

Therapists lead or contribute to the assessment, design, and delivery of therapy or other therapeutic services for tamariki, individuals and/or groups of ākonga to enable them to access the curricula, and to participate and achieve at schools and ECE and in society. In some cases, therapy is provided in the home or wider community. Therapists may provide professional advice and training to whānau, caregivers, colleagues, and education provider staff members. They also provide support with assistive equipment or technology, learning environment modifications, and students' transitions between or out of education settings.

Overview of potential comparator roles

The interview transcripts for senior scientists were also factor scored by the panel. The tight clustering of PEAM scores reflects the fact that this role has one job description and one employer and consequently a profile score was also deemed to be an appropriate representation of the work for this occupation. In addition, it was agreed that two existing male-dominated comparator occupations and occupational groups from the settled education pay equity claims could potentially be used if found to be comparable to the claimants. A summary of the findings for each of these comparator groups can be found below along with the agreed profile or average PEAM scores.



Fishery officer/ senior fishery officer	PEAM profile score: 523
Role overview	Fishery Officers ensure commercial, recreational, and customary groups are compliant with the Fisheries Act 1996. This includes education, inspections, land-based and at-sea patrols, monitoring, intelligence gathering, prosecutions, customary liaison, and data analysis.
Skills	Fishery Officers require a range of soft, physical and knowledge skills, including: <ul style="list-style-type: none"> • In-depth understanding of the relevant legislation and the organisation's policies • The ability to relate to people, use empathy, be able to communicate to a range of people and be flexible to change • De-escalation skills and the ability to judge when to leave a conflict situation.
Responsibilities	Officers are responsible for the enforcement of the Fisheries Act and gaining compliance with it. They are responsible for ensuring that the natural resource is kept sustainable by enforcing compliance of this Act for commercial, recreational and customary fishing. Officers are required to educate those with fishing interests on legislation relevant to them. They are responsible for training, assisting, and planning the work of a network of 'Honorary Fishery Officer' volunteers.
Demands	A high level of resilience is required for the role, as Officers are often dealing with situations of stress and aggression. There is a need for Officers to concentrate on work to avoid injury or offences. A moderate physical effort is required in order to complete the work is required including lifting heavy objects and maintaining a suitable level of fitness.
Working conditions	Officers are required to work on the land, coastal areas, and at sea. Generally, Officers would be in the office for two days per week. Most of the work is conducted outdoors in coastal areas and at sea in vessels. They are exposed to extreme weather conditions, noxious odours, dust and dirt, injury, and noise. Officers are regularly exposed to verbal abuse from the public.
Cadastral surveyor/ senior survey advisor	PEAM profile score: 521
Role overview	Cadastral surveyors set the standards for cadastral surveying of land and ensure compliance with these standards. This includes assessing and validating datasets submitted by external surveyors, investigating errors, writing guidance material, and mentoring internal staff.

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Skills	<p>Cadastral surveyors need to hold a Bachelor of Surveying degree and maintain a professional license.</p> <p>The role involves understanding and applying relevant legislation, regulations, and highly technical surveying knowledge. Surveyors are required to conduct research, make calculations, and interpret evidence when investigating technical issues.</p> <p>They maintain relationships with internal staff through training and mentoring, and with external surveyors by providing advice and guidance. They are required to deliver at times unwelcome and complex information when discussing errors with external surveyors.</p>
Responsibilities	<p>Cadastral surveyors are responsible for monitoring compliance in accordance with the Cadastral Survey Act 2002 and making decisions on behalf of the Surveyor-General.</p> <p>They train and assist internal staff in auditing submitted datasets and investigate ambiguities and anomalies.</p> <p>The role also involves writing technical guidance and providing expert surveying knowledge to external clients as needed.</p>
Demands	<p>The role involves prolonged concentration when working through a complex issue. Cadastral surveyors need to deal with frequent interruptions including phone calls, emails, and queries from internal staff.</p>
Working conditions	<p>The role is office based, with flexibility in working from home.</p> <p>Occasional travel may be required to attend conferences, meetings, or visit survey sites, however most of the role is office based.</p>

Senior scientists	PEAM profile score: 558
Role overview	<p>Senior scientists conduct diagnostic testing to respond to disease outbreaks and support biosecurity. They provide technical expertise, publish scientific research, develop methodology, audit laboratories, lead projects, manage resources, and train and mentor internal staff.</p>
Skills	<p>Senior scientists must hold a PhD in a relevant subject area.</p> <p>The role involves using specialised laboratory equipment and methods and understanding relevant legislation. Senior scientists are required to keep their knowledge up to date through ongoing professional development, reading, and attending conferences. They also publish research in scientific articles and present at conferences.</p> <p>Senior scientists adapt technical information and use appropriate language to explain complex scientific content. They need to use specialised software to process and analyse tests and genome databases. They require the physical skill to work with scalpels on small sample material.</p>



Responsibilities	<p>Senior scientists are responsible for preparing and testing biological samples and developing diagnostic tests for diseases. They oversee and improve processes to optimize laboratory capability. Senior scientists also provide advice to stakeholders and answer queries.</p> <p>They audit the laboratory environment, software, test procedures, and documentation processes and also provide technical oversight, assessment, and feedback on colleagues' work.</p>
Demands	<p>Senior scientists must remain professional during difficult conversations with stakeholders. They may experience mental fatigue when focussing for long periods of time. Errors can be dangerous or costly.</p> <p>A moderate physical effort is required to carry equipment, chemicals, and boxes of samples. They often have to sit or stand in the same position for extended periods of time and may be required to wear full personal protective equipment when working with hazardous materials.</p>
Working conditions	<p>The role is split between a modern office environment and a pressurised laboratory space with noisy equipment and ventilation, noxious odours and potentially dangerous organisms.</p> <p>Senior scientists may work in small spaces, safety cabinets, and freezers.</p> <p>They may have to travel nationally or internationally, including for collecting samples, site visits, meetings, and conferences.</p>
Administration support staff	<p>PEAM average score per grade:</p> <p>Grade 2: 331</p> <p>Grade 3: 399</p> <p>Grade 4: 451</p> <p>Grade 5: 500</p> <p>Grade 6: 570</p> <p>Grade 7: 624</p>
Role overview	<p>School administrators provide a wide range of support to keep schools running smoothly and ensure a safe and productive learning environment for students and colleagues. Administrators ensure teachers have the equipment and resources needed to deliver the curriculum effectively and play a vital role of connecting to the school to the community. The roles vary from financial administrators to sports coordinators to school receptionists.</p>
Skills	<p>Administration staff have strong planning and organisation skills. Good communication and relationship building skills, with the ability to connect with colleagues, external organisations, students, families and the community. They are required to understand and follow school policy and processes to provide an array of services. Administration staff have specialised skills and in-depth knowledge to support the school in their area of expertise such as ICT, finance etc.</p>

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Responsibilities	Ensuring the school, staff and students have the resources and equipment required to foster an effective learning environment. Administration staff assist with or oversee the management and reporting of school and student information and ensure confidential information is treated appropriately. Some administration staff hold people leadership and executive positions, they are responsible for creating a safe and productive working environment for their staff members.
Demands	Administration staff are required to focus and concentrate for sustained periods of time. Some administration staff have public facing roles, they are required at times to de-escalate and find solutions in highly charged emotional situations.
Working conditions	Most administration staff work in an office environment. Some administration staff manage the school's sick bay and look after sick and injured students. In some roles administration staff are on call and are required to work outside normal working hours. Some roles are required to work outside in adverse working conditions. Administration staff can be exposed to verbal abuse.

Librarian/library assistant	PEAM average score per grade: Grade A: 348 Grade B: 461 Grade C: 483 Grade D: 565
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Role overview	Library staff identify information that colleagues and students require, organise the information and make sure people can access it. They do this by helping staff and students find information and resources, planning and managing library services, selecting, and buying books and other items and classifying them, and updating and maintaining electronic resources and databases.
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Skills	Library staff need to be able to evaluate, organise and locate information, have knowledge of te ao Māori and te reo Māori, and have a good knowledge of the range of material in their library. They conduct research, use computerised information systems such as library software, subscription databases and resources for specialist subjects, protect library materials from damage, manage events, and use strategies to engage a wide range of readers.
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Responsibilities	Responsibilities include management, organisation and oversight of the library collection, assisting with learning resources for other departments, and ensuring the collection is kept in good condition and continues to meet the needs of students and teachers. Library staff physically maintain the collection, catalogue and stocktake the resources. They organise a wide variety of activities to engage students, scheduling access to library facilities and resources, set policies and manage the library spaces. Responsibilities also include purchasing resources and other supplies and items needed for the library, managing or administrating a budget, planning and leading class visit lessons, supervising students and supporting students' overall wellbeing.
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Demands	Library work can include lifting, carrying, or moving large or heavy items such as books, shelving and boxes of resources. Librarians may be interrupted often by staff or students needing assistance when they are concentrating on tasks.
Working conditions	Library staff usually work regular school hours. School librarians and library assistants work in school libraries and offices and may travel locally and nationally to community meetings, library conferences and seminars.
Science technician	PEAM average score per grade: Grade 1: 330 Grade 2: 465 Grade 3: 503
Role overview	Science technicians prepare the resources, equipment and learning environment for practical science activities, including storing, monitoring, maintaining and creating resources. They provide planning support, advice and ideas to the science department and support classroom teachers with curriculum delivery.
Skills	They may have to operate specialist apparatus, and research and/or use physical skill to create or repair resources or equipment. Science technicians may use bicultural and multicultural skills to advise staff on conducting particular practical activities. They use knowledge of the science curriculum and in-depth and up-to-date knowledge of health and safety procedures and practices. They also require general administration skills.
Responsibilities	Science Technicians are required to prepare science resources, equipment and learning environments to meet teacher requirements, including clearing away and taking stock of equipment, safely disposing of waste, cleaning and storing science equipment and materials as required, recognising when equipment is missing or in need of repair, and making or organising the repair. They prepare the necessary safety and instruction information for resources, chemical and, equipment for experiments and practical activities and assist the teacher to conduct practical activities during class time. They securely store and label material resources, chemicals, and equipment, create and maintain a range of resources and equipment. They also implement health and safety policies and procedures.
Demands	They may be required to move or lift heavy objects and equipment, and may be interrupted by staff or students needing assistance when they are concentrating on handling equipment or chemicals.
Working conditions	Science Technicians usually work regular school hours. They work with hazardous substances in their role and may work in spaces that have inadequate ventilation. They sometimes work in confined or awkward preparation rooms and storage spaces. They may need to handle dissection material including collecting, separating, storing, cleaning up or disposing of animal carcasses and bodily organs used for class study and dissection.

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Comparison of work and factor scores

The PEAM profile scores of the claimants and potential comparator occupations were considered against each other and confirmed that the level of work of the claimants was the same or substantially similar to that of certain comparators. The table below shows the comparators that the parties agree to be comparable to the claimants (highlighted light purple).

Table 3: Comparators that the parties agree to be comparable to the claimants (highlighted light purple).

Potential comparator	Comparability to the profile score for therapists
Fishery officers	
Cadastral surveyors	
Senior scientists	
Admin (2)	
Admin (3)	
Admin (4)	
Admin (5)	
Admin (6)	
Admin (7)	
Librarian (A)	
Librarian (B)	
Librarian (C)	
Librarian (D)	
Science tech (1)	
Science tech (2)	
Science tech (3)	



Therapist professional requirements, contact terms, remuneration and funding settings

Professional requirements

Therapists are required by their relevant optional or compulsory regulatory bodies to undertake professional development and/or participate in professional supervision to ensure they are up to date with current regulation, practices and registration.

Under the Health Practitioners Competence Assurance Act 2003 (HPCAA) to practise legally as a physiotherapist or occupational therapist you must be registered and hold a current Annual Practising certificate issued by either the Physiotherapy Board of New Zealand (PBNZ) or the Occupational Therapy Board of New Zealand (OTBNZ).

Speech language therapists have an optional self-regulatory professional body, the New Zealand Speech-language Therapists' Association (NZSTA), which issues an Annual Practising Certificate. Those practising as speech language therapists in the education sector must hold registration or be eligible to hold registration with NZSTA.

Music therapists have the option of registering with Music Therapy New Zealand (MThNZ), a self-regulatory professional body that issues an Annual Practising Certificate.

Continuing professional development

The PBNZ requires physiotherapists to take part in a rolling average of 100 hours of CPD across three years and create an annual professional development plan, signed off by a professional peer.

The OTBNZ requires occupational therapists to set at least one goal for each of the 5 key competency areas in every two-year cycle. Each of these goals should have 1-3 CPD activities documented.

Speech-language therapists registered with the NZSTA must gain a minimum total of 180 CPD "units" over three years, representing 60 units annually, with different types of CPD ranging from 2-10 units.

Music therapists registered with MThNZ must take part in a minimum of 20 hours of CPD per year, of which a minimum of 12 hours must be music therapy specific training and development.

Professional supervision

A key competency for physiotherapists registered with the PBNZ is to "recognise when to seek professional support, including peer review." The PBNZ requires physiotherapists holding an annual practising certificate to complete a peer review at least once every three years.

The OTBNZ requires that all occupational therapists receive professional supervision in accordance with the Code of Ethics and the ePortfolio requirements; and that occupational



therapists with a condition or requirement of the recertification programme on their scope of practice receive supervision in accordance with the provisions of the HPCAA. The scope of professional supervision should include input into client care, professional development and support and professional accountability. The term professional supervision incorporates clinical, managerial and cultural supervision. Monthly supervision is recommended as best practice.

The NZSTA requires that all registered speech language therapists participate in a minimum of eight 'units' of supervision per year, which contribute to the 60 units per annum required by the CPD framework and supervision policy.

MThNZ requires that all registered music therapists currently practising attend ongoing supervision, taking place at least monthly with a minimum of 10 hours per year. A supervision log and general reflective statement must be completed as part of the renewal of annual practising certificates. Supervision requirements can be met through individual, group and/or peer supervision.

Funding settings

Ministry-employed therapists are funded under Vote Education, through the Ministry of Education annual budget. School board-employed occupational therapists and physiotherapists are also funded under Vote Education either through schools' operations grants or ongoing resourcing scheme (ORS) funding, or other funding streams, which provides support for students with the highest ongoing levels of need for specialist support. The operations grant covers a school's running costs, including the wages of all non-teaching staff, property maintenance, classroom materials, purchase and depreciation of capital items, leases and rentals and staff professional development. The operations grant is calculated using school rolls and other factors such as deciles (replaced by the Equity Index from January 2023), and it is responsive to roll fluctuations. Speech language therapists who are employed under the PTCA are either employed from teacher staffing entitlement or, if the school is funding additional SLTs, from other school funding sources noted above.

Therapist employment agreements and work patterns

As set out in the introduction, Ministry- and school board-employed therapists are covered by different collective agreements. Physiotherapists, occupational therapists, and speech language therapists employed by the Ministry are covered under the Ministry of Education Field Staff Collective Agreement (Field Staff CA). School board-employed physiotherapists, and occupational therapists are covered under the Kaiārahi i te Reo and Therapists' Collective Agreement (KiTCA). Speech language therapists employed by schools are covered by the Primary Teachers' Collective Agreement (PTCA).

The three collective agreements mentioned above make no reference to music therapists. A review of those identified as music therapists found that they were employed under the designation of an occupational therapist, teacher aide, or teacher and are therefore employed at the time under terms of (or those that mirror the terms of) the KiTCA, PTCA, or the Support Staff in Schools' Collective Agreement (SSSCA)²².

²² SSSCA terms are not included here as a claimant collective agreement as they apply only to one individual.



The KiTCA states that the ordinary hours of a full-time therapist shall be 38 hours per week, Monday to Friday inclusive whilst the Field Staff CA states that an employee shall normally work 37 hours 55 minutes each week Monday to Friday. The PTCA states that employees shall work such hours as may be reasonably required of them to enable them to properly fulfil their responsibilities whether or not such hours exceed 40 hours per week. The normal hours of work for employees should as far as practicable however not exceed 40 hours per week Monday to Friday. In addition, employees are not required to attend school during any time when the school is officially closed for instruction.

Analysis of internal workforce data shows 61 percent of therapists work fewer than 36 hours per week, and 24 percent work fewer than 26 hours per week, demonstrating that many therapists work part-time. On average, school board-employed therapists work fewer hours per week than Ministry-employed therapists: six percent of school board-employed therapists work 35+ hours per week compared to 57 percent of Ministry-employed therapists²³.

Workforce data shows around 87 percent of school-employed therapists and 78 percent of Ministry-employed therapists are employed on a permanent basis.

Table 4: Median working hours for Ministry- and school board-employed therapists

Employment type	Ministry-employed	School board-employed
Permanent	368 (78%)	240 (87%)
Fixed term	23 (5%)	35 (13%)
Secondment	2 (<1%)	0
Casual	79 (17%)	0
Median weekly working hours	Ministry-employed	School board-employed
35+ hours	261 (57%)	17 (6%)
31 <= and <=35 hours	15 (3%)	43 (16%)
21 <= and <31 hours	146 (32%)	114 (41%)
11 <= and <21 hours	30 (7%)	67 (24%)
1 <= and <11 hours	2 (0.4%)	26 (9%)

School board-employed therapists are paid in fortnightly 'payruns' by the Ministry of Education. There are 26 payruns in each calendar year on which an employee can receive pay. Workforce data shows that for 2022, 56 percent of school board-employed occupational, physio and speech language therapists received pay in 25 to 26 payruns. 46 employees (17 percent) received pay in fewer than 10 payruns. This data captures those who may have left or joined the profession part way through the year or taken unpaid leave. Grade B has two possible steps, there are six steps in Grade C, and a range of rates in grade D (ie, no set steps).

²³ Ministry of Education internal payroll data 'Ministry-employed therapists data 2022.xlsx'



Number of payruns in which pay was received by school board employed therapists

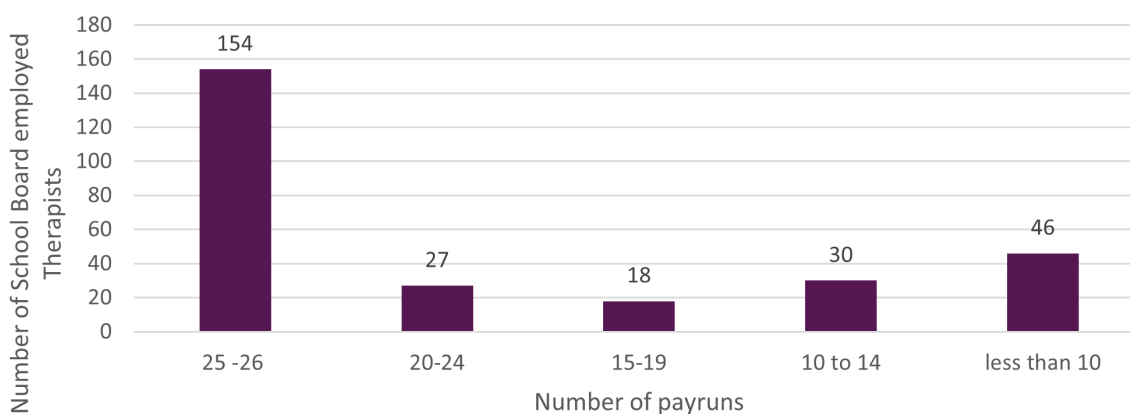


Figure 10: Number of payruns in which school board-employed therapists received pay

Allowances

There are a number of allowances available to therapists. These differ depending on the collective agreement the therapist is employed on or that their individual employment agreement mirrors. The data below details the most common allowances that the workforce receives according to Ministry of Education workforce data for 2022. Employees may receive more than one allowance.

For the Primary Teachers' Collective Agreement

Speech language therapists on the Primary Teachers' Collective Agreement employed in approved types of special classes or schools, are eligible for a special duties allowance of one additional salary step or, if the employee is on or beyond the maximum step of their qualification group, an additional salary of \$995 per annum²⁴. Eighty-seven (78 percent) of the 112 school-board employed SLTs received this allowance in 2022. Four employees received a vehicle allowance.

For the Kaiārahi i te reo and Therapists' Collective Agreement

While the Kaiārahi i te reo and Therapists collective agreement has provision for therapists to claim a tiaki allowance, our data shows that seven of the 163 school board-employed occupational or physiotherapists claimed this in 2022. Six interviewees received a motor vehicle allowance.

Thirty-six (22 percent) of the 163 occupational or physiotherapists received a qualification allowance. Schools also can, and do, pay above the printed collective agreement rate in individual cases, and a salary loading allowance may be used for this purpose. Thirty-one (19 percent) occupational or physiotherapists had received some salary loading in 2022.

²⁴ Primary Teachers' Collective Agreement, Part 3: Remuneration – Education in New Zealand, Clause 3.18



For the Field Staff Collective Agreement

Eighty-one (17 percent) of the 472 Ministry-employed therapists received a te reo Māori and tikanga Māori assessment allowance, where a staff member's skill and knowledge of te reo Māori and tikanga Māori have been assessed by the Ministry and a level of attainment set out in Ministry policy has been reached. The remuneration for each level of competency is set out below²⁵.

Table 5: Remuneration level for each level of competency

Assessment level	Remuneration level
Level 1 (A)	\$3,246
Level 2 (B)	\$2,164
Level 3 (C)	\$1,623
Level 4 (D)	\$1,082

Four employees received a special duties allowance and two received a higher duties allowance.

Salary, steps and progression

Field Staff Collective Agreement: Therapists employed under the Field Staff CA can progress through the pay scale from step F1 to step F12+. The salaries attached to these steps range from \$67,928 to \$115,000 (rates effective 3 April 2023). Employees progress to the next available step up to step F11 on an annual basis on a universal anniversary date of 3 April subject to meeting their agreed performance expectations. Progression to steps F12 and F12+ requires two years' continuous service at the preceding step.

Step	3 April 2023
F1 intern	\$54,628
F1	\$67,928
F2	\$72,928
F3	\$77,952
F4	\$82,928
F5	\$87,928
F6	\$92,928
F7	\$97,928
F8	\$102,928
F9	\$105,000
F10	\$107,000
F11	\$109,000
F12	\$112,000
F12+	\$115,000

Table 6: Field Staff Collective Agreement pay scale

²⁵ Field Staff Collective Agreement clause 3.11



Kaiārahi i te Reo and Therapists' Collective Agreement: There are 11 steps in the salary scale, ranging from \$60,484 to \$90,880 (rates effective from 1 December 2023). School board-employed physiotherapists and occupational therapists are covered by this agreement.

Incremental progress on the pay scale is on an annual basis providing the employer assesses that the employee has met or exceeded the agreed performance objectives for the position.

Table 6: Claimant current pay scale from the latest Collective Agreement for Kaiārahi i te Reo and Therapists.

Step	2 June 2023	Step	1 December 2023
1	\$57,331	1	\$60,484
2	\$58,484	2	\$63,270
3	\$61,270	3	\$66,085
4	\$64,085	4	\$69,059
5	\$67,048	5	\$71,996
6	\$69,899	6	\$74,906
7	\$72,724	7	\$78,004
8	\$75,732	8	\$80,939
9	\$78,582	9	\$83,896
10	\$81,452	10	\$87,511
11	\$84,962	11	\$90,880
12	\$88,233		



Primary Teachers' Collective Agreement: There are 11 steps in the unified base scale, ranging from \$55,358 to \$95,400 (rates effective from 3 July 2023). School board-employed speech language therapists are covered by this agreement.

Progression through the salary steps for SLTs up to the maximum step for the relevant qualification held is on an annual basis from the date of appointment, dependent on competent performance as attested by the principal.

Table 7: Primary Teachers' Collective Agreement pay scale

Step	Qualification Group	Rates effective 3 July 2023
1	Q1E, Q2E, Q3E	\$55,358
2		\$57,544
3 ²⁶	Q3+E	\$59,948
4	Q4E	\$62,133
5	Q5E	\$65,794
6		\$69,776
7		\$74,242
8		\$79,701
9		\$84,178
10	Q1M, Q2M, Q3M	\$90,619
11	Q3+M, Q4M, Q5M	\$95,400

Under the PTCA, after 12 months on the applicable top step of the salary scale SLTs then receive one permanent unit. Until 27 January 2024, permanent units are paid at the rate of \$4,000. From 28 January 2024, permanent units are paid at the rate of \$4,500. They are additional to salary regardless of the level of aggregation and are paid at the substantive rate (ie not divisible) to both full-time and part-time therapists. In 2022, 26 percent of SLTs received this unit.

Remuneration changes over time

Increases in rates: Therapists have salary-based pay. The historical data available for claimants shows an average annual salary percentage increase of three percent from 2013-2023.

Therapist CA	Average annual % increase of min salary 2013-2023	Average annual % increase of max salary 2013-2023
KITCA	2.7%	1.6%
Field Staff CA	4.2%	4.5%
PTCA	2.8%	2.9%

Table 8: Average annual percentage increase in minimum and maximum salary for claimants 2013-2023

²⁶ Typically, an SLT holding a L7 SLT (or other subject or specialist) qualification would now enter on step 3 on the PTCA UBSS in line with the PTCA qualification notation grouping Q3+.



Comparator remuneration

Printed rates detailed in the most recent collective agreements for the comparators along with other remuneration, terms and conditions were investigated and considered alongside the PEAM score comparison work. It should be noted that this part of the analysis only provides a starting point to begin looking at undervaluation. An assessment has been undertaken of the total remuneration and terms and conditions in comparator collective agreements in order to make a full comparison with the remuneration, terms and conditions of therapists.

Table 9: Current printed salaries for potential comparators (2023 rates unless otherwise stated)²⁷

Comparator printed salaries	Top rate (\$) as at 1 August 2023
Fishery officers	99,375
Senior scientists	112,321
Cadastral surveyors	116,760
Science technicians Grade 3	98,842
Administration support staff Grade 5	90,605
Administration support staff Grade 6	98,654
Librarians and Library Assistants Grade D	104,790

Conclusion

The parties considered the PEAM scores and the remuneration and terms and conditions of the claimants, and suitable comparators, and determined that the claimants' work has been subject to historical sex-based undervaluation.

The recent settlement of a new pay scale in the Ministry of Education Field Staff Collective Agreement has resulted in rates which have largely rectified any historic sex-based undervaluation for therapists covered pursuant to this collective agreement. However, undervaluation in remuneration continues for the claimants who are school board-employed. This evidence provides a good basis to consider how solutions may be developed.

²⁷ The pay scales for each comparator group contain different grades or steps, and the 100% competent rate differs for each grade.



Appendices

Appendix 1: Terms of Reference

Therapists' Pay Equity Claim **Terms of Reference**

OCTOBER 2021



Parties

1. The parties to the Therapists' Pay Equity Claim (the Claim) process are:
 - » The Ministry of Education (the Ministry) on behalf of the Secretary for Education acting under delegation from the Public Service Commissioner
 - » New Zealand Educational Institute Te Riu Roa (NZEI Te Riu Roa) on behalf of its members who are Ministry- or Board of Trustees-employed therapists and those who perform the same or similar work.
2. The New Zealand School Trustees Association (NZSTA) is not a party to the claim, but the Ministry will consult with NZSTA as a representative of the Board of Trustees employers who will be bound by any settlement of the Claim.

Background

1. On 6 of November 2020, NZEI Te Riu Roa formally raised a pay equity claim with the Ministry under the Equal Pay Act 1972 for Therapists employed in the education sector and those doing the same or substantially similar work. The Secretary for Education has agreed that it is arguable that the Claim relates to work that is or was predominately performed by female employees; and it is arguable that the work is currently undervalued or has historically been undervalued.
2. The parties note that this process is being undertaken pursuant to the Equal Pay Act 1972 (the Act). The parties acknowledge the long history of the Act and in particular the recent work done by the tripartite group to form the Reconvened Joint Working Group (RJWG) Principles.
3. Every employee of a state or state-integrated school or of the Ministry of Education who performs work that is the same as, or substantially similar to, the work to which the Claim relates, is covered by this Claim. An employee who is covered by the Claim and is not a member of NZEI Te Riu Roa may opt out in the manner prescribed by s13Y of the Act.
4. These Terms of Reference (ToR) specify the pay equity bargaining process that the parties will use and that the parties agree is suitable and sufficient to settle the Claim.

Purpose

1. The purpose of these ToR is to establish the process by which the parties will address the Claim.



2. These ToR describe the pay equity bargaining process for the Claim; they specifically define:
 - » who will take part and how we will work together
 - » what must be achieved
 - » how it will be achieved and the commencement date.

Scope

1. The Claim covers the following positions and those doing the same or substantially similar work:
 - » Speech Language Therapist (Ministry-employed)
 - » Occupational Therapist (Ministry-employed)
 - » Physiotherapist (Ministry-employed)
 - » Speech Language Therapist – designation code S36 (Board of Trustees-employed)
 - » Occupational Therapist – designation code S35 (Board of Trustees-employed)
 - » Physiotherapist – designation code S34 (Board of Trustees-employed)
2. The parties agree that the scope of the Claim may be affected by the outcome of the pay equity investigations; that is the scope may shift to either include or exclude some roles.

Working together

1. As the pay equity claim process is a joint venture between the Ministry and NZEI Te Riu Roa, it is important that we find ways to work together, problem-solve efficiently and in good faith, communicate well and share information.
2. The principles and expectations underpinning our engagement are:
 - » committing to following the process set out in the Act in an effective and efficient manner to resolve the Claim
 - » attending the necessary meetings and meeting as agreed to review progress
 - » recognising the role and authority of the person chosen by each party to be that party's representative or advocate
 - » respecting the independence of each organisation including recognition of each other's specific responsibilities and accountabilities
 - » committing to keeping our respective executive groups and other key stakeholders informed

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- » participating in timely and effective decision-making processes based on a relationship of honesty
 - » negotiating in good faith to settle the pay equity claim
 - » not undermining, or doing anything that is likely to undermine, the bargaining or the authority of another party in the bargaining.
1. A joint working group made up of people from the Ministry and NZEI Te Riu Roa will meet as necessary to discuss and manage:
 - » progress of the claim, and oversight of timeframes and timelines
 - » problem-solving issues and risks, and identifying opportunities for continuous improvement
 - » joint communications
 - » progress through the stages of the Pay Equity Claim process as outlined below
 - » any other business.
 2. Actions and key points arising from these meetings will be recorded and circulated post-meetings to all parties, and joint agreement of these minutes will be recorded. This will make sure everyone is on the same page and any actions have clear ownership.

Resolving matters in dispute

1. Issues will be resolved, wherever possible, at the lowest possible level to where they arise.
2. Any party is able to notify the other and bring in senior staff if it considers this will assist the group's progress.
3. In the event of a disagreement, the parties acknowledge that dispute resolution processes are available, including mediation in the manner prescribed under s13ZO of the Act.
4. If mediation is unsuccessful, a party may progress to dispute resolution through the Employment Relations Authority in the manner prescribed under sections 13ZQ to 13ZZ of the Act.

What must be achieved?

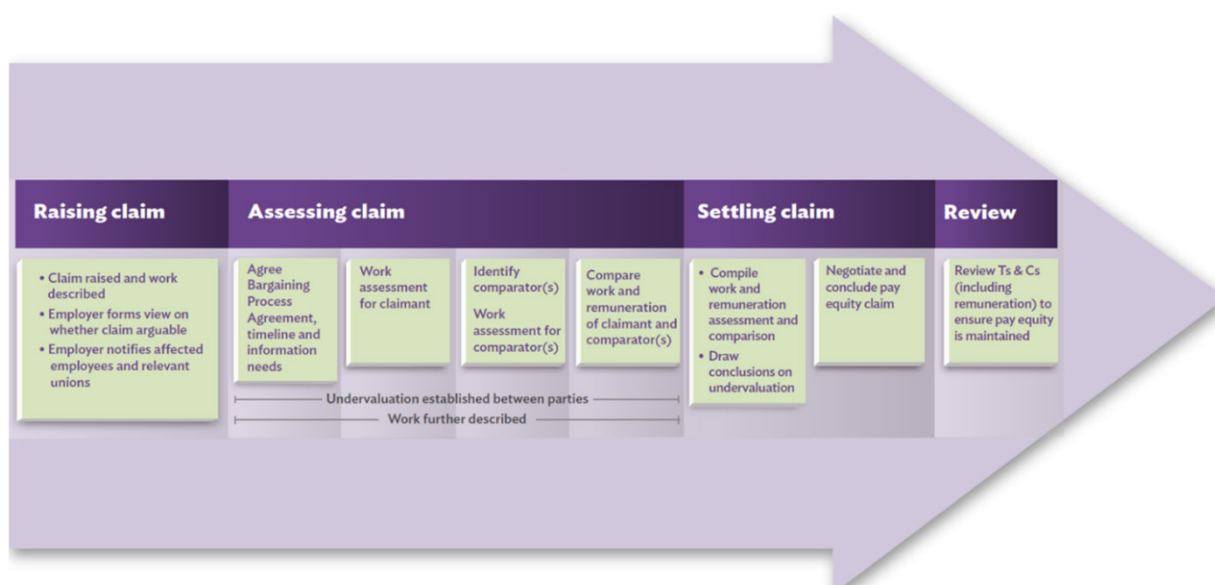
1. The parties to the Claim will determine whether the work of employees covered by the Claim is undervalued by following the process set out in the Act.
2. If sex-based undervaluation is found, the Claim is **settled** when:



- » remuneration is determined that the parties agree does not differentiate between male and female employees in the manner set out in section 2AAC(b) of the Act
 - » a process is agreed to review the employee's remuneration to ensure that pay equity is maintained, including the agreed frequency of reviews
 - » those matters are recorded in writing in accordance with s13ZH(3) of the Act
 - » other terms and conditions of employment are not reduced by the pay equity settlement.
1. A settlement may also include terms and conditions of employment other than remuneration where the parties agree.

How will we achieve it?

1. Once these ToR are signed by all parties, the parties will move through the stages of the pay equity process that work alongside the principles. The stages are:
 - » Raising a claim
 - » Assessing a claim
 - » Settling a claim
2. Parties to this Claim acknowledge that the process for investigating this Claim needs to be undertaken with consideration of other pay equity claims currently being investigated in the education sector.



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1. Parties will endeavour to ensure that the methodology agreed for use to administer this Claim facilitates efficient sharing of data where possible.
2. The diagram on the previous page outlines the three stages in more detail.
3. Parties have agreed to ensure efficient and timely completion of all phases of the Claim process and have committed to achieving settlement as soon as reasonably practicable. This includes consideration of mechanisms to expedite the process by sharing, where possible, the process and data used to investigate and settle other pay equity claims where data is applicable to the Claim.
4. Parties have indicatively agreed to commence the formal assessment process during Term 4 of 2021. The parties have agreed this will be reviewed based on the progress of other claims closer to the time that the assessment process is due to commence.

Raising a claim

1. The parties agree the requirements for raising a claim have been met, and parties have confirmed the Claim is arguable.

Assessing the claim

1. The parties will determine whether the employee's work is undervalued by assessing:
 - » the nature of the work to which the Claim relates, and the nature of comparators, including, in each case, the following:
 - the skills required, the responsibilities imposed, the conditions of work, the degree of effort required to perform the work, the level of experience required to perform the work and any other relevant work features.
 - » terms and conditions of employment (other than remuneration) of the persons who perform the work to which the Claim relates; and of persons who perform comparable work.
 - » the remuneration that is paid to the persons who perform the work to which the Claim relates and the remuneration that is paid to persons who perform comparable work.
 - » any other matters prescribed by regulations for the purpose of section 13ZD of the Act.
2. In making the assessments the parties must consider matters objectively and without assumptions based on sex (and prevailing views as to the value of work must not be assumed to be free of assumptions based on sex); and must recognise the importance of skills, responsibilities, effort, and conditions that are or have been commonly overlooked or undervalued in female-dominated work (for example, social

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and communication skills, taking responsibility for the well-being of others, cultural knowledge, and sensitivity); and must consider the list of factors in s13F(3) of the Act.

1. The stages of assessment are:
 - i. The collection of information about the claimant work from a variety of data sources including collective employment agreements, historical information and claimant and supervisor interviews.

The parties agree that this information-gathering stage needs to be efficient, iterative, flexible, and will establish regular checkpoints to ensure that sufficient information has been collected to gain a comprehensive understanding of the work of the Therapist claimant group.

As this claim involves two workforces (Ministry- and Board of Trustees-employed positions) the parties agree that the work assessment process will consider two samples which are reflective of each workforce.

The parties have agreed to an initial interview sample size of 45 across both Ministry-employed and Board of Trustees-employed Therapists. Interviewees will be drawn from randomly selected workplaces and will be demographically representative of the Therapist claimant group.

Regular checkpoints will be established to review parties' satisfaction with the quality and quantity of data as it is collected, and parties may agree to revise the total number of interviews accordingly as the research progresses.

- ii. Selection of appropriate comparators as prescribed by s13ZE of the Act and according to any other criteria agreed by parties.
 - iii. The collection of information – including through interviews and collective employment agreements – on comparators in order to understand the nature of comparator work, terms and conditions of employment, and remuneration. Where comparators have been chosen from other completed or current pay equity work, a decision will be made as to whether additional interviews for these comparators is necessary or not.
 - iv. Examination of the work of both claimant and comparator roles using a gender-neutral work evaluation tool as the assessment method. The parties have agreed to use the Pay Equity Aromatawai Mahi (PEAM) tool as the assessment method.
 - v. Comparison of the roles covered by the Claim and comparator roles, including the work being performed and the remuneration paid to those performing the work.

Evidence Report

32. As the claim progresses, the parties will work together to produce a report that sets out the process used to assess this claim, and the evidence and information gathered through that process.



33. The methods used for key processes and assumptions made will be described in the report, as well as any conclusions agreed.
34. The report will contain factually recorded evidence and data derived from the assessment of the claim. Should conclusions reached from the evidence gathered differ between the parties, and consensus is not able to be reached, then these areas of difference are to be documented and the rationale for the respective positions articulated.

Settling the claim

35. Both parties expect to draw on this report, along with the body of evidence gathered, to determine whether pay and employment terms and conditions inequities exist on the basis of gender and how these should be addressed, to proceed to settling the claim.
36. This determination involves:
 - i. Concluding whether the remuneration of employees covered by the Claim is affected by sex-based undervaluation.
 - ii. Negotiating and agreeing a new rate(s) of remuneration that does not differentiate based on sex and does not reduce other terms and conditions.
 - iii. Considering whether terms and conditions of employment other than remuneration may require correction.
 - iv. Negotiating and agreeing a process to review the terms and conditions of employment covered by the Claim to ensure that pay equity is maintained, including the frequency of reviews which must be aligned with any applicable collective agreement negotiations.
 - v. Recording any settlement in writing, including the agreed review process.
37. Prior to settling the Claim, NZEI Te Riu Roa must establish a process for employees covered by the Claim to vote on whether to approve or decline a proposed pay equity claim settlement in accordance with s13ZF of the Act.
38. The parties agree to manage communications under the good faith principles of the Employment Relations Act 2000.



Acceptance of the Terms of Reference

Signed by:



11/11/2021

Iona Holsted

Te Tumu Whakarae mō te Mātauranga | Secretary for Education

Ministry of Education



Paul Goulter 16/11/2021

Korimako Tangiata | National Secretary

New Zealand Educational Institute Te Riu Roa



Lorraine Kerr 25 /11/2021

President

New Zealand School Trustees Association



Appendix 2: General Areas of Responsibility (GAR)

Therapists' Pay Equity Claim General Areas of Responsibility

As part of the investigation stage of the pay equity process, interviews* were conducted with a sample of therapist staff (and those who do the same or similar work) and their supervisors across Aotearoa between November 2021 and April 2022 and then again in December 2022 following sector feedback. The information has been analysed and a 'general areas of responsibility' (GAR) document has been developed. This document depicts the range of responsibilities, activities, and tasks that, occupational therapists, physiotherapists, speech language therapists and music therapists employed by the Ministry of Education | Te Tāhuhu o te Mātauranga and School Boards currently perform. It is important to note that the document does not detail the levels of expertise, demand, and effort required. These aspects and factors will be captured during the assessment phase. No one individual therapist role is expected to carry out every activity identified in this document but all therapist staff should see the responsibilities of their role reflected in the general areas of responsibilities identified. The specific examples provided in the parenthesis are illustrative but not exhaustive of the ways in which the responsibility can be fulfilled.

** Please note: these interviews were conducted during the COVID-19 pandemic. As a result, the role may have evolved to include related responsibilities that are relevant to this point in time.*

1. Supporting students with moderate to high ongoing needs

Therapists support and provide hands on therapy, assistance and consultancy services to children and students with differing level of needs from the ages of 0 to 21 years to help them access, participate, and engage in learning. Children and students may have complex multiple disabilities, high health needs, or physical, sensory, or intellectual difficulties. They may also have varying abilities and backgrounds, such as those with deteriorating conditions and challenging home environments. Therapists assess, observe and assist students in a variety of settings, including early education centres and kōhanga reo, schools and kura, communities, and private homes, including those that are high pressure, noisy or confined, to enable students to enjoy the same opportunities and choices in their education as their peers.



Conducting therapy sessions and lessons

- » Developing, implementing and running classroom activities as well as various programmes and therapy sessions for groups of children or one-on-one including hydrotherapy, yoga, play skills, exercise groups, functional cooking classes, sensory groups, sports sessions, and speech groups.
- » Engaging in classroom and physical activities with students such as jumping, running, crawling, singing, poi or playing an instrument.
- » Creating, reviewing and delivering therapy sessions and supporting students online and/or outside of school, including in their homes, gyms, local community sites and swimming pools.
- » Using therapy techniques to educate students on social cues, emotions, behaviours and communication skills.
- » Accompanying students to do activities such as shopping or ordering at a restaurant.
- » Tailoring therapy approach to a child's background, to deliver an equitable service that meets their experiences, culture, needs and wants.
- » Maintaining concentration and managing interruptions during sessions such as student toileting schedules and external appointments.

Enabling accessibility for students to participate in learning

- » Assessing and adapting sessions, activities, a student's learning environment and the curriculum to better meet their needs and to promote inclusion, participation, engagement, concentration, independence, communication, and safety, for example during mealtimes and physical education.
- » Adjusting and moving equipment, furniture or timetabled classes to ensure students are comfortable, have space, have access to low sensory areas, can communicate, and/or won't be fatigued.
- » Catering to specific student needs by developing resources and providing and transporting various equipment to schools.
- » Supporting a student to develop their fine and gross motor skills, including handwriting, using scissors, fundamental movement skills and the use of technology.
- » Assisting with the loading and unloading of students in vehicles.
- » Liaising with the property management team, architects, advisors and contractors to enhance student accessibility at school.
- » Supporting student transitions out of and between schools or to external providers by organising meetings, assisting whānau with visits, facilitating agreement and ensuring signed documentation and that the appropriate equipment, goals, plans, and strategies are in place.



- » Addressing and removing barriers to learning including developing supportive equipment and seating options, inclusive and accessible environments, and providing communication support and strategies.
- » Supporting teachers to understand a child's needs so they can adapt their teaching practices and enable student learning and access to the curriculum.
- » Removing barriers to learning in open plan environments such as meeting auditory needs for learners with diverse needs.

Managing or assisting with student behaviour

- » Observing, assessing and monitoring a student's emotion, behaviour, communication, attention spans, sensory needs, non-verbal cues, pain and comfort levels as well as responses to certain environments and activities and responding appropriately.
- » Understanding, creating, using and helping others to use restriction and de-escalation strategies, safe restraints, sensory based interventions and visual supports to help regulate student emotion, mitigate harm, support engagement and participation, and understand students' behaviour.

Conducting assessments of students and assisting with or completing referrals

- » Selecting and conducting the most appropriate assessments of a child to determine best practice, therapy intervention, eligibility for funding and/or equipment choice.
- » Collecting and analysing data, including phonetically transcribing speech samples, from assessments or ongoing work with children.
- » Screening new students, writing up findings/recommendations and explaining these to teaching staff or families.
- » Acting as a funding accredited assessor to assess a student's needs and provide and arrange the necessary equipment or services.
- » Determining eligibility criteria for accepting new students into the service, including identifying a key worker to work effectively with the student based on their needs.
- » Contributing to students' school reports with a therapy overview.
- » Explaining and obtaining informed consent to gather information, liaise with external agencies, and undertake further intervention or assessment of or activities with a child.
- » Assessing referral requests against a set criterion, including gathering more information when necessary and informing appropriate people of outcome.
- » Identifying the need for and referring students to or requesting appropriate external or internal professional services for a student.



- » Remaining up to date on available services to meet students' needs beyond the scope of the therapist role, including navigating multiple complex systems including the education and health systems.
- » Providing assessments in te reo Māori with support of a Māori cultural advisor.
- » Effectively monitoring students, including collaborating with specialists, when necessary, to pick up on any progress, development and changes such as deterioration.
- » Seeking and gathering information from those involved in a students' care to learn about their needs and being, such as through routines-based interviews and case history.
- » Closing cases with students where appropriate.

Creating and implementing plans

- » Collaborating with students, families, whānau, teachers and other stakeholders to create and implement plans and/or set goals for self and other professionals, staff and families to implement
- » Reviewing, adjusting, tailoring and updating plans, goals, interventions, and programmes to cater to individual student needs, behaviours, and learning styles as they grow and develop.

2. Contributing to the planning, development and delivery of an effective therapy service

Therapists report on and document essential information to ensure the safety and inclusion of children and young people in education. This can be paper-based, electronic, or both. Information needs to be relevant, accurate, complete, up to date, and kept securely. Therapist's plan, develop and improve their therapy services to shape an education system that strives to deliver equitable and excellent outcomes. Therapists need to have an in-depth knowledge and understanding of all relevant legislation, guidelines and policies such as the Human Rights Act 1993, Privacy Act 2020, Children's Act 2014 as well as Ministry of Education guidelines and processes.

Planning and development of service

- » Adapting services, approach and/or equipment to changing situations like COVID-19, a students' skill level and abilities, or the capacity or willingness of the service provider.
- » Experimenting with and implementing various strategies and approaches including the community-based approach, non-reactive approach, preventative model, consultative

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model, the family-centred model of care, and the service delivery model Te Tuapapa o He Pikorua.

- » Contributing to therapy service vision and long-term planning, from an individual student to whole service level, including tracking outcomes with evidence-based outcome measures and re-prioritising when necessary.
- » Developing and customising materials and templates for a diverse audience and to meet specific needs, such as individualised schedules, communication resources, AAC devices, or zones of regulation sheets for students.
- » Coordinating with external organisations and equipment suppliers to improve the delivery and success of the therapy service.
- » Reviewing research material and literature and adapting service to international standards and best practice.
- » Contributing to the school's annual or termly planning, strategic plans and goals.
- » Managing, implementing, or assisting with national, school or service level projects and programmes such as the Alert & Engage programme, the Enviro programme, or developing national property modification processes.
- » Participating in professional or specialised service audits.
- » Reflecting on and evaluating the service provided by exploring ways to improve, be more efficient and reduce waitlists.
- » Contributing to, adapting, developing or overseeing areas of the curriculum such as the physical education, oral language, literacy and maths curriculum.

Guidelines, policies and procedures

- » Understanding, adhering to and balancing relevant guidelines, policies, legislation, professional codes of conduct and practitioner competencies to maintain service standards, including reporting instances of misconduct where necessary.
- » Communicating service initiatives, purpose, role of therapy, developments and alternative approaches to family and school staff.
- » Following and having an in-depth understanding of how the school system functions with the curriculum including the New Zealand Curriculum, Te Marautanga o Aotearoa and/or Te Whāriki.
- » Contributing to, reviewing, adapting, or creating policies, procedures and guidelines in collaboration with principals and other parties such as the Ministry of Education.
- » Researching and evaluating evidence for specific topics to ensure therapy practices and techniques are following an evidence-based model.
- » Referring to documentation or contacting relevant teams to provide correct legal advice and guidance.



- » Explaining and advising others and managing expectations of school and therapy guidelines, policies and procedures, including managing staff expectations of service scope and delivery.

Recording and reporting information

- » Using various software tools to record, store, maintain, manage and communicate information, including writing clinical notes and making referrals, requests and purchases
- » Completing or contributing to concise clinical notes, child development data, formal reports and plans in a prompt fashion and providing these to internal or external parties involved in the student's care
- » Maintaining records under time constraints, evolving schedules, and dynamic workplace expectations
- » Taking manual handling and equipment photos and/or videos to identify, assess and manage risks associated with equipment use and manual tasks such as lifting, lowering, or pulling
- » Securely storing and safely sharing both digital and hard copy confidential student information
- » Ensuring clear documentation including of communication and that it is presentable in case of court proceedings
- » Recording and scoring therapy sessions by taking photos, measurements (height and weight), videos and audio recordings of students to track and monitor progress, modify approaches, and improve future interactions with students
- » Monitoring student attendance, including recording a subjective score of their participation, wellbeing, and learning.

3. Caring for the physical, mental and emotional wellbeing of students

Therapists respond to the wellbeing needs of students and build positive rapport with them in a variety of ways. This can range from supporting students' physical wellbeing such as pain management and assistance with toileting to recognising when a child is at risk and making the appropriate referrals. Therapists may support a student outside of the school setting by accompanying them to medical appointments or visiting them in hospital.



Supporting students' physical, mental and emotional wellbeing

- » Handling and thoroughly cleaning up bodily fluids and excrement when required and notifying others of areas that require cleaning.
- » Monitoring, managing and minimising a student's pain and discomfort and teaching them to do the same, such as those with degenerative diseases, and highlighting areas of health concern that may not have been considered.
- » Assisting and supporting students during mealtimes, including those with dysphagia who require assisted feeding.
- » Measuring, adjusting and reviewing suitability of technology and equipment to the growth, development and changing needs of students, including managing technology issues.
- » Working with students to understand and develop their capabilities and assist with any physical needs.
- » Monitoring, managing and minimising a student's pain and discomfort and teaching them to do the same, such as those with degenerative diseases, and highlighting areas of health concern that may not have been considered.
- » Exploring other components of holistic health to ensure any potential causes of detriment to a student's physical health are identified Working together with health colleagues to support plans and goals for post-surgery and recovery when students are back home and at school.

Providing pastoral care and support

- » Assisting students with day-to-day activities including dressing themselves, managing their belongings and toileting, including preserving one's dignity throughout activities.
- » Empathising with and supporting students at times of emotional stress or grief for example working through the loss of a peer or supporting them through negative feelings of being different.
- » Optimising and ensuring the wellbeing of a student by being attentive to and supporting their ability to communicate their feelings, needs and welfare, using strengths-based language to highlight their capabilities and providing strategies to manage anxiety, self-esteem, and mental health.
- » Advocating for more acceptance of difference and disability, and providing strategies and advice to support children to function in an ableist world.
- » Providing support out of school including attending students' clinic and specialist appointments, visiting students when they are in hospital, and assisting students to access public spaces such as gyms.
- » Resolving issues with a student's care, for example when the needs of the students are not being met, by working with those involved and encouraging them to consider the student's experience.



- » Assisting, providing advice and encouraging students, families and whānau to lead and maintain healthy lifestyles such as increasing activity or movement.
- » Supporting and encouraging a child's voice and rights such as in consultations and letters of recommendation.
- » Recognising and responding when a child indicates a health or safety risk and requires referral to other professionals and agencies, such as Oranga Tamariki, NZ Police, Strengthening Families, and the traumatic incident and crisis team.
- » Liaising with whānau and educators to predict and plan for future physical needs and equipment requirements.

4. Negotiating problems and building relationships with family and whānau, colleagues, professionals, and communities

Therapists work collaboratively in multidisciplinary teams to meet the learning support needs of children and young people. Within the education sector therapists are often a point of contact in relation to the child. They collaborate with teachers, teacher aides, whānau, senior leadership, learning support specialists and other professionals to meet student needs. Therapists also provide a coordinated service with external experts such as child health therapists, orthopaedic surgeons, paediatricians, agencies such as Accident Compensation Corporation, Ministry of Health, and Oranga Tamariki, and organisations such as Accessable, Blind & Low Vision Education Network NZ, and TalkLink Trust. Therapists must communicate complex information clearly and often need to negotiate difficult or emotional situations with a range of stakeholders involved in a child's care.

Building relationships with families and whānau

- » Assisting and advocating for family and whānau in challenging, emotional and high stress situations, such as a child's prognosis, housing issues or a reduction in funding, by offering support, helping to manage emotions and assisting with decision making and being conscious of their own personal bias when building these relationships
- » Collaborating and facilitating conversation and consensus with family and whānau about a child's needs, goals and plan, including encouraging their input, feedback and the discussion of issues, involvement in therapy sessions, as well as seeking guidance and direction where necessary and appropriate
- » Delivering unwelcome and unpleasant information and news to family and whānau such as unavailability of funding or the worsening of a child's condition

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- » Supporting family and whānau with various funding and applications, including grant and housing applications
- » Respecting whānau situations and providing information in a comfortable way for those that may have difficulty communicating and/or are disengaged, lack trust or understanding, including explaining home programmes, encouraging school attendance, and coordinating services
- » Supporting families and whānau to upskill and embed strategies to monitor and improve their child's life and development such as assisting them in recognising signs and implications, giving suggestions, practices to use at home and encouraging and connecting them with other professionals' and services to best advocate for their child
- » Managing siblings or peers during the session who want to participate
- » Managing family and whānau expectations of the child/children and supporting them in cases of unmet expectations
- » Maintaining clear and consistent communication with whānau and/or in-home carers such as sending texts, group chat messages, emails or using platforms such as Seesaw and StoryPark and allowing time in sessions to check in and providing written and verbal summaries of sessions to keep everyone in the loop
- » Accommodating family schedules and needs for example meeting with families outside of standard working hours, online or at their homes
- » Supporting families with meetings and appointments, including providing expert input to ensure accurate diagnosis, and coordinating transportation for families to attend
- » Attending funerals and tangihanga such as when a child passes away
- » Supporting whānau to ensure consistency between school and home environments such as with toileting routines
- » Arranging external and community services such as parent support groups to support whānau.

Building relationships with colleagues and school staff

- » Seeking and/or providing support, guidance and advice and encouraging those who are anxious or reluctant to carry out therapy.
- » Meeting formally and informally with managers, supervisors, or other colleagues to raise or refer issues or ask for advice, including escalating an issue or difficulty when necessary.
- » Requesting assistance from teacher aides, other therapist staff and supervisor and making service requests as required.
- » Seeking feedback from and involving colleagues in discussions to reach consensus, resolve issues and improve therapy delivery Assisting colleagues in emotional or unpleasant situations such as a lack of funding.



- » Trialling different communication styles and approaches with colleagues to support them as effectively as possible.
- » Providing feedback and suggestions on services, processes, approaches and decision making.
- » Building relationships with schools to gain an understanding of the school's culture, teacher ratios and classroom pressures.
- » Promoting a positive team culture including by participating in team building activities, collaboratively solving and negotiating problems and conflict, gaining consensus and regularly checking in with team members and providing positive feedback.
- » Identifying the skills and abilities of other staff to support their delivery of therapy
- » Ensuring that outside information, including from government and external agencies, is shared with those involved in a child's care.

Building relationships with external agencies, professionals and the community

- » Working alongside and influencing other professionals to ensure effective service delivery, including clearly communicating roles and responsibilities and ensuring they understand the child's needs.
- » Consulting, seeking advice and guidance from, and collaborating with external agencies, professionals and the community.
- » Attending and participating in meetings or clinical reviews with external agencies, health providers, and other professionals for example paediatricians, child development team, social workers, physiotherapist, occupational therapists, refugee and Immigrant team.
- » Monitoring school social media pages and websites for correspondence and replying to any queries from the community.
- » Liaising with colleagues and external professionals, including attending appointments and meetings, to procure medical and diagnostic information about a student or to assist with or make referrals, including putting interventions in place for degenerative conditions.
- » Identifying, raising and referring issues to the appropriate services or stakeholders, including suspected child abuse or gang affiliations.
- » Keeping schools informed of changes to the education sector, including COVID-19 policy.
- » Conducting a visit prior to assessment to develop relationships.
- » Advocating for community accessibility in public areas such as sensory play equipment and AAC boards at swimming pools and parks.
- » Ensuring information between government agencies is shared with the team and whānau of the child so the team has all relevant information to plan and implement access to learning.

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Removing barriers to and assisting with communication

- » Adapting and adjusting communication to different audiences such as children, parents and professionals including relaying complex or technical information in an understandable manner such as student reports and medical notes.
- » Employing and supporting others to use a variety of techniques, devices and platforms to communicate effectively with students with diverse abilities, including aided visual displays, phonetic and phonemic transcriptions, Makaton, New Zealand Sign Language and communication devices such as PODD and LAMP.
- » Ensuring that barriers to understanding are minimised or prevented where possible, including actively listening, using silence and pauses, checking and following up on whether it has been understood or seeking support where necessary.
- » Mediating between parties with strained relationships.
- » Bridging cultural and language barriers by working with interpreters and translators to ensure information is received.
- » Observing communication in the classroom, including gaining awareness of non-verbal and body cues, such as the indication of pain or discomfort in students.
- » Handling, communicating and responding to sensitive and confidential information appropriately.

5. Develop, upskill and share relevant knowledge and expertise with others

Therapists equip people with the practical knowledge, skills, and tools to support children and young people. They provide early childhood education professionals, teachers, teacher aides, learning support assistants, SENCO, and parents or carers with strategies and techniques to be embedded into the routines of the school day and at home. Therapists educate, model, and coach on issues and topics, such as operating equipment including wheelchairs, walking frames, and sliding boards, through to moving and handling students including sitting to standing, lateral transfers, and using a hoist. They also provide guidance on using assistive technology including computer hardware, software/applications, hearing, vision, and equipment for physical access, and low-tech or adaptive tools. Therapists often conduct presentations on topics, run group training workshops, and/or provide one-on-one guidance. In order to do this work, therapists are required to continually refresh their own knowledge and expertise as well as maintain professional certification through ongoing training.

Co-ordination and delivery of training sessions

- » Leading or assisting in the design and/or delivery of the therapy programme, workshops, training and follow-up sessions, for whānau and school and centre staff.

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- » Organising and coordinating training sessions and workshops, including teaching others to run sessions, recruiting and organising speakers, booking rooms, ensuring the area is set up and cleaned up and printing resources.
- » Creating, designing and developing professional development opportunities for whānau, peers, teachers, school staff and external organisations.
- » Adapting training to be suitable and engaging for different audiences, from individualised one-on-one sessions to whole school staff meetings or family and whānau groups.
- » Delivering presentations at community functions or events on specialised topics.
- » Participating in, assisting with or leading the induction, training or handover process.
- » Leading or supporting professional body meetings, conferences, expositions and team and staff meetings.

Mentoring, coaching and advising others

- » Sharing knowledge and providing expert guidance, advice and ideas to others, including from own professional development or training sessions, to enhance overall student support and ensure continuity of support in the absence of a therapist.
- » Mentoring and/or formally supervising team members, new graduates or students by providing advice, workload and assessment assistance, sign off for registration or graduate framework and helping them to set goals, improve skills and seek professional development opportunities.
- » Observing, evaluating and providing feedback on and ongoing supervision of the work of teachers, teacher aides, and other adults.
- » Assisting and collaborating with other staff to aid in understanding and the support of student condition/s, goals and priorities as well as the implementation of plans, strategies, activities and programmes.
- » Conversing with colleagues about professional practice and conduct and taking on a coaching role during difficult conversations.
- » Conducting peer review to assist peers in meeting and maintaining accreditation requirements.
- » Modelling behaviour, the use of resources, strategies and building the confidence of colleagues, school staff and whānau to encourage best practice and ensure student needs are met.
- » Monitoring and assessing training outcomes and the implementation of learnings.
- » Teaching staff, parents, and whānau to use therapeutic approaches and ensuring this is continued beyond direct service delivery, including facilitating and mentoring speech groups, completing assessment and identifying goals for these groups.



Professional learning and development

- » Attending and accompanying teams to professional development and refresher training/workshops relevant to the role.
- » Self-seeking and researching professional development opportunities.
- » Undertaking projects in accordance with development plans and progression pathways such as the Skills Progression Pathway (SPP).
- » Upskilling in relevant areas through self-directed study, research, reflective practice, postgraduate study, or seeking continual guidance and learning from colleagues and experts.
- » Completing performance appraisal document to keep up to date on professional goals.
- » Being a member of, or attending and contributing to a relevant committee, network or interest group.
- » Achieving and maintaining own professional membership/certification/accreditation by completing the necessary requirements and preparing documentation for audits.
- » Taking a transdisciplinary approach by assisting, upskilling in and contributing to other therapy areas outside of one's own specialisation.
- » Providing and receiving peer supervision, within and outside the organisation, for example checking cases, providing administrative assistance, discussing difficulties and exchanging ideas.
- » Publishing research papers in journals to contribute to the standards of the profession.

6. Maintenance of resources and equipment

Therapists are responsible for procuring and maintaining resources and equipment for student use. Some examples of resources and equipment used with or provided to students and whānau, include but are not limited to iPads, bendy pens, boardmaker 7, core boards, PDD books, eye gaze, poi, tī rakau, slope and slide boards. Therapists need to be familiar with and use a variety of software, systems, programmes and technology including touch chat, Bluetooth, AAC, Microsoft and Google suite.

Providing access to resources and equipment

- » Ordering, purchasing, and creating equipment and resources such as individualised speech, language, and communication resources.
- » Setting up and demonstrating to students, whānau and kaiako how to correctly use equipment and resources.

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- » Completing and lodging, and assisting others with applications for specialised equipment, resources and systems/applications.
- » Researching, organising quotes, and applying for funding for resources and equipment.
- » Holding responsibility for a range of items including assessment kits, instruments, student devices, symbols, AAC resources; and
- » Reviewing whether current equipment continues to meet needs and support the delivery of plans and achievement of goals.
- » Testing, trialling and updating software, applications and equipment, including assessing which will provide the best solution and writing assessment reports post trial.
- » Providing support and advice to schools and other therapists on the selection and trial of hardware and software for literacy and numeracy support and curriculum access.
- » Researching and identifying available resources or equipment and making a recommendation or a referral/ application for equipment or resources.
- » Liaising with suppliers and health care organisations including AccessAble and Child Development Services (CDS) to source, trial and provide equipment including specialised devices and reviewing results of the trial period.
- » Managing student communication devices, including programming them to specific needs and advocating for device availability in other languages.
- » Using specialised equipment and resources, to assess, engage and assist students.
- » Conducting peer reviews of funding or technology applications and modification report.

Storing and distributing resources

- » Distributing equipment and resources, including liaising with schools and courier companies and other external agencies to organise delivery when needed
- » Collecting equipment and resources and storing them in a safe and appropriate manner
- » Keeping an up-to-date inventory of resources and making sure they are returned or reissued to ensure efficient resourcing, including items out on loan to students and families
- » Encouraging schools to have lists of resources on student plans to ensure loaned equipment remains appropriate, used and maintained
- » Obtaining appropriate sign off on loan equipment
- » Managing resource and equipment needs, including through utilisation forecasting, to ensure availability to whānau and staff.

Cleaning and maintaining resources and equipment

- » Organising or personally undertaking cleaning, maintenance, repairs, adjustments and replacements of equipment.



- » Implementing processes to ensure equipment is properly cared for by other users.
- » Contacting equipment providers and technicians for further information about equipment, including if there are any incidents during trials.

7. Implement and adhere to health and safety practices

Therapists help to ensure a safe and healthy education environment and workplace. They can analyse, assess, and remedy any challenges to ensure people follow best practice and regulations such as when administering medication or during the movement and transportation of students. Therapists can also teach others to improve health and safety conditions in homes, centres, schools, and the workplace. They may do this by creating resources, plans or guides about health and safety processes.

Providing advice, information and guidance

- » Providing advice to and informing staff and whānau on safety procedures such as moving and handling and feeding techniques.
- » Providing advice to school on how to modify the curriculum to ensure safe participation by students.
- » Arranging for the provision of safety restraints for students.
- » Collaborating with, advising and providing resources and training to colleagues on the safety of students in their working environment.
- » Contributing to health and safety meetings, policies, and processes as a member of the Health and Safety Committee.
- » Discussing with parents the available safe restraint options for students, including gaining consent where required.

Following and supporting health and safety procedures

- » Acting as a fire warden during fire drills and emergencies.
- » Managing student medication by administering, recording, ensuring sign off and organising for off site visits.
- » Scanning, identifying and assessing health and safety risks, hazards, issues and emergencies, including mental health issues, and potential future risks and responding in an appropriate manner such as informing or reporting to other staff or correct authority.



- » Adhering to, supporting and adjusting school and student specific health and safety policies, procedures and plans including COVID-19 guidelines.
- » Assisting and supporting school staff in evacuation and emergency procedures, including moving students when necessary and supporting staff to use appropriate communication methods with children in health and safety situations.
- » Managing and ensuring the safe and correct use and operation of equipment.
- » Ensuring student and staff safety at all times and intervening when necessary to prevent harm, including during transfers, transportation, movement and other student behaviour.
- » Applying seat belts and/or harnesses to children in chairs, wheelchairs, or vehicles.
- » Managing and ensuring safe use of school pool.
- » Being aware of and following student safety plans including behaviour, seizure and movement plans.
- » Supporting teachers, teacher aides and other staff members with medical protocols and treatments, such as when a child has a seizure.
- » Administering first aid.
- » Abiding by the New Zealand Building and Access standards to ensure accessibility and adequate evacuation points.
- » Following health and safety procedures and guidelines when planning and conducting out of school and home visits, including keeping diaries up to date with locations, setting up emergency assistance on the phone, and keeping manager up to date on cases where it may be unsafe to travel alone.
- » Supervising work phone and responding to alerts from colleagues.

Health and safety administration

- » Developing and reviewing personalised safety guidelines and plans for students, including in collaboration with other healthcare professionals, such as moving and handling plans and feeding plans, to support the health and safety of staff and students.
- » Conducting risk assessments and safety audits on all equipment.
- » Completing safety and incident reports and forms and ensuring other staff do the same.
- » Preparing and implementing specific first aid plans to meet individual needs.
- » Providing information for safety procedures when student has an assistance dog.



8. Managing workflow and providing people leadership and guidance

Therapists manage their day-to day tasks and activities. They have an overarching understanding of what needs to be completed, how, when, and by whom. They may work across multiple sites and need to travel for work, organise their schedule or caseload and readily adapt to different settings. Some therapists take on leadership responsibilities, which can range from formally supervising other staff members, to coaching less experienced team members and allocating and evaluating work.

Managing workflow

- » Managing own calendar and workload to effectively utilise time by planning caseload, programmes, sessions, activities, collaborative work, such as a creating a team plan, application or programme, playground duty, travel , events and meetings with parents, extended whānau, teachers, therapists, and external services.
- » Adapting and adjusting workflow to ensure equitable service delivery while responding to changing circumstances, priorities, expectations, urgent and ad hoc requests.
- » Ensuring that notes and plans are prepared in advance of an expected absence from work.
- » Supporting staff with students, classroom sessions, activities, and tasks and assisting staff members in class when they are required to be temporarily absent/unavailable due to student behaviour or management issues.
- » Relieving other staff as and when required, including picking up extra cases where possible.
- » Adhering to an ethical framework, including managing conflicting tasks and interventions.

Travel for work

- » Conducting travel for work by operating a motor vehicle and/or travelling by boat or plane domestically, including for appointments, meetings, classes, equipment transportation and to make work related purchases.
- » Organising work travel by arranging and booking transportation and following relevant procedures such as those governing fleet vehicle safety and maintenance.
- » Transporting students to appointments and sessions.
- » Filling up cars with petrol or charging electric vehicles and alerting team if faults are found.
- » Arranging and attending paediatrician, orthotics and audiologist appointments when needed.

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Managing others

- » Managing the therapy team and holding a leadership role within the service, including coaching team members, being a listening ear, managing timetables, evaluating and allocating work and adapting work priorities based on staff attendance.
- » Directly supervising one or more staff members, including in case discussions.
- » Leading or contributing to performance appraisals for other staff members including education support workers, teacher aides and other therapists.
- » Working through issues within a team such as differing opinions, diverse personalities, high staff turnover and high workload.
- » Allocating responsibilities and tasks to staff and volunteers to support therapy delivery, including discussions with school management on how to use teacher aide hours and during the management of a project such as the introduction of Augmentative and Alternative Communication at school.
- » Ensuring that visiting specialists have access to necessary equipment and resources.
- » Assisting with recruitment of new staff, such as creating and posting job advertisements and conducting candidate interviews.

9. Cultivating cultural competencies

Therapists provide support to and work amongst a culturally diverse population. They value and respect Māori and uphold the principles of Te Tiriti o Waitangi. They have an awareness of cultural diversity and can function effectively and respectfully when supporting learners and families of different cultural backgrounds.

Cultural support

- » Sourcing, creating, and providing bilingual and multilingual resources such as information, songs/music, assessments, and communication boards, especially where translations are not appropriate.
- » Being aware of, learning about and advocating for other religious and cultural practices and adapting one's demeanour, behaviour, and approach as needed, including when designing services, engaging, planning, assessing, intervention, strategies, home routines and during home visits.
- » Using a language other than English when greeting people or during conversations and ensuring all names are pronounced correctly.
- » Understanding and implementing Ministry procedures, policies and frameworks for Māori and Pasifika learners.
- » Displaying cultural sensitivity and reminding schools and colleagues of cultural appropriateness.

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- » Engaging with, seeking and following cultural advice and guidance from experts, including kaitakawaenga, Pasifika team, Migrant and Refugee team, interpreters and other cultural support workers to ensure a culturally appropriate service and successful engagement.
- » Advocating for the needs and cultural safety of students and whānau when others' actions do not align with culturally competent practice.
- » Liaising and joint work with cultural advisors, translators and appropriate tikanga to create and review plans.

Tikanga and te reo Māori

- » Honouring tikanga Māori when appropriate.
- » Understanding and giving practical effect to Te Tiriti o Waitangi.
- » Being the kaikarākia during pōwhiri and other gatherings.
- » Using and encouraging te reo Māori in greetings, songs, everyday conversations and music sessions.
- » Understanding and using Māori value systems and frameworks when delivering therapy sessions, for self-care and support, gathering information for assessment, and to guide approaches such as strengths-based and whānau-child centred models.
- » Planning, preparing, and performing pepeha, karakia and waiata and ensure its appropriateness.
- » Providing opportunities for students to engage with Māori culture through kapa haka, poi and weaving.
- » Speaking and giving instructions in te reo Māori to students who speak te reo Māori.
- » Taking part in regular waiata, te reo Māori and karakia groups and marae stays.
- » Being involved in and advocating for the implementation of Ka Hikitia, He Pīkorua and Te Mahau.
- » Participating in and monitoring progress of Tatai Pou cultural responsiveness and competency.
- » Consulting with and providing training to staff and whānau on how to incorporate te reo Māori into augmentative communication.
- » Advocating for equitable practice and cultural safety for Māori whānau and tamariki.
- » Participating in events and cultural celebrations such as Matariki and Māori language week, including providing food.
- » Respecting and upholding the mana of Māori Medium Education environments, including finding an alternative location to conduct assessments if speaking English is required.



10. Contribute towards the effective functioning of the workplace

Therapists work in home, school and office environments and perform a range of activities to contribute to the smooth running of the workplace. These activities support their own work and the work of colleagues, management, students and school staff. Therapists may also undertake financial administration tasks to do with budget, expenditure, grants and funding. They also help to organise or support school activities and events, and provide advice on accessibility in regard to school sites and buildings.

Advising on grounds and buildings

- » Planning, managing, and advising on property assessments, modifications and new builds to increase student accessibility, safety, mobility and participation in routine activities, including writing property modification reports with recommendations and liaising with the Ministry property team throughout the project and approving final design signoff.
- » Coordinating and working with school staff and external contractors during building projects, including architects during the design and planning process.
- » Ensuring buildings are secured when not in use and after hours.

General administration

- » Checking, prioritising and responding to emails, texts and voicemails and making phone calls.
- » Maintaining clear documentation of correspondence including by uploading evidence of interactions onto case files.
- » Obtaining appropriate approval or signoff Coordinating the use of Ministry of Education fleet vehicles.
- » Cleaning and tidying the staff room and equipment storage areas.
- » Creating, updating and revising written or electronic templates, information sheets, programmes, presentations, assessments and documents.
- » Collating, filing and storing hard-copy and electronic information such as inventories, logs, loaned equipment, notes and data.
- » Conducting follow-ups including with applications, referrals, strategic goals and targets, appointments and absences.
- » Organising, ensuring availability and taking minutes for meetings and workshops with school staff and colleagues in line with their timetables and taking minutes including scheduling, booking rooms and any specialised equipment needed e.g., projector for offsite presentations.

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- » Making sure technology and equipment is set up prior to a meeting, session or workshop.
- » Contributing written items to the staff intranet page on specialised topics.
- » Investigating how technology can be better utilised to streamline workflow, including automating tasks and suggesting improvements for the online case management system.
- » Identifying, seeking support for and following up with any IT problems such as when accessing accounts, troubleshooting VPNs or when setting up laptops or phones.
- » Photocopying, scanning, printing and laminating resources and documents as required.
- » Planning, facilitating, and attending activities, workshops, meetings, pōwhiri and training sessions with whānau, colleagues and other stakeholders.

Financial administration and budgetary assistance

- » Contributing to the management and attainment of funds, including exploring and seeking various avenues of funding, writing letters to external providers, advocating for increased funding and liaising with the finance department when necessary to ensure all student needs are met.
- » Overseeing or assisting with the therapy budget to ensure effective use of budgetary allocations including obtaining and forwarding quotes and invoices and advising on future resource needs and associate costs.
- » Managing personal therapy budget and expenditure.
- » Assisting in or making decisions with large financial implications such as property.
- » Discussing available grants and funding and supporting and submitting applications such as for the Ongoing Resource Scheme or Enable.
- » Seeking approval from appropriate authority on expenses over a specified amount.
- » Making school payments and purchases on behalf of the school using a school credit card or using personal funds and claiming reimbursement.
- » Participating in group meetings to moderate funding processes, including teacher aide time requests.
- » Overseeing funding use to ensure agreed goals are implemented.

Organising and attending school wide events, activities and excursions

- » Managing, assisting with or attending school and community events, functions, groups and programs such as fundraisers, fairs, discos, graduation, whānau day, performances and hui.
- » Performing lunch, playground and taxi duties.
- » Assisting teachers with or leading school outings, trips and excursions.

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He mea **tārai** e mātou te **mātauranga**
kia **rangatira** ai, kia **mana taurite** ai ōna **huanga**