

Information for Branch Chairs in Upper, Central and Lower Northland, Auckland and Counties Manukau regions

Teach First NZ appointment process

This is to update you on the outcome of a recent Employment Relations Authority case regarding what is generally known as the Teach First teacher education programme, offered by Auckland University and the Teach First NZ Trust. It will be of most interest to members in schools involved with this programme.

Background

PPTA took the case to enforce the requirement that all teaching positions must be advertised, as required by the State Sector Act and the Secondary Teachers' Collective Agreement. The case was triggered by the appointment of Teach First NZ participants to teaching positions without these positions being appropriately advertised.

Findings

The Employment Authority has ruled in favour of PPTA, and restated that the requirements of the State Sector Act and STCA apply when appointing to teaching positions, i.e. positions that require the instruction of students.

The findings are that:

- 1 Except for short term casual positions, all positions must be advertised, and
- 2 The process of advertising and selecting for positions must be open and the employer must act fairly and independently to select the best candidate for the position from the field of candidates.

The finding upholds an important principle for all PPTA members that the appointments process must be open, fair and transparent.

You can download the decision from the PPTA website.

Immediate outcomes of the findings

No further appointments to any teaching position (other than short term casual positions) should be made by boards without following the requirements of the STCA and the State Sector Act.

With respect to the Teach First appointments made or offered to begin in 2016, the Employment Authority has taken the position that the schools can no longer legally honour these appointments.

If any individual member is adversely affected by this situation PPTA will act to secure remedies for them. Any such member should immediately contact PPTA, enquiries@ppta.org.nz, to advise us of their situation.

Further information

If you would like more information on this issue or would like someone to attend a meeting to discuss it please contact enquiries@ppta.org.nz.

Questions and Answers

1. *Was this case about the merits of the Teach First programme?*

No.

PPTA has been actively engaged with Auckland University from before the start of the Teach First programme. PPTA policy supports proper financial support for students in teacher education programmes and high quality mentoring of teacher education students and new teachers and is always interested in new approaches to teacher education.

The problem was solely an employment issue; that the advertising and appointments requirements of the State Sector Act and the STCA were being ignored by boards so they were employing these participants in positions which required instruction of students, but were not advertising the positions so that trained and qualified teachers could also apply. This practice, while small in scope, had wide ramifications for all secondary teachers in every school across the country.

2. *Did PPTA try to resolve this matter before taking legal action?*

PPTA has been trying to address that employment problem with Auckland University, Teach First NZ and the Ministry of Education since 2011. They were advised that the proposed employment process would be in breach of the STCA and the State Sector Act. Alternative approaches were suggested to allow the scheme to progress without breaching the law. The case was taken as a last resort.

3. *How does this outcome benefit all PPTA members?*

The finding confirms that all that teaching positions must be advertised and that all teachers will have a fair opportunity to show that they are the best person for that job and to be appointed.