



# A UNION OF PROFESSIONALS

VOLUMES ONE & TWO



JUDIE ALISON

# A UNION OF PROFESSIONALS

PPTA Te Wehengarua across two decades of struggle for  
high-quality secondary education in New Zealand

JUDIE ALISON | **VOLUME ONE**



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# Abbreviations and acronyms

<b>A&amp;TSI</b>	Aboriginal and Torres Strait Islander
<b>ACARA</b>	Australian Curriculum, Assessment and Reporting Authority
<b>ACC</b>	Accident Compensation Corporation
<b>ACE</b>	Adult and Community Education
<b>ACECA</b>	Adult and Community Education Collective Agreement
<b>ACER</b>	Australian Council for Educational Research
<b>ACET</b>	Advanced Classroom Expertise Teacher
<b>ACSA</b>	Australian Curriculum Studies Association
<b>ADR</b>	Alternative Dispute Resolution
<b>AE</b>	alternative education
<b>AENB</b>	Alternative Education National Body
<b>AEU</b>	Australian Education Union
<b>AIMHI</b>	Achievement in multi-cultural high schools
<b>AITSL</b>	Australian Institute for Teaching and School Leadership
<b>AO</b>	Advisory Officer
<b>AP</b>	Assistant Principal
<b>ASPCA</b>	Area School Principals' Collective Agreement
<b>ASPTSA</b>	Area School Priority Teacher Supply Allowance
<b>ASTCA</b>	Area School Teachers' Collective Agreement
<b>ATSAG</b>	Auckland Teacher Support Action Group



<b>BERL</b>	Business and Economic Research Limited
<b>BES</b>	Best Evidence Synthesis
<b>BOT</b>	Board of Trustees
<b>CAC</b>	Curriculum Advisory Committee
<b>CAPL</b>	Centre for Assessment of Prior Learning
<b>CIAGE</b>	Career Information, Advice, Guidance and Education
<b>CLASS</b>	Community Learning Association through Schools
<b>CoL</b>	Community of Learning
<b>COPE</b>	Council of Pacific Education
<b>CoS</b>	Community of Schools
<b>CSC</b>	Conditions Strategy Committee
<b>CSD</b>	Curriculum Support Day
<b>CTU</b>	Council of Trade Unions
<b>CYF</b>	Child, Youth and Family
<b>DGS</b>	Deputy General Secretary
<b>DP</b>	Deputy Principal
<b>EAP</b>	Employee Assistance Programme
<b>EBOT</b>	Establishment Board of Trustees
<b>EBS</b>	Education Benevolent Society
<b>ECE</b>	early childhood education
<b>EDUCANZ</b>	Education Council of Aotearoa New Zealand
<b>EFTS</b>	Equivalent Full-time Student
<b>EHSS</b>	Extending High Standards in Schools
<b>EI</b>	Education International

<b>EO</b>	Executive Officer
<b>EPL</b>	Education Payroll Limited
<b>EQC</b>	Earthquake Commission
<b>ERA</b>	Employment Relations Act
<b>EREL</b>	Employment Relations Education Leave
<b>ERO</b>	Education Review Office
<b>EWAG</b>	Education Workforce Advisory Group
<b>EWSG</b>	Education Workforce Strategy Governance Group
<b>FO</b>	Field Officer
<b>FTTE</b>	Full-time Teacher Equivalent
<b>GETS</b>	Government Electronic Tendering Service
<b>GMFS</b>	guaranteed minimum formula staffing
<b>GSE</b>	Group Special Education
<b>HOD</b>	Head of Department
<b>HPTSA</b>	High Priority Teacher Supply Allowance
<b>ICT</b>	Information and Communication Technologies
<b>ICT PD</b>	Information and Communication Technologies Professional Development
<b>IEA</b>	Individual Employment Agreement
<b>IES/Kāhui Ako</b>	Investing in Educational Success
<b>INSTEP</b>	In-Service Teacher Education Practice
<b>ISEA</b>	Independent Schools Education Association
<b>ISTP</b>	International Summit on the Teaching Profession
<b>ITE</b>	Initial Teacher Education
<b>ITF</b>	Industry Training Federation

<b>ITO</b>	industry training organisation
<b>JVP</b>	Junior Vice-President
<b>LAT</b>	Limited Authority to Teach
<b>LGBTIQ</b>	Lesbian, Gay, Bisexual, Trans, Intersex and Queer
<b>LFQG</b>	Leaders' Forum Qualification Group
<b>LLN</b>	Leadership in Literacy and Numeracy
<b>LSC</b>	Learning Support Coordinator
<b>MCEEDYA</b> (previously <b>MCEETYA</b> )	Ministerial Council for Education, Early Childhood Development and Youth Affairs
<b>MEAC</b>	Multicultural Education Advisory Committee
<b>MET</b>	Māori Education Trust – Toitū Kaupapa Māori Mātauranga
<b>MITA</b>	Māori Immersion Teachers Allowance
<b>MMA</b>	Middle Management Allowance
<b>MNA</b>	Managing National Assessment
<b>MOA</b>	Memorandum of Agreement
<b>MOE</b>	Ministry of Education
<b>MP</b>	Member of Parliament
<b>MRG</b>	Ministerial Reference Group
<b>MSD</b>	Ministry of Social Development
<b>MTF</b>	Ministerial Taskforce
<b>NAG</b>	National Administration Guideline
<b>NASDAP</b>	National Association of Deputy and Assistant Principals
<b>NCAE</b>	National Council of Adult Education
<b>NCEA</b>	National Certificate of Educational Achievement

<b>NEA</b>	National Education Association (USA)
<b>NEET</b>	not engaged in employment, education or training
<b>NELP</b>	National Education Leadership Partnership
<b>NETs</b>	Network of Establishing Teachers
<b>NMK</b>	Ngā Manu Kōrero
<b>NZAC</b>	New Zealand Association of Counsellors
<b>NZACDITT</b>	New Zealand Association for Computing, Digital and Information Technology Teachers
<b>NZAIMS</b>	New Zealand Association of Intermediate and Middle Schooling
<b>NZASE</b>	New Zealand Association of Science Educators
<b>NZC</b>	New Zealand Curriculum
<b>NZCER</b>	New Zealand Council for Educational Research
<b>NZCF</b>	New Zealand Curriculum Framework
<b>NZEI (or NZEI TRR)</b>	New Zealand Educational Institute Te Riu Roa
<b>NZPF</b>	New Zealand Principals' Federation
<b>NZQA</b>	New Zealand Qualifications Authority
<b>NZSPC</b>	New Zealand Secondary Principals' Council
<b>NZSTA</b>	New Zealand School Trustees Association Te Whakarōputanga Kaitiaki Kura o Aotearoa
<b>NZTC</b>	New Zealand Teachers Council
<b>OAG</b>	Office of the Auditor-General
<b>OCR</b>	Official Cash Rate
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OHMT</b>	Out-of-Hours Music Teachers
<b>OOHMA</b>	Out-of-Hours Music and Arts Aotearoa

<b>ORRS</b>	Ongoing and Reviewable Resourcing Schemes
<b>ORS</b>	Ongoing Resourcing Scheme
<b>OTT</b>	Overseas-trained teacher
<b>PA</b>	Personal Assistant
<b>PAG</b>	Pathways Advisory Group
<b>PB4L</b>	Positive Behaviour For Learning
<b>PC</b>	Principals' Council
<b>PCT</b>	provisionally certified teacher
<b>PD</b>	Professional Development
<b>PFI</b>	Private Finance Initiative (UK)
<b>PGC</b>	Professional Growth Cycle
<b>PIAC</b>	Professional Issues Advisory Committee
<b>PISA</b>	Programme for International Student Assessment
<b>PLD</b>	Professional Learning and Development
<b>PM</b>	Prime Minister
<b>PPP</b>	Public-Private Partnerships
<b>PPTA</b>	Post Primary Teachers' Organisation
<b>PRG</b>	Payroll Reference Group
<b>PSPA</b>	Public Sector Pay Adjustment
<b>PTA</b>	Parent Teacher Association
<b>PTCA</b>	Primary Teachers' Collective Agreement
<b>PTE</b>	private training establishment
<b>PTSD</b>	post-traumatic stress disorder
<b>PUM</b>	Paid Union Meeting

<b>QPEC</b>	Quality Public Education Coalition
<b>RTL</b>	Resource Teacher of Learning and Behaviour
<b>RTC</b>	Registered Teacher Criteria
<b>SAF</b>	Student Achievement Function
<b>SCG</b>	Schools Consultative Group
<b>SCT</b>	Specialist Classroom Teacher
<b>SEAC</b>	Sex Equality Advisory Committee
<b>SEG</b>	Special Education Grant
<b>SENCO</b>	special education coordinator
<b>SES</b>	Socio-economic Status
<b>SFC</b>	Sixth Form Certificate
<b>SLANZA</b>	School Library Association of New Zealand Aotearoa
<b>SMA</b>	Senior Management Allowance
<b>SOP</b>	Supplementary Order Paper
<b>SPAC</b>	Senior Positions Advisory Committee
<b>SPANZ</b>	Secondary Principals' Association of New Zealand
<b>SPC</b>	Secondary Principals' Council
<b>SPCA</b>	Secondary Principals' Collective Agreement
<b>SQAG</b>	Secondary Qualifications Advisory Group
<b>SRG</b>	Sector Reference Group
<b>SRG</b>	Staffing Review Group
<b>SSS</b>	School Support Services
<b>SSSG</b>	Secondary Schools Staffing Group
<b>STA</b>	School Trustees Association



<b>STCA</b>	Secondary Teachers' Collective Agreement
<b>STD</b>	Satisfactory Teaching Dimension
<b>STP</b>	Secondary-tertiary partnership
<b>SUE</b>	Staff Usage and Expenditure
<b>TALIS</b>	Teaching and Learning International Survey (OECD)
<b>TBS</b>	Top of Basic Scale
<b>TCANZ</b>	Teaching Council of Aotearoa New Zealand
<b>TDA</b>	Teacher Development Aotearoa
<b>TEC</b>	Tertiary Education Commission
<b>TEO</b>	Tertiary Education Organisation
<b>TER</b>	Teacher Education Refresh programme
<b>TEU</b>	Tertiary Education Union
<b>TFA</b>	Teach For America
<b>TiC</b>	Teachers in Charge (of subjects)
<b>TIMSS</b>	Trends in International Mathematics and Science Study
<b>TLIF</b>	Teacher-led Innovation Fund
<b>TOD</b>	Teacher-Only Day
<b>TRB</b>	Teacher Registration Board
<b>TRCC</b>	Teachers' Refresher Course Committee
<b>TRD</b>	Teacher Relief Day
<b>UFB</b>	Ultra-Fast Broadband
<b>UPS</b>	Unified Pay Scale
<b>US CDC report</b>	Centers for Disease Control and Prevention (United States)
<b>VUW</b>	Victoria University of Wellington

<b>WAC</b>	Women's Advisory Council
<b>WEA</b>	Workers' Educational Association
<b>WIPCE</b>	World Indigenous People's Conferences on Education
<b>WRAW</b>	Women's Rights at Work
<b>YANT</b>	Young and New Teachers' Network

## Introduction

This book encompasses the history of the secondary school teachers' union, the New Zealand Post Primary Teachers' Association Te Wehengarua, over roughly the last twenty years, from about 2002. In some areas I provide details from further back because they were not covered in the previous history of the union, David Grant's *Those who can teach: A history of secondary education in New Zealand from the union perspective*.<sup>1</sup> This book is more focused on the union itself than on the changing face of secondary education, although the latter cannot help but come through too.

The chapters are thematic and chronological within each theme, but the book does not take the reader on a single journey from the early 21st century to the present day. Instead, each chapter is a separate journey through the period, whether it be how the union itself has changed as an organisation, or industrial negotiations over the two decades, or the union's leadership in a professional area.

My decisions about what to include have been guided by Lytton Strachey's advice in the preface to his *Eminent Victorians* (1918), in which, among other suggestions of how a historian should go about their task, he wrote that they 'will row out over that great ocean of material, and lower down into it, here and there, a little bucket, which will bring up to the light of day some characteristic specimen, from those far depths, to be examined with a careful curiosity'. There is much that could be told about PPTA's struggles and triumphs over the last twenty years, but I have been able to select only those parts of the story that will most interest the reader and which best show the nature of the union.

### The logic of the book's order

Deciding in what order to tell that story was a challenge. In the end, what seemed most apt was to start with the union itself, how it has changed in the

way it organises itself, operates as a democracy, and meets its members' needs. The reader then learns about the organisation's journey towards a Tiriti relationship. Following this is a chapter titled 'Who leads the profession for secondary teachers?' which recognises the original purpose of PPTA, embodied in its naming as a 'teachers' association', as being to represent the professional interests of secondary teachers. During these twenty years, a succession of registration bodies have been created by governments, each claiming to 'represent teachers', but failing to be seen that way by PPTA members for whom their union is also their professional association.

The Shakespearean-sounding Chapter 4, 'To oppose or improve: that is always the question', canvasses a range of government initiatives over the period, and PPTA's decision-making processes about its response to each. Sometimes these are fine judgements and involve risk: will we be able to turn this sow's ear into a silk purse, or should we simply condemn it from the start?

The book then turns to what for some readers will be the shiniest specimens: industrial negotiations over the period, for secondary schools and for composite/area schools; the struggles and the triumphs, and sometimes the 'best of a bad job' decisions. It seemed appropriate to follow that with the Novopay debacle, because while the union can negotiate the salaries that members will be paid, it has little control over the government's pay processes that determine whether members actually receive the correct amount. The Novopay debacle was a time of almost unbelievable chaos where teachers were not paid at all, or paid too little, or too much, because that responsibility had been handed to a small Australian company that simply could not do the job.

The second volume of the book begins with the struggle for adequate staffing, controls on workload and manageable class size. This is a big chapter because these are complex and highly interrelated issues. It tells of a relentless pursuit of the conditions that enable teachers to do their best work and students to have their best chance of success.

The next chapter is about principals as part of the union. In some countries, governments have even barred principals from being members of their unions, and yet there is evidence that when principals are part of the teachers' union, everyone benefits: principals, teachers, and students. Tomorrow's Schools imposed tensions by making principals into employers

of teachers, and how these tensions have played out over the period is discussed here.

This is followed by a chapter which takes two major crises the union has faced over the period: the succession of earthquakes in Christchurch in 2011 and 2012 and Kaikōura in 2016, and the Covid-19 pandemic from 2020. The stories of how the union has dealt with these crises say much about the union's values and how it supports members in troubled times.

A series of chapters follows canvassing the work of PPTA in a range of professional areas: curriculum and qualifications, professional learning and development, changing school structures, meeting the diverse needs of all students, and more. These chapters are followed by one about the union's international connections, and their value. The final chapter is about a small but highly valued group of members – those who work in adult and community education – and, more recently, in out-of-hours music education.

## **What is PPTA?**

For most of its first fifty years, PPTA was essentially a professional association for secondary teachers, which emerged in 1952 from various earlier teacher groupings.<sup>2</sup> PPTA today is 'a union of professionals'. Brown and Angus use this term to reflect the two sides of such a union's work and the tensions between the two. They argue that in such a union there will be a genuine concern for the welfare of students, an active role being taken in curriculum innovation and school improvement, and collegiate behaviour including a willingness to share resources and experiences to support colleagues, but also a willingness to take direct industrial action in support of just causes despite the risk of contending with those in authority.<sup>3</sup>

The union's full name today is New Zealand Post Primary Teachers' Association Te Wehengarua. For brevity, I have used 'PPTA Te Wehengarua' or just 'PPTA' or 'Te Wehengarua'.

The union's membership varies with the waxing and waning of school rolls over the years, but in September 2022 hovered just under 20,000. This represents a very high proportion of all secondary teachers and principals in state and state-integrated schools, with coverage usually well above 90%. It includes secondary teachers in Year 7–13 and Year 9–13 high schools, but

also in area schools, other composite schools, junior high schools, and intermediate schools.

PPTA is not the largest union in New Zealand, but it is one of the oldest and has a continuous history since 1952, without being part of any mergers or reorganisations. It is also a niche union in that it negotiates only five national collective agreements, unlike some other unions which manage large numbers of collectives and site agreements. It charges a relatively high subscription, but in return provides wide-ranging services to its members. It negotiates pay and conditions, and has input on many professional matters, with just one employer: the government. This means that its fortunes are vulnerable to changes in the complexion of successive governments. This is a very different situation from a blue-collar union covering workers in a wide range of private-sector industries. It means that PPTA must always keep in mind that the employer with whom it is negotiating industrially or professionally has been elected by a majority of New Zealanders, and that its own members' political alignments range right across the spectrum of parties.

The union is its members. Without them it is nothing. It is engaged in a never-ending struggle to deliver in all the areas that matter to its members,<sup>4</sup> while at the same time having to manage their expectations because of the realpolitik of the time. Losing the confidence of the bulk of the membership is a disaster for a union, and elected officials and staff must constantly work to avoid that.

## **Disclosure**

I must at this point disclose my possible biases in writing this history. I was a union activist from pretty much my first day of teaching in 1971, and first held office as branch chair at Gisborne Girls' High School in 1975. I first held national office as a founding member of the Sex Equality Advisory Committee in 1976, under my previous married name of Judie Allum. I had time out from secondary teaching for childcare and other reasons from 1977 to 1984, but taught continuously from then till 2002, holding office as Auckland Regional Secretary, and then from 1994 to 2000 inclusive as an Auckland Executive member. In May 2002, I began work as Advisory Officer (Professional Issues) at National Office in Wellington. I 'retired' in



May 2018, but have continued to do some work for the union since then. From that, the reader can reasonably conclude that I am an ardent PPTA Te Wehengarua supporter!

Nevertheless, I have tried to provide a balanced account. I have had access to the whole of PPTA's electronic filing system, and no one has tried to restrict my access to information. I have been fortunate that virtually everything I have needed has been accessible online. It has also helped to personally know many of the characters who feature here.

It has been very difficult to keep myself out of the book, especially because, in my role, I participated in and reported on many of the events discussed here. Sometimes an 'I' has crept in. I feel it is more honest to do that than to use the rather old-fashioned and distancing 'the author'. However, as a staff member the final decisions were never mine. PPTA is a democracy, with a governing body, Annual Conference, which makes the major decisions about policy and action, and an Executive which makes decisions between conferences.

I am immensely grateful to PPTA for choosing me to write this history. There are many individuals who have helped me in a wide range of ways, and I can mention here only a few: General Secretary Michael Stevenson, for his splendid eye for detail and clear memories;<sup>5</sup> President Melanie Webber for her advice and support; former Deputy General Secretary (DGS) Policy and Advocacy Bronwyn Cross for reading the whole book and giving me wise feedback; former industrial advocate Marion Norton for her advice on the collective agreement chapters; Advisory Officer Rob Willetts for his help with the staffing chapter in particular and with plenty of other details as well; Kaihautū Miriama Barton for her advice on the chapter on Te Tiriti relationship; and last but not least, my cousin Mary Varnham of Awa Press for her initial advice on technical aspects of setting out to write such a book. I also had the pleasure of interviewing several people, and they are referenced in these pages.

Dr Judie Alison

1 Grant, D. (2003), p. 20.

2 Ibid.

- 3** Brown & Angus (1997).
- 4** Such as negotiating pay and conditions, being an effective voice on secondary education, and protecting them from unfair treatment.
- 5** Michael Stevenson left the position of General Secretary in August 2023 to take up a position at Fire and Emergency New Zealand (FENZ). A new General Secretary, Kirsty Farrant, took up the position the same month.

### The union as a complex organism

## Introduction

Many unions, especially those that negotiate large numbers of small collective agreements, can provide their members with little more than negotiation of pay and conditions and representation in workplace conflict, and maintain communications with members through a system of volunteer site delegates (often only one per site).

PPTA Te Wehengarua, on the other hand, has limited its role to representing secondary teachers (whether they are in secondary, area, or intermediate schools), principals in secondary and area schools, and the small group of teachers and coordinators in community education, many of whom are current or former secondary teachers. This means that the union negotiates just five collective agreements: principals in secondary and area schools, teachers in secondary and area schools, and the community education agreement. PPTA chose not to take on the representation of support staff in secondary schools, leaving this role to New Zealand Educational Institute Te Riu Roa (NZEI). This means that PPTA can afford to provide a comprehensive service to its members, and to operate structures for membership participation that would be the envy of many unions.

This chapter describes the main elements of PPTA's structure and how these have changed over the last twenty years. As the chapter title suggests, however, the union is a complex organism in a state of constant change, so this is just part of the story.

## Decision-making structures

### Branches

Branches were the original organising mechanism for PPTA, and they remain the foundation of the organisation. A branch consists of the PPTA members in a particular school, regardless of whether there are 200 members (as in a very large secondary school) or two (as there might be in an intermediate school where most of the teachers are members of NZEI). This is a strength, because many of the conditions of a teacher's working life come not from the Collective Agreement, but from negotiations at the school level. For example, the structure of the school's timetable can be a significant factor in teacher stress if, for example, it has a teacher working with six or even seven different classes during a day rather than the more usual five or fewer. Furthermore, the members in a branch are the people who keep a watch on the school's compliance with the various conditions that are specified in the collective agreement, and who need to act collectively if there is a problem.



**Trevor Wilson receiving Guy Allan Award recognising outstanding branch activism**

In most schools the branch represents over 90% of the teachers, and a well-run branch whose voice is heeded by the school leadership can be a significant factor in both teacher and student wellbeing (because teachers' working conditions are students' learning conditions). Problems can be solved at school level, without the need for intervention by a Field Officer (FO). PPTA provides a wide range of guidelines and kits to help branches negotiate issues within their schools, many of which are discussed in later sections.

Over the years, secondary schools have grown significantly, so a branch can now be much larger than when a big school had about 1,000 pupils. In May 2008, Auckland Executive member Rob Rawstron, who was at Rangitoto College, the largest face-to-face school in the country with over 3,000 students,<sup>1</sup> wrote a paper arguing that it was harder to have an effective branch in large and high-decile schools like his. He believed that such schools used more 'hard-nosed' and 'business-model' approaches to management, and that this tended to lead to lower density of union membership, and different support needs. He recommended that PPTA research the issue, and Executive concurred.<sup>2</sup>



**Gay Simpkin**

Auckland University of Technology's New Zealand Work and Labour Market Institute won the contract, with the Principal Researcher being Dr Gay Simpkin, a former executive member, Advisory Officer, Deputy General Secretary, Field Officer and academic, whose PhD thesis had been a participant study of a PPTA collective agreement round in 1987–1989 for which she had been the lead negotiator. She was already involved in an international research project looking at the links between representative employee participation and its impact on the quality of work environments, so this piece fitted well.<sup>3</sup>

Dr Simpkin began with a literature review published in February 2010. It teased out questions such as 'What do we mean by an "effective branch"?' Perspectives on that differed. PPTA nationally regarded it as a branch that could successfully enforce the collective agreement on its site; where there was evidence of union democracy and participation in the branch; where communication worked, and where there was a working relationship between the principal and the branch. In the branches themselves, the view was more nuanced: an effective branch was seen as having a branch leader who was able to discuss issues with the principal, and a management that followed the Secondary Teachers' Collective Agreement (STCA), but it did not necessarily equate with a perfectly enforced STCA.

The field work was conducted in a sample of nine schools in the Greater Auckland area, with a range of school size, decile, and union density. The intention was to interview both the branch chair and the principal. This could not be achieved exactly, with seven principals and eight branch chairs interviewed in the end. A survey of members in each school was also conducted. Union density ranged from 59% to 100% across the nine schools.

The final report was published in April 2011. Simpkin's overall conclusions were that PPTA branches were:

... well-adapted on the whole to local employment relations. Branches are focussed inwards towards the functioning of the school and rely on the immediate backup of the field office and its officers for support ... There is variation between branches over the extent of local negotiation over interpretation of clauses containing the potential for local difference. Each clause is enforced uniquely to suit the branch ...

She concluded that union effectiveness was not determined by school size nor by decile, but that union density was a determinant. At first, she had thought that management style was also a determinant, but 'later



investigation found that even here the branch adapted to local conditions, including management style, to adopt different strategies in order to maintain union presence in school decision making'. Her report was encouraging: 'Overall, the results indicated a well-functioning union with branches well-adapted to performing their key role in branch-based unionism.'<sup>4</sup>

Recruitment activities were increased following the report. In February 2011, President Robin Duff wrote to all branch chairs to introduce a new recruitment campaign which involved a standardised letter and membership form being given by the branch chair to non-members. This became a standard part of the union's routine.

In a Field Service report to Executive in July 2012, DGS Colin Moore noted that Bronwyn Maxwell, an experienced union activist and until recently Director of the Council of Trade Unions (CTU) Organising Centre, had been appointed to a fixed-term position for a term, based in the Auckland office, 'with responsibility for fostering recruitment and membership activism in the Auckland region'.<sup>5</sup> She reported in October 2012, recommending an eight-step process for working with branches to increase their recruitment activity. A key part of the plan was to always remember that a one-to-one conversation between a member and a non-member was a powerful recruitment tool.<sup>6</sup>

In 2008 PPTA had begun asking members who were leaving the union to complete an exit survey. This was both for teachers leaving the profession, and for teachers leaving the union but remaining in teaching. In April 2011, Senior Vice-President Kate Gainsford, DGS Colin Moore and AO Rob Willetts wrote a joint paper suggesting ways to improve the analysis of data collected through these questionnaires. Improved technology meant that questionnaires could be sent automatically through the membership system, and become an online survey completed anonymously.<sup>7</sup>



**Imelita Faumuina, Tangaroa College Branch Chair or Secretary for 20 years, received the Guy Allan Award in 2020 in recognition of her service to the union.**

The introduction of Representation Leave in an amendment of the Employment Relations Act, Section 18A to provide for appointed or elected delegates having ‘reasonable paid time’ to undertake their union duties appeared to have big potential for branch officials.<sup>8</sup> The General Secretary noted that this had potential to save the union a significant amount of money, considering the amount spent on teacher release for officeholders, including the ability to provide release for the valuable work of branch chairs.<sup>9</sup>

How the provisions might be operated in the schooling sector was raised by PPTA at an early meeting of the new Accord (see STCA 2018, p. 355).<sup>10</sup> However, the General Secretary reported in October 2019 that the Secretary for Education was ‘putting up a fight’ about the application of this

entitlement in education. The previous year, she had commented that the proposed amendment ‘was not intended for teachers’. More recently, with the provision now in force, she had said ‘branch chairs should undertake activities in non-contact time, after school or in the school holidays.’ He summarised the situation as that ‘the Secretary is not keen on funding Executive leave or representation leave more generally.’<sup>11</sup>

Persisting nonetheless, the General Secretary presented a paper on the matter to another Accord meeting, setting out what needed to be resolved.<sup>12</sup> A subgroup was set up to discuss the issue, but in the meantime PPTA issued guidelines for schools about entitlement to union delegate time and how to access it.<sup>13</sup> The subgroup met twice in 2020, with the second meeting including a quite wide-ranging discussion about which the Ministry was to provide a report to the Accord Governance Group.<sup>14</sup> However, the issue dropped off its July agenda and, after that, disappeared. General Secretary Michael Stevenson reported that the issue ‘lacks momentum’ and that NZEI appeared to have decided that it would prefer to pay for its people’s leave ‘to maintain union independence’.<sup>15</sup>

## Regions

Regions were added to the PPTA structure in the early 1960s, as there were too many branches for all to be represented at conferences. In addition to electing someone to represent them on Executive, members in each region elect a regional committee. Regions receive funding from the centre proportionate to their number of members. They can help develop policy through producing papers or remits for consideration at Annual Conference. The Committee must include, as a minimum, a Chairperson, Secretary, Treasurer, a Te Reo-ā-Rohe representative, a Women’s Coordinator, a representative of Establishing Teachers and a Pasifika Coordinator. Any Te Huarahi member whose Rohe is included in the region is ex officio a member of the regional committee, as is the Executive member. Within the region, the Regional Chair, not the Executive member, is the spokesperson on local matters.<sup>16</sup>



**Canterbury Executive member Bernie Lee presents Perry Petelo with a Service Award for 20 years of active membership, dedication to promoting Pasifika student success, and service as the local Komiti Pasifika member.**

In 2000 President Graeme Macann invited regional observers to the May Executive meeting as a trial, and this became an established feature of Executive meetings. Southland Executive member Phil Smith proposed to the July 2001 Executive meeting that this be formalised from February 2002, with two regional officers and one Te Huarahi member invited to attend each Executive meeting. His rationale was that this would build greater understanding of Executive processes amongst regional activists and allow them to see the realities of Executive's decision making.<sup>17</sup> Executive amended his recommendations slightly, removing the reference to a Te Huarahi member and replacing it with a Komiti Pasifika observer coming once a year (perhaps because there were always three Te Huarahi members, plus the Whaea and Kaumātua, at Executive already).<sup>18</sup>

In 2008, Executive agreed to a proposal from Jill Gray, Executive member from Hawke's Bay, that there be a regional young teacher observer invited to each Executive meeting. She argued that the establishment of a Young and New Teacher (YANT) committee (see below) meant they would 'become more structured and therefore more focussed', and that showing their regional representatives how Executive operated would increase

understanding and be empowering. While some regions had already sent a YANT as their observer, this had been rare, and this ensured that a YANT was there as of right.<sup>19</sup> In late 2011, Junior Vice-President Doug Clark convinced Executive that National Office should pick up the full cost of these observers' attendance because of inequities for smaller regions. Executive decided that the costs 'may be met ... with the approval of the Presidential team and the General Secretary',<sup>20</sup> but that approval is now always given.<sup>21</sup>

There are two big national events for regional activists every year. One is annual conference, discussed below. The other is what is currently called the Issues and Organising seminar, preceded by a day of training for regional officers. These events happen near the beginning of the year, to ensure that new regional officers have the skills and knowledge they will need, and to brief regional teams about what the year may hold.



**Jill Gray at conference 2008**

The structure of the regional training event has changed significantly over the years. Prior to 2003, the training of regional officers had predominantly been regional, organised by the Field Service, and focused largely on new officers. A Regional Officers' seminar, with both training and political aspects, was held over a weekend early each year. In 2002, this had been renamed the Membership Activism seminar, signalling a shift in



focus to activism rather than training. The 2002 event was a big success, and it was well timed, given that it took place after the second rejection by the members of a settlement package that Executive had recommended. Its focus therefore was largely on negotiation matters and addressing the divide that had emerged between the Executive and members.<sup>22</sup>



**CLOCKWISE FROM TOP LEFT: Regional Chairs I&O 2008; Auckland Field Officer David Fowle runs a workshop at I&O 2009; PPTA Membership Education Officer Steve Farrow running workshop at I&O 2009; CTU Secretary Peter Conway speaking to I&O 2009**

The Membership Activism Committee recommended that similar seminars, renamed 'Issues and Organising Seminar', be held annually, and this was agreed by Management Committee. At that stage, just the chair and one other activist were to be funded centrally, and other attendees funded

regionally.<sup>23</sup> Over the years, a greater number of activists have been funded centrally.

Executive also decided to expand the training day to include regional chairs, treasurers, Te Reo-ā-Rohe, and a Young Teachers group.<sup>24</sup> Since 2003, the range of regional representatives involved in the training has grown to include secretaries, women's coordinators, Pasifika coordinators, men's network coordinators, and Rainbow network coordinators.<sup>25</sup> The day, now called a Delegate Leadership Development workshop, receives Employment Relations Education Leave (EREL) funding (see union education p. 75).

For Regional Chairs, there is now a third national event, a one-day forum in Wellington in the middle of each year. These began in June 2004.<sup>26</sup> DGS Membership Adele Towgood, who convenes the forum, reports that it gives chairs an opportunity to provide input on current work streams of the Policy and Advocacy team and organising plans of the Field Service. It is also an opportunity to 'top up' any training matters.<sup>27</sup>

## **The Executive**

Members vote annually for 21 regionally elected Executive members, and for a President (a full-time role with a salary paid by PPTA), and for a Junior Vice-President (JVP). Members on the Māori electoral roll now vote for a Māori Vice-President. The immediate past President serves ex officio as the Senior Vice-President for as long as the new President remains in office.<sup>28</sup>

Te Huarahi nominates three of its members to serve on Executive, and the Whaea and Kaumātua are members ex officio. There is also a Komiti Pasifika representative.

Executive generally meets only five times a year. Between these executive meetings, Management Committee, elected by Executive, meets. Management Committee includes one member who is elected as Finance Liaison plus three others, two of Te Huarahi's Executive members, and the President and all three vice-presidents, a group of ten.

This arrangement goes back to the mid-1950s, when a need was seen for a smaller group to attend to the day-to-day affairs of the Association between Executive meetings. Management Committee's responsibilities are

staffing matters, financial and administrative matters, and urgent policy matters, including making decisions regarding unfinished business from Executive meetings. It operates by consensus, and cannot develop new policy, although on an urgent matter, it could make recommendations to Executive for a vote by teleconference, email, Zoom or similar technology. Its minutes are ratified by Executive at its next meeting.<sup>29</sup>

Technology has led to some recent changes. General Secretary Michael Stevenson commented:

Management Committee meetings are few and far between these days due to full Executive Zoom meetings. Certainly, I do not recommend using them to set urgent member-facing policy when a full Executive Zoom is just as easy.<sup>30</sup>

The first day of a full Executive meeting is normally spent in standing committees, where papers are considered and recommendations to Executive settled on. These papers are usually written by staff, often on behalf of committees or networks for which they are responsible, but sometimes by Executive members. Advisory Officers attend these standing committees, to record decisions and, if required, to speak to papers they have written. (They of course have no voting rights.) Some Field Officers attend each Executive meeting and also have speaking rights at standing committees.

This is unusually democratic. In some unions, most staff don't even attend meetings of their Executive/Council, and in many unions all papers come from the Secretary or President or the management team. PPTA Executive members appreciate the participation of staff at their meetings, as long as they don't feel their voices are being drowned out by staff. When the papers go to the full Executive, on the second day, staff may observe the debate but have no speaking rights unless an Executive member asks for a particular staff member to share their speaking slot.<sup>31</sup>





**Executive members 2008**

Executive members may be elected to one or more of the committees that meet separately, as needed. For the two decades covered here, the four major advisory committees, made up entirely of Executive and Te Huarahi members, have been Conditions Strategy (CSC), Curriculum Advisory (CAC), Professional Issues (PIAC) and Political Strategy. There are other committees that comprise combinations of Executive/Te Huarahi members and other members with particular expertise, such as the Surplus Staffing Taskforce, the Staffing Committee, the Senior Positions Advisory Committee, the Middle Leadership Advisory Committee, the Rainbow Taskforce, and the Area Schools Advisory Committee. Some of these are discussed later in this chapter.

The role of an Executive member can be huge, especially if they also serve on one of the major advisory committees, and possibly one or more other committees. This can lead to pressure from the member's school. In February 2016, for example, Hazel McIntosh was forced to stand down from the position of Junior Vice-President which she had held since 2013 because the new principal at her school was refusing to give her leave to attend meetings other than Executive meetings. Hazel eventually resigned, leaving the school with a Head of Science position to fill, and has since partially retired, but remains dedicated to PPTA and still holds regional office in Central Northland.<sup>32</sup>



**Hazel McIntosh, Junior Vice-President 2013–2016**

Unfortunately, the collective agreement does not give any automatic right to leave for purposes other than Executive meetings. Clause 10.1 Association leave requires the employer to grant leave without pay to members elected to the Executive, but makes it discretionary for them to grant leave for subcommittee work (e.g. Management Committee or an Advisory Committee) or when a member is to represent the Association at some other event. It does, however, require them to grant leave to a member elected as President for the term of their office.<sup>33</sup> This presented an interesting conundrum in early 2023. The elected President, Melanie Webber, had to take leave for medical reasons, and while the Executive had the power to appoint Junior Vice-President Chris Abercrombie to be Acting President, the Collective Agreement did not require the JVP's school to release him, because he had not been 'elected'. His school was reluctant to let him take up the presidential role full-time until someone had been found to fill his teaching position.<sup>34</sup>



**Chris Abercrombie, Junior Vice-President since January 2022, became acting President during Melanie Webber's medical leave in 2023**

Most principals support members' participation in union affairs. Some appreciate being better informed about policy developments nationally, through 'chats' with their staff member; some simply see such activism as their colleague making a valuable contribution to education beyond the school gates; some see it as useful professional learning for the staff member.

The Association Rules give an Executive member the responsibility to represent the views of their region(s) at the Executive table, but once a decision has been made, they must advocate Executive's position and the reasons for it to their region. This has proven problematic for some Executive members who have been unwilling to defend one or more Executive position back in their region. The Rule that requires this is Rule 47 (previously Rule 45), which reads: 'All resolutions of the Executive and all acts and things duly done or executed in good faith shall be binding on all members of the Executive whether present at any such meeting or not ...' 35

The Executive Ethics Committee can be asked to investigate and rule on a complaint against an Executive member who is accused of breaching this,

or any other Rule. This is a very rare occurrence, but it is one of the reasons that, at the start of each year, there is a whole day allocated to training of Executive members, with extra time provided for new members. At the Training Day in 2020 a series of case studies on possible breaches of Rule 47 were discussed in groups, in a session run by former DGS Bronwyn Cross.<sup>36</sup>



**2023 Executive. Front row L to R New Māori VP Te Aomihia Taua-Glassie, GS Michael Stevenson, Acting President Chris Abercrombie, Whaea Gazala Maihi.**  
[REBECCA MCMILLAN PHOTOGRAPHY]

## Annual Conference

The supreme decision-making structure of PPTA is its Annual Conference, held in the September/October school holidays. Decisions made there can be rescinded only by another conference decision, or by a referendum of all members.



Most papers for Annual Conference are drafted by staff, with or without input from a committee; however, they may be heavily amended by Executive. In addition, conference delegates may move amendments or additional recommendations, and if these get majority support, they become part of the paper and Executive is bound by them.



**Members at 2008 Annual Conference**

A less common but valuable source of conference papers is regions. A paper in 2008 from the Hutt Valley region raised issues about increasing numbers of disruptive students in classrooms, and the need to adjust the staffing formula to enable teachers to manage them.<sup>37</sup> The paper went to conference with seven substantive recommendations, which were all passed; members from the same region then added three further recommendations, which all passed; subsequently one of these was rescinded and replaced with a new recommendation. The minutes of that conference suggest some very lively debate, with one of the recommendations barely passing: 51 for, 47 against and 2 abstentions.<sup>38</sup>

Less controversial was a paper to the 2012 conference from the Waikato Region titled 'A level playing field? The importance of local funding in financing secondary schools to meet future needs'. The writing of this paper was led by long-time activist Norm Austin. It argued that government funding, while increasing, had not kept up with actual costs, and schools were increasingly dependent on locally raised funds, creating greater inequity between schools. The recommendations were passed en bloc, and unanimously, reflecting the solid research and argument of the paper.<sup>39</sup> The

region also presented a second paper to the same conference, titled ‘School charges – rights, obligations, limits’, which examined what items schools could charge for and called for clearer guidance on this. It started with only one substantive recommendation, but passed easily, with a further three added. The region continued to present papers in 2013 and 2014, pursuing the theme of ‘the growing inequality and polarisation of schools, and the contrast between the amount of money able to be provided in affluent communities as opposed to the struggle faced by schools in poorer areas.’

There are also sometimes remits from regions, and General Business items moved from the floor at conference. Both the Network of Establishing Teachers (NETs) and the Middle Leadership Advisory Committee have their origins in motions from the floor at conference. While this is not the preferred way for new developments to be initiated, a well-researched, well-worded General Business item, preceded by lobbying of delegates, can win the day, and Executive is then bound to act on it.<sup>40</sup>

Conference paper workshops on the first day were introduced in 2002. Such workshops allow delegates to consider and ask questions about additional recommendations or amendments from individual regions. A degree of consensus on papers often emerges, and the recommendations eventually debated can differ from those in the paper as originally circulated.

On the other hand, these workshops still do not ensure that every delegate is familiar with every paper, even when they rise to speak. In an Executive paper to conference in 2009, which was discussed with media excluded, concern was expressed about the need for delegates to have done their homework, giving as an example the embarrassment in 2008 of having ‘secondary teachers publicly demonstrate their unfamiliarity with basic teaching and assessment information in front of the media and guests from the Ministry of Education, Teachers Council, NZQA and ERO’.<sup>41</sup>

The 2009 paper argued, though, that despite such difficulties:

... the presentation of challenging papers on issues of concern to secondary teachers, especially those dealing with professional matters, is critical to the association’s public positioning ... There are regular requests from the media, politicians, academics, libraries and other bodies for copies of particular papers. Visitors to our annual conference from the Australian unions often remark on how impressed they are with the calibre of the professional discussions in contrast to their own conferences which are more narrowly political and industrial.<sup>42</sup>

Over the years since then, efforts have continued to be made to ensure that members engage with the papers and that delegates come to conference well-informed about the issues and their regions' views. Innovations have included summaries of papers being widely circulated, background material being provided on the website, papers being distributed electronically, and previewing of the conference papers in the *PPTA News* prior to conference.

## **PPTA staff**

The union's General Secretary is appointed by the Executive rather than being elected by the members. The Secretary does not have voting rights at Executive or Annual Conference but is deemed to be a member of the Association.<sup>43</sup> Having an appointed General Secretary has given PPTA considerable longevity of Secretaries. In the period covered here, there have been only two General Secretaries: Kevin Bunker, who served from 1987 to November 2014, and Michael Stevenson, who took office in December 2014. (Michael Stevenson left PPTA in August 2023, and was replaced by the DGS Policy and Advocacy, Dr Kirsty Farrant, the same month.)

There are three Deputy General Secretaries (DGSs): one for the Policy and Advocacy team, one for Membership (the Field Service), and one for the Finance and Administration team, all based in National Office. There have been four DGSs (Policy and Advocacy) over the period covered here: Bronwyn Cross 2002–2016, Tom Haig 2016–2019, Yvonne Oldfield 2019–2021, and Kirsty Farrant 2021–2023. The DGS (Membership) was Colin Moore until 2013, followed by Erin Polaczuk 2013–2014, Yvonne Oldfield 2015–2019, and now Adele Towgood. The DGS (Finance and Administration) role has been held by Margaret Kinsey since 2010, after the death of Sammy Saili in February 2009.

Field Officers are distributed across offices in Auckland, Hamilton, Palmerston North, Christchurch and Dunedin, whereas Advisory Officers (AOs) and most of the finance, administration and membership teams are based in the National Office. Portfolios of policy areas are allocated to AOs, who tend to be grouped into a professional team and an industrial team – although there is considerable cross-over.

The AOs, Kaihautū Māori and Communications teams, one or more of the DGSs, and often the General Secretary and the President, meet daily for

a catch-up on political happenings, policy matters, media plans, and the like. Very democratically, matters can be brought to the table by anybody. In recent years a Personal Assistant (PA) has been attending the daily meeting and creates minutes which are sent out widely. The President is based in the National Office. When interviewed, Phil Smith recalled how much he used to enjoy participating in these meetings during his presidency, and the stimulation of being able to bring an idea to a morning meeting ‘and have it shot down, or built on, or asked to do some more thinking and bring it back’. He said, ‘Working with the PPTA staff was one of the highlights of my time as President. It was the best work environment I ever had in my life.’<sup>44</sup>

**Kevin Bunker**    General Secretary 1987 to 2014



Kevin began his work at PPTA in 1979 as a ‘salaries officer’ which in those days meant he was responsible for negotiating teachers’ salaries. He became Assistant General Secretary for a few years, until, on 1 February 1987 he became General Secretary (having acted in the job already for a few months when Graeme Gillespie retired). He retired as General Secretary at the end of 2014 after 28 years in the role, but unionism was in his blood, and he worked as a Field Officer for the Public Service Association until his sudden death in August 2023 while travelling in Europe. In an interview with the author in December 2022, Kevin reminisced about the impact of the Tomorrow’s Schools reforms on the national education system as he first knew it, and how it set the scene for much more difficult union work, having to deal with ‘hundreds of corner dairies’ when representing members. PPTA’s successful battle to defeat bulk funding in the 1990s was crucial because at least salaries and major conditions continued to be negotiated nationally. That was the glue that held the union together,



and over the succeeding years, many advances were made on the back of it. Kevin's death is a great loss to the union movement in New Zealand.

Two other important parts of the National Office team are the Membership and Finance teams. The Membership team ensures that the lifeblood of the association, union subscriptions, keeps flowing in, and the Finance team ensures that the expenditure of that income is as determined by Executive in its annual budgeting process. There are also secretarial staff in the National and Field Offices, and a staff member to manage printing and publishing (although the amount of paper produced by the Association has reduced dramatically over the last twenty years as digitisation has taken over).

## Reviewing the structure

As part of a strategic planning process conducted in 2003, PPTA began a review of its structures, culminating in a 2004 annual conference paper. Driving the review was a concern about a disconnect between the members and Executive that had become apparent during the fraught 2001–2002 collective agreement campaign, when Executive had recommended two different settlement packages to the members and both had been resoundingly rejected, by 56% against the first package and 74% against the second.<sup>45</sup> Executive was forced to ask itself how its perceptions could have become so distant from those of the members.<sup>46</sup>

The review had already led to one outcome, the development of a new PPTA website that would help to improve communication with members, launched at the 2003 Annual Conference. The 2004 conference paper noted:

While not all members have yet logged on, the impact of the website on the way our organisation works is already considerable. The fact that members can have instant access to updates on negotiations and policy documents and advice for particular situations is a very great advantage.<sup>47</sup>

Executive had set up a Structures Committee to oversee the review. In June 2003, it issued a discussion paper to all branches which contained 60 questions and sought responses by early July. This seems, in retrospect, somewhat unrealistic,<sup>48</sup> and it is not surprising that the conference paper was deferred from 2003 to 2004 to allow for further consultation.<sup>49</sup>

Despite all this consultation, wholesale change was not wanted:

There was a recognition expressed that our current structures, based on a branch in every worksite, had generally served us well up to this point. The view was that problems of the recent past stemmed from particular idiosyncratic circumstances rather than fundamental structural weaknesses. But there were at the same time some clear indications of a need to pursue various options where things could be done better.<sup>50</sup>

The minutes of Annual Conference 2004 suggest that there must have been many delegates wanting to speak to the paper, because time for the paper kept elapsing and it was moved down the agenda four times. Its first time up, someone moved that it 'lie on the table', but that was defeated on the voices. Eventually the two Executive recommendations, about seeking a time allowance for branch officials and convening a Boundaries Commission, were passed. Then a motion from the floor about branch officers having an entitlement of up to three days leave without pay (to be reimbursed by the region or National Office) was defeated. Following this, a new motion from the floor making it a branch responsibility to negotiate time for the branch chair through such arrangements as being given non-contacts, having no form class, having fewer duties or no extra-curricular responsibilities managed to get majority support, but only by 55 for, 39 against. Clearly the members were passionate about the issue of time for branch officers, but did not agree on how this could be achieved.<sup>51</sup>

The Boundaries Commission duly met in 2005 and provided an interim report to conference, and then again in 2006, producing a final set of recommendations. This resulted in only a minor change, the replacement of the King Country region with a South Waikato region.<sup>52</sup>

## **Committees and Networks**

The reason for the choice of this chapter's title, 'The union as a complex organism', becomes very clear once one starts to describe the committees and networks and how they all fit together. Some of the Association's committees and networks are based on stages in a teacher's professional life; others are based on identity; yet others on particular areas of expertise. Not only do these groups provide invaluable advice to Executive and communicate information to groups of members, but they also often serve as a launching pad for members who go on to participate in other union

roles. It is noticeable, for example, that the current Executive includes members who started in the young teachers' network quite recently.

The power of the well-timed shoulder tap to move an activist through the ranks cannot be overstated. At the 2022 Annual Conference, Kieran Gainsford, a sixth-year teacher who was already an Executive member from one of the Auckland wards, told me he joined the union on his first day of teaching. Soon after, he attended a Mahi Tika (union education) course for new teachers, and an FO told him about a vacancy as Ward Representative on the regional committee. Soon afterwards, Kieran was speaking at a Labour Party conference against an education remit. The current Ward Representative was there and again the issue of the impending vacancy was raised, so he stood and was elected. After a short time in that role, he was again shoulder-tapped to stand for Executive from his ward and won. Having just reached Executive, Kieran was again shoulder-tapped for the negotiating team because he was young and from Auckland – both useful perspectives.<sup>53</sup>

Another young member, Liam Keegan, had a slightly different story. He joined the union when FOs talked about the value of union membership to students at his teacher education course. He started teaching in Auckland, at a school where the branch was well organised and not in great need of members for its committee. When he moved to an integrated school in a provincial city, however, the branch immediately 'nabbed' him for Secretary, because 'I had my computer at the meeting, so they asked me take the minutes and then they suggested I'd be a good secretary'. He was later made Chair, and then was nominated for a national position on the Information and Communication Technology (ICT) Advisory Committee (see below), which he is greatly enjoying.<sup>54</sup>

This next section provides brief information on some of these committees and networks and how they have evolved over the years.

## **Senior Positions Advisory Committee (SPAC)**

This committee has existed, under its present name, since May 1996. It produced its first conference paper the following year.<sup>55</sup> Its establishment was to some extent a response to the rise of the National Association of Deputy and Assistant Principals (NASDAP), which was perceived by some

in PPTA to position itself like the Secondary Principals' Association of New Zealand (SPANZ): to represent senior leaders without being 'tainted' by being a union, at the same time feeling free to criticise PPTA's performance industrially on behalf of senior leaders.<sup>56</sup>

SPAC members are elected from 10 areas, each consisting of two or three regions. From 2001, the committee moved to an election process that continued the existing two-year terms, but only half its members changed each year.<sup>57</sup> Nomination and election are high-trust processes because there is no electoral roll as such, but it is relatively clear who is a senior leader; nominations are called and voting conducted via a circular to Branch Chairs, who are asked to identify members in their branches 'who are holders of permanent units who have schoolwide responsibilities (i.e. [Assistant Principals] APs and [Deputy Principals] DPs)' and give nomination or voting papers to them.<sup>58</sup>

In 2004, Kate Gainsford, the Executive member responsible for SPAC, proposed a definition of 'senior position' as 'senior managers with schoolwide responsibilities regardless of the number of units held', explaining there was no consistency between schools in the use of titles. She described SPAC as 'a conduit for advice to the Executive', noting that many of its concerns arose from the role senior managers had in 'the practical implementation of STCA provisions in schools to ensure compliance'.<sup>59</sup>

President-elect Debbie Te Whaiti, however, in a paper later that year proposing the suspension of face-to-face meetings of committees as the union dealt with the demands of the eight workstreams established under the 2004–2007 STCA settlement, was far less complimentary about SPAC. Evaluating the various committees and networks, she wrote:

Other committees have been established for representative and political reasons, SPAC being a classic example. There is constant difficulty in finding useful tasks for it to do because it was set up for political reasons, as a counter to NASDAP's threat to drag APs and DPs into SPANZ and on to IEAs.

On the other hand, later in the paper she conceded that SPAC could contribute to the workstreams,<sup>60</sup> and at its one meeting in 2005, the committee did prove its usefulness, especially in its contributions on workload and compliance.<sup>61</sup>

PPTA was invited to meet with the NASDAP Executive in March 2006. Relations were tense. AO Trevor Bleakley commented: 'Dramatic tension was heightened when (DGS Bronwyn Cross) expressed unease about possibly talking frankly to non-members about PPTA strategy.' NASDAP's concerns were about acting-up as principal but not getting paid extra until 14 days had elapsed, workload, and teachers demanding contractual compliance rather than acting with goodwill. It was agreed that '... Roy Fletcher, current convenor of SPAC, will draft a paper dealing with the role and definition of senior management, the process of payment for acting as principal, the need for more management units and the rationale for more ancillary time to deal with straightforward but time-consuming compliance issues, so that senior management could focus more on things that would benefit the teaching staff in their jobs.' The meeting 'ended on a fairly positive note'.<sup>62</sup>

By 2007, it was clear the workstreams were not going to deliver much, and planning for a new collective agreement was well under way. SPAC's budget was increased allowing it to meet four times that year, and its level of activity increased, but despite this, a survey done by SPAC member Roy Fletcher showed that senior leaders' perceptions of how well PPTA represented them were still quite negative. It was decided to ask NASDAP to give SPAC a slot at its next conference, to try to dispel these negative perceptions.<sup>63</sup>

In August 2008, AO Marion Norton reviewed with SPAC what had been gained for senior leaders in the 2007 round of negotiations.<sup>64</sup> This led to heated debate about whether enough had been achieved, particularly around the acting-up provisions and the value of the Senior Management Allowances. Advisory staff explained that negotiations never resulted in winning everything claimed, but some SPAC members continued to express a view that PPTA did not really care about DPs and APs. The staff insisted that the block was 'the lack of a Ministry and government commitment to a career pathway for senior managers' and tried to explain how arduous and frustrating the negotiating process was. DGS Bronwyn Cross called on SPAC members to explain this context to their colleagues. She also 'talked about the role of SPAC and the need to widen the focus past just the issues of conditions in the collective.'<sup>65</sup>



**Senior Positions Advisory Committee 2009**

SPAC meetings in 2009 appeared to be more positive. The committee had developed processes to keep in touch with senior leaders in their areas, through email trees, sessions at DP/AP meetings, and working with NASDAP. This networking continued to be encouraged at later meetings, with SPAC reminded that it couldn't be representative if it had no communication with other DP/AP members in their regions. While there was a brainstorm about collective agreement issues, there was also a lot of discussion about a wide range of current professional issues.<sup>66</sup>

In July 2009, there was a meeting between the PPTA and NASDAP Presidents, Kate Gainsford and Annette Taylor, plus Geoff O'Halloran (SPAC). It went well: Annette Taylor offered to invite the PPTA President to future NASDAP conferences, and to provide a dedicated space in the newsletter for updates from SPAC, and to continue discussions about other ways to cooperate at the regional level.<sup>67</sup>

A pattern of meetings with an industrial update, but also extensive time spent on providing a DP/AP perspective on professional issues and association policies continued throughout 2010 and 2011.<sup>68</sup> SPAC developed a strategic plan to increase its relevancy among its constituency, which required it to act locally, online, and nationally, including increasing its presence at the next NASDAP conference, as part of building and maintaining PPTA's professional profile.<sup>69</sup>

In 2011 and 2012, SPAC helped National Office staff prepare material on how to use the Registered Teacher Criteria in appraisal processes, and arising from this it developed a position on performance pay which went to Executive. There were two recommendations: one rejecting performance pay as inappropriate for a complex role like teaching, and the other declaring that ‘school leaders who are PPTA members will refuse to implement any system of teacher evaluation that involves discriminatory performance pay’.<sup>70</sup>

SPAC minutes show a keen interest in professional learning and development (PLD). SPAC helped with the development of PPTA’s PLD Toolkit, engaged with the Best Evidence Synthesis team from the Ministry, and developed its own policy positions. Another area of interest for the group was property – including modern learning environments and public-private partnerships for building and maintaining schools.

In June 2015, SPAC member Steph Harford gave a presentation about her master’s thesis on leadership development and succession planning.<sup>71</sup> Ministry officials Paul Aitken and Helen Water, who were attending to talk about leadership policies, came early to hear her presentation, and were reported to have been ‘blown away’ by it.

That same year, though, differences with NASDAP reappeared in a letter from its Executive, which included three members of SPAC (Penny Prestidge, Kevin Byrne, and Steve Read). The letter reported on a survey of 430 DPs and APs (82% of whom were PPTA members) highlighting dissatisfaction with PPTA’s advocacy on DP/AP issues, specifically workload, remuneration, conditions, professional development and role recognition. President Angela Roberts told SPAC: ‘It’s no good saying “PPTA doesn’t represent me well” without realising *we* are PPTA and we as SPAC have a responsibility to represent the DP members and all the members effectively.’<sup>72</sup>

The President replied to NASDAP, acknowledging that its letter had ‘stimulated a great deal of discussion’ but that it was difficult, without seeing the source material, to make sense of some of the statistics. She defended the work of SPAC, saying ‘Historically, SPAC has moved from being a committee where advice was sought from time to time to being an important part of our organisation’, and listed many policy areas in which

SPAC had taken the lead over the years, such as property, professional learning, appraisal and leadership policy. She ended by saying:

Feel free to write to us at any time, but if you want to influence PPTA policy the best way is to first ensure that you are a member, and secondly ensure that you engage through the most relevant and effective channels, which in this case is our Senior Positions Advisory Committee. We believe it is a taonga that represents DPs in all their variety fairly and with a keen intelligence.<sup>73</sup>

2016 began with SPAC showing renewed enthusiasm for writing a conference paper that year. Steph Harford had already done some preparatory thinking and led the discussion, agreeing to ‘hold the pen’ along with National Office staff. The paper, ‘From the top corridor to the back field’, was endorsed by Executive at its August meeting for presentation to conference.<sup>74</sup>

The paper described how Tomorrow’s Schools and other policy developments had greatly increased demands on principals, and the workload impacts all the way down the line. Leadership development was vital, but ‘too often left to chance’. All the recommendations were passed with only minor tweaks to the wording. Executive was called on to advocate for increased leadership development opportunities for senior and middle leaders, to develop a Best Practice in Senior Leadership guide, to consider claims for the acting-up allowance to be made consistent with that negotiated for the Kāhui Ako roles, and for increasing the value of management units and senior management allowances in the collective agreements.<sup>75</sup>

Executive asked SPAC to lead the preparation of the Best Practice in Senior Leadership Guide, and this request appears to have been well received. Many ideas about its content were shared, and members stepped up to lead the work between meetings.<sup>76</sup> At its June meeting, SPAC agreed to the framework of the guidelines developed by the subgroup, and worked to develop advice for the different elements of the guide.<sup>77</sup> Six individual guideline publications, on assessment, appraisal, Education Outside the Classroom, restraint, surplus staffing and day relievers, were published on the PPTA website by the end of May 2018.<sup>78</sup> However, while some work was done on a more comprehensive publication, energy to complete that appears to have waned.<sup>79</sup>

The meetings in 2018 and 2019 seemed to be occupied with SPAC members trying to get their heads around the huge range of government



initiatives happening under the heading of Education Conversations/Kōrero Mātauranga. After that, Covid-19 affected plans for face-to-face meetings, although SPAC managed to meet, mostly in person, on 20 March 2020, and then by Zoom in September 2020, September 2021 and August 2022. The August 2022 meeting was largely focused on the NCEA and curriculum reviews, and two teams of Ministry officials came to consult SPAC on development of new criteria for appointment to principalship and revision of the stand-down, suspension, exclusion and expulsion guidelines. Not surprisingly, the impact of Covid-19 on school operations was also a talking point.<sup>80</sup> The second meeting in 2022 appears to have been very busy, with presentations from the Ministry on teacher supply initiatives, the Teaching Council on revision of conduct and discipline rules, and ERO on leadership development. SPAC discussed future action resulting from the anti-streaming paper passed at Annual Conference, progress on the curriculum refresh and NCEA review, and PLD funding. SPAC also managed to do some media training, all within a 9.30 a.m. to 4 p.m. meeting.<sup>81</sup>

## **Middle Leaders**

Two successive groups have represented middle leaders: first a short-term Taskforce then a more permanent advisory group.

### ***Middle Leadership Taskforce***

At Annual Conference 2014, Anna Heinz, a longstanding Nelson activist, moved in General Business: ‘That PPTA establish a taskforce to review the role of middle managers in secondary schools with a particular focus on contribution to achievement, remuneration, responsibilities, status and job size’ and that the taskforce report back to the 2015 Annual Conference.<sup>82</sup> She gave an impassioned speech about the importance of and stresses on middle leaders, giving examples from her own long experience as Head of Faculty for Arts (and Head of Art) at Nelson Girls’ College.<sup>83</sup>

Executive decided the Taskforce would consist of five Heads of Department/Faculty, one member from each of CAC and PIAC, and a member of Te Huarahi who held HOD responsibilities, and be funded for three meetings in 2015 to develop its report to Annual Conference.<sup>84</sup>

However, as the Taskforce didn't meet until July, it decided to report briefly to the 2015 conference and then present a major paper in 2016. The group also decided at its first meeting to change the 'management' in its name to 'leadership' to better reflect current usage and 'the extraordinary breadth of the work our Heads of Department and Heads of Faculty do'.<sup>85</sup>



**Nelson Executive member Anna Heinz**

At the request of the President, Angela Roberts, Anna Heinz became Convenor of the Taskforce in recognition of her role in its inception. Before the first meeting, Anna had started a Google Doc that listed all the tasks that middle leaders did, and the meeting added to it, eventually listing some 80 distinct tasks. Then followed a list of what didn't get done well because of all these tasks, and this included their being teachers of three to five classes on top of their leadership role. This was a recurring theme: namely that they were expected to lead a group of teachers at the same time as needing to be exemplary teachers themselves. The task analysis became the basis for a detailed submission to PPTA's Workload Taskforce.<sup>86</sup>

The Taskforce's conference paper in 2016 reported on a survey of members it had conducted late in 2015, from which over 4,000 responses had been received.<sup>87</sup> Forty per cent of respondents stated that they would not apply for a middle leadership position, largely because the workload was too high for the time available, and the increased pay was insufficient

for the extra responsibilities. This was a very worrying statistic in terms of future supply of middle leaders.<sup>88</sup>

In July 2017, the Taskforce turned its attention to the upcoming collective agreement round, trying to determine the relative value of more units and/or more time attached to units and/or more monetary value for units, finally recommending to the Conditions Strategy Committee that the claim include all of these, in some form. It also recommended to Executive that PPTA establish a permanent group representing middle leaders, as for senior leaders and principals. Since it could not reach consensus on whether Deans should be included in the group, that was left to Executive.<sup>89</sup>

Executive decided to establish a Middle Leadership Advisory Committee including Deans, with the same regional representation as SPAC but appointments to be made by the President and General Secretary because there was no way to define a middle leader for an election process.<sup>90</sup>

### ***Middle Leadership Advisory Committee***

There was high interest in the new committee from members, with 31 nominations for the 12 positions.<sup>91</sup> Two members of the Taskforce carrying on into the new group provided continuity, but Anna Heinz did not seek nomination. The committee was ‘a cross-section of middle managers, Deans, HODs, TiCs (teachers in charge of subjects) and Principal’s Nominees.’ Matters discussed during 2018 and 2019 included producing a job description for the Dean role because it was interpreted and resourced so differently across schools, the new funding for subject associations (called Networks of Expertise by the Ministry), performance appraisal, the need for a national curriculum advisory service, STCA negotiations, the NCEA review, and wellness and life balance.<sup>92</sup>

In 2020 Covid-19 struck, but the group continued to meet. An interesting topic in the May 2021 meeting was the lack of administrative assistance for middle leaders, and the opportunity costs of the work having to be done by the leaders themselves.

In May 2022, staffing shortages were a big issue, with curriculum leaders having to support teachers teaching outside their field because positions could not be filled with suitably qualified teachers. The committee was also trying to keep on top of curriculum and qualification developments but

communications with Ministry officials seemed to be somewhat haphazard and staff changes affected continuity. A handbook about the Dean's role, which had been an important project for the Deans on the committee, was being developed for publication.<sup>93</sup>

## **ICT Advisory Committee**

An Executive paper to Annual Conference 2003 raised a wide range of issues about the growing use of ICT in schools and the educational and industrial impacts of this on teachers. It called for a collective agreement claim to the effect that for every hour of online teaching, a teacher receive a minimum of three hours non-contact. It also called for members required to be available by email outside normal school hours to be able to access time in lieu, and for an extra 0.2 staffing for every school to allow a teacher to act as ICT Network Administrator. Viewing the paper from a post-Covid world is illuminating, with its reference to 'online learning' limited to the rural networks using videoconferencing facilities to teach small numbers of students whose schools could not offer certain subjects. Its call for 0.2 staffing per school to maintain the network is equally revealing. More prescient, perhaps, were the concerns about the 'digital divide', something which became highly evident as New Zealand entered the pandemic. The paper also contains a section on health and safety around computers, mostly referring to conditions in computer labs. One wonders what its authors would have thought about the health and safety issues around Bring Your Own Device arrangements. The conference added further recommendations, including calling for another paper to the 2004 conference.<sup>94</sup>

That 2004 paper began by recommending that, because ICT is an area of constant change making it difficult to form enduring policy positions, an ICT Advisory Committee be established to provide ongoing advice to Executive. It recommended a large committee: ten regional representatives, one from a low-decile school, one from the Correspondence School, and two Executive members.<sup>95</sup> Conference added two more members, a Te Huarahi representative and a teacher librarian member of School Library Association of New Zealand Aotearoa (SLANZA).<sup>96</sup>

In 2016, the committee's membership was changed slightly, because SLANZA was unable to replace its representative, who had resigned. Instead, the committee convinced Executive to instead invite the New Zealand Association for Computing, Digital and Information Technology Teachers (NZACDITT) to nominate a PPTA member as its representative.<sup>97</sup>

The committee has met two or three times a year since its inception, meeting online if not able to meet in person. PPTA has selected members for the committee who have high levels of expertise across the various areas of ICT, and its meetings have always been very busy.<sup>98</sup> The committee has built links with industry groups, for example encouraging the New Zealand Computer Society in 2007 to provide a report demonstrating why specific achievement standards in computing were required.<sup>99</sup> Among other developments, it also liaised with the people running videoconferencing networks and Ministry officials working to improve school broadband networks. Some of its members also had major roles in the Ministry's Digital Technologies/Hangarau Matihiko curriculum project from 2015 to 2018.



**ICT Advisory Committee members John Creighton (left) and Chris Dillon (right) update members on the Tahi Rua Toru Tech Challenge, 2018**

The minutes of the committee's meetings in 2021 demonstrate the group's value to PPTA. At the July meeting, it talked with Ministry officials responsible for Te Rito, an online repository for learner information;



conferred with Netsafe about current ICT safety concerns; explored issues around teaching during the pandemic; contributed ideas towards an annual conference paper on what had been learned from Covid-19, and discussed a range of issues around digital devices.<sup>100</sup> At the November meeting, it covered glitches with NZQA's online assessment; privacy issues related to schools livestreaming events; the costs for teachers working from home; social media issues; and rural connectivity problems. The committee also met with officials working on a digital and data strategy and discussed Te Rito with other officials.<sup>101</sup> In April 2022, it discussed technical problems with digital exams and the challenges of hybrid learning, and heard presentations on the Ministry's digital strategy, cyber security in schools, and Google for Education.<sup>102</sup>

## **Māori Teachers**

Chapter 2, 'PPTA and Te Tiriti o Waitangi' covers many aspects of the work of the formal Māori structures, including the work of Te Huarahi Māori Motuhake, Ngā Reo a Rohe, and Te Rōpu Matua. However, in a chapter on the ways that PPTA promotes wider membership activism, it would be remiss to not highlight the Māori Teachers' Conference, Ngā Manu Kōrero, the Kapa Haka competitions, and other matters.

### ***Māori Teachers' Conference***

This a major annual event in the middle of the year that attracts many PPTA members. It is open to any member who wishes to enrol, and in 2022, registration was free, thanks to the PLD Fund negotiated in the 2019 round.<sup>103</sup>

The 2022 conference was the 27th to be held. In the twenty years covered in this book, conferences have been annually, except in 2020 when Covid-19 forced cancellation of the conference and a more limited webinar was offered later. The conferences have mostly been held outside Wellington: in Taupō, New Plymouth, and – since 2007 – at the Sudima Hotel in Rotorua. This pattern changed in 2021, with the conference being held at the Brentwood Hotel in Wellington, and then in 2022, at Te Papa in Wellington.

Numbers attending have risen steadily. In 2002, there were 83 names recorded in the conference book.<sup>104</sup> By 2022, numbers had climbed to over 200.<sup>105</sup> Not all these participants are PPTA members. From registration lists, some appear to be primary teachers or support staff, some are officials, and some are teacher educators (pre-service or in-service). There are always a good number of Executive members attending.

From time to time, this range of participation has proven problematic. For example, in 2006 the Āpiha Māori presented to Executive a list of ten 'resolutions' from the conference, and asked Executive to note them, 'and where appropriate, support Te Huarahi's programme of implementation'.<sup>106</sup> The list included two that were in relation to recommendations of the *He Huarahi Hou* report that had not so far been implemented. The Āpiha also wrote a separate paper that asked Executive to endorse a paper for Annual Conference supporting the positions taken by the Māori Teachers' Conference.<sup>107</sup> This set alarm bells ringing among some Executive members, who felt they were being asked to take a position on resolutions passed by a conference that had no constitutional standing in terms of the union's decision making. It was moved that the Āpiha's two papers 'lie on the table', and this passed, 16 for, 3 against.<sup>108</sup>



**Alamein Connell and May Ward weave while listening, Māori Teachers' Conference 2011**

It appears from PPTA files that resolutions have not been passed at recent conferences. The programme of Māori Teachers' Conferences is strongly educational, encompassing union education, professional learning, wellbeing and support, through a mix of keynote speakers, panels, and workshops. The conferences enable networking among Māori teachers, who can be very isolated in their schools. They also provide invaluable professional learning for non-Māori members seeking to enhance their work with Māori.<sup>109</sup>

In addition to the conference, Māori teachers, with the assistance of PPTA National Office, run two major events for students: the annual Ngā Manu Kōrero speech competitions, and the biennial Kapa Haka competitions.

### ***Ngā Manu Kōrero***

In 1961, the government established a Māori Education Foundation to assist Māori students. In 1964, Governor-General Sir Bernard Fergusson launched a speech competition for Māori secondary students, in English, to begin in



1965, with funding from the Foundation.<sup>110</sup> Initially it was called the Korimako Speech Contest, but this name is now confined to the English-speaking contest for students of Māori heritage. In 1977, a competition in Te Reo Māori, open to all senior students, was added. It was named the Pei Te Hurunui Jones award. There are now many different awards, for junior and senior secondary students, for prepared and impromptu speeches, and for runners-up as well as winners. In 1987, the competition was named ‘Ngā Whakataetae mō Ngā Manu Kōrero o Ngā Tuarua’, usually shortened to ‘Ngā Manu Kōrero’.<sup>111</sup>

In 1993 the Māori Education Foundation was superseded by the Māori Education Trust (MET), or in Te Reo, ‘Toitū Kaupapa Māori Mātauranga’. At the beginning of the two decades covered here, the Trust was co-funding the speech competition as it had been for some time. However, by 2002 there appear to have been stresses in the relationship with PPTA. In a letter to the General Secretary Kevin Bunker, Trust General Manager Doug Hauraki laid down demands which PPTA was unwilling to accept, such as that MET should have the copyright for the Ngā Manu Kōrero name and images, alleged that the event needed to be ‘better organised’ (unspecified), reported that MET was considering combining it with another event and running it every two years rather than annually, and demanded analysis of entries and language quality.<sup>112</sup>

Despite this, the relationship survived another year, and in late 2003 the Trust committed to funding the 2004 national finals, subject to a host area being found, offering to host the event itself in Wellington.<sup>113</sup> However, the MET finally pulled out of the partnership as from 2005 and is now primarily focused on providing scholarships to assist Māori students to attend secondary school and tertiary education. PPTA had managed to convince the Ministry of Education to take over providing funding for Ngā Manu Kōrero from 2005, but had to scramble for sponsors to supplement it.<sup>114</sup>

At first, the Ministry funding was \$65,000, but then suddenly in September 2008, the host for the finals that year, Te Arawa, were informed that this had been reduced to \$30,000 in the government financial year from June. PPTA Executive was asked by the General Secretary, and agreed, to underwrite the host iwi’s costs by the difference. He wrote:

This request is unanticipated, and naturally no budgetary provision for this level of sponsorship has been made. However, NMK is a premiere event, to which PPTA has been committed since its inception in 1965. Accordingly, this request to underwrite the event cannot be lightly ignored.<sup>115</sup>

In the end, PPTA did not have to spend anything to cover this cut.<sup>116</sup> Kevin Bunker wrote that PPTA ‘protested most vigorously to the Secretary for Education. This was a deliberate budget-saving decision which was reversed in subsequent years.’<sup>117</sup>

However, the amount has not increased since then. The Ministry funding was still \$65,000 per annum in the four-year period 2018–2021, although funding was not sought in 2020 by PPTA because the national event had to be cancelled. In 2022, the Ministry gave PPTA a \$120,000 grant (roughly two years’ worth of funding) to run that year’s competitions online. This was supplemented by \$30,000 from Te Taura Whiri o Te Reo Māori (Māori Language Commission).

The current STCA contains provision 3.1 for 350 teacher relief days (TRDs) to run the competition. These are allocated across teachers involved, with members of the national organising committee entitled to nine days each, coordinators of regional competitions five days, and three days for teachers accompanying their students. In addition, under the STCA, a rather minimal \$5,000 total in travel subsidies is paid to the union, to be divided up among the regions. Equivalent pro-rated provisions are also in the Area School Teachers’ Collective Agreement (ASTCA) at 5.4.2, at 14 TRDs and \$204 travel provision. The travel subsidies are presumably used for buses to bring students and teachers to the national competitions.



**Ngā Manu Kōrero contestant with support group, 2023**

These provisions go back a long way. They were in the ‘Green Manuals’ which laid out teachers’ conditions prior to Tomorrow’s Schools and were part of the process of ‘codifying’ those conditions into the collective agreement in 1989. The number of TRDs and amount of travel money has not changed in all that time, so its value must be a fraction of what it was when it was first given, despite the event having grown significantly.<sup>118</sup>

Ngā Manu Kōrero is a huge annual event for which much of the effort by teachers is given voluntarily. It is inspirational to see the passion and the talent on display at both the regional and national events.



**Michael Stevenson signing the agreement with Māori Language Commission (Te Taura Whiri i te reo Māori) for sponsorship for Ngā Manu Kōrero 2021.**

### ***Kapa Haka competitions***

In 1998, members of Te Huarahi began discussions about various aspects of a proposed national secondary schools' Kapa Haka event. Initial ideas appeared to be based quite closely on Ngā Manu Kōrero.<sup>119</sup> Within a month, four of the group plus PPTA staff were meeting with Doug Hauraki of the Aotearoa Traditional Performing Arts Society. PPTA later had a relationship with Doug for Ngā Manu Kōrero when he was chief executive of the Māori Education Trust.<sup>120</sup>

However, progress was slow. In 2000, a Te Huarahi meeting was recorded as still discussing options.<sup>121</sup> In 2002, impetus was provided by the availability of Māori Performing Arts standards being creditable to an NCEA, with 24 credits available at Level 1.<sup>122</sup> At their meeting in November 2002, Te Huarahi members expressed excitement at the availability of these credits, and the increasing number of schools offering Kapa Haka as an assessed subject.<sup>123</sup>

The first national secondary Kapa Haka Kura Tuarua festival appears to have taken place in 2004, with the help of MET. Soon after that, MET cancelled its involvement at the same time it did so with Ngā Manu Kōrero. Over the years, the organisation of the competitions was refined, and an incorporated society was formed which continues to operate to run the competitions. It has a Board consisting of a representative from 14 Rohe and a registered office at PPTA National Office.<sup>124</sup> Teacher relief days for coordination of Kapa Haka were achieved in the 2007 STCA and ASTCA settlements, with a biennial entitlement of 100 teacher relief days, available across secondary and area/composite schools. (The competition is held every two years.)



**Kapa Haka competition organisers, 2016**

The Kapa Haka festival could not be held in 2020 or 2021 because of Covid-19 but was resumed in 2022.

### ***Māori Teachers' Association***

In 2022, the Kaihautū Māori with responsibility for professional issues, Miriama Barton, began working with Teacher Development Aotearoa and the New Zealand Association of Language Teachers to establish a 'network of expertise' (subject association) for the subject Te Reo. There has never been such an association, and this has meant that teachers of Te Reo Māori

have been missing out on the recent government assistance to such networks. This work is continuing.

### ***Manukura Newsletter***

This new form of communication is emailed to branches every two months or so for forwarding on to Māori members. It is a newsletter of up to 10 pages with illustrations, and it is largely in Te Reo Māori. It is produced by the two Kaihautū Māori.

## **Pasifika teachers**

Komiti Pasifika was founded in 1987, gradually building networks of Pasifika teachers, growing the teaching of Pacific languages in secondary schools, sponsoring speech contests, and organising conferences.<sup>125</sup> The Komiti has continued its work throughout the last twenty years with at least the same level of energy as in its first fifteen years. Komiti Pasifika has had representation on Executive since 1989.



**“Brown, bilingual, brainy and beautiful – generation B to the power of four”. In their workshop at the 2018 Pasifika fono, PPTA members Alisi Tatafu, Katalina Ma and Frances McIntosh explained how they did just that at Mangere College.**





**Komiti Pasifika representative on Executive, Ana Rees (Eagle) speaking at Pasifika Fono 2006**



**Participant at Ama Takiloa, the Komiti Pasifika fono in 2018, shows group work on NCEA and Pasifika students**

Komiti Pasifika organised conferences on Pasifika education in 1985, 1993 and 1997, then every two or three years from 2006.<sup>126</sup> Since 2012, the conference has been called a ‘fono’.<sup>127</sup> These conferences serve dual purposes: to provide a forum for Pasifika PPTA members to meet and caucus on issues affecting them, and to promote Pasifika education issues more widely.<sup>128</sup> Fono are usually well attended: 80 people were at the 2012 Fono, and over 100 at the 2014, 2016 and 2018 Fono.<sup>129</sup>





**Manu Faaea-Semeatu, a former convenor of Komiti Pasifika, speaking to the 2014 Komiti Pasifika Fonu**

In 2010, Komiti Pasifika presented a conference paper titled ‘Mind your language: Our responsibility to protect and promote Pacific Islands languages in New Zealand as part of a National Languages Policy.’ This called on PPTA to endorse a National Languages Policy, including a Pacific languages strategy, to enable Pasifika students to learn and use their heritage languages and culture within the New Zealand education system.<sup>130</sup> Its recommendations were carried unanimously.<sup>131</sup>

## **Rainbow Teachers**

### ***Safe Schools Taskforce***

PPTA’s Safe Schools Taskforce was established in 1993, somewhat belatedly enacting a recommendation of a 1986 conference paper about the rights of gay and lesbian teachers, but after only a few years the Taskforce seemed to run out of steam and stopped meeting. However, in 1998 PPTA Executive and the Auckland Region together helped part-fund the attendance of Susan Battye, an Auckland regional activist, and the author as an Executive member, at a conference in Amsterdam for gay and lesbian unionists.<sup>132</sup>

That same year, at the Education International conference in Washington, PPTA became a signatory to a resolution that asked education unions to promote education against prejudice, discrimination and harassment of teachers and students including on the grounds of sexual orientation.<sup>133</sup>

PPTA had a long history of working on this cause, and Executive now recognised the need to obtain updated information about the current position of gay and lesbian members. Workshops conducted in May 1999 showed there was no room for complacency. Members talked about agonising decisions about whether to be ‘out’ in their working and/or private lives, and the likely effect on their students of teachers deciding to ‘stay in the closet’ for their own safety. Homophobic language and harassment were rife in schools, directed at teachers and students believed to be gay or lesbian. Conference 1999 resolved that the Safe Schools Taskforce be re-established.<sup>134</sup> From 2000, a Taskforce consisting of two Executive members, one Te Huarahi representative and four other members began work.<sup>135</sup>

The new Taskforce was clear from the start that PPTA needed to ensure that schools were safe for gay and lesbian students as well as teachers. It moved rapidly to develop pamphlets, which were distributed at the Regional Officers’ seminar and later to all branches. It then developed a more comprehensive set of guidelines aimed at school leaders and Boards of Trustees, titled ‘Affirming Diversity of Sexualities in the School Community’. These were launched in September 2001. The guidelines have been updated at least three times since then, including to add the words ‘and gender identities’ to the title.<sup>136</sup> A kit was also prepared to support branch activism.<sup>137</sup>

**Robin Duff** President 2007 to 2008, and 2011 to 2012



Robin came to the PPTA Presidency after many years of activism in his hometown of Christchurch. He was one of the earliest gay teachers to be openly out at school, and an activist for homosexual law reform and many other gay rights issues. He was an English teacher, working at Burnside High School for much of his career. Robin was a founding member of the re-established Safe Schools Taskforce, and then joined the Executive in 2002. During his years as President, he appreciated the opportunity to visit many branches and talk informally with members. As a Christchurch resident, he shared the trauma of the earthquakes between 2010 and 2012, losing his own beloved cottage in the Avon Loop. This was a deep sadness to him. He died while still holding office as Senior Vice-President, on 16 February 2015, after surgery from which he did not recover.

### ***Rainbow Taskforce***

By 2007 the Taskforce was recommending a name change, to ‘Rainbow Taskforce for Safe Schools’, reflecting a broadening of the focus to the full range of sexualities and gender identities. The name ‘Safe Schools Taskforce’ was too easily confused as being solely about bullying in general. ‘Rainbow’ was considered the most inclusive term and less confronting than ‘queer’.<sup>138</sup> The change was approved by Executive in February the following year.<sup>139</sup>

In November 2010, PPTA funded a Taskforce member, Lex Davis, to attend an event sponsored by the Australian Education Union (AEU) where, over two days, three members of the American National Education Association (NEA) trained Rainbow activists to deliver four education modules to teaching colleagues. The modules were about creating a safe

environment for LGBTI students through one's professional conduct, addressing one's own biases, having difficult conversations, and making connections with other forms of oppression. Lex came back keen to add diversity education to the menu of professional learning PPTA offered as a union. He recommended that the Taskforce revise and contextualise the modules for use in New Zealand.<sup>140</sup>

By the time the Taskforce met the following June, Lex had already done substantial work on modifying the materials for local use. The Taskforce recognised that branches had not made use of the educational materials provided in the 2001 Kit, and that learning would be more likely to happen if it was part of each school's professional development programme. This would require the support of principals. The Taskforce proposed to Executive that PPTA fund, in the 2012–13 budget year, 'the promotion and trialling of anti-homophobia workshops in secondary schools'.<sup>141</sup> Executive agreed, but asked for a report on the proposed programme and the mechanism for its evaluation to go to its November meeting.<sup>142</sup>



**Rainbow Taskforce 2008 – Left to right: Angela Seyb, Robin Duff, Catherine Lee, Simon Randall, Jo Belgrave**

The Taskforce duly prepared an implementation plan, which included publicising the workshops through various PPTA channels including the Secondary Principals' Council and the Senior Positions Advisory Committee, hoping this would generate initial requests from schools. There was an evaluation process to be included at the end of each session.<sup>143</sup>

The first publicity about the workshops went just to PPTA member principals and resulted in inquiries from 21 schools covering a wide range of regions, types and deciles. In the end, 15 workshops were presented in 2012 by either a Taskforce member or the author as the relevant staff member. Participant evaluations were 'overwhelmingly positive'. The report to the November Executive noted the active involvement of principals at all the workshops and included quotes from principals, one of whom described a workshop delivered by Lex Davis as 'awesome ... His honesty and the information given opened the eyes of the staff and challenged them on many fronts.'<sup>144</sup>

Executive approved continuation of the workshops in 2013, and eventually they simply became 'business as usual' for the union. By the end of 2022, PPTA had delivered the workshop, free of charge at the request of a principal, at 138 secondary and area schools, averaging 13 per year, even managing to deliver 14 across 2020 and 2021, Covid-19 notwithstanding. The materials presented at the workshops were updated in late 2018 for 2019.



**Pride Week 2020, Palmerston North Girls' High – book display in library**

The Rainbow Taskforce took a paper to Annual Conference 2017 titled 'Affirming Diversity: Inclusion for Sexuality and Gender Minorities'.<sup>145</sup> The recommendations, which passed smoothly through conference, called on the Ministry to issue clear best-practice guidelines for schools, and affirmed that PPTA continued to support schools to be safe and welcoming environments for LGBTI students and staff. It called on PPTA as an organisation to work to meet the Rainbow Standard by December 2018.<sup>146</sup> There was also a resolution seeking the elimination of gendered language in parental provisions in the STCA and ASTCA. This was achieved in 2019. An additional resolution urged the Education Review Office to evaluate schools' progress on meeting requirements to be an inclusive community for minority genders and sexualities.<sup>147</sup>

Membership of the Taskforce, which is by self-nomination and appointment by President and General Secretary, continues to be highly contested. The Taskforce has always been outward facing, maintaining connections with many other groups, such as the Mental Health Foundation which organises the annual Pink Shirt Day; queer youth groups such as Rainbow Youth and InsideOUT; and the NZCTU Out at Work network. International connections have also been made through Education International and human rights conferences, with PPTA giving many presentations over the years, largely about its education work in schools.<sup>148</sup>



## ***Wider Rainbow Network***

Regional and Branch Rainbow Coordinators started to be appointed to regional committees and branches from about 2015, and since 2018 have been recorded centrally along with other branch and regional officers. This led to the regional coordinators being added as a network that met at Regional Officers' training from 2019. At the 2020 annual conference, a General Business item called for a paper in 2021 'to legitimise the Rainbow Network Coordinator through all documentation where all other coordinators are mentioned'. A brief paper in response was prepared for the 2021 conference, explaining that the constitution already allowed regions to appoint 'such other Officers as the Regional Organisation may determine'; that many regions had appointed Rainbow Network Coordinators, and that training for them was provided at the Delegate Leadership Development workshop each year. Annual Conference 2021, however, had to become just an AGM because of Covid-19 restrictions, and most of the papers were withdrawn, to be presented as 'white papers' at the Issues and Organising seminar in 2022. Then this, too, had to be online and was truncated. However, a 'job description for Rainbow Regional Representatives' was discussed at the Rainbow Network Coordinators' session at the Delegate Leadership Development workshop.<sup>149</sup>



**CLOCKWISE FROM ABOVE: Pink Shirt Day Newlands College 2016; Pink Shirt Day poster 2015; Day of Silence 12 June 2015 – Newlands College students – to call attention to the silencing effect of homophobic, biphobic and transphobic bullying, name-calling and harassment in schools.**

Deputy General Secretary Kirsty Farrant noted that while nothing has been organised from the centre, various regions, including Wellington, Auckland, Hawke’s Bay and Bay of Plenty have organised regional events. The Canterbury Region organised a regional Rainbow conference with NZEI and Qtopia, a local group, in 2021, but it, too, had to be moved online because of Covid.<sup>150</sup>

The wider Rainbow network maintains a Facebook page which is private, and has over 100 members, many of whom post requests for advice and support about issues in their schools.



## Women

### *Women's Advisory Council*

David Grant's history devotes a whole chapter to the changing role of women in secondary education, and the beginnings of PPTA's women's structures: the establishment in 1976 of a Sex Equality Advisory Committee (SEAC), and in the 1980s the appointment of a Women's Officer; requirements for regional committees to have a Women's Coordinator, and for branches to have Women's Contacts. Grant touches briefly on the transition from SEAC to a Women's Advisory Council in 1999.<sup>151</sup> At that time, women constituted 54% of the membership, but were significantly under-represented in PPTA structures and in leadership positions in schools. Discussion at a women's meeting at Executive in late 1998 led to a decision to consult Regional Women's Coordinators at the 1999 Regional Officers' Seminar, with a view to strengthening the network by moving from an appointed group to one that was more representative of women members through being elected.<sup>152</sup>

The 16 Regional Women's Coordinators present at the seminar endorsed the idea of forming an elected Women's Council, and further consultation strongly supported the idea. Women's Officer Sue Shone recommended to Executive that a Council be formed, with six members elected by women from the existing SEAC regions, plus an Executive member and representatives from Te Huarahi and Komiti Pasifika.<sup>153</sup> Executive supported all the recommendations except that it added the word 'Advisory' to the name of the Council,<sup>154</sup> probably to ensure that the women on the group understood their role was to advise Executive, not to make final decisions for the Association!<sup>155</sup>

Elections were conducted, and the Women's Advisory Council (WAC) had its first meetings later in 1999. The minutes show the members had already begun contacting women's networks in their regions.<sup>156</sup>

In the 2000 elections, a male Languages teacher at the Correspondence School was nominated and was advised by the General Secretary that he was ineligible.<sup>157</sup> This had echoes of the early days of SEAC, when one of the regional representatives, and all staff servicing the committee, were male.<sup>158</sup>

The Council met two or three times a year depending on the Association's budget constraints, and the minutes of these meetings indicate very full days. In 2003, Women's Officer Sue Shone left PPTA and was replaced in the role by Jane Benefield. Meetings discussed the challenges of building and maintaining the wider women's network, with concerns that some regional and branch positions were not being filled or that those occupying them were doing little, and that attendance at women's meetings was sometimes low. However, they agreed that when there was deep concern about an issue, women would organise around it.<sup>159</sup>

Examples of other issues raised were conditions for part-time teachers, pay and employment equity, work-life balance, paid parental leave, violence in schools, and career promotion.



**Women's Officer and later Negotiator, Jane Benefield**

In 2006, concern was expressed by the Executive member with the women's portfolio and by a regional member about what were felt to be threats to the continued existence of WAC and the Women's Officer position. WAC's hackles rose, and members 'expressed support for the continuation of WAC'.<sup>160</sup> After the meeting, the Women's Officer received a stern message from the President demanding that she remove from her report of the meeting a reference to later events, reading:

Issues arising from this have since been raised with the General Secretary by National Office staff members of the Service and Food Workers union who have requested him to provide WAC with information clarifying these matters.<sup>161</sup>

This led to a paper to Executive by DGS Colin Moore, acting on behalf of the General Secretary who had gone on leave. Moore argued that WAC had outlived its usefulness, because by this time two-thirds of the Executive were women, and therefore WAC could offer no specialised information that Executive itself did not already have. He claimed that WAC spent most of its meetings ‘coming up to speed’ on the issues, was ‘not really in a position to offer advice to Executive’, and that its members struggled to organise women because they each represented two or three regions.<sup>162</sup>

This paper does not appear in the minutes of the July Executive meeting, although it is listed on the final agenda as going to the Association Standing Committee. This suggests that it was received at the committee but no recommendations for action developed from it, indicating there was no consensus to take it any further.<sup>163</sup>

A joint meeting of WAC and Regional Women’s Coordinators, in late November, was shown the paper from the Acting General Secretary. WAC accepted that the context had changed, making its advisory role increasingly problematic, and that its organising role was complicated by the number of regions it covered. However, WAC did not agree that this meant it had no future role. The Council began to consider whether its roles could be combined and strengthened – for example, by the union enabling Regional Women’s Coordinators to undertake a national role as well, although it acknowledged this would be a larger group to bring together. The meeting ran out of time to come to agreement, so proposed that WAC members be funded to attend the Regional Women’s Coordinators training day in March 2007, to continue the discussion.<sup>164</sup> This was agreed by Management Committee.<sup>165</sup>

There was no doubt in the minds of the women who met on 1 March 2007 that a continued women’s network of some kind was essential. A consensus emerged that this network should comprise Regional Women’s Coordinators, working with Branch Women’s Contacts, and that they should meet face-to-face as often as finances allowed, and at least once a year, at the annual Regional Training Day. They envisaged at least one further meeting each year, perhaps linked to Annual Conference.<sup>166</sup>

Women’s Officer Jane Benefield reported to Executive that a women’s network was still needed, but it needed to ‘have a wider, more flexible structure and be more able to act as a more effective two-way conduit of

information, issues and ideas between women members than it can through the current limited WAC area structure'.<sup>167</sup>

Executive endorsed all her recommendations. This meant that no further elections for WAC took place, and its final meeting was combined with that of Regional Women's Coordinators, the day following Annual Conference that year. From then on, the PPTA Women's Network (as it came to be called) would be the Regional Women's Coordinators, elected in their regions, plus representatives from Komiti Pasifika and Te Huarahi and National Executive.<sup>168</sup>

At the post-conference meeting of WAC members and Regional Women's Coordinators, it was proposed that an event be held in 2008 marking the shift from WAC to a Women's Network, and to do some skills- and knowledge-sharing with a wider group of women.<sup>169</sup>

## ***Women's Network***

A one-day hui in July 2008 was approved by Executive.<sup>170</sup> It took place on Monday, 14 July in Wellington, was titled 'Stepping Up. PPTA Women's Hui: Supporting, motivating and energising PPTA women members', and 75 women registered for it.

The new Women's Network met in November 2008, and members agreed on their shared values, on what they needed to achieve success in promoting these, and on their goals as a network. The goals included building and supporting the PPTA women's community and providing input into collective agreement claims from women's perspectives.<sup>171</sup> The work of the government's Taskforce on Pay and Employment Equity in the Public Service and Public Health and Education Sectors was of particular interest to the Network at that time, so one of its goals was to lobby for the report to be released and its recommendations endorsed by the National-led Government.<sup>172</sup>

In November 2009 the Women's Network developed a workplan for 2010 which included Pay and Employment Equity, including STCA claims for equitable non-contact time for part-timers and increased domestic leave not offset against sick leave; having strong communication links for women members; publishing an improved Women's Handbook; and encouraging women to be involved in the upcoming collective agreement campaign.<sup>173</sup>

In 2010 and 2011, the Network seems to have met only at its annual Training Day at the start of each year. In 2012, there was a new burst of energy, around the recently launched campaign for 26 weeks' paid parental leave, '26 for Babies'. MP Sue Moroney addressed the Network about her members' bill to increase paid parental leave from 14 to 26 weeks over three years.<sup>174</sup> The members also workshopped a new Women's Handbook.<sup>175</sup>



**PPTA women celebrating 125 years of women's suffrage at Annual Conference 2018**

By 2014, a new Women's Officer, Eva Hartshorn-Sanders was in place. At the Regional Training Day in 2016, a new set of strategic goals for the Network was set: building a stronger network; focusing on campaigns around part-time non-contact, unlawful fixed-term agreements, the '26 for Babies' campaign, teaching conditions and workload, and increasing the number of women in senior management positions. The Women's Handbook was updated again.<sup>176</sup> Regional Women's Coordinators planned to get events happening in regions and branches to put pressure on the government to support extending paid parental leave, because it was threatening to use its government financial veto to stop it (which it did later

that year, in June 2016). In 2017, more than 20 PPTA women activists attended the biennial CTU women's conference, the most ever. Eva had been on the organising committee and managed to ensure that it was held during the school holidays, in July.<sup>177</sup> Eva left PPTA later that year to study in Paris and was replaced as Women's Officer by Liz Robinson.

The pattern of Regional Women's Coordinators meeting at their training day, but not at any other time in the year, continued for the next few years. However, things changed in 2019 with the advent of the PLD Fund which was an outcome of the 2019–2022 STCA round. The first tranche of proposals for use of the fund included a 'Women in Education Summit'. This was to be biennial and would be followed by regional seminars. The outline stated:

Women teachers are more likely to be on fixed-term positions and are under-represented in senior positions. While 60% of the NZ secondary teaching workforce is female, women make up only 33% of principals.<sup>178</sup>

A Women in Leadership Summit took place on 8 and 9 October 2020, in Wellington. PPTA had commissioned research from the New Zealand Council for Educational Research (NZCER) about women in leadership in secondary schools for presentation at the summit. This included a breakdown by gender of staff in senior and middle leadership roles gathered through a survey completed by 60 principals. In this sample of schools, although women constituted 66% of all teaching staff, their representation in senior leadership roles was well below that, but was at or above 66% in middle leadership roles.<sup>179</sup> A number of recommendations were made by the Summit: the establishment of a women's committee; biennial women's conferences; regional hui; mentoring activities; leadership skills training for current and emerging leaders including separate programmes for Wāhine Māori; training in running employment equity audits in schools; and further research.<sup>180</sup>

The first of these recommendations to be acted on was the establishment of a women's committee – or really, its re-establishment, although the paper makes no reference to the earlier Women's Advisory Council. In February 2021, the Women's Officer Liz Robinson and Jacinta Grice, the Women's Representative on Executive, recommended that 'an ongoing PPTA Te Wehengarua women's committee be established'. They proposed an appointed committee with two-year terms, similar to the Women's Advisory



Council that ran from 1999 to 2007. The only difference in its composition from that of WAC was the addition of a Secondary Principals' Council representative, presumably because of the concerns about low numbers of women in senior leadership roles.<sup>181</sup>

The paper referenced as justification for the committee a digital tool launched in 2019 called WRAW (Women's Rights at Work)<sup>182</sup> which takes women through 'a step-by-step series of fun, simple activities designed to identify the challenges faced by women at work and find collective solutions to address them'. Analysis of the chats had 'proven eye-opening', suggesting that women teachers were facing serious and systemic issues at work. While WRAW encouraged branch organising around the issues, the paper argued that national action was also needed.<sup>183</sup>

Executive passed the paper without significant change, but apart from specifying that there must be Te Huarahi, Pasifika and Secondary Principals' Council (SPC) representatives, no overall number was set for the group. A budget for one face-to-face meeting per year was granted, and another could be applied for should circumstances justify it.<sup>184</sup> Current Women's Officer Susan Haugh explained that while the committee can have eight members (four general members, plus representatives from Executive, Te Huarahi, Komiti Pasifika and SPC), the latter two positions were currently vacant because 'there simply aren't enough women on these groups with the time available to dedicate to the many groups they are invited to sit on'. On the other hand, there were eleven applications for the four general positions.<sup>185</sup>

There were two meetings of the new Women's Committee in 2022, in April and August. The first meeting reviewed the recommendations from the Summit, determining that the top priorities for action were research into Māori and Pasifika women in leadership, and case studies about alternative models of leadership; mentoring; investigating the possibility of biennial women's conferences; and equal employment audits. The Committee was also briefed on the work to date on a toolkit for schools developing policies and procedures where an employee has experienced sexual harm and considered how it would be best disseminated.<sup>186</sup> The next meeting heard from two NZCER researchers from the Te Wāhanga unit which specialised in Kaupapa Māori research. They had some ideas about research that would

inform the development of mentoring support for wāhine Māori in leadership roles.<sup>187</sup>

## **Young and new teachers**

### ***Young Teachers' Network***

The idea of a network for new teachers started with a General Business item at the 2000 Annual Conference. Several recommendations on the subject were moved from the floor: establishing a network and setting out its goals as providing support for teachers under 35, establishing national and regional networks of young teachers, nurturing activism, and supporting recruitment initiatives. At the end of that year, Kirsty Chadwick, the young Taranaki Executive member who had led the item at conference, became the first Executive portfolio holder for young teacher issues. Executive also resolved to ask regions to find a Young Teacher representative for their committees.<sup>188</sup>

A paper to Annual Conference 2001 showed things were well under way. There was a Young Teacher Representative on almost every regional committee, and they were busy establishing networks, building a national database of young teachers, and organising meetings or informal functions for young teachers. These get-togethers had helped to crystallise the key issues, informing the development of a survey of young teachers.<sup>189</sup> A constitutional amendment was passed at that conference to formally include a Young Teacher representative in regional committees.<sup>190</sup>

The 2002 Annual Report described the network as 'well established within the union and within regional structures'. A national seminar had been held in 2001, and another was planned for later in 2002. Terry Middleditch, the first national coordinator of the network, was applauded for being 'untiring in his efforts in this network', and it was noted that it was 'very encouraging to see the effect of the network in the number of young teachers now very actively participating in all aspects of the union'.<sup>191</sup>

### ***Young and New Teachers' Network (YANTs)***



In 2003, the network changed its name to the Young and New Teachers' Network, known as YANTs, and changed the qualification for membership to being in the first five years of teaching, or under the age of 35. This recognised that increasing numbers of new teachers were career changers, but they had the same needs for support as those who entered teaching at a younger age.<sup>192</sup>

In 2005, a YANTs conference paper titled 'Student loans: Living on borrowed time' went through unchanged. The writing group had been convened by one of the younger members of Executive, Lucy Jansen, and the group included Michael Stevenson, at that time a young teacher at Upper Hutt College, later to become PPTA's General Secretary in 2014.<sup>193</sup>

Until about 2007, the national YANT group got together only at the Regional Officers' Training Day at the beginning of the year, at some time during the year if Employment Related Education Leave could be organised, as in 2006, and informally at annual conferences. From 2007, it had a budget line and was able to meet more often.



**Group of YANTs working together at I&O 2008**

This will have been a factor in the production, in 2008, of a thoughtful conference paper on induction, mentoring, and employment conditions of beginning teachers, a theme that would be picked up repeatedly over the years. The paper showed that beginning teachers' experiences in schools

were far from ideal. Many were on fixed-term contracts (in some cases in breach of employment law), not receiving adequate induction into the profession, given timetables that breached the STCA contact hours, and sometimes expected to teach subjects for which they were not qualified or trained. The paper described a ‘sink-or-swim’ experience for many beginning teachers and called for better government resourcing of professional learning and mentoring for beginning teachers, for the Teachers Council to ensure that all beginning teachers received the induction and mentoring they needed, and for PPTA to work with branches so that they ensured that beginning teachers were receiving all their entitlements.<sup>194</sup>



**Hutt Valley YANTs studying the new guide for beginning teachers, September 2009**

By 2010, the group was sending its newsletters to the network twice each term and was working to ensure that every region had a young teacher representative.<sup>195</sup>

### ***Network of Establishing Teachers (NETS)***

In August 2011, the committee decided that the name of the network needed to be changed again, because older teachers new to the profession might be put off by it. Members’ preferred name was the ‘Network of Establishing Teachers’ (with the acronym NETs), and they decided the network should include anyone in their first ten years of teaching, at whatever age. They

also decided that as a committee, they needed to meet once a term to maintain impetus.<sup>196</sup> Erica Schouten, the Executive member with the Young Teacher portfolio, obtained Executive agreement to this.<sup>197</sup> 2011 was also the first year of the NETs Facebook group, which became a very active forum for young teachers.<sup>198</sup>

Minutes from then on indicate a very busy group, concerning itself with recruitment of members from initial teacher education and in branches; advising young teachers on how to keep safe online; induction and mentoring of new teachers; tenure of employment in the early years; educating members about ways to participate in the union; meeting with politicians – and many other topics. In 2015–2016, both the President, Angela Roberts, and the General Secretary, Michael Stevenson, had relatively recently been activists in this network.<sup>199</sup>

In June 2016, after an NZEI visitor had talked about NZEI's Beginning Teacher Charter, the NETs committee decided to develop something similar for PPTA. This was launched to members in an annual conference paper that year, presented jointly by the Auckland Region and the Establishing Teachers' Committee, and aptly titled 'Teachers in the precariat: Fixed-term contracts and the effect on establishing teachers'. The paper cited Ministry evidence that only 15% of new teachers were offered permanent employment on graduating from teacher education, leaving 85% of graduates either in fixed-term or relieving positions or not employed at all. This percentage had increased significantly over the previous fifteen or so years and was no doubt a factor in 37% of new teachers leaving the profession within the first three years. The paper included a draft 'Commitment to Establishing Teachers' and called on delegates to endorse it and on the Executive to promulgate it and work with other organisations to monitor and curb the use of illegal fixed-term appointments.<sup>200</sup>

Annual Conference supported the paper, and added three more resolutions: urging the Ministry to publish advertisements for fixed-term positions only if a genuine reason for fixed-term was provided; calling for an action plan to encourage school leaders to make fixed-term appointments permanent; and calling on the union to pursue strategic litigation to target the use of illegal fixed-term employment agreements.<sup>201</sup>

The following year, a campaign to persuade principals to sign the 'Promise to New Teachers' began. Signatory schools were highlighted on

the PPTA website, and letters were written thanking principals. The New Zealand School Trustees Association (NZSTA) agreed to advise boards to sign the Promise, the advice ending: ‘The commitment of the PPTA members, the principal and the Board to working together to support beginning teachers may be a good example of a productive partnership between employees and the employer.’<sup>202</sup>

There has since been some improvement in the number of beginning teachers given permanent appointments, but not enough, so one of the committee’s plans was to relaunch the Promise. This was derailed by Covid.<sup>203</sup> However, the committee returned to the topic at the May 2022 meeting, with plans to map branches and target those that hadn’t signed.<sup>204</sup>



**Westland High PPTA branch watches as Principal Iain Murray signs the Promise to New Teachers in 2018.**

The first PPTA conference for beginning teachers took place in April 2015 at the Vaughan Park Retreat Centre on the North Shore of Auckland. It was heavily subsidised by the union. Fifty members participated. AO Tom Haig’s evaluation was positive about its impact on young teacher



activism.<sup>205</sup> Executive decided such conferences should be held biennially from then on and increased the budget for them.<sup>206</sup>



**CLOCKWISE FROM TOP OF PAGE: Participants at first NETS conference, 2015; NETs working together at their 2017 conference; Organising committee for first NETS conference 2015**

The 2017 conference was held in Christchurch, and the 2019 conference in Wellington. The network was also lucky with the timing of Covid-19 lockdowns in 2021 and was able to hold a well-attended conference that year, again in Wellington.

There can be no doubt about the importance to PPTA of this network. As a rough estimate – based on the number of new members ticking the ‘NET’ box on the membership form between 2010 and 2020 – at any one time, about 25% of the PPTA membership are in their first ten years of teaching.<sup>207</sup>

After a Covid-related lull in signing schools up to the Promise to New Teachers, the campaign was re-launched in March 2021 with members of the Secondary Principals’ Council pledging their support.

2022 saw the first national conference for Provisionally Certificated teachers, and the NETs group presented a workshop there to inform beginning teachers about the support it offered. It was possible to run this event using the PLD Fund that PPTA had won in the 2019 collective agreement round. (See Chapter 11 (in Volume Two).)

## Other networks

The list of PPTA networks grows all the time. Other networks include:

- The Men's Network, the outcome of an annual conference paper in 2016, which resolved 'That branches and regions be encouraged to appoint a men's representative to their branch and regional committees'. There are men's meetings at Annual Conference, and regional men's representatives meet at Regional Officers' Training each year. The 2022 Regional Officers Directory shows 15 of the 25 regional committees had elected a Men's Representative, despite there being no constitutional requirement for the position.
- The Guidance Counsellor Taskforce, established in 2019. It met just once in June 2019, and subsequently presented a paper on guidance counselling issues to the 2019 Annual Conference. It appears to have not met formally since then.
- Area Schools' Advisory Committee. This is a longstanding committee representing members in area schools. It tends to be brought together to give advice around collective agreement negotiations, and at other times serves as a corresponding committee.
- Immigrant Teachers' Taskforce, established in 2006 after a General Business item at Annual Conference in 2004 calling for Executive to 'investigate issues/support relating to immigrant teachers with a view to setting up a support network'. It met regularly between 2006 and 2008, producing Annual Conference papers in 2006 and 2007, but was wound up in 2009.<sup>208</sup> Issues that occupied the Taskforce included the Teachers Council's language requirements for teacher registration; NZQA's processes for approving overseas qualifications; apparent bias in appointment processes; salary assessments; and induction into New Zealand cultural paradigms.



**Deepak Prasad, Taita College, receives a surprise visit and gift from President Jack Boyle for being the 1,000th new member in a single year. Deepak immigrated from Fiji, and told PPTA News: “I have always been in the union. I was in the FTU (Fiji Teachers Union) and unions have always been very good to me.”**

## **Union education and health and safety training**

### **Union education**

In addition to the wide range of committees and networks in which members can be active, PPTA also offers education about union affairs and activism. This membership education is consistent with the union embracing an ‘activism’ rather than a ‘servicing’ model of unionism. The philosophy of an activism-focused union is that members are empowered with the skills and knowledge to deal with issues in their own branches.<sup>209</sup> This local activism is supplemented by the services of Field Officers and other supports where required.

As much as possible, this union education makes use of Employment Relations Education Leave (EREL). This was introduced under the Labour Government’s Employment Relations Act 2000 ‘to provide paid leave to certain employees to increase their knowledge about employment relations for the purpose of (a) improving relations among unions, employees, and employers; and (b) promoting the object of this Act, especially the duty of

good faith'.<sup>210</sup> The availability of EREL has greatly increased the union's ability to provide union education, but it has also added complexity because courses need to be approved by the Ministry of Employment, requiring meeting a long list of criteria, and the funding is limited.<sup>211</sup> Courses are approved for a set period, then are subject to a re-approval process. Managing EREL uses a considerable proportion of the Field Service's time, led by the DGS (Membership).



**Field Officer Adele Towgood running a Mahi Tika session 2018**

PPTA was clearly champing at the bit to use EREL as soon as it became available. On 1 February 2001, DGS Colin Moore reported to Executive that he had already received suggestions for courses for 'women activists, Pacific Island teachers, young teachers, teachers in training, and less active regions'.<sup>212</sup>

A sequential programme of three courses for branch activists was developed during 2001, with just the first level, 'Organising the branch for workplace participation', delivered during 2002.<sup>213</sup>

The Stage 1 course replaced the former one-day Branch Officers' Seminars that had been organised by each PPTA region and funded largely from regional finances. The Stage 2 course, titled 'Rights and obligations in the workplace' was first delivered in 2003<sup>214</sup> and Stage 3, 'Effective participation in and beyond the workplace', began in 2004.<sup>215</sup>





**Participants at Mahi Tika course in 2018**

PPTA has continued to offer a three-stage programme ever since. In 2022, Stage 1 was being offered in eight, Stage 2 in six, and Stage 3 in four different locations. PPTA also offers a one-day course for provisionally certificated teachers, but the leave for this is not EREL funded. Over the years, there have also been EREL-funded courses for middle leaders, staff representatives on Boards of Trustees, and Māori and Pasifika members. There were also EREL-funded courses for principals offered in conjunction with the School Trustees Association.

Since 2009, membership education courses have been renamed ‘Mahi Tika’, meaning ‘do it right’, ‘act correctly’, or ‘good work’.<sup>216</sup>

However, the use of EREL has not always gone smoothly. Following the election of a National-led Government in 2008 there were major issues with the EREL contestable fund, with cuts to the fund and unions finding that, some years, all their applications were being turned down. By November 2009, it was clear to Executive that the EREL tap was being turned off by the government, and the union needed to find ways to still provide its programmes of membership education. Executive agreed to train members as educators for Mahi Tika Stage 1, deliver it in short modules, and increase the union’s budget for Mahi Tika.<sup>217</sup>

## **Health and safety training**

The Labour-led Government's Health and Safety in Employment Amendment Act 2002 introduced elected health and safety representatives, who needed to access training for the role through Health and Safety Education Leave, which was funded by the employer. That training, from 2003 to 2009, was provided in free courses to union members by CTU, which was funded for this by the Accident Compensation Corporation (ACC) as part of its injury prevention work. However, the 2008 election led to changes in the delivery of health and safety training. 2008 and 2009 saw ACC slashing the number of training places in CTU courses and focusing on workers from a small number of 'priority industries' with poor health and safety records, such as forestry. As a result, PPTA health and safety representatives had limited opportunities to get into these CTU courses, and other providers charged high registration fees which schools were reluctant to pay. New health and safety representatives were legally limited in what they could do in their role if they had not completed a two-day Basic Representative course. Membership Education Coordinator Steve Farrow recommended to Executive that they try to change this situation through lobbying, and through changes in the collective agreements.<sup>218</sup>

In July 2010, Steve Farrow again put the issues before Executive. No applications from any unions had been approved in 2009, but in response to the furore caused by this, Minister Kate Wilkinson had invited CTU to submit new proposals around Health and Safety courses, which were approved early in 2010. CTU had designed these to benefit affiliate unions. Some PPTA members had participated in training in the first half of 2010, but tight timeframes had made this really difficult. The 2010 Budget then slashed the EREL contestable fund by more than half, reducing it from \$2 million to \$0.8 million. Executive agreed that for that year, PPTA would endorse CTU submitting course proposals on behalf of its affiliate unions.<sup>219</sup>

In June 2011, JVP Doug Clark advised Executive that PPTA had qualified trainers who could fill the gap caused by ACC making CTU health and safety training inaccessible, and that they had run two courses already. He recommended the union itself offer training, with branches requesting costs be met by their boards as provided for in the Act.<sup>220</sup> Executive agreed and even tightened some of Doug's recommendations, for example changing his 'That branches request the training costs be met by their

boards' to 'That PPTA inform boards that the costs of employees attending health and safety training must be met by boards'.<sup>221</sup>

In February the following year, Doug Clark and AO Michael Stevenson went back to Executive with more detailed recommendations, including that health and safety training courses be offered in all regions during Term 1 of 2012, and that CTU be contacted to discuss how PPTA could increase its number of trainers.<sup>222</sup>

In April 2012, Cabinet established an Independent Taskforce to undertake a 'strategic review of the workplace health and safety system'. Its 'independence', however, was debatable. It was chaired by Robert Jager, Chairman of Shell, and its members were Mavis Mullins (a shearing contractor), Michael Cosman (MD of Impac Services, a private health and safety consultant), Paula Rose (formerly from Road Policing), Paul Mackay (Business New Zealand), and one lonely union representative, CTU's economist Bill Rosenberg.<sup>223</sup> While the Taskforce was still working, the final report of the Royal Commission into the Pike River Mine disaster was released, on 30 October 2012, showing significant health and safety failings by the company.<sup>224</sup>

The Taskforce's final report, delivered to a new Minister of Labour, the Hon. Simon Bridges, on 30 April 2013, found that New Zealand's current health and safety system was 'not fit for purpose'. It recommended, among other things, that a new agency be established with a wide range of responsibilities for health and safety, that a new Act be written based on an Australian model, and also that worker participation be strengthened.<sup>225</sup>

The agency, established on 16 December 2013, was eventually named 'Worksafe New Zealand' and is a Crown Agency with a governance board. Its first chair, from 2013 to 2018, was Dr Gregor Coster, a health academic. When he resigned in 2018, the Labour-led Government appointed Ross Wilson, former CTU President, as Chair.<sup>226</sup>

The new Health and Safety at Work Act was finally passed in September 2015.<sup>227</sup> That same year, PPTA had begun what turned out to be a long process of investigation into whether a private training establishment, controlled at the time by CTU but which it no longer needed, might be taken over by PPTA.<sup>228</sup> The proposal went through many stages before finally, in 2017, a Memorandum of Understanding was signed by PPTA along with the Public Service Association, Dairy Workers Union, Rail and

Maritime Union and New Zealand Nurses Organisation, to establish a Workers' Education Charitable Trust in order to deliver a health and safety programme previously offered by CTU. New premises were secured, and arrangements made for staff transfers from CTU. The Trustees included representatives of each of the unions.<sup>229</sup> From that point on, health and safety training for PPTA representatives was provided through the Trust.



**Health and Safety training rescued by unions 2017 – participant Connie Palmer shows off her certificate**

In 2022, three levels of training for school-based health and safety representatives and school managers were being offered through the Workers' Education Trust. These courses were available to primary and intermediate schools, as well as secondary and area schools. The Stage 1 initial training was available as a blended option using Zoom, and with online assessment.<sup>230</sup>

## **Membership benefits**

Over the last twenty years, there have been significant changes in this area, too.

## Healthcare

The Education Benevolent Society (EBS) was founded in 1963 ‘to enable teachers, education sector members, and their families to access competitive insurance products to support their families’ health and provide financial protection for unforeseen events’. In 2015, EBS adopted a new trading name, HealthCarePlus, to better reflect the kind of business it was in, but also because Public Service Association (PSA) members were becoming eligible to join. A couple of years after that, because of regulatory changes and rising costs, the Board entered a strategic partnership with UniMed to manage all its health insurance products.<sup>231</sup>

## Membership Assistance Fund

In February 2005, DGS Bronwyn Cross proposed to Executive that PPTA establish a Membership Assistance Fund to support members in crisis situations when nothing else is available. She gave an example of a member who had contracted Hepatitis C and needed to take a year off for treatment. The member hadn’t joined EBS, was going to run out of sick leave, and had three children to care for. She commented: ‘I have been moved to ponder the way we spend anything up to \$40,000 on legal expenses for members who have done things that we may find reprehensible, while not having anything to offer members who are facing other types of problems.’ She recommended that the new budget set aside \$50,000 for the purpose, and that applications go to Management Committee to be handled in a similar way to applications for legal assistance.<sup>232</sup> Eventually, in October 2005, Executive agreed to establish a fund of up to \$20,000 to assist members ‘in necessitous circumstances’.<sup>233</sup>

A small subcommittee was set up to assess applications for prompt attention, and criteria for approval were established – such as a limit of \$2,000 per member, only one application in a lifetime, and repayment over two years in most circumstances. Even before the fund had been advertised, there were two members already waiting in the wings for assistance.<sup>234</sup>

PPTA's website currently advises members that the limit is \$3,500. If a loan is approved, it will normally be interest free, for two years, and with fortnightly repayments.<sup>235</sup>

## **Membership card and associated benefits**

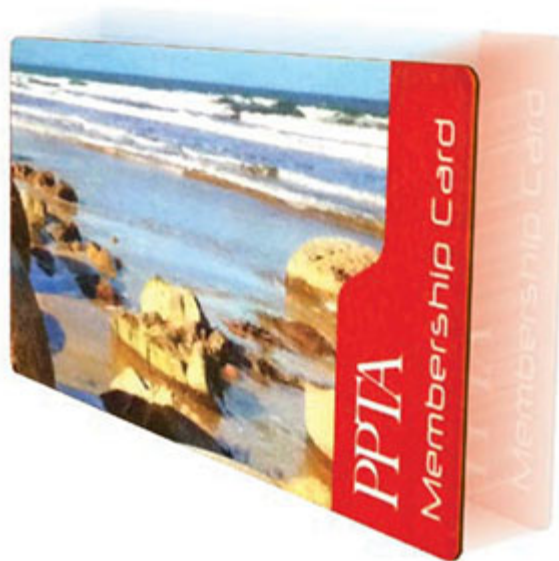
In 2009, Executive member Stuart King (Counties-Manukau region) wrote a series of papers advocating that PPTA introduce a membership card. He positioned this as a way for members 'to identify themselves as being PPTA', rather than thinking of PPTA as 'something other than them'. He suggested it could also provide access to discounts, but this was not his main initial purpose. A corresponding group of three Executive members plus appropriate staff was set up to work on a proposal.<sup>236</sup> However, their proposals did not go smoothly, with repeated requests for more information.<sup>237</sup>

Finally, in 2011, Erica Schouten, a new Executive member from Counties-Manukau and responsible for the Young and New Teachers committee, recommended on behalf of the YANTs committee that a card with benefits attached be introduced. She wrote: 'The PPTA membership subscription is currently one of the highest among unions, so giving something back to members, rather than just reducing the subscription by a few dollars, would be a smart move in these straitened times.'<sup>238</sup> Her paper took a different angle from Stuart King's, shifting the emphasis to benefits for members rather than engendering loyalty to PPTA.



**PPTA member Jill Gray receiving an award for 60 years of membership of PPTA, during which she was very active, including as an Executive member and a member of the negotiating team in several rounds**

This time, Executive agreed in principle, but still wanted more information about the various benefits programmes available.<sup>239</sup> Finally, in October 2011, they agreed to launch the membership card in 2012.<sup>240</sup> Since then, members have been supplied annually, or on joining, with a card, and information on discounts available is provided.



**Membership card 2015**



## **Assistance for individual members**

While the branch is the fundamental structure to assist members, sometimes situations arise for which external expertise is required.

## **Demise of the PPTA Support Service**

In 1978, PPTA established a 'counselling service', using volunteer members who were 'assessed as competent and discreet in their abilities to assist other members with interpersonal issues'. A PPTA Counselling Service Advisory Committee was set up, and volunteers attended a two-day induction course and regional refresher courses. By 1990, there were 52 members working as 'counsellors', available in every region, and members could usually choose the gender of the person they worked with. However, by 1999 numbers had dwindled to 28, spread across 14 regions.<sup>241</sup>

In 1995, it was renamed the 'PPTA Support Service', partly because of concerns raised by the New Zealand Association of Counsellors and partly because of debate within the service itself because some of the 'counsellors' were trained and qualified counsellors and some were not.<sup>242</sup>

Budget cuts to the service from 1997 may have contributed to its decline by preventing training courses from happening. FO Lyn Robson, from the Palmerston North Field Office, which ran the scheme, protested to Executive about the situation:

... we have an under-funded Support Service, which from volunteer returns is still being widely utilised, but cannot at this time offer equal service to members throughout the country. At 1 February 1999, eight regions had no volunteers, and nine regions had only one volunteer. Ideally, each region should offer both male and female volunteers ... Counsellor returns indicate that counselling about redeployment has decreased, but that the number of members experiencing burnout, seeking advice about career change or retirement, and involved in conflict with colleagues and school management, remains high. If we accept that increased workload pressures are being placed on the members, we must also accept that this will impact on their personal lives and stress levels.<sup>243</sup>

She convinced Executive to reaffirm its commitment to the Support Service and fund it so that a training seminar could take place in 1999.<sup>244</sup>

However, by 2009 FO Paul Benefield was driven to revisit the service's role and viability, reporting that it had not been 'particularly well utilised by members'. Most volunteers had reported five or fewer cases in 2008, and

there were only 16 volunteers left, well short of full coverage of all regions. Publicity did not seem to have raised its profile. Paul felt there was also confusion among members about what the Support Service offered, because the volunteers were a mix of counsellors and supporters. In addition, many employers were by then engaging with Employee Assistance Programmes (EAP) which gave members access to professional counselling.<sup>245</sup>

Executive supported a review.<sup>246</sup> Questionnaires were sent to regional and branch chairs and randomly selected members in regions that had at least one Support Service volunteer. The results revealed something of a Catch-22 situation: usage of the service was low, as was awareness, so members were not hearing about it from satisfied users. When asked about EAP, most respondents gave an 'ideal world' response – they would like to have access to both EAP and the Support Service. The volunteers themselves, most of whom did most of their work within their own branches, said that they 'would probably continue to get referrals in their school, even if the service was disestablished. These are people who are trusted by their colleagues and are there for them.'<sup>247</sup>

Executive wound up the Support Service at the end of 2010.

## **Employee Assistance Programmes (EAP)**

At the same time as agreeing to wind up the Support Service, Executive resolved to provide guidance to Boards of Trustees and PPTA branches about the benefits of EAP, and to investigate options for a national scheme to help Boards access it.<sup>248</sup>

Ironically, one of the positive outcomes of the Christchurch earthquakes was that EAP became much more widely known, initially because PPTA arranged for it to be available to members in Christchurch. President Robin Duff wrote to all Branch Chairs on 24 February 2011, just two days after the big February quake, advising them:

... PPTA has made arrangements with EAP Services Limited (Employee Assistance Programme) for them to provide counselling and trauma management services for PPTA members. All you have to do is phone 0800 327 669 (24 hours) and identify yourself as a PPTA member. They have a team of qualified and professional counsellors available.<sup>249</sup>

Although PPTA has not managed to negotiate an entitlement to EAP through the collective agreements, there are many positive references to it

on both the NZSTA and Ministry websites, extolling it as a service schools should use. PPTA models good-employer practice by having a contract with EAP for its staff. Currently, access to EAP is funded by the Ministry for all education staff in state and state-integrated schools as part of agreements negotiated under the Accord. The Ministry's contract with EAP has just been extended to June 2023.<sup>250</sup> Whether it will continue is unclear.

## Field Service

While PPTA aspires to be an organising union with strong branch involvement in enforcing the collective agreement, sometimes an individual member will strike a problem for which they need external help, and this is where the Field Service's servicing role, as distinct from its organising role, comes into play.

The Field Service has grown significantly over the last twenty years, during which there have been five Field Offices, based in Auckland, Hamilton, Palmerston North, Christchurch and Dunedin. The number of FOs per office has grown over the years, as a result of regular reviews of FOs : members ratios. At the end of 2002, in his annual staffing report, General Secretary Kevin Bunker commented:

The Field Officer staffing entitlement is 11 full-time positions, and no changes are currently recommended. However, it is worth observing that the [average] FO : member ratio stood at 1 : 1,230 in 1994 and now stands at 1 : 1,370. To regain 1994 equivalence, FO staffing should currently be 12.3 ... Associated with this is a demographic move north. These matters will need addressing.<sup>251</sup>

It was not surprising that the General Secretary did not recommend an increase in FO staffing so soon after a difficult collective agreement round that had stretched the union's finances. However, by December 2003, the ratios had become worse, with the highest at 1 : 1,387 in Auckland.<sup>252</sup> In 2005, an additional FO position was added to the Auckland office, taking the national total to 12.<sup>253</sup> However, no sooner had that happened than the General Secretary was recommending that a further FO be appointed during 2006. There were pressures in the area north of Taupō and in the South Island, and total membership had grown (in 12 months) from 14,675 to 15,978, so on that measure alone, another FO was justified, especially given that a guideline ratio of 1 : 1,200 had been adopted. This FO was placed in

Palmerston North, and there was some rearrangement of areas covered.<sup>254</sup> In 2011, with the disestablishment of a Legal Officer position in National Office and a consequent increase in legal representation duties for FOs, especially at Teachers Council hearings, plus further membership growth, DGS Colin Moore recommended another increase in FO numbers, taking the total complement to 14.<sup>255</sup>

Over the years since then, in the face of significant increases in membership to around 20,000 in 2022, the total FO complement has risen to 16.<sup>256</sup> Legal casework in the Disciplinary Tribunal of the Teaching Council and in the Employment Relations Authority is shared across two Field Officers and an Advisory Officer, all three with law qualifications and one with experience as a member of the Employment Relations Authority as well.<sup>257</sup>

**Colin Moore** Deputy General Secretary 1989 to 2013



Colin began his career in education as an English teacher, and began his PPTA activism as a branch and regional officer in Hawke's Bay. He was appointed to be one of PPTA's earliest Field Officers in 1984, covering an area from Hutt Valley in the south to East Cape in the north. In 1989 he moved to Wellington to become Deputy General Secretary (Membership) leading the Field Service team. Under Colin's leadership, the membership grew substantially, and so did the Field Service team, from six when he began as DGS to fifteen, plus administrative staff, by the time he retired in May 2013. It was a great sadness to those who knew him that he lived only another three and a half years after retirement, dying suddenly late in 2016. Colin was highly respected for his calm and thoughtful manner, his way of listening carefully

rather than launching in with his opinions, his principled approach to issues, and his absolute dedication to PPTA Te Wehengarua.

## Technological advances for casework and membership

In July 2008, Peter Cooke, ICT Manager, proposed investigating options for a digital case management system for the Field Service. Looking back from the 2023 vantage point, it almost seems unimaginable that the work would have been done the way he describes it:

Currently all casework is paper based. Computers are used to create documents, to research information and to send and receive emails, but these documents and email messages are printed out and inserted into a case folder for the particular member. This works well but has some problems. It means a lot of duplication of effort, these case folders need to be stored, it is time-consuming to check the history of the member, particularly if they have changed geographic location, it is difficult to search for similar cases, and it is difficult for field officers to work on cases when they are away from the field office, particularly if they have not taken all of their current case folders with them. It is difficult to extract accurate statistics from the case work – statistics which would highlight the need for action or education on particular issues, or issues that need be addressed collectively with the Ministry of Education. It is wasteful in that basically *all* emails and documents are printed and inserted into case folders.<sup>258</sup>

Executive agreed that change was needed and allocated money in the upcoming financial year for the project.<sup>259</sup> Peter Cooke's investigations for a suitable product included talking with the New South Wales Teachers Federation.<sup>260</sup> The system it was using, called Stratum, had initially been developed for the National Union of Teachers in the United Kingdom, and appeared superior to other systems. It also had wider functionality than just case management, although PPTA did not purchase that at the time. A contract was signed in September 2009.<sup>261</sup>

In November 2010, DGS (Membership) Colin Moore optimistically reported that Stratum was now installed and operational for all field staff, and that intensive training was taking place during Term 4 with the system to 'go live' on 1 February 2011.<sup>262</sup> However, a year later he called 2011 'a transitional year' for Stratum but thought 'most wrinkles are now ironed out'.<sup>263</sup> It was April 2012 before he finally started reporting to Executive

using Stratum, predicting that reports would become more useful as time went by and comparisons could be made.<sup>264</sup>

No sooner had the Field Service become used to using Stratum for case management than Peter Cooke recommended that Stratum's membership system also be purchased, to replace an aging system that was no longer fit for purpose. Executive agreed.<sup>265</sup>

The membership side of Stratum is operated largely from National Office, where a team records data such as joining dates, payment of fees, collective agreement coverage, school affiliation and responses to members' inquiries. At the Field Office end, data such as casework and branch and regional activity is entered by FOs, and information on attendance at Mahi Tika, Issues and Organising and various conferences by the Field Office administrators.<sup>266</sup>

Over time, the reports on casework have become increasingly detailed and useful, although Colin Moore did warn that it should never be assumed that all 'cases' represented the same amount of work: 'One employment relationship case could take as long to resolve as ten salary cases.'<sup>267</sup> More recently, DGS (Membership) Adele Towgood highlighted a further complexity in their analyses, namely that 'a case can change several times during its "life".' She gave as an example that a case recorded as 'Teaching Council' could have initially been an employment relationship matter, and/or a conduct and discipline matter. She said that the Field Service was looking at Stratum to see how the team could 'access data to better track the life of a case'.<sup>268</sup>

With the casework and membership functions of Stratum being linked, reports can be run on a variety of pieces of data; for example, the Field Service can access data on which regions and school have a low attendance at Mahi Tika courses. The system can be set to run regular reports on the number of cases per FO, the number of members per FO and the number of new members and sites in a set period. All this data can be used in Organising Plans directed towards supporting members to know their collectives and enforce their entitlements. Recently Field staff have begun using density data to focus on organising and recruitment opportunities in schools and regions. All in all, the technology has enabled PPTA to run a much more sophisticated operation in service of its members.<sup>269</sup>

Field Service reports to Executive now also contain detailed membership data, to the extent of being able to show changes in membership numbers by the month with comparisons with previous years. This makes it possible to see the effect of teachers changing jobs from one year to the next, or of a hard-fought collective agreement campaign (which usually results in increased membership).<sup>270</sup>

## **The impact of wider technological changes**

Communication with PPTA members has changed dramatically over the twenty years covered here. I have vivid memories of my first few months at National Office, in 2002, when we were almost overwhelmed by letters, phone calls and faxes from individuals and branches about the collective agreement campaign and the NCEA developments. Our responses were largely in the form of letters or faxes.<sup>271</sup> Emails were not an option from many schools, because if teachers had access to email at all, it was via a slow dial-up connection that could not cope with multiple users at the same time.

PPTA advisory and field staff were equipped largely with desktop computers, supplemented by a small number of laptops to be used when travelling for work. This was an improvement, however, on the situation in 1996, when of the seven Advisory Officers, only three had computers at all.<sup>272</sup> Presumably they were generating documents by hand and these were being typed by their secretaries, as some of my colleagues were still doing when I arrived at National Office in 2002.

Executive members were being supplied with computers (desktop, unless they paid the difference for a laptop) and printers from the beginning of 2001, purchased, for the most part, by their regions from funding supplied by National Office.<sup>273</sup> It is interesting to note what the more advanced users, like Executive member Bruce Kirkham, who claimed to have sent his first email in 1987 using a system called Starnet, were using their computers for then:

Those who use a computer for a wide variety of functions such as lesson preparation, scanning, conferencing, faxing, data management (spreadsheets, databases), accessing the World Wide Web, etc. will use their machines for emailing only 5–10% of their computing time.<sup>274</sup>



The problems of dial-up are indicated in a comment about a survey of Executive members' needs: 'Some respondents expressed a preference for a separate phone line, however, at this stage we felt the cost was too high to be considered.'<sup>275</sup> An internet connection was also provided, with National Office funding 'up to 20 hours of internet time a month, with anything over this to be charged back'.<sup>276</sup>

Executive were communicating with each other, and with National Office, by email. Distribution lists had been set up, so that, for example, an email could be sent to all Regional Chairs, or all Executive. Bruce Kirkham expressed concern about people's use of these lists:

There is little doubt that as a means of broadcasting information, email has distinct advantages over the fax system that we have been using over the last decade or so. However, in the rush (euphoria?) to harness this medium, more thought has needed to be put into how distribution lists have meshed into other parts of our communications systems ...

He went on to raise a privacy concern that email addresses had ended up in the hands of people 'who are not officers of the Association and who have seen fit to promote views which are not Association policy'. While he accepted the free exchange of ideas was healthy, he had concerns about Executive members and Regional Officers receiving 'unsolicited email'.<sup>277</sup> Given that this paper was written during a fraught collective agreement round, it's not hard to imagine the nature of these emails.



**Wellington/Marlborough Executive member Bruce Kirkham**

Around 1998, PPTA began purchasing cellphones for FOs because they spent so much time on the road, and also for the President. By 2002, cellphones had been supplied to the Presidential team and the General Secretary as well.<sup>278</sup> Eventually they were also supplied to AOs.<sup>279</sup>

Nevertheless, in 2005 Executive member Peter Cooke, at the time a Computing teacher on the North Shore of Auckland, wrote a stringent criticism of PPTA's approach to ICT:

Over the 3 years I have been on Executive there have been complaints and criticism of PPTA's computer system, membership database, and Internet access and email systems. Where there is a clearly identified problem, it gets fixed, but then other problems surface. It would appear we do not have a robust system. Usually this is not anyone's fault directly – it is because we appear to be working under a 'band-aid' approach ... We need a stocktake of what we have – hardware, software, expertise (i.e. personnel), and the way things are set up ... We need a 3- or 5-year ICT plan so we know where we are headed – this needs to cover not just the computer equipment and software but also the phone system (both landline and mobile) and photocopiers.<sup>280</sup>

Peter was invited to Management Committee to speak to his paper, and was then asked to join a staff team who had already begun doing as he had proposed.<sup>281</sup> But before anything came of that, Management Committee received an urgent recommendation from Sammy Sali, Financial Services Manager, that the Association's servers be replaced. He wrote:

Currently the three computer servers at National Office are 'clone' computers and are all outside their warranty periods. The operating system on each of the servers is Windows NT Server 4.0 and is no longer supported by Microsoft. Furthermore, the significant growth of our membership and other application systems are making the servers very slow and unstable. Therefore, having computer servers that are not covered by warranty, unsupported operating systems and unstable servers poses a significant risk to the Association. The membership database server is becoming critical in this regard.<sup>282</sup>

Considering that the membership database managed the lifeblood of the union – its subscription income – the situation was clearly urgent! It was also clear support for what Cooke had said in his paper.

In June 2006, Cooke reported on his investigations into ICT needs and made 41 very specific and often highly technical recommendations.<sup>283</sup> There were no costings or prioritisation, and at Management Committee in September the report was just received 'as a general stocktake but highlighting the pathway for the future', but with no specific actions determined. In November 2006, however, the General Secretary announced

that Peter Cooke had been appointed to a new full-time position as ICT Manager, to start early in the new year.<sup>284</sup> (He finally retired in early 2023.)

The next big advance in ICT was the introduction of videoconferencing equipment to connect Field Offices with one another and with the National Office, and for meetings involving external sources, using the Ministry's 'bridge' when it was not being used for e-learning.<sup>285</sup>

At the same time, it was becoming evident that the PPTA website, which had originally been developed in 2003, needed rebuilding with a different content management system. Website Coordinator Lynette O'Brien and Communications Adviser Ben Weston advised Management Committee of the urgency:

In May of this year PPTA discovered that Go! [the content management system] had major security flaws, and these flaws allowed the PPTA website to be hacked. It became increasingly difficult to maintain and update the website or use it to communicate with members as the hacking attacks continued despite the best efforts of PPTA's website host (Cybernamix) to patch the flaws. In June it was decided to use a simple static website until a new content management system could be implemented.<sup>286</sup>

The funding was approved promptly.<sup>287</sup>

It is interesting to look at PPTA's budgets for ICT expenditure over the years since then. In 2008, the final total expenditure for the year was \$40,000, whereas in the year to 31 March 2022, the total expenditure was \$206,000. The increase is certainly well above the rate of inflation and reflects significant increases in the use of ICT for a wide range of union activities, most significantly for communicating with members and the wider public.

Social media use has also grown exponentially. 2012 was the first year that an AO, at that time Lynette O'Brien, had official responsibility for guiding the team's use of social media.<sup>288</sup> It was also around 2012 that Facebook pages began to be developed for PPTA networks, and that some staff and activists started using Twitter. YouTube has occasionally been used for presenting information, such as during collective agreement rounds.

In 2010 PPTA first subscribed to Survey Monkey, an online tool for developing, distributing and analysing surveys. Its initial use was a survey of members seeking to analyse the workload pressures from NCEA assessment and what they might consider as industrial action around these. Use of this technology initially raised debate about whether consultation

processes, traditionally conducted by branches, were being subverted. For this reason, the paper proposing this survey went to some lengths to allay these fears:

Executive members should keep firmly in mind that later in Term 4 there must be a full consultation with members to determine support for a new menu of industrial actions to be finally voted on early in Term 1 next year. This research will provide **indications** of what might be 'goers' in such a consultation. It will absolutely not be a **vote** on action.<sup>289</sup>

The paper explained that Survey Monkey 'both collects and analyses the data, so that all the cross-tabulations required would be programmed in from the start' and the results would be there immediately, requiring staff only to draw conclusions. It suggested that this particular survey would be 'an excellent way to launch its use, because the high interest level in the subject matter should ensure members are enthusiastic about engaging with it.' An expert from NZCER, where Survey Monkey was already being used on a regular basis, had given advice about generating the sample and building the Address Book in the programme. (The paper notes that at that time we had email addresses for about 13,000 of PPTA's 18,000 members. This has grown significantly over the years.)<sup>290</sup> Executive approved the proposal.<sup>291</sup>

PPTA has had a subscription to Survey Monkey ever since and uses it for many different purposes. AO Rob Willetts advised that it is currently used for the Exit Survey members are asked to complete; collection of information for collective agreement claims; the periodic survey of members on industrial and professional issues; evaluations of events; and the annual staffing survey.<sup>292</sup> Concerns about its use have long since faded.

## **Final words**

As noted at the start of this chapter, PPTA, while a relatively small union with a total membership in 2022 of around 20,000, is a complex organisation that offers a full range of services to its members, in return for a subscription that is one of the highest in the New Zealand union movement. It is also, however, reliant on its members to participate and take action when necessary. PPTA membership has never been compulsory; instead, the union has always engendered a high degree of loyalty.

There are challenges: the occasional member who resigns in a huff because they don't agree with a decision; members who see their subscription more as an insurance policy than an expression of solidarity; and the odd occasion when the Executive has misjudged membership feeling, as in the 2001–2002 STCA round. For most members, however, being part of the union is just what you do as a teacher, because the union does what its constitution says it's there for: to advance the cause of education, to uphold and maintain the just claims of its members, individually and collectively, and to affirm and advance Te Tiriti o Waitangi.<sup>293</sup>

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### PPTA and Te Tiriti o Waitangi

#### Introduction

The last twenty years have seen significant change in how the union implements item 3 of the Objects of its Constitution, ‘to affirm and advance Te Tiriti O Waitangi (The Treaty of Waitangi) as embodied in the First Schedule of these rules’. (The first schedule contains both Te Tiriti in Māori and the English version – but not the English translation of the Māori version.) With ‘co-governance’ being such a contested concept at the time of writing this history, it is appropriate that PPTA’s long journey towards co-governance, or Tiriti relationship, be covered here.<sup>1</sup>

That story began in the 1980s, with PPTA convening a forum at Waahi marae, Huntly in 1984, which kick-started the process of developing union policy on Māori education and on partnership with Māori within the union. The PPTA Annual Conference in 1984 was the first to welcome guests with a Pōwhiri and to sing waiata.<sup>2</sup> In 1987, annual conference directed that Te Tiriti o Waitangi should be made part of the Association’s rules. The 1987 annual conference also directed the establishment, after consultation with Māori members, of a structure for the Association that would realise the principles of Te Tiriti o Waitangi.<sup>3</sup> This became Te Huarahi Māori Motuhake, whose membership is based on Iwi boundaries.<sup>4</sup>



**Āpiha Māori Te Makao Bowkett, 2015**

Also in 1987, PPTA first appointed an Āpiha Māori (Advisory Officer Māori), Ken Mair, from the Whanganui area. At the time of his appointment, he was an Otāhuhu-based probation officer, secretary of the Auckland District Māori Council, and an active member of the Public Service Association. Mair resigned in 1995 and was replaced by Te Makao Bowkett, a former secondary teacher who had been working as a policy analyst at the Ministry of Education.<sup>5</sup> Te Makao served as Āpiha Māori for most of the period covered in this history, until the end of 2020. After she retired, the Āpiha Māori position was restructured into two positions – see pp. 137–138.

PPTA's first Kaumātua was Hamiora Tangiora (Rongomaiwahine hapū of Ngāti Kahungunu). In 1981, he had been elected to PPTA's Multi-cultural Education Advisory Committee, where membership was usually a single three-year term. However, by 1984, in recognition of his mana, he was seen as the association's Kaumātua, and this was formalised by Executive in 1984. Sadly, he died in 1988.<sup>6</sup> He was replaced by Te Whare Turuwhenua from the Pukekohe area, who served until 2019.<sup>7</sup>



**PPTA Kaumātua 1988–2019, Te Whare Turuwhenua, at Annual Conference 2006**

Māori members of PPTA met separately at Waahi marae in 1988 to develop a plan for establishing Māori structures in PPTA, and these were actioned through a further conference paper in 1988. This included establishing a Māori teachers' roll (which in 2022 had over 1,000 members listed); recognising Te Huarahi Māori Motuhake as an official body with the role of advising Executive on ngā take Māori (Māori issues); creating a network of Māori regional coordinators (ngā Reo-ā-Rohe); and creating a position of Whaea, first held by Kataraina (Kath) Sarich from Ōkaihau College in Northland.<sup>8</sup> These continue today.

The 1990s saw further developments. Te Rōpu Whakapūmau i ngā Take Whānui, a partnership committee with equal representation from Executive and Te Huarahi, was established in 1994. An agreed conflict-resolution process, Te Totara Wahi Rua, had also existed since annual conference 1990. (The Totara Wahi Rua process refers to the whakataukī, 'He totara wahi rua, he kai nā te ahi', which translates as 'A totara split in two provides food for the fire'; in other words, if it is split in two it is not worth much, but 'unity is strength'.)



**Te Huarahi members Pōwhiri Rika-Heke, Johnny Waititi and Miriama Barton (now one of the two Kaihautū) leading a waiata at Annual Conference 2019**

The first Māori Teachers' Conference was held in 1995 and became an annual event from 2000. They are now a very important part of the union's calendar, for both Māori and non-Māori members. (Covered earlier under Committees and Networks, Māori teachers.)

In 1995, the Kaumātua and Whaea, Te Whare Turuwhenua and Kataraina Sarich, gave to the union its Māori name, Te Wehengarua, proposing it to a meeting of the Executive. Kataraina Sarich, in her paper recommending the name on behalf of the two of them, explained that such a name was a Taonga (treasure) that was 'an integral part of building trust between the descendants of the Treaty of Waitangi partners'. She wrote that the name chosen 'usually embodies the past, the present and the future, with messages intertwined in the imagery of Te Reo Māori.' The explanation for their choice of name was as follows:

In the creation myth the separation of Ranginui (the Sky Father) from Papatuanuku (the Earth Mother) allowed their offspring to develop and grow. It alludes to the division of time, giving us night and day, light and darkness. *Te Wehengarua* identifies secondary schools as separate entities from other sectors, allowing for the growth and development of young people following a variety of pathways. The vision is for all students to reach for their full potential and equip them for life's journey. Secondary teachers are a necessary part of that vision. The relationship between Tangata Whenua and Taiwi, between students and teachers, between teachers and parents, when mixed with common goals, should see the establishment of a lasting partnership and a merging of the



pathways. Māori and non-Māori teachers complement each other, and PPTA should be richer because of Te Wehengarua.<sup>9</sup>

As an Executive member at that time, I still have a vivid memory of Te Whare Turuwhenua speaking at length to the paper, and the honour we felt was being accorded to PPTA by bestowal of the name as a symbol of the developing partnership.<sup>10</sup> That name became part of the PPTA logo and official name soon afterwards.

Te Huarahi Māori Motuhake presented a paper titled *Tino Rangatiratanga* to annual conference 1997 which ‘aimed to engage delegates and regions in the process of advancing understandings about Te Tiriti’. The following year, 1998, they gained conference approval to commission a review of the union’s structures, which became ‘a Treaty audit’. This audit laid the groundwork for many of the developments that have taken place since then.<sup>11</sup>

This chapter focuses specifically on the evolving Tiriti relationship in PPTA/Te Wehengarua. Other chapters cover the enormous amount of work done by Māori staff and members, in areas such as professional learning in Te Reo me ōna Tikanga, Te Tiriti education in PPTA activist training (Mahi Tika), organisation of annual Māori Teachers’ Conferences, Ngā Manu Kōrero speech competitions, national Kapa Haka competitions, policy development in curriculum and assessment, and development of collective agreement claims to meet Māori teachers’ needs.

## **He Huarahi Hou**

In 1998, PPTA/Te Wehengarua, at the request of Te Huarahi Māori Motuhake, contracted a former Te Huarahi convenor, Fred Jackson, to review the delivery of services to Māori members of PPTA and recommend how those members might increase their participation in the affairs of the union. Because of Fred’s ill health, the contract was passed in late 1999 to his brother, Moana Jackson, to complete it. As a lawyer, Moana Jackson decided that the best approach was to conduct a ‘Treaty audit’ of PPTA. His report was titled *He Huarahi Hou*, published in 2000.<sup>12</sup>

The publication of *He Huarahi Hou* undoubtedly led to what a recent conference paper described as ‘a reasonably fractious period in Tiriti

relationships’ as Executive and Te Huarahi tried to determine how union structures might need to change in response to its recommendations.<sup>13</sup>



**Moana Jackson speaking at MTC, 2013**

Te Rōpu Whakapūmau i ngā take whānui (the partnership committee established in 1984), received *He Huarahi Hou* and made the decision that it would table the report at the 2000 Annual Conference, along with a conference paper written by the committee. The committee decided that *He Huarahi Hou* should be distributed to all Māori members, regional teams, conference delegates, and any other member who requested it, but not placed on the PPTA website because that would prevent it being restricted to PPTA members only. The committee also decided that Moana Jackson should be invited to speak at annual conference, and to also present in a workshop slot.<sup>14</sup>

There were 18 recommendations in the original report, but Te Rōpu Whakapūmau regrouped these under eight headings, and agreed that those recommendations on which Executive and Te Huarahi could not mutually agree would not become recommendations in the paper but would be listed so as ‘to become the subject of discussion, debate and future planning at a later date’.<sup>15</sup>

However, that was not where the matter ended, and the eventual conference paper accompanying the report ended up somewhat briefer than

Te Rōpu Whakapūmau's draft. It explained the background to *He Huarahi Hou* and listed only 10 of the 20 questions that had been used by Jackson to guide his analysis. There were eight substantive recommendations, four of which concerned the establishment of two new structures in PPTA Te Wehengarua: a Treaty Change Management team whose role would be to advance the recommendations of *He Huarahi Hou*, and also a Treaty Council, named Te Rōpu Matua. The paper also recommended union management education programmes to be readily accessible to Māori members; inclusion of language and cultural components in union education programmes; development of 'a clear and consistent set of cultural protocols for the Association to follow'; and review of Te Huarahi Māori Motuhake funding and the resourcing of the Kaumātua and Whaea.<sup>16</sup>

At conference, an attempt was made from the floor to defer consideration of *He Huarahi Hou* until the 2001 conference, but this was resoundingly defeated and conference voted 80/12 to receive it. An attempt was then made to defer the establishment of the Treaty Change Management team till 2001, but this was again roundly defeated, 67/20. An amendment from the floor resulted in the Treaty Change Management team being given a timeline to report in 2001, and also instructed to develop or access Tiriti training programmes. The establishment of Te Rōpu Matua was endorsed. Some recommendations were not debated because time ran out, and these were referred to the Treaty Change Management Team for action.<sup>17</sup>

The President at the time, Graeme Macann, in a memorandum to Executive, Te Huarahi, Regional Chairs, and all staff, reflected on the events leading up to and during the conference debate on *He Huarahi Hou*. While highlighting some of the process issues that had cropped up, and acknowledging that it was never going to be an easy matter to address, he concluded:

I think the decisions reached at Conference regarding *He Huarahi Hou* were about as 'good' as they were likely to be. Clearly there are a number of Pākehā members of the Association who feel bitter that there was not more debate in the branches and regions, and who intensely dislike Moana Jackson's recommendations, especially with regard to representation and staffing ... Conversely, it is likely that a number of Māori members will be disappointed by the gap between their expectations and the Conference decisions. A mutual acceptance of those differences is essential if we are to maturely appraise future policy options in this area.<sup>18</sup>

## Treaty Change Management Team

Conference did not specify the composition of the Treaty Change Management Team, but it appears from the minutes of various meetings in the period following that the parties had settled on three from Te Huarahi and three from Executive, plus the President, the Kaumātua and the Whaea. However, Te Huarahi's initial proposed membership included Moana Jackson as one of their three.<sup>19</sup> This proved to be unacceptable to the Executive, because as a non-member, he had no accountability to Te Wehengarua. The matter was resolved by use of a Totara Wahi Rua (conflict-resolution process). It was agreed that while he would not be a member of the Treaty Change Management Team, either party could seek his advice at any stage.<sup>20</sup>

The other issue settled by the same process was equally significant. It involved the tino rangatiratanga (autonomy) of Te Huarahi Māori Motuhake in its decision making. This second issue had been sparked by Te Huarahi putting forward at the 2000 conference its own amendments to the recommendations on the *He Huarahi Hou* paper, and there had been questions raised about whether that was acceptable. The decision on that is not recorded, but it appears that harmony was restored and the first meeting of the Treaty Change Management Team was set down for 19 April 2001.<sup>21</sup>

The team provided an interim report to Annual Conference 2001, in which it described the composition of the group, the manner of operating, work in progress, and decisions made so far. The team had adopted tikanga Māori processes and protocols as its preferred way of operating because it enabled free and frank debate, and decision making by consensus. Convenorship of the group was rotated between Tangata Whenua and Tauwiwi, and progress reports were provided to both Executive and Te Huarahi Māori Motuhake.<sup>22</sup>

The Treaty Change Management Team reported progress towards the establishment of a permanent Tiriti Council, to be named Te Rōpu Matua, and proposed that it would replace both Te Totara Wahi Rua (the conflict-resolution process) and Te Rōpu Whakapūmau i ngā Take Whānui (the partnership committee that had existed since 1994).<sup>23</sup>

Issues the team had not at that stage resolved included the constitutional place and appropriate funding of Te Huarahi Māori Motuhake. The 2001

conference paper explained that Te Huarahi had grown out of the Multicultural Education Advisory Committee (as had Komiti Pasifika). Constitutional amendments in the late 1980s and early 1990s had set up the processes for elections to Te Huarahi and for its representation on Executive, but its place and role had never been defined – or even clearly implied – in the Constitution, and the team proposed this be addressed at conference in 2002.<sup>24</sup> However, this did not happen until 2004, after the transition from Treaty Change Management Team to Te Rōpu Matua had taken place.<sup>25</sup>

The other issue unresolved at that stage was the funding of Te Huarahi Māori Motuhake. At the time of the 2002 report, the Treaty Change Management Team explained:

Currently, Te Huarahi funding is established by a formula negotiated via the Te Totara Wahi Rua process. This provides a known level of funding within which Te Huarahi can establish its own priorities and exercise Tino Rangatiratanga over. Te Totara Wahi Rua can be used to re-negotiate the formula.<sup>26</sup>

The team was still considering whether this ‘pre-funding’ should continue, whether ‘negotiation’ should follow priority setting, whether elements of both should apply and whether other funding and resourcing for Te Huarahi activities should be added. The other funding issue considered, for the Kaumātua and Whaea positions, had been resolved by its being moved to the General Secretariat part of PPTA’s budget in recognition of the fact that, like the President, the Kaumātua and Whaea ‘have responsibilities and tasks for and on behalf of the membership as a whole, not just Māori’.<sup>27</sup>

It appears that from 2002, Te Huarahi had autonomy over its own finances as allocated through the annual budget process. Minutes show the Āpiha Māori presenting a budget for the following year, but this process has been disrupted recently, causing some tension again.

## **Te Rōpu Matua**

The first meeting of Te Rōpu Matua did not take place until late in 2002. In May that year, the President and others attended a meeting of Te Huarahi Māori Motuhake where their Te Rōpu Matua members were agreed and

dates for the inaugural meeting proposed for later in May.<sup>28</sup> However, the Tauwiwi part of its membership took longer to be settled, delaying the initial meeting till 13 November 2002.<sup>29</sup>

A lot of the discussion at that meeting was about matters of process, but the Te Huarahi members also tabled Recommendations 12 and 13 of *He Huarahi Hou*, namely ‘investigation of the feasibility and administrative steps necessary to establish the new position of Deputy General Secretary Māori’, and a similar investigation into the establishment of a new position of National Field Officer Māori. No decisions on these were made at the time.<sup>30</sup>

Following that meeting, Rangiroa Rongonui, a member of Te Rōpu Matua, wrote a paper for Executive and Te Huarahi Māori Motuhake making several recommendations. The first pushed for action on the 2000 conference resolution about developing or accessing appropriate Tiriti training, beginning in 2003. He also sought the establishment of a Deputy General Secretary Māori position, and that no further Field Officer appointments should be made until Te Rōpu Matua had ‘sorted out Association staffing to meet Māori needs’. Rangiroa also picked up the Te Huarahi funding issue in this paper, recommending that there be ‘good-faith discussions’ about the funding matter and referring to Moana Jackson’s Recommendation Five, that funding ‘acknowledge the right of Te Huarahi to set its own annual priorities and negotiate the necessary resourcing with the Association through Te Rōpu Matua in terms of Te Tiriti’.<sup>31</sup>

The group gathered steam in 2003, with meetings in April, August and November; however, issues tackled seemed to come mostly from Te Huarahi rather than from Executive. One matter that kept coming up was the organisation of Tiriti training for executive members. A subgroup met in December and formulated a proposal for the content of Tiriti training and arranged that Te Rōpu Matua would themselves experience the programme at their March 2004 meeting before determining the final shape of the programme that would be offered to Executive and Te Huarahi together later in the year, and to the wider membership over the next three years.<sup>32</sup>

A full-day session of Te Rōpu Matua was run on 28 March 2004 with facilitator Manu Noho. The session ended with Māori and Tauwiwi caucuses meeting separately, then reporting back. The Tauwiwi caucus reported that it intended to ‘caucus’ on *He Huarahi Hou* for a full day prior to the May

Executive meeting. The report notes that the Māori caucus was ‘extremely disappointed that Taiwi have not already got direction. President and Junior Vice-President elected to represent whole of membership including Māori, not just Taiwi members. Looking for cohesion and direction from elected people.’ Clearly all had not been peace and harmony.<sup>33</sup>

However, progress continued to be made. A full-day meeting on 29 April of the Taiwi members of Executive was scheduled, and some briefing notes were provided by General Secretary Kevin Bunker. These began by reminding Executive of the reason for the meeting, that it had been agreed at Te Rōpu Matua, because ‘the Executive had not really applied its mind to *He Huarahi Hou*’ since Annual Conference 2000, whereas ‘for Māori members and Te Huarahi, the original *He Huarahi Hou* report and recommendations remain very much alive and at issue’.<sup>34</sup>

The General Secretary told the Taiwi members of Executive that doing nothing was not an option. He wrote:

The issues and the challenges are by no means easy. However, avoidance is not an option. PPTA’s commitment to the Treaty, as embodied in the Constitution, means more than acceptance of the record of an historical event. The Treaty is also about finding ways forward with mutual respect and benefit. We should always be seeking to improve our structures and methods of operation for all members. *He Huarahi Hou* raises questions in this regard in respect of Māori. Thus we need to consider those questions, their validity and whether or not *He Huarahi Hou* provides us with any useful answers.<sup>35</sup>

Recommendations put to the Executive meeting following the 29 April meeting included acknowledging the contribution that *He Huarahi Hou* had made to PPTA’s constitutional responsibility to affirm and advance the Treaty partnership; noting the commitment of Taiwi members to being ‘active partners in making meaningful changes to Association processes and structures in order to meet concerns expressed by Māori members’; recommending that Te Rōpu Matua consider how existing structures and processes could advance and affirm the Treaty partnership; and proposing a programme of Treaty education for members. There was also a significant constitutional amendment proposed, which would boost Māori representation at Annual Conference and include ‘encouragement’ to regions to include Māori members in their conference delegations.<sup>36</sup>

*He Huarahi Hou* had recommended that there be a Deputy Secretary Māori position, but also that the Āpiha Māori position ‘be restructured to facilitate greater liaison with Māori members and so ensure effective



channels of communication and policy input between the membership, Te Huarahi, and other parts of the Association’, perhaps through secondment of a practising teacher. Executive resolved that the General Secretary ‘investigate the implications’ of that latter recommendation, and to ‘investigate the implications of creating a Field Officer position whose scope would include special responsibility for Māori members’. There was also a recommendation for a marae-based hui for Tauwi and Te Huarahi members of Executive to allow for a free and open exchange of views.<sup>37</sup>

The constitutional amendments carried at the 2004 Annual Conference made three significant changes: they clarified the status of Te Huarahi Māori Motuhake and how it was elected, established Te Rōpu Matua as a formal body with constitutional status, and provided for increased Māori representation at conference as of right. These amendments had come from both the meeting of Tauwi Executive members, and from meetings of Te Rōpu Matua.

The conference paper explained that while Te Huarahi Māori Motuhake had been established in 1988, and a process for electing its members and setting out its responsibilities went into the Constitution at that time, the way this was laid out in the Constitution was confusing ‘and could imply that Te Huarahi Māori Motuhake is akin to a subcommittee appointed by the Executive’. The amendments endeavoured to clarify that this was not the case.<sup>38</sup>

A new Rule 36 was inserted into the Constitution:

Te Huarahi Māori Motuhake shall consist of Māori members of the Association elected according to Rule 72(A)(ii) and shall work in conjunction with the Executive to further the objects of the Association and to provide leadership on matters affecting Māori members and the education of Māori students.<sup>39</sup>

That rule remains the same today, except for numbering changes.

The status of Te Rōpu Matua was also formalised by adding a new section 37:

Te Rōpu Matua shall be established as the premier partnership forum within the Association to inform both Te Huarahi Māori Motuhake and the Executive as to how to give best effect to the constitutional object of affirming and advancing Te Tiriti o Waitangi [Rule 4(c)].

The membership of Te Rōpu Matua was established as the Kaumātua and Whaea, President, General Secretary, three members of the Executive, and

three members of Te Huarahi Māori Motuhake, each elected by their own constituency.<sup>40</sup>

All members of Te Huarahi Māori Motuhake were accorded the same right as members of Executive to attend Annual Conference, ex officio, increasing guaranteed Māori representation at conference. It was hoped that many members of Te Reo-ā-Rohe would also attend in regional delegations.<sup>41</sup>

The three constitutional amendments appear to have been carried without a lot of dissent, with voting 99/2, 98/3, and 97/5. This contrasted markedly with events at the 2000 conference concerning *He Huarahi Hou*.<sup>42</sup>

Respective boundaries became an issue. Te Rōpu Matua realised that linking Te Huarahi boundaries more closely to iwi boundaries would mean that the areas covered by Te Reo-ā-Rohe members would not coincide with Te Huarahi areas, because Te Reo-ā-Rohe were elected on the regional boundaries. The General Secretary promised that if a Boundaries Commission was set up, this would be one of the matters it would consider.<sup>43</sup>

As it happened, a Boundaries Commission was established in 2005, stemming from a paper on PPTA Te Wehengarua structures considered by the 2004 Annual Conference.<sup>44</sup> However, when the Commission reported to the 2006 Annual Conference with recommendations for changes in regional boundaries, it had no recommendations on how to reconcile Te Huarahi and Te Reo-ā-Rohe boundaries. Instead, it reported that Executive had requested that Te Rōpu Matua consider the matter.<sup>45</sup>

This occurred later that year. There were some areas where the non-alignment of boundaries was a problem, and Te Rōpu Matua referred the matter to Te Huarahi Māori Motuhake to make recommendations for constitutional amendments in 2007. Te Huarahi was unable to meet that timeline, and the matter returned to a Rōpu Matua meeting in April 2008, where the General Secretary was asked to write a paper on Te Huarahi adopting Executive boundaries.<sup>46</sup>

His paper explained that the Te Huarahi boundaries arose from the transition from the former Multicultural Education Advisory Committee (MEAC) to a Kaupapa Māori form of governance. They had been drawn to combine two aims: to 'reflect the traditional territories of the first waka to these shores', but also to try to retain the experience of the Māori members

of MEAC, making the boundaries ‘somewhat arbitrary’, and with little relationship to the existing PPTA boundaries. This had not mattered until it was decided to create the Te Reo-ā-Rohe position, elected by and from the Māori electoral roll within each region, and part of the regional committee as a result.<sup>47</sup>

The General Secretary explained:

The theory was that Te Reo-ā-Rohe would become a breeding ground for future regional leaders, Te Huarahi members or Executive members as well as a vibrant network for Māori members. However, Te Huarahi, because of its different constitutional basis, was not really connected to that base. The answer to that problem appeared to be to allow Te Huarahi members to also automatically become members of the Regional Committees in which they taught. That was done but problems of connectedness have continued, especially where one’s Iwi-geographical ‘seat’ straddled more than one Region or did not sit comfortably within the apparently contiguous Region. These problems posed pressures in terms of relating to a number of different networks of Māori members including local Māori Teachers’ Associations that often operated as a de facto support base or ‘electorate’ for individuals concerned. Other complications to arise have included regional funding and support for local activities, lack of clarity or consistency regarding electoral processes and confusion about accountability.

The General Secretary proposed that the iwi-geographical basis for Te Huarahi Māori Motuhake representation be abandoned and that Executive electoral boundaries adopted instead, providing a common regional basis for all PPTA structures, both Māori and Tauīwi. This would be a break from tradition, but there was a benefit, that Te Huarahi would grow as a result, from its current 16 seats to 21.<sup>48</sup>

There was a Te Huarahi meeting soon after this paper came out, and the minutes record a lengthy and inconclusive debate about the General Secretary’s recommendation. The only consensus arrived at was that Te Huarahi did want its numbers increased, including the number of members it had on Executive, but on the change of boundaries to regional boundaries there was no consensus.<sup>49</sup>

Discussion about boundaries carried on through 2009, with talk of a conference paper on the matter in 2010. Te Rōpu Matua, meeting in July 2009, added a further complexity to the issue by asking Te Huarahi Māori Motuhake to also consider links with Māori Teachers’ Associations with a view to clarifying such links.<sup>50</sup>

Te Huarahi discussed, at its November 2009 meeting, some specific boundary changes, but these do not appear to have been about aligning Te Huarahi boundaries with regional boundaries so much as making the Te

Huarahi areas more manageable and improving representation.<sup>51</sup> These boundary changes, which created two new areas (Whanganui and Awakairangi/Wairarapa), extended Te Whanganui-a-Tara north to Otaki, and split the Te Arawa/Mātaatua area in two, were put into place through a constitutional amendment at the 2010 Annual Conference.<sup>52</sup>

On a related matter, Te Huarahi asked the Āpiha Māori to write a paper on the pros and cons of all members of Te Huarahi becoming members of Executive, to be tabled for discussion at the joint Executive/Te Huarahi hui planned for April, and then perhaps passed on to Te Rōpu Matua.<sup>53</sup> While this paper appears not to have eventuated, there is some hint in the minutes of the joint hui in September 2008 that the idea may have been raised there. One of its resolutions was: ‘That Te Rōpu Matua prepares a paper for the 2009 Annual Conference that recommends constitutional and other changes necessary to enhance the effectiveness of the Huarahi representation of Māori members in Te Wehengarua-PPTA.’<sup>54</sup>

However, it seems this recommendation was never discussed at Te Rōpu Matua, and no such paper appears to have been written. General Secretary at the time, Kevin Bunker, could not recall why this was, and there is no evidence of it being placed on an agenda for Te Rōpu Matua. Looking back, Kevin thought that the change would have risked over-complicating governance, but – perhaps more significantly – it would have undermined the significance of Te Rōpu Matua as the partnership committee where Executive and Te Huarahi are equally balanced.<sup>55</sup>

At the joint hui in September 2008, several decisions were made by consensus. This included requesting the General Secretary to include in his staffing report that year ‘how the needs of Māori members can be met from PPTA resources’, and that the ‘issue of elected positions Māori be discussed further at the November 2008 Executive meeting’.<sup>56</sup> The General Secretary did consider how the union was meeting Māori members’ needs in his 2008 staffing report; however, he did not recommend any change. He wrote:

I do not believe that the needs of Māori members can be met by employing more staffing resources, even if that were affordable. Rather, I believe that the resources we employ should continue to be directed towards organising, education and developing Māori members collectively. Further, since the appointment of Te Mataroa [see next section] the ‘servicing’ of individual Māori members can be demonstrably met via the increased capacity and confidence within the field service as a whole and with direct support from Te Mataroa.<sup>57</sup>

On the issue of elected positions for Māori, Executive determined in November that the General Secretary should provide a discussion paper for the February 2009 Executive meeting ‘on the topic of a Māori Vice-President’.<sup>58</sup> (See later in this chapter.)

An issue of Tino Rangatiratanga was raised at a 2007 Te Rōpu Matua meeting. It was recorded that Tauwiwi Executive member Allayne Ferguson, who had been a member of Te Rōpu for some time, ‘wanted to confirm that Te Rōpu minutes would be tabled and received at the Te Rōpu slot at Executive and not referred to standing committees’. It was agreed that this was the intention, implicitly acknowledging that Te Rōpu recommendations had a higher status than recommendations from committees, individual executive members, or staff. It was also decided that where the President deemed it necessary, a further plenary session on Te Rōpu recommendations would be held on the second full day of Executive, presumably to allow for informal discussion to occur on the more contentious items, between the two sessions.<sup>59</sup>

Meetings of Te Rōpu Matua have been less frequent in recent years. This does not necessarily indicate that there are no issues to resolve.

## **Te Mataroa**

Te Huarahi and Māori members generally had not forgotten about the *He Huarahi Hou* recommendation for appointment of ‘a Field Officer Māori with responsibility for specialist advocacy and education in industrial and professional matters as they affect Māori’.<sup>60</sup> At the end of 2005, the General Secretary presented his usual paper on staffing requirements for the Association at the November Executive meeting, and made no mention of the pressure for a field officer with specific responsibility for Māori members.<sup>61</sup> However, at the Executive meeting this must have been raised in the debate, because an additional recommendation was carried, ‘that an exploration of a different perspective in the servicing of Māori and Tauwiwi members be a focus of the Treaty of Waitangi training prior to the February (2006) executive meeting’.<sup>62</sup> That training does not appear to have been scheduled.

However, the issue of a Field Officer Māori was raised at Te Rōpu Matua in May 2006, with one member saying ‘Māori have been calling for it for a

very long time. Tauwiwi don't listen'. Others went on to talk about the whakamā (shame) that Māori teachers felt if they were not coping, and that PPTA needed to act so they weren't lost to the profession. One member said: 'The ideal is that someone who is steeped in Tikanga and Reo Māori be appointed with the PPTA Field Service.' Still no decision was made.<sup>63</sup>

Pressure continued to build. The day after the Te Rōpu Matua meeting, Te Huarahi met at Te Aute College, Hawke's Bay. The programme included a visit from both Fred and Moana Jackson. Moana Jackson is recorded as having 'expressed hope that the Treaty Audit produced in the year 2000 is still relevant although progress is slow'. He also advised Te Huarahi to 'pick a couple of issues per year and endeavour to make measurable progress' and recommended they not be afraid of being called 'radical', because radicals are people who want change, and the struggle was ongoing.<sup>64</sup>

After the Jackson brothers left, discussion turned to whether Te Huarahi should prepare an Annual Conference paper for that year's conference in pursuit of having one, or more, Māori Field Officers. There was clearly a consensus in favour of this. Members of Te Huarahi said that sometimes Māori members don't have faith in Tauwiwi Field Officers. 'There is a cultural element required when working with Māori. Some Kaiako want their cases addressed in Te Reo Māori.' Te Huarahi decided to recommend that Executive 'note' that Te Huarahi would 'prepare a paper outlining the strategy for the implementation of Field Officer Māori positions and seek support from Māori membership, general regional membership, Te Rōpu Matua and National Executive'.<sup>65</sup>

This proposed paper, titled 'He Huarahi Hou 2006: Realising Our Treaty Commitments – A Bi-cultural Approach', was discussed at the Māori Teachers' Conference in July. It analysed progress on the recommendations from *He Huarahi Hou*, but explained that Māori members wished to prioritise, in the short term, three of the recommendations that had not so far been achieved: the inclusion of language and cultural components in the union's education programmes, development of a clear and consistent set of cultural protocols, and the establishment of a Field Officer Māori position 'at management level ... with responsibility for specialist advocacy and education in industrial and professional matters as they affect Māori'.<sup>66</sup>

Several areas of contention began to emerge around this. Firstly, Te Huarahi, on a conference call in early July, had been asked by President Debbie Te Whaiti to help co-construct the agenda for the forthcoming joint Executive/Te Huarahi hui. Proposals included that Moana Jackson speak at the hui to set the context for the meeting, and that the draft conference paper be tabled there, because this would ‘help structure the discussions, and focus on the recommendation from Te Rōpu Matua, to give practical effect to PPTA’s constitutional commitment to the Treaty’. Also, Te Huarahi decided that ‘all Māori staff’ would attend the joint hui.<sup>67</sup>

On that latter point, Deputy General Secretary Colin Moore, who was on the call, must have said that staff would be excluded from the joint hui, and Te Huarahi members then asked him to explain how the General Secretary, a staff member, was always at the meetings. Someone went on to say that in their view, the position of the Āpiha Māori was ‘he orite’ (equal) to that of the General Secretary, and they wanted this to be discussed further. Colin Moore explained that constitutionally, the General Secretary was a non-voting member of the Executive, but the constitution was silent in terms of the Āpiha Māori; however, this does not appear to have ended the matter for Te Huarahi.<sup>68</sup>

There was a flurry of papers over the next month or so. First up was the President, explaining to the Executive her thinking about the joint hui, and in particular about the matter of staff attendance. This had been raised with her by National Office advisory staff, who had been told by the Acting General Secretary, Bronwyn Cross, that they would not attend the hui, and yet were aware of the pressure from Te Huarahi for the Āpiha Māori and Field Officer Bill Harris (who identified as Māori) to attend. The President noted that:

... for many of Te Huarahi the Āpiha Māori position is deemed to be equivalent to that of the General Secretary and ... much of our practice has been to include both the Āpiha Māori at that level and Bill Harris. Effectively the constitutional silence or lack of specificity about the inclusion of staff members as members of Te Huarahi means that challenging the presence of staff members at this forthcoming hui is difficult ... Having been present at most if not all Treaty Change Management Team and Te Rōpu Matua meetings, I know that the presence and participation of staff has been accepted and not formally challenged – by either partner.

She recommended that Te Rōpu Matua convene urgently to settle the matter.<sup>69</sup>



The following day, a paper was issued by Bronwyn Cross, who was Acting General Secretary at the time. Provocatively, she titled her paper ‘A robust constitution and why it’s good to have one!’ She wrote of the dangers for a political organisation that employs paid officials, in that the staff can overwhelm the organisation simply because they are there all the time, and the organisation can then start to reflect the staff’s needs rather than the members’ needs:

Our Constitution takes account of the risk that staff may pose and manages it by allowing the General Secretary to be a non-voting member of Executive while explicitly stating (80 ix) that the secretary ‘shall not exercise any of the following powers: (a) Determining matters of policy’.

She expressed sadness that the debate seemed to be creating a ‘false duality’ between the constitution and the Tiriti, as if the constitution were a Pākehā document and Te Tiriti a Māori one. ‘The Treaty is given force in PPTA by its inclusion as object 4c of the Constitution, so the two must exist mutually.’<sup>70</sup>

The draft Te Huarahi conference paper was tabled at the Executive meeting on 27–28 July with the recommendation that it be endorsed for presentation to Annual Conference. However, following discussion at the Association Standing Committee, the motion was instead that it ‘lie on the table’. This was passed 16/3.<sup>71</sup>

Te Rōpu Matua met the following day, 29 July, faced with a difficult situation regarding the paper. The President explained that the Standing Committee had wanted the decision on the paper to be deferred to the Te Rōpu Matua meeting, and to the joint hui, which was to take place on 1–2 September, hence the recommendation that it ‘lie upon the table’. This would leave very little time before the conference for distribution of the paper to branches, and Te Huarahi members were insistent that the paper should not be treated differently from other conference papers. Te Rōpu Matua considered rewriting the paper, presumably to remove the more contentious recommendations, but it was agreed that neither party had the authority to do so. In the end a compromise was reached: a covering letter would go with the rest of the conference papers, explaining that there may be a further paper ‘outlining any steps that PPTA is contemplating to give practical effect to Te Tiriti’. That left open the possibility of the paper being circulated late, but still considered at Annual Conference.<sup>72</sup> (The notes record no decision about staff presence at the joint hui; however, the

minutes from the hui show that the only staff member present was the General Secretary.)<sup>73</sup>

In the period between the Te Rōpu Matua meeting and the joint Executive/Te Huarahi meeting, the papers kept coming. Bronwyn Cross weighed in again on 10 August, under the title 'He Huarahi Hou – The continuing discussion'. This confronted the issues of partnership in a more direct way than most had. She argued:

The *He Huarahi Hou* paper presented (as requested) a hypothetical model of what a 'culturally compliant' organisation might look like. PPTA isn't a theoretical organisation but one with an established purpose and a structure designed to facilitate that purpose. The union's prime purpose is not actually to advance Te Tiriti (although the members have accepted a responsibility in that respect) but to look after the industrial and professional interests of its members. The current members' survey reaffirms the results from the 2003 survey: members want the union to look after their salary and conditions. The 2006 survey overwhelmingly affirms the focus on salary and conditions. The 8.9% who identified Treaty-related issues as significant commented on a range of issues (support for Māori students, pay for learning Māori, promoting Matariki day ...) and not just PPTA structural change.

Nowhere in *He Huarahi Hou* is there any acknowledgement of the critical industrial function that defines the relationship PPTA members have to the organisation. It assumed that accountabilities and relations derived from the state sector could simply be imposed on the union structure. But there is a considerable difference between the Crown undertaking to make reparations to a people it has dispossessed to an organisation whose assets have been built up over the years by voluntary donations from all its members.<sup>74</sup>

Turning to the pressure for the appointment of a Field Officer Māori, she argued that matters of staffing the organisation were for management (the General Secretary essentially), not for governance (Executive and Annual Conference) to decide. The General Secretary had advised the November 2005 Executive against such an appointment 'on the grounds that it would be physically impossible and perhaps unsafe in workload terms for one person to try to look after the discrete needs of 800 plus members spread throughout the country'. It would be most unwise, procedurally and legally, for the Executive to ignore his advice, she wrote.<sup>75</sup>

By the end of August the General Secretary was back from leave and, just before the Joint Executive/Te Huarahi meeting, he shared his thoughts on the matter. He explained why he believed that the position of a Field Officer Māori was a recipe for failure for the appointee:

... the need, as it was being expressed, was for a field officer to represent Māori who may be experiencing problems in their employment. The picture this created was of a valiant warrior, astride a white charger, who rides into town to deal with the issue and who rides out again at

sunset. This was not a true reflection. Individual casework is time-consuming, involving a number of visits, research and other follow-up. A person operating nationally would not be able to work in this way. Cases would have to remain with or be handed back to the local field office. A Māori Field Officer would be able to act as a support person on occasions but would rarely be able to represent a member in a lasting and meaningful way.<sup>76</sup>

He went on to argue that membership education and development was a better answer in the longer term:

It fosters skill and confidence and the capacity to work collectively. It also builds activism and engagement. In time, it reduces the need for ambulance-at-the-bottom-of-the-cliff solutions and develops future potential leaders.<sup>77</sup>

He suggested instead establishing a position that was part of the Field Service but emphasised organising, educating and developing Māori members. It would complement the work of both the Field Service and the Āpiha Māori, 'but representing Māori members with employment difficulties would not be a primary responsibility', with that function remaining largely with the appropriate Field Office. Such a proposal, if approved, could be progressed through the annual staffing review at the November Executive meeting, and actioned in 2007.<sup>78</sup>

At the joint hui on 1 and 2 September, time was almost entirely taken up in debating these issues. The General Secretary's proposal was agreed to have merit, and a position title 'Tūranga Māori' (Position Māori) was proposed to distinguish it from the other concept of Field Officer Māori. By a unanimous vote, it was decided to recommend to Annual Conference that it instruct Executive to scope and implement in 2007 such a position 'to meet members' needs'.<sup>79</sup>

A paper titled 'Tūranga (Position) Māori', in the joint names of Executive and Te Huarahi, was presented to Annual Conference 2006. It canvassed the history since *He Huarahi Hou* and presented the rationale for the position as articulated at the joint hui. Significantly, it explained why the resolution included the words 'to meet members' needs' rather than the General Secretary's 'to meet Māori members' needs', saying: 'developing capacity in respect of Tikanga Māori and wider understanding with respect to Te Tiriti would be of benefit to the Association as a whole as well as [to] Māori members.'<sup>80</sup>

The recommendation crafted at the joint hui was put to conference, but even then, things didn't go smoothly. First, there was a procedural debate

about whether it should be considered because of its late circulation, but the ruling from the chair that it should proceed was agreed with. Secondly, an attempt was made to move conference into committee to discuss it, and this failed. Thirdly, there was an attempt to amend the motion so that the proposal would have go to regions for consultation before being implemented, but that failed as well. Finally, the original motion was put and carried, 93/9, indicating that opposition was in fact very small.

Te Rōpu Matua met after the conference, in November, and discussed the Tūranga Māori position further. They recognised that it must be manageable, and there were multiple relationships to be forged, with the Āpiha Māori, Field staff and Advisory staff, and the Membership Education Coordinator. They felt there needed to be a name for the position that fully encompassed the role as being about working with, and meeting the needs of, people. The role needed to look after ‘Wairua Tangata’, the whole of the person and their whānau, to awhi, to guide, and to advise.<sup>81</sup>

The General Secretary then wrote a paper providing a draft job description and person specification for the role, drawing on the discussions at the joint hui and at Te Rōpu Matua, and placing the role within the context of the ‘Organising Plus’ model of unionism, which recognises that a union’s strength and capacity come from its members and their ability to act collectively. In PPTA this was usually engendered through the branch, but the General Secretary pointed out that Māori members could be isolated within their branches by virtue of often being the only Māori teacher on the staff, and that different approaches to organising them were needed, such as through developing local networks. The paper also suggested a key task for the new staff member would be developing, among the whole membership, capacity with respect to Tikanga Māori and wider understanding of PPTA’s Tiriti commitment.<sup>82</sup>



**Te Mataroa Bill Anderson in 2008**

Bill Anderson was appointed to the position in April 2007. He was, at the time, an NZEI Field Officer who brought 37 years' worth of education experience to the position, having worked in the primary, secondary and tertiary sectors. He began work at PPTA in June 2007, working out of the Hamilton Field Office.

In January 2007, Kaumātua Te Whare Turuwhenua had decided that the appropriate name for the position was 'Te Mataroa'. Later that year, in conversation with Bill Anderson, Te Whare explained his name for the position:

... as being likened to the edge of an adze that has the responsibility of 'cleaving the air' to allow people to pass through safely. He likened the movement of people on to a marae for the first time, being led on by a Kaumātua, and having the incantations from the Kaumātua and the Kai Karanga (caller) of the marae (courtyard in front of the meeting house) providing a safety net for the visitors ... the person would possess qualities of humility and respect for his fellow professionals and provide a knowledgeable overview of the needs of PPTA members with special emphasis to Māori members. 'Its blade sweeps from the past to the future and is not confined to what the eyes see.'<sup>83</sup>

Reviewing his work over his first four years in the position, Bill Anderson said that it had fallen largely into four areas: working in tandem with Field Officers providing professional support and guidance for PPTA members, particularly Māori members, who had issues with their employers; involvement in union education, including providing Tikanga Māori aspects; networking with the membership by invitation from Field

Officers; and planning and developing papers, seminars and workshops related to the work done in collaboration with Field Officers.<sup>84</sup>

## **PPTA Te Wehengarua Kawa and Tikanga**

The main responsibility for establishing and maintaining the PPTA Kawa and Tikanga lies with the Kaumātua and Whaea, by whom PPTA has been well served. As discussed above, the first Kaumātua, who served from the early 1980s till his death in 1988, was Hamiora Tangiora. Following him, from 1988 to 2019, was Te Whare Turuwhenua, who gave an extraordinary 31 years of service to the union.

The Whaea from 1988 till 2007 was Kataraina Sarich, from Northland. She died on 16 June 2007 after a long illness, having served for 19 years. Gazala Maihi was Whaea Kaitautoko (support person for the Whaea) to Kataraina Sarich for several years. In 2000, Executive had agreed to a recommendation from Ngāwini Smith, a Te Huarahi Executive member, that ‘the position and status of the current Kaitautoko be formally acknowledged’.<sup>85</sup> Gazala was formally installed as the PPTA Whaea at the 2008 Annual Conference.<sup>86</sup>



**PPTA Kaumātua Te Whare Turuwhenua at Māori Teachers' Conference 2010**

In 2015, Te Huarahi Māori Motuhake appointed Kaitautoko for both the Whaea and the Kaumātua, to assist them in their respective roles.<sup>87</sup> Whaea Gazala Maihi explained the need for this role using her own experience of supporting the first Whaea, Kataraina Sarich. She said: ‘Aunty Kath used to force herself to come even when she wasn’t well enough, because she wanted everyone to see the Taha Māori (Māori side of the partnership) represented. She asked me to fill in for her when she was not able to be there.’<sup>88</sup>

In early 2019, Te Whare Turuwhenua advised Whaea Gazala that he wished to pass the rākau (role) to his Kaitautoko, Henare Hutana.<sup>89</sup> Life memberships were awarded to both Whaea Gazala Maihi and retired Kaumātua Te Whare Turuwhenua at the 2019 annual conference.<sup>90</sup> The role of Kaitautoko is currently an informal arrangement, in that it has not been written into the PPTA Constitution in the way that the roles of Whaea and Kaumātua are.



**Moeke Paaka hongis with new PPTA Kaumātua Henare Hutana, at Māori Teachers' Conference 2019. Moana Jackson and Dr Kathie Irwin to side, Whaea Gazala Maihi obscured.**



**Waiata at 2019 Māori Teachers' Conference – left to right front row: new Kaumātua Henare Hutana, Kataraina Taiaroa (known as Dovey), Whaea Gazala Maihi, Moeke Paaka.**

Two significant symbols of PPTA's Te Tiriti o Waitangi commitment are seen at all important occasions, after a decision in 2008 that they should be acquired.<sup>91</sup> The first is the taonga, a decorative waka, which represents the mauri, the life essence, of PPTA Te Wehengarua. Whaea Gazala told me that she came to feel that there was a need to 'whakatinana' (embody, represent in a physical form) the mauri of the union, because up until that time there was nothing serving that purpose. She made the decision that it should be a waka: 'In my thinking, it's a vehicle we can all get on board, we do it together, and the mauri will guide us.'<sup>92</sup> At Annual Conference and other major meetings, part of the tikanga of the pōwhiri is the placement of the waka on a table in front of the podium. It is ceremonially removed when the poroporoaki (farewell) ends. General Secretary at the time, Kevin Bunker, recalled going with the Āpiha Māori, Te Makao Bowkett, to buy the waka at a specialist shop for Māori artefacts in Allen Street, Wellington. He could not recall whether they were told of its provenance, but they both felt that, of the waka available at the time, the one they chose 'captured the spirit of Te Wehengarua best'.<sup>93</sup>

The taonga has since been named Te Puāwaitanga after a much-loved Northland member, Te Puāwaitanga Blossom Silich, who died on 30 August 2020.<sup>94</sup> Miriama Barton told me that Blossom, as she was known, was expert in Raranga (basket weaving) and gave workshops on it at Māori Teachers' Conferences. Whaea Kataraina Sarich was also a Raranga expert, and they both came from Northland.<sup>95</sup>





**PPTA ceremonial waka Te Puāwaitanga**

The second symbol, purchased at the same time, is the korowai (cloak). This is intended to be worn by the President on all important PPTA Te Wehengarua occasions. Kevin Bunker believes that he and the Āpiha Māori bought the korowai from the same Allen Street shop as the waka. He has a clear memory that, unlike the CTU korowai, it was not commissioned directly from a weaver.<sup>96</sup> The korowai is a very important part of ‘a process whereby the office of President can be handed over to new incumbents’, as explained by Whaea Gazala to General Secretary Kevin Bunker. It was agreed that this would happen in the first year of a President’s term (which begins in February), at the Issues and Organising Seminar. Explaining the plan, the General Secretary wrote:

During the pōwhiri, which could see the new President brought in with the manuhiri (visitors), the President would be ‘called’ to come over. The President would be ‘cloaked’ with the PPTA korowai and the PPTA taonga would be presented to her/him. After suitable acknowledgements are expressed, the first duty of the new President would be to present the outgoing President with PPTA’s gift of aroha. The pōwhiri would then conclude as usual with morning tea/refreshments.<sup>97</sup>

Management Committee also approved the purchase of a glass cabinet for the reception area of PPTA National Office, where both symbols are kept in pride of place, and also the purchase of a suitable gift for any outgoing President. In addition, it adopted the advice of the Whaea that there must be an appropriate welcome within National Office for incoming presidents, and that a photographic record of PPTA presidents should be installed in the office.<sup>98</sup>

Kate Gainsford was the first President to experience this new ceremony, and she acknowledged that ‘the process of handing over and receiving the

President through the placement of the korowai on her shoulders was both a serious and spiritually unifying ceremony, appreciated by all in attendance'.<sup>99</sup> She remembers the sense of responsibility from the array of hopes and expectations she felt laid on her along with the korowai. But she also remembers a sense of security, that it meant that Te Huarahi Māori Motuhake and Executive stood with her.<sup>100</sup>



**President Kate Gainsford wearing the PPTA Korowai, 2009**



**New President Kate Gainsford bestows Taonga on outgoing President Robin Duff, I&O 2009**

That same year, 2009, the Kaumātua, Te Whare Turuwhenua, gave a Māori name to the position of PPTA President. At a meeting of Te Rōpu Matua in March, he signalled that he believed the time was right for a Māori title for the PPTA President, and that his choice was 'Te Manukura'. The minutes record that 'He invited Te Rōpu Matua to consider this further'.<sup>101</sup> At the joint Executive/Te Huarahi meeting in May, he explained that a manu is a bird that has the ability to deliver, communicate and convey ideas to the masses. 'Manukura' relates to leadership status. The position is 'not unachievable, but someone humbly takes on that role'.<sup>102</sup> It appears that this discussion, because it was part of an informal joint Executive/Te Huarahi meeting, never progressed to being a formal resolution of Executive, and there is no record of Te Manukura being used since to signify the presidential role. This omission seems likely to be an oversight rather than deliberate.

While PPTA Te Wehengarua recognises the kawa of the Mana Whenua of the area where they are meeting, the union-specific elements of the kawa have continued to evolve over the years, and there were increasing requests for this to be written down. In 2004, in a Nga Take Māori session at the May Executive meeting, it was resolved that 'The Kawa/Tikanga for PPTA conferences ... be documented'. The resolution noted that it would need to take into account regional iwi protocols with respect to welcoming visitors, thanking visitors, closure of meetings, preparation of koha and receiving of koha, and preparation of waiata. The task was given to Te Huarahi.<sup>103</sup>

At a Rōpu Matua meeting in September 2012, the Whaea, Gazala Maihi, circulated a working draft of a booklet she had developed setting out guidance on protocols for use at PPTA national hui and forums. She asked what protocols were in use in branches and regions, and what guidance and support they may require. It was suggested that some education on this might be provided at the 2013 training days for Regional Chairs and Te Reo-ā-Rohe at the March 2013 Issues and Organising Seminar.<sup>104</sup> The document included notes about kawa, emphasising that for Wellington events, the Te Ati Awa Kawa was the one that prevailed because they were Mana Whenua. There were waiata and karakia, with English translations, and these avoided overtly Christian references, because this was more 'acceptable and inclusive'.<sup>105</sup>

In 2013, that document was revised and came to be included in conference booklets, and later, in 2017, was placed in the resource folders provided to Executive members for use at meetings. The title page describes its purpose and contents:

The purpose of this booklet is to offer some assistance to the members of Te Wehengarua NZPPTA to understand some of the protocols, waiata, karakia, tauparapara which are carried out at Conferences and meetings.<sup>106</sup>

At a Huarahi hui in 2019, a significant discussion developed about PPTA tikanga, and the role of Te Huarahi members. The minutes record that ‘there were multiple misunderstandings of what the tikanga is in PPTA spaces.’ The Whaea, Gazala Maihi, asserted that:

When PPTA is hosting, Te Huarahi must tautoko the Mana Whenua and members should feel comfortable about where they are during pōwhiri. Those who are not waewae tapu are to support Te Wehengarua on the tangata whenua side and the other Te Huarahi members are to bring in the manuhiri. For all PPTA hui, members should read agendas with an eye for where tikanga needs to be asserted, arrive prepared on the day – ā wairua, ā kākahu nei – and not await permission of Pākehā counterparts. Mahia te mahi. This is not seen as being whakahihī but rather it is stepping into responsibilities of Te Huarahi.<sup>107</sup>



**Wellington East Girls' College students hand over new President Kate Gainsford  
2009**

This is an example of the role of the Whaea in safeguarding the PPTA kawa. Whaea Gazala told me that she wanted the members of Te Huarahi to see themselves as responsible for the tikanga, and not wait for others to take

the lead. They were in charge to ensure that things were done right; they needed to ‘mahia te mahi’.<sup>108</sup>



**PPTA Whaea Gazala Maihi**

It appears that karakia and waiata have been part of Executive meetings since the 1990s at least. However, there have been additions, in particular, the introduction of a whakataukī to guide Executive at each of its meetings. This happened first at the February Executive meeting in 2009, when Kate Gainsford began her time as President, and from then on, a whakataukī has been presented at the start of each meeting and recorded in the minutes. At first, these were provided by the President; however, since the beginning of 2013, other members of Executive have taken turns to contribute a whakataukī and explain its meaning and significance.

At the 2022 Annual Conference, a ceremony was held to honour Whaea Gazala for her many long years of service to the union. The session was titled ‘Te Rau Aroha’, which Māori Vice-President Vince Hapi explained as being a ceremony to acknowledge someone for service to others. Whaea Gazala was presented with a kākahu. Speeches at the presentation talked of the Whaea ‘doing the right thing, in the right way, for others’, and of her humility, citing the well-known whakataukī ‘Kāore te kūmara e kōrero ana mo tōna ake reka’, meaning ‘The kūmara does not boast about its sweetness’.

## Tiriti education

For some time prior to the 2000s, there was always a Ngā Take Māori (Māori topics/issues/matters of concern) session on the agenda of Executive minutes, used for presentations about Te Huarahi affairs, as the name would suggest. For example, at the February 1999 Executive meeting, the slot was used for introductions of Te Huarahi members, information about Te Huarahi allocations to the major committees, their objectives for the year, and so on.<sup>109</sup> By the middle of 2004, however, the session appears to have disappeared from the agenda altogether.

Te Huarahi expressed repeated concern over the years following publication of *He Huarahi Hou* (and probably before then too), that Tauwiwi Executive members needed to engage with Tiriti education/training. This no doubt stemmed from a perception that there were large gaps in knowledge and understanding between the partners, and that people were ‘talking past each other’.<sup>110</sup>

Finally, in February 2005, the Executive experienced a day of Tiriti education, delivered by Peter Adds, School of Māori Studies at Victoria University, and Bronwyn Yates and Peter Isaacs of Literacy Aotearoa, an organisation which had been on a similar journey to PPTA’s in recent years. Reflection on the session at the next Te Rōpu Matua meeting noted that ‘the day provided a worthwhile perspective on Te Tiriti for Executive’. Te Rōpu Matua asked for Executive to be surveyed on the value of the session and what follow-up would be useful, for it and for the membership at large.<sup>111</sup>

A Te Rōpu Matua meeting in April 2007 revisited the subject of Tiriti education, recommending that the planning committee for the 2008 Issues



and Organising seminar include a Kaupapa Māori slot in the training programme for Regional Chairs, and that information about Ngā Manu Kōrero be included in the Regional Officers' handbook.<sup>112</sup>

At the joint Executive/Te Huarahi hui on 29 September 2008, it was decided: 'That a programme of development in Te Reo me ona Tikanga Māori be implemented in 2009 as part of each National Executive meeting.'<sup>113</sup> This was to have an educative purpose, unlike the previous Ngā Take Māori sessions.

The minutes of the February 2009 Executive show a session on Te Reo being run by one of the Te Huarahi members, and later the same day, Whaea Gazala Maihi 'led a session with the Executive on the history of the use of Karakia in PPTA and informed the Executive of the distinction between Inoi and Tauparapara'.<sup>114</sup> These sessions have continued ever since at Executive meetings, and there is also a more substantial session at the annual Executive Training Day. Currently the session is titled 'Kaupapa Māori' and is led by one of the Te Huarahi members of Executive. Topics covered appear to be very varied, encompassing a Māori perspective on wellness during the pandemic, waiata practice prior to guests arriving, a discussion about tikanga, and so on.

Miriama Barton remembered these sessions from when she represented Waikato on Executive in 2012:

Whaea Gazala used to run it and we would help in whatever way we could. Usually we'd have a PowerPoint on certain things, whether it was Kawa, or whatever. We would leave it to the Kaumātua and Whaea to do it, and then as the years went past the Whaea used to put it on us ...<sup>115</sup>

## **A Māori Vice-President**

In *He Huarahi Hou*, Moana Jackson proposed that PPTA alternate annually between a Junior Vice-President who was from the Māori roll, and one who was from the non-Māori roll. The whole membership would vote each year for the Vice-President, but eligibility to stand for the position would alternate between the two rolls. This was not a substantive recommendation, but part of a discussion of possible changes at the Executive level.<sup>116</sup> The idea was not discussed further for some years; however, it took root and was eventually achieved in 2022, not in the form Jackson proposed but rather as an additional Vice-President position.

In 2008, a joint Executive/Te Huarahi meeting agreed ‘That the issue of elected positions Māori be discussed further at the November 2008 Executive meeting.’<sup>117</sup> However, no paper on that subject was received at that Executive meeting, although under the heading of the Joint Hui resolutions, a Te Huarahi representative, seconded by a Taiwi member, proposed ‘That the General Secretary be invited to prepare a discussion paper for the February 2009 Executive meeting on the topic of a Māori Vice-President’. This was carried.<sup>118</sup>

The General Secretary duly produced a paper on the matter in February 2009, describing it as about ‘possible ways forward if the idea were promoted’. He canvassed how such positions had occurred in other organisations and suggested that it was often as ‘clip-on’ arrangements, for example vice-president positions to try to reflect diversity of membership interests. However, he asked, was this satisfactory? Could it be ‘the soft answer (although costly) to a more fundamental deeper question – a tokenistic response perhaps?’ He suggested that Executive should consider, as no-cost approaches, disestablishing the current Junior Vice-president position or one of the current Te Huarahi positions. The other options, he wrote, were either the ‘clip-on’ approach – or doing nothing. He suggested that the fundamental question requiring an answer was, ‘What are we seeking to achieve?’ He made no substantive recommendation.<sup>119</sup>

At the Executive meeting, the paper was discussed at the Association Standing Committee, and its recommendation, that the paper be referred to Te Rōpu Matua, was endorsed.<sup>120</sup> Te Rōpu Matua met in March 2009, but the record suggests that they had been ‘caught short’ by the motion at Executive. The discussion began with the question of whether the idea in fact had merit at all, and if such a position were established, how it could be ensured that it had the necessary mana. Te Huarahi had not, to that point, considered such a position, but it was hoped they would at their next hui. The members of Te Rōpu Matua appeared to see themselves as beginning a journey on the proposal, rather than being ready to make a decision.<sup>121</sup>

The matter reappeared at the joint Executive/Te Huarahi hui in May 2009. That meeting also acknowledged that further conversations were needed to ensure that the position had mana and effectiveness, and that it was not simple tokenism. Te Rōpu Matua was asked to consider the matter



further.<sup>122</sup> However, that does not appear to have occurred during the rest of 2009.

On the other hand, at the February 2010 Te Huarahi meeting, the suggestion was made that a Te Huarahi member be invited to chair sessions at Annual Conference in the same way that the chairing was shared by the President with the Junior and Senior Vice-Presidents. This appeared to stem from a wish for Te Huarahi members to be visible in more senior roles.<sup>123</sup> This proposal was taken to Te Rōpu Matua at its April meeting, and it was agreed that the President, at her discretion, would vacate the chair in favour of a Te Huarahi representative. Te Rōpu Matua agreed that sharing the leadership role of chairing sessions would be beneficial, and a symbol of PPTA Te Wehengarua acting on its Tiriti obligations. At the same time, they recognised that the person chairing would require support and guidance throughout the sessions.<sup>124</sup> There is no record of that happening at annual conferences following that discussion, and I could not find out whether it has ever been discussed since. However, with the introduction of a Māori Vice-President position from 2022, the top table looked different.<sup>125</sup>



**Annual Conference 2006, top table. This looks different now, with the Māori Vice-President sometimes on stage as well**

For a time after that, the discussions focused more generally on issues around the Tiriti relationship. At a meeting of Te Rōpu Matua in September 2012, progress on the recommendations of *He Huarahi Hou* was reviewed. Members asked themselves how compliant PPTA now was on Tiriti issues,

and whether perhaps a degree of complacency had set in. However, the discussion appears to have reached no conclusion or recommendation.<sup>126</sup>

At the August 2013 Executive meeting, there was an in-committee discussion, out of which came a motion ‘That Te Rōpu Matua prepare material for Executive and Te Huarahi about the work that the Association has done to meet its obligations under Rule 4c of the PPTA Constitution’ (the Tiriti objective).<sup>127</sup> At the September Executive meeting, in Matters Arising, the General Secretary was asked how he planned to implement that resolution, and he said that he did not expect to provide a full report at this stage, but to ‘prepare a plan on how we were going to gather the knowledge’.<sup>128</sup> Te Rōpu Matua met in November, and spent the whole day on the one topic: progress made since *He Huarahi Hou*. There seemed to be a consensus that documentation of the union’s Tiriti journey, its practices, people, and achievements was needed, because it was currently largely an oral story that needed to be recorded.<sup>129</sup>

At the February 2014 Executive meeting, the General Secretary presented an update in his report to the effect that the process of documentation was to begin with making a video recording of the story of Te Whare Turuwhenua, as the Association’s second Kaumātua, and that Te Mataroa Bill Anderson was going to do this. There were also plans to interview Whaea Gazala Maihi, Ken Mair (the first Āpiha Māori), Te Makao Bowkett (the Āpiha Māori of the time), Bill Anderson himself, and others as the project developed.

However, in November 2014, Te Huarahi noted the difficulties faced making progress on this, particularly with finding time. At the same time, they recognised that time was of the essence because key people might not still be around to be interviewed. They allocated \$20,000 from their current budget to assist the project.<sup>130</sup> At their January 2015 hui, Te Huarahi discussed possible people to help with the project.<sup>131</sup> Unfortunately, no one could be found within the timeframe, but Te Huarahi continued to look for someone to help in the 2015–2016 budget year.<sup>132</sup> Finally, a professional camera person was found to film some interviews during the 2017 Māori Teachers’ Conference.<sup>133</sup> However, this was not the original concept of interviews with key people who could talk about the union’s Tiriti journey.

At the end of 2017, General Secretary Michael Stevenson began the process of addressing, with Te Huarahi, what he saw as a loophole in the

constitution in terms of Te Huarahi's voting strength vis-à-vis that of regions. This was a fairly technical matter, but it raised issues of Tino Rangatiratanga. The loophole was closed through a constitutional amendment at the 2018 annual conference. This provides that, in the event of a conference vote that goes to a ballot, each member of Te Huarahi has voting strength that reflects the number of Māori members in their Rohe, as calculated from the Māori electoral roll. A region's voting strength reflects the number of members in that region who are not on the Māori electoral roll. Prior to this change, Te Huarahi members had no right to vote independently on behalf of members on the Māori roll, in a ballot.<sup>134</sup>

At that November 2017 meeting, Te Huarahi had another visit from Moana Jackson. He talked about the changing Tiriti discourse, and 'the ongoing impact of subtleties in the meaning of words, for example, in the difference between words like partnership and relationship' – with 'relationship' being the preferred word in international forums. He suggested that Te Huarahi might find it worth revisiting *He Huarahi Hou*, and assessing where they wished to be in, say, five years' time. The group reminded themselves that gains had been achieved through struggle, and 'it might be timely for PPTA to look at what it's doing in the Treaty relationship with Māori members'.<sup>135</sup>

This was no doubt one of the factors that prompted a much more significant paper at the 2018 Annual Conference, 'Time to review and strengthen PPTA's Treaty relationships: Everything worthwhile takes considerable effort'. This paper was published in Te Reo and in English, as had been the case with a 2017 Te Huarahi paper on working with Whānau, Hapū and Iwi. The 2018 paper reviewed some of the history of the Tiriti relationship and considered what progress had been made over the last 18 years since the publication of *He Huarahi Hou*. It recommended that a new Tiriti audit be conducted in 2019 to look at PPTA structures, policies and practices, and that a progress report and recommendations be presented to the 2020 conference for membership consideration.<sup>136</sup> The paper passed without dissent at the conference; in fact, a member of Te Huarahi commented that 'it was weird, the decision to conduct an audit was passed quickly and without discussion'.<sup>137</sup>

Te Huarahi initially envisaged the audit being done by someone contracted to do so, in the same way that Moana Jackson had been. A

number of names were floated at the February 2019 meeting, and at the same time some initial thinking was done about what it might encompass.<sup>138</sup> However, at a meeting of Te Rōpu Matua in April, after taking advice from outside consultants, the decision was made that it could be done internally.<sup>139</sup> The Āpiha Māori reported on this discussion to Te Huarahi at its next meeting, a few days later, and explained the process:

The first stage is to provide a history by reviewing all the mahi the PPTA has done to date from the 1970s to now. This will be done by auditing all the physical and digital files of the PPTA for anything within the scope of the Treaty relationship and how the PPTA has operationalised the principles of the Treaty. The second stage will look forward and ask, ‘What are the PPTA’s aspirational hopes?’ An interim report to the July executive meeting will discuss the findings and the format of how the Treaty Audit report will be distributed through to the membership.<sup>140</sup>

This first stage was contracted to former Deputy General Secretary Bronwyn Cross, who wrote a conference paper which reviewed the history of PPTA’s Tiriti relationship but in more detail than the 2018 paper. The report assessed progress against the checklist provided in *He Huarahi Hou*, and initially recommended that ‘a Treaty audit of PPTA structures, policies and practices be carried out in 2019, and a progress report and recommendations be presented to the 2020 conference for membership consideration’.<sup>141</sup> Bronwyn felt that she had researched and consulted widely among Te Huarahi members and relevant staff in the writing of this paper, but it appears there was some dissatisfaction, perhaps because the recommendations on the paper did not move things forward significantly, although it had never been the plan to make those kinds of decisions at the 2019 conference. At some stage, the substantive recommendations were dropped and the paper was treated as a report, and presented at conference by two delegates, Bernie Lee (Canterbury) representing Executive and Wiki Te Tau (Southland) representing Te Huarahi.<sup>142</sup>

At the November 2019 Te Huarahi meeting, General Secretary Michael Stevenson said that the next step with the audit was ‘to consider what the future will look like moving forward’; however, the minutes do not record what this step would comprise.<sup>143</sup>

Te Huarahi discussed the audit at their February 2020 meeting, resolving ‘That the Treaty Audit be further progressed through a hui with the appropriate representatives as early as possible’. It appears from an appendix to the meeting that what they were looking for was a meeting with

management, presumably through Te Rōpu Matua.<sup>144</sup> At the May Executive meeting, a list of papers to be presented at annual conference was endorsed, including a proposal for a Tiriti Issues Strategy paper, as follows:

This paper would be intended to pick up where last year's Treaty audit left off. Having reviewed where we have come from, it is timely to consider how to further progress our work towards partnership for Māori members within PPTA Te Wehengarua and to achieve equity for Māori teachers within the secondary teaching workforce. Subject to the process that Te Huarahi decide upon, this paper will gather ideas as to what our next steps should be in a strategy paper for Annual Conference to consider.<sup>145</sup>

A strategy hui involving a subgroup of Te Huarahi and several National Office staff was held on 26–27 June 2020 at which ideas were developed for the paper. A first draft of the paper was then written, titled 'A Treaty of Waitangi strategy: Upholding PPTA's commitment to the Treaty'. This proposed that PPTA move to elect a Māori Co-President, rather than a Māori Vice-President as previously envisaged. It was presented at a Rōpu Matua meeting on 30 July. Alongside it was a paper from the management team which analysed the financial and constitutional implications of the proposal and argued that the costs of a Co-President position were so high that they could not be met within the Association's current financial position. The constitutional amendments required would also be highly complex, and in addition there would need to be a collective agreement claim to amend the clause that required an employer to grant unpaid leave for someone elected as President to apply instead to both Co-Presidents. On the other hand, the management paper showed that a new Māori Vice-President position was affordable and suggested that would be a better approach.<sup>146</sup> Te Rōpu Matua decided to refer the two papers to the Executive meeting starting that evening.<sup>147</sup>

At the Executive meeting, almost two hours were spent in a very tense and difficult in-committee discussion of the two papers.<sup>148</sup> Eventually, the decision was that a revised Tiriti Strategy paper and recommendations would go to Annual Conference, subject to the agreement of Te Huarahi. The new recommendations were to include a change to a Māori Vice-President, rather than a Co-President, conditional on the paper including the financial implications of its proposals, and with the election process for the new position and any required constitutional changes to be tabled by Te Huarahi.<sup>149</sup>

General Secretary Michael Stevenson explained that because the constitutional changes were complex, they would take some time to draft and it would not be possible to meet the timeline for them to be voted on at the 2020 conference, but could be agreed in principle for later endorsement at the 2021 conference.<sup>150</sup> There was also a recommendation that a working group be formed to ‘develop roles for the purpose of embedding Māori leaders and Māori culture in the management of the organisation and to develop a framework for shared decision making at all levels of Te Wehengarua’. Te Rōpu Matua was to be tasked with monitoring and reviewing progress on that.<sup>151</sup>

Considerable effort on the part of both Tiriti partners went into trying to agree on a re-draft of the paper and its recommendations following that executive meeting, including the General Secretary obtaining legal advice on the constitutional amendments required for introducing a Māori Vice-President position. Finally a decision was made by Te Huarahi and endorsed by Executive on the afternoon of the second day of the conference that the paper would be withdrawn.

The General Secretary believed that the main tension was around how the new Vice-President would be elected. Te Huarahi wanted the person to be chosen by themselves, however, this became contentious as many delegates, including some Te Reo-ā-Rohe, thought the role should be elected by those on the Māori electoral roll. In the end, it seemed that more time was needed to come to a final decision, so the paper was withdrawn. However, he recalled disappointment being expressed by many delegates that the opportunity to implement a Māori Vice-President position had not been taken.<sup>152</sup> Whaea Gazala Maihi told me that she endorsed the view that the Māori Vice-President should be elected by the members as a more democratic process, and the same process as used to elect the Junior Vice-President.<sup>153</sup>

Finally, the following year, the goal of having a Māori Vice-President was achieved. In the first half of the year, the Āpiha Māori position was vacant, Te Makao Bowkett having left at the end of the previous year. The General Secretary took on the role of being the staff member working with Te Huarahi, and at meetings in February and May 2021, he supported the group to progress the Māori Vice-President proposal.<sup>154</sup> A first draft of the paper was presented at a Te Huarahi meeting in May 2021.<sup>155</sup> A joint Te

Huarahi/Te Reo-ā-Rohe meeting in July 2021 considered a further draft of the paper proposing that the constitution be amended to add a new Māori Vice-President position, to be elected annually by members on the Māori electoral roll. Apart from some minor suggested amendments, the paper was supported by this group.<sup>156</sup>

Executive then added their support later in July, and the paper became one of the few papers to be put to the Annual General Meeting by webinar that replaced annual conference that year because of the pandemic. It focused solely on the new role of Māori Vice-President, which it argued was:

... essential to integrate a Tiriti perspective into the organisation in a visible and meaningful manner. The Māori Vice-President would also be the public voice for our Māori members on issues that affect them and Kaupapa that enhance partnership relationships and ensure Māori have a seat at the top table ...<sup>157</sup>

The constitutional amendments required to implement the position were put to the AGM and carried without dissent. There was also a resolution that the General Secretary consult with Te Huarahi and Te Reo-ā-Rohe about the election rules for the position.<sup>158</sup> (At the joint Te Huarahi/Te Reo-ā-Rohe meeting on 13 July 2021, there had been discussion about whether the rules could stipulate that any nominees for Māori Vice-President must be fluent in Te Reo Māori. The General Secretary had responded that fluency would be too hard to define to be in the rules, but the rules could require that the biographical information submitted with a nomination had to be in both Te Reo and English.)<sup>159</sup>

At a further combined meeting of Te Huarahi and Te Reo-ā-Rohe, held as a Hui Topa (Zoom meeting) in October, the Māori name chosen for the Vice-President position was introduced, as Te Hāpai-Ō.<sup>160</sup> This name has a significant whakapapa. It is most commonly associated with the whakataukī: ‘Te amorangi ki mua, te hāpai ō ki muri’, meaning ‘The leader at the front, and the workers behind the scenes’:

This is a reference to Marae protocol where the speakers are at the front of the meeting house and the workers are at the back making sure everything is prepared and the guests are well looked after. It is important to note that both jobs are equally important, and are like the yin and yang, for without one, everything would fail.<sup>161</sup>

Interestingly, the title ‘Te Hāpai Ō’ was earlier used by the developers of a guide to induction and mentoring in Māori Medium settings launched in

2012. In a speech at the launch of the guide, MP Te Ururoa Flavell talked about the whakataukī from which the name came, saying that he had heard the late Koroua, Wiremu Tawhai, talk about the depth of meaning in these words:

The concept of *Te amorangi ki mua, te hāpai ō ki muri* has often been reduced to an explanation that while our kaikaranga and kaikōrero uphold our tikanga, our kaupapa, our formal rituals of engagement, equally important is the work of the ringawera, feeding and caring for the manuhiri.

Wiremu provides a far richer meaning which is expressed in terms of sustainability and survival. He suggests the mana of the whole group is dependent on the support and guidance provided by ‘*te hāpai ō*’ – those who follow are as vital to the journey as those who lead. Their assistance, resources, advice and knowledge are required in order to ensure success.<sup>162</sup>

The minutes of the Te Huarahi meeting that chose the name reference another context for the whakataukī, Te Hokowhitu Ātu/Māori Battalion. It is clearly one that has relevance in many contexts, and speaks of service, mentoring and humility.<sup>163</sup>

Kaihautū Miriama Barton explained the position for the PPTA context as reflecting:

The importance of having workers behind to help the ones in front, and we related it to the President and General Secretary, you need the workers behind you as well, to move papers, to look at Māori issues within the context of the union. So, Te Hāpai-Ō is equal in value to the Junior Vice-President, and we believe that Te Hāpai-Ō should be up there advocating for our Māori teachers ... At that meeting of Te Huarahi and Te Reo-ā-Rohe, we also had Moeke Paaka there as one of our Kaumātua and we had talked with Te Whare (Turuwhenua), so we’d discussed it before we chose the name, to get all our ducks in line so to speak ...<sup>164</sup>

A call for nominations for the position of Te Hāpai-Ō/Māori Vice-President went out in November 2021 for the electoral year to the end of January 2023, but no nominations were received on time. Early in February 2022 there was a second call, and this time, when nominations closed on 28 February, there was one nomination – for Vince Hapi, a longstanding member of Te Huarahi, so he was elected unopposed.





**Vince Hapi, first Māori Vice-President 2022**

Vince hails from the Waikato, with Tainui as his iwi. He grew up on Maurea marae in Rangiriri West, north of Huntly, in the heart of the Kingitanga movement. His most recent teaching position has been as Head of Māori at Wesley College in Tāmaki Makaurau. He told *PPTA News* that the values on which he was basing his new role were those of the second Māori King, Kingi Tāwhiao, who said he would build and fashion his house with the humble trees of the forest: Māhoe, Patate and Hīnau:

Like Tāwhiao and other tūpuna, I want to lead with humility and vision, with the backbone support of my whānau of Te Huarahi Māori Motuhake, PPTA Te Wehengarua and all of our kaiako.<sup>165</sup>

Moana Jackson, who had initially floated the idea of a Māori Vice-President for PPTA, died on 31 March 2022. Several PPTA Te Wehengarua members and staff attended his tangi, including Miriama Barton and Vince Hapi. Miriama told me that:

Vince addressed Moana and told him: ‘PPTA now has a Māori Vice-President. You laid the foundation for this to come about, and I now stand here before you as the first Māori Vice-President.’ It was acknowledging Moana for all the work he had done for Te Huarahi, and his dreams and aspirations in *He Huarahi Hou*, and standing there as a product of that work.<sup>166</sup>

Vince served one year, then in February 2023, a wāhine Māori, Te Aomihia Taua-Glassie from Whangārei, became the Māori Vice-President. She has been Head of the Māori Department at Tikipunga High School, and a PPTA activist, for many years. Through her mother she has tribal affiliations with Ngatiwai and Ngati Porou, and through her father with Waikato.

## **Change in National Office staffing**

The long-serving Āpiha Māori, Te Makao Bowkett, resigned at the end of 2020, and the Kaitā Rongorua had left some months before that. In February 2021, the Management Team raised the possibility of replacing those two positions with two Āpiha Māori, which would provide two professional-level, member-facing roles instead of one. It was suggested that one of these staff might focus on policy and education, and the other on membership and industrial strategy. It was also suggested that to help with manageability of workload, the General Secretary could take over the Returning Officer responsibility for elections for Te Huarahi Māori Motuhake.<sup>167</sup>



**Miriam Barton representing CTU Runanga at ILO Conference in Geneva, Switzerland, 2019.**

The General Secretary, having gained approval from Management Committee in December 2020, spoke to the proposal at the February Te Huarahi hui, and there was general agreement that two professional roles would be welcome.<sup>168</sup> At the end of February, the General Secretary was notified by Vince Hapi, on behalf of the naming committee set up by Te Huarahi (Whaea, Kaumātua and two other members of Te Huarahi), that the appropriate name for the new roles would be Te Kaihautū Māori.<sup>169</sup> In June 2021, Miriam Barton, a longstanding member of Te Huarahi, joined the National Office staff as the first of the Kaihautū.<sup>170</sup> The second Kaihautū, Angela O'Donnell-King, began work at PPTA in the second half of that year. They split the work between them, with Miriam connected with the professional team and also responsible for the Māori Teachers' conferences, Ngā Manu Kōrero and Kapa Haka competitions, and Angela being more connected with the industrial team and communications.<sup>171</sup>

A new development since the appointment of the two Kaihautū is the creation of a digital newsletter, largely in Te Reo, called ‘Manukura’. Miriama Barton says that it is for all Māori members, and is sent to branches, which pass it on. ‘We try and get Huarahi to do an article on what’s up, or what’s the latest, in their region, and they’re good, they do it. And we try to update them on what’s been happening, and what’s coming up.’<sup>172</sup>

## Final words

The beginning of this chapter described the commitment of PPTA Te Wehengarua to ‘affirm and advance Te Tiriti O Waitangi’ as a ‘long journey towards co-governance, or Te Tiriti relationship’. The journey has not reached its end yet, and may never. Current tensions detected while researching this chapter include a perception on the part of Te Huarahi Māori Motuhake that they have recently lost elements of tino rangatiratanga over setting their own budget within the overall amount allocated by the union. There was also a perception that Te Rōpu Matua should be meeting more often in order to make progress on issues raised by Te Huarahi. No doubt it will be possible to resolve these issues over time, as have been so many other issues outlined here.

- 1 While I have a preference for use of the Māori ‘Te Tiriti’, on the grounds that it is the Māori version of the document that is pre-eminent according to international law, I have used the words ‘Tiriti’ and ‘Treaty’ in this chapter as found in the documents sourced. Which word is used seems to be quite revealing about shifting perspectives on the Tiriti relationship.
- 2 PPTA (2019). *A Tiriti relationship and PPTA*. Paper delivered at Annual Conference. <https://www.ppta.org.nz/publication-library/document/870>
- 3 Grant, D. (2003), p. 83.
- 4 In this chapter, the full name ‘Te Huarahi Māori Motuhake’ and commonly used shortened name ‘Te Huarahi’ are used interchangeably, but in any direct quotes reflects the usage of the original author.
- 5 Grant, D. (2003), p. 83.
- 6 Ibid. p. 84.
- 7 Ibid. p. 84.

- 8 PPTA (2019). *A Tiriti relationship and PPTA*. Paper presented to Annual Conference, 1–3 October 2019. PPTA files, AA2/10/40. Available at: <https://www.ppta.org.nz/publication-library/document/870>
- 9 Sarich, K. (1995). Te Wehengarua, 26 July 1995. PPTA files, HX95/253, in AA01/06.
- 10 Judie Alison (author's recollection).
- 11 PPTA (2019). *A Tiriti relationship and PPTA*. Paper presented to Annual Conference, 1–3 October 2019. PPTA files, AA2/10/40.
- 12 Jackson, M. (2000). PPTA files, AA24/2.
- 13 PPTA (2019). *A Tiriti relationship and PPTA*. Paper presented to Annual Conference, 1–3 October 2019. PPTA files, AA2/10/40.
- 14 PPTA (2000). Minutes of Te Rōpu Whakapūmau I ngā Take Whānui hui, 22 August 2000. PPTA files, HC00/058.
- 15 Ibid.
- 16 PPTA (2000). *He Huarahi Hou – a Treaty Audit for NZPPTA Te Wehengarua*. Paper presented to Annual Conference, prepared by Te Rōpu Whakapūmau I nga take Whānui (a joint committee of Te Huarahi Māori Motuhake and NZPPTA National Executive). PPTA files, AA2/10/02.
- 17 PPTA (2000). Minutes of annual conference, 26–28 September 2000. PPTA files, HC00/74.
- 18 PPTA (2000). He Huarahi Hou and related matters, memorandum from President Graeme Macann, 25 October 2000. PPTA files, AA24/2.
- 19 PPTA (2000). Minutes of Te Huarahi conference call, 15 November 2000. PPTA files, AA6/4.
- 20 PPTA (2001). Te Totara Wahi Rua – Treaty Change Management Team, 23 February 2001. PPTA files, HX01/052.
- 21 Ibid.
- 22 PPTA (2001). Treaty Change Management Team. Report to Annual Conference, 25–27 September 2001. PPTA files, AA2/10/4.
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### Who leads the profession for secondary teachers?

#### Introduction

PPTA Te Wehengarua has a history of advocating for processes that would maintain high standards of competence and conduct among secondary teachers. As far back as the 1970s, the union was pushing for compulsory registration of teachers and for fair processes for teachers accused of poor conduct or incompetence. After decades of struggle with governments to agree on an appropriate model, the 1999–2002 Labour Government passed the Education Standards Act (2001) ushering in the New Zealand Teachers Council to replace the Teacher Registration Board.<sup>1</sup>

However, while the composition and powers of the new Council were largely satisfactory to PPTA, the struggle did not end there, and has raged throughout the period of this history. The original Teachers Council was replaced – following a review recommended by the Education Workforce Advisory Group under the National Government in 2015 – with an Education Council, and then replaced again in 2018 with a Teaching Council of Aotearoa New Zealand. PPTA’s issues with the bodies have ranged across their competence to fulfil their role, their powers, the make-up of the governing council, perceptions of empire building, and more.

Looking back over the twenty years, the essential struggle has been about ‘Who leads the teaching profession?’ Is it the unions, or is it the registration body, or is it someone else? In the lead-up to the establishment of the Teachers Council, PPTA had been strongly in support of the idea that the new council would be able to have a leadership role in speaking on behalf of the whole profession. An annual conference paper in 2000, before the legislation was finalised, said: ‘If the Education Council wins the support of teachers and is successful in establishing itself as an authoritative, unified and credible voice in educational matters it will be difficult for politicians to ignore its views.’<sup>2</sup> However, that comment would have stemmed from anticipating that the Council would be a teacher-led body, independent of

government, and also perhaps influenced by the work done in the 1990s on developing the independent Teaching Council of Aotearoa.

In the event, the Teachers Council was set up as an autonomous Crown Entity, and four of its eleven members were Ministerial appointments. PPTA's submission on the final Bill asserted that 'a Council set up under this legislation will be limited in its capacity to provide professional leadership, excessively bureaucratic, lacking independence and expensive to operate.'<sup>3</sup>

PPTA's faith in a teaching council's ability to be a voice for the whole profession diminished over the period covered here. While the legislation establishing each of the three councils has made 'professional leadership' a primary function of the body, PPTA has increasingly asserted that this 'leadership' should be limited to its functions of registering and de-registering teachers and authorising programmes that lead to teaching qualifications, and not wider than that. For many PPTA members, the union speaks for them, and in certain circumstances the combined teacher unions speak as one voice for teachers across the sectors.

## **New Zealand Teachers Council**

The legislation was passed in 2001, and the new Teachers Council, replacing the Teacher Registration Board, was launched with some fanfare on 19 February 2002. President Jen McCutcheon was invited to speak at the launch, and she described this symbol of having PPTA and NZEI jointly launch the Council 'after some 15 years in the educational wilderness' as unlikely to be lost on anyone in the audience. She was referring not only to the years of National Government between 1990 and 1999 where the unions had largely been left out of policy discussions, but also to the fact that the Labour Government had involved PPTA and NZEI representatives in the detailed development of the new Council.<sup>4</sup> The Council had its first two-day meeting straight after the launch, on 20–21 February. Graeme Macann, PPTA's Senior Vice-President at the time, was the union's representative on the Council, and circulated the minutes to Executive, a degree of transparency that did not survive for long.<sup>5</sup>

The first Chair of the Teachers Council, Dr Kath Irwin, a Ministerial appointee, was sacked by the Minister in April, for reasons that were never

very clear, but this was hardly an auspicious start for the new body.<sup>6</sup> She was replaced by Stan Rodger, a former Labour Minister. Harvey McQueen, who had been the CEO of the Teacher Registration Board, acted as Interim Director of the new Teachers Council, until a permanent appointment was made in August. The first Director was Margaret Kouvelis, a former secondary teacher who had been working in advisory services for some years.<sup>7</sup>

Unfortunately, things did not go well under Margaret Kouvelis' leadership. To be fair, getting the Council fully established, including conducting the first election for teacher representatives and setting up the registration, competence and disciplinary processes, presented quite complex challenges. However, my November 2022 report on the Council's first meeting with a number of sector groups to update them on their work already indicated trouble on the horizon. There were issues around application of the registration categories, eligibility for Limited Authorities to Teach (LAT), police vetting, and language requirements for overseas-trained teachers, all of which had the potential to blow up into bigger issues.<sup>8</sup> PPTA had also been fielding numerous angry letters and emails from members aggrieved at the Council's announcement earlier in the year that the registration fee was to double. Convincing members that this increase, caused by the Teacher Registration Board (TRB) having failed to raise fees for some years, was justified and still modest (rising from \$20 to \$40 per annum) was not easy.<sup>9</sup>

By the time of the Issues and Organising seminar early in 2003, the union was admitting to activists that there were problems with the legislation and with the Council's operation. In a briefing paper to the seminar, members were told:

PPTA has always been an advocate for a professional body representing teachers. In 1994 we supported the formation of the voluntary Teachers Council of Aotearoa, but that met its demise in 1999 for lack of teacher buy-in. When, in 2000, the new Labour Government moved to implement its manifesto promise to establish a teacher-dominated education council, PPTA agreed to participate in the working party.

PPTA support for an education council was based on the premise that such a council could provide professional leadership at times and on issues where the voice of the unions might be disregarded, that it could assist in restoring unity in the teaching profession, and resisting government initiatives which could deprofessionalise and sideline teachers.

Unfortunately, the legislation which set up the Teachers Council, the Education Standards Act 2001, places more emphasis on controlling and punitive functions for the Teachers Council than

on the more positive aspects. The fact that the Council is a crown entity to which the government has the power to appoint four of the eleven members including the Chair raises questions about its ability to be independent of government. But despite these reservations, PPTA has continued to support its existence as the best we have been able to achieve to date.<sup>10</sup>

The paper referred to concerns about the fee increase, about the Council's tardiness in responding to registration matters, and to the need to promptly get competence and discipline processes up and running so they didn't take up the time of the whole Council.<sup>11</sup>

The 2003 Annual Report presented a similarly gloomy picture, saying that teachers' impatience at the Council's inefficiencies had at times run very high, and reporting that 'in an attempt to resolve the problems, a wholesale staff restructuring was initiated which left virtually all staff having to reapply for jobs at the same time as the Teachers Council was trying to improve their performance as an organisation'. In April 2003, the Minister had instructed that staff from the Ministry of Education and NZQA were to be seconded to the Council to help clear the backlog. This had helped enormously and showed that a large part of the problem was that the Council was under-funded.<sup>12</sup>

The report also noted that the turnout for the first elections had been only 45% of those who managed to get themselves onto the Council's electoral rolls, a problem which has continued over many years.<sup>13</sup>

Despite these difficulties, the Council kept moving ahead. In March 2003, PPTA was invited to a Council seminar that began discussion about the Code of Ethics required by the legislation. Of the approximately 60 people there, few were practising teachers, and the group was largely Ministry and Council people and teacher educators. Some work towards a Code had already been done by the Teacher Registration Board, so we were not starting from a zero base.

The most useful contributor of the day was Professor Ivan Snook, who was about to publish a seminal work on the subject, *The Ethical Teacher*.<sup>14</sup> He put forward a high-level conception of a teacher's work and why ethics were so important: they must establish close relationships with other teachers and with students; must work in a tightly controlled and regulated institution, which posed ethical problems; have more knowledge and authority than their students, leading to ethical issues about influencing

young minds; and work in a context where the school exists for the ethical purpose of changing students' lives, and all that that entailed.<sup>15</sup>

Snook argued that the distinguishing mark of a professional was their concern with the ethical underpinning of their work, but that the 1990s had seen a shift to centralised control of teachers and accountability systems that replaced trust. When teachers were expected to be technicians, he said, ethical concerns faded into the background. The Code, he said, needed to not be too abstract or it would be ignored, and not too specific or it would prevent ethical thinking. It was also difficult, he said, for teachers to behave ethically in an unethical school, a comment that really rang true for the PPTA Te Wehengarua people at the seminar.<sup>16</sup>

The contribution by a legal expert, Professor Paul Rishworth from Auckland University, also influenced the discourse about the Code. He said a code needed to serve three functions: a guide (aspirational, succinct, something to refer to often), a sword (when something goes wrong), and a shield (the profession's statement on what teaching was about, potentially protecting a teacher against complaint).<sup>17</sup>



**Emeritus Professor Ivan Snook**

Following this seminar, Executive resolved that the development of the Code must involve wide-ranging and in-depth consultation with teachers, that consultation should not begin until the Council was able to conduct its basic registration functions 'in a timely and efficient manner' (because the union believed members would not be receptive until then), and that it should not ignore the progress already made by the working party convened by the TRB (which had hardly been referred to at the seminar). Executive



also resolved that any formal endorsement of the Code could only be granted by Annual Conference.<sup>18</sup>

In June 2003, Council Chair Stan Rodger left suddenly, and Joanna Beresford, a former National Secretary of NZEI, was appointed in his place. In September, PPTA had a visit from a consultant hired by the Council to 'review its capability and capacity', and in October, Margaret Kouvelis left suddenly as well, resigning and leaving on the same day.<sup>19</sup> She was replaced, on an interim basis, by that same consultant, Ian Miller, and then, early in 2004 by Euan Dempsey, who left later the same year 'for health reasons'.<sup>20</sup> This instability was far from helpful.

Nonetheless, the Council kept developing a Code of Ethics, and in late 2003 PPTA responded to a draft consultation document which did not contain a full Code, but rather a Preamble setting out some values and a Statement of Ethical Standards. By the beginning of 2004, a kit was sent out to schools to assist with discussion about the Code. It listed four fundamental ethical principles to guide teachers in their work: justice, autonomy, responsible care and truth. The application of these in real-life situations was where the rubber would hit the road, and the kit included a video with eight scenarios to demonstrate these complexities.<sup>21</sup> PPTA tried to encourage its branches to have discussions around the kit, but because the Council still had little credibility among members, this was difficult to promote.

The final draft of the Code was promulgated in December 2004. Looking back at it eighteen years later, after the battles when the Education Council that replaced the Teachers Council was required to develop a Code of Conduct, the 2004 Code was a document that had the potential to enhance the status of the profession, and act as a shield and a guide, but, perhaps fortunately, not a sword.<sup>22</sup>

In December 2004, the President, Phil Smith, wrote to the Council Chair, Joanna Beresford, expressing concerns about several matters. These included a perception that the Council, through its disciplinary decisions, might 'be embarking on a moral crusade which requires teachers to conform to standards of conduct well beyond those of ordinary members of New Zealand society'. There was also a perception that conduct standards were being developed 'on the hoof', leading to principals being reluctant to resolve minor matters at a school level, and such incidents as a highly

stressed and provoked teacher swearing at a student being treated as a major issue.

He also reiterated a concern that the Council's website carried too prominently and in too much detail the disciplinary decisions made by the Council, feeding some kind of prurient curiosity on the part of the public and the media. He argued that this publicity could also interfere with the recovery processes of students who were victims of teacher misconduct. 'Publication of such details does absolutely nothing to build the standing of the teaching profession in the eyes of the public, and consequently militates against the Council's role in providing professional leadership.'<sup>23</sup>

The President concluded:

Unfortunately, the reality is fast turning out to be worse than we feared, and we are faced with large numbers of members who can see no good reason to continue to support the existence of the Teachers Council. They see it as a tool of government to control teachers, not as a tool of the profession to lead teachers.<sup>24</sup>

A new Director, Dr Peter Lind, was appointed in January 2005. At last the Council had a Director who inspired confidence and demonstrated longevity, leaving only when he was not appointed to the same role with the new Education Council that the National-led Government set up through an Education Amendment Act passed in February 2015. It is telling that he was quickly appointed to senior roles in Australia, as Registrar of the South Australian Teacher Registration Board and Director of the Australian Institute for Teaching and School Leadership (AITSL).<sup>25</sup>

Nevertheless, initially the union was not sure whether his appointment would make a significant difference, and at its first meeting in 2005, Executive resolved to present a paper to Annual Conference 2005 on whether PPTA should continue to support the Teachers Council or should withdraw support.<sup>26</sup> This was to be the first of seven annual conference papers over the twenty-year period from 2002 to 2022, all expressing concerns about the various teacher registration bodies of the period.

Concerns in the paper were around the Council's apparent inability to efficiently handle registration processes, difficulties with police vetting, the quantum and tenor of publication of disciplinary decisions, and what seemed to be a disproportionate amount of control over the Council exercised by a government whose financial contribution to its operation was minor (5.6% of its income at that time).<sup>27</sup>

Conference 2005 instructed PPTA to inform the Teachers Council ‘that PPTA members lack confidence that the Council is currently providing adequate professional leadership or enhancing the professional status of teachers’ and agreed to ‘reassess PPTA’s support for the Council’ in a year’s time.<sup>28</sup>

PPTA had the power to nominate a member to the Council, and Executive was always very happy with their choices over the years: Graeme Macann (a former President), Irene Symes (a senior leader from South Auckland, now principal at Rodney College, Wellsford), Diane Wills (a former Canterbury Executive member) and Jan Torrey (a Hawke’s Bay activist, now a PPTA Field Officer).



**Former Christchurch Executive member Diane Wills served as PPTA’s nominee on the Teachers Council from 2009 to 2014**

However, getting the right people elected to the secondary teacher position on the Council was a much more vexed issue. In the first set of elections, in 2002, a PPTA activist was encouraged to stand but the union conducted no campaign around this person, and someone else was elected.

In the 2005 elections, a former President, Shona Smith (Hearn) was encouraged to stand, and Executive endorsed her as ‘PPTA’s preferred candidate’, but when another secondary teacher, Steve Wood, ran a more populist anti-Council campaign promising to achieve the demise or radical reconstruction of the Council, this appealed to members more than Shona’s more balanced positions and he won.<sup>29</sup> Once he was on the Council, Chair Joanna Beresford warned him sternly that as a member of a statutory body, he now had an obligation to speak on its behalf, in other words to ‘pull his head in’, so in fact secondary teachers did not get the vigorous voice of opposition they’d been promised.<sup>30</sup>

There had been some negativity from members about PPTA’s process for choosing a preferred candidate, but as I described it to Executive in the lead-up to the 2008 election, ‘more than the negativity, there was a stunning lack of interest really, and no evidence that PPTA’s endorsement had swayed anyone’. One stumbling block, too, was that candidates were not allowed to put in their official CV or candidate’s statement the fact that they were PPTA-endorsed, so the union was reliant on branches to inform members of this. Executive rescinded the 2003 decision to formally endorse candidates for the secondary teacher and principal representatives. The principal position was even more difficult because there was just one position for a principal, and a primary candidate, if they had the support of their sector, would always out-vote a secondary principal. This rankled with secondary principals.<sup>31</sup>

At the beginning of 2006, a paper to Executive from Deputy General Secretary Bronwyn Cross and me laid out our growing concerns with the evolution of the Council, particularly in relation to its so-called professional leadership role. We cited Gerald Grace on conflicting uses of discourses of professionalism:

Ideologies of professionalism can be made to serve the interests of the state for control or containment of teachers or they can be effectively deployed by teachers to improve their terms and conditions of service and their enjoyment of social status and occupational autonomy.<sup>32</sup>

We argued that the structure of the Teachers Council reflected ‘the contradiction between the unions’ vision for an empowering professional body and Trevor Mallard’s determination to expand the accountability requirements on teachers’. We explained that because the Council was necessarily a centralised body, it had few ways of engaging with the

profession, meaning that it looked for bureaucratic and cheap ways of exercising ‘professional leadership’, namely through developing standards and similar activities. We also argued that secondary school issues were swamped by the much larger numbers of primary and early childhood teachers the Council had to concern itself with. We expressed doubt that it would ever speak out about controversial issues because of its being in the pay of the government and having a significant number of government appointees on the Council, and should the government change to one with a more right-wing agenda it would continue to serve its new masters, not the interests of teachers. Ironically, in the light of events at the end of the two decades covered here, we also argued, ‘The alternative, a fully teacher-funded Council, is not a realistic possibility.’<sup>33</sup>

The 2006 paper requested by Annual Conference in 2005 was duly presented. It was written over a year after Dr Peter Lind’s becoming Director at the Council, and presented a somewhat more positive view. Communication was beginning to improve; the Council was recognising the role of sector groups to ensure their members had opportunities to respond to consultation processes; there had been some progress on publication of disciplinary decisions, and the Council seemed open to accepting PPTA’s position that the new standards for teaching (which became the Registered Teacher Criteria) needed to be generic, not specific. (See IES, *Refining the proposals*, pp. 230–232.) PPTA saw legislative change as necessary in a number of areas, most of all to make the Council a genuinely profession-led organisation, but the Minister was showing little interest in embarking on amending legislation.<sup>34</sup>

By that stage the matter of random audits of practising certificate decisions had begun to raise its ugly head. PPTA had learned that the Council was choosing a random 10% of all recommendations from schools for beginning teachers to move to full registration. Those unlucky enough to be in the 10% had to submit a portfolio of evidence accumulated during their two-year advice and guidance to prove that they met the requirements for full registration. The thing that most annoyed PPTA, and especially principals, was that it was a low-trust process, in that it re-litigated the principal’s judgement. Also, the Council asked to see evidence of ‘reflective practice’, which PPTA argued did not reside in ‘artefacts’ that were produced to meet the Council’s demands, but rather in the continuing evidence to their mentors that the teachers were thoughtful about their

practice, made changes in the light of reflection, and were willing to share their thinking with colleagues in a continuing effort to improve. At the time of writing the conference paper, PPTA had not succeeded in changing the Council's mind on this matter.<sup>35</sup>

The paper expressed disappointment in the Council's bureaucratic approach to its leadership role, and its failure to tackle 'the bigger political issues that determine whether teachers are able to provide the highest quality teaching, such as inadequate staffing ratios, equitable operations funding, teacher workloads, and constant under-resourced change with unreasonable timelines'. Nonetheless, the paper recommended, and members agreed, that the union should 'continue to work actively to seek improvements to the Teachers Council in the form of both operational and legislative changes', and also 'advocate strongly for a review of the legislative basis of the Teachers Council, with a view to shifting to an organisation genuinely owned by the profession'.<sup>36</sup> There was also a motion from the floor that opposed the random audits, and this passed as well.<sup>37</sup>

An issue that grumbled on during the Teachers Council's period of existence was to do with Limited Authorities to Teach (LATs). When the Council first came into existence, PPTA and NZEI expressed horror that it appeared to be demanding that teacher aides apply for a LAT. The unions were very clear that a teacher aide did not fit the definition of a teacher, whereas someone on a LAT was authorised to teach on a temporary basis even though they were not qualified as a teacher.<sup>38</sup> Eventually the unions' view prevailed, and by 2006, when the Council was developing a policy on LATs, this was no longer a problem. By that time, most LATs were in the secondary sector, filling roles in schools with particular recruitment difficulties, or for Itinerant Teachers of Music or Guidance Counsellors without teaching qualifications that would enable them to be registered.

On the other hand, the issue of registration status for guidance counsellors, with or without teaching qualifications, became a big area of conflict between PPTA Te Wehengarua and the Council. In 2002, the Council was providing LATs to guidance counsellors who had suitable counselling qualifications (Level 6 or above on the Framework), belonged to a professional body with a code of ethics, and had arrangements for professional supervision. However, it was advising schools that they need not apply for a LAT for a guidance counsellor who was not 'teaching'.

PPTA argued that this was irresponsible, because these people were in direct and powerful contact with students through their work, and schools needed some form of outside approval to guarantee that they were safe to employ them.<sup>39</sup>

Over the years, the issue became even more complex. Council staff at one stage argued that non-teacher-trained counsellors did not require a LAT, but then changed their minds about this so that by 2006, counsellors were facing a new problem: the Council was threatening not to renew their LATs and demanding that they complete a course of initial teacher education to continue in their positions.<sup>40</sup>

At the Guidance Counsellors conference in Dunedin in June 2007, I was asked to speak on a panel alongside the Council's policy and strategic development manager. I argued that the preamble to the Council's revised Limited Authority to Teach policy raised doubt about whether guidance counselling fitted the definition of teaching, by saying: 'A school needs to decide if the guidance counsellor position is a teaching position; if the counsellor has no teaching role, they do not require a LAT.' This flew in the face of the history of guidance counsellors, who had until recently always been teachers who did extra university qualifications to be guidance counselling specialists. This would also put at risk many counsellors' positions, because if they were not defined as holding a teaching role, they could not be employed using Entitlement Staffing, and most schools would not be able to afford to employ all their guidance counsellors out of their Operations Grants. It also put at risk their collective agreement coverage, because the STCA covered only teachers.<sup>41</sup>

Counsellors were horrified by this information, despite the Council representative, who followed me, telling them that I was being 'alarmist'. She assured them that guidance counsellors who had been fully registered should have no problem renewing their practising certificates, but still said this was a bit anomalous because the Satisfactory Teacher Dimensions that were still in place at that time did not describe a counsellor's role. On the LATs, she said that the job description had to show they were 'in a teaching role' but that could just be working with groups of students in Health, for example, but a counsellor who worked only with individual students would not be granted a LAT. On the problem that if they were not defined as teachers they could not be employed using entitlement staffing, she

admitted that was perfectly true but ‘that’s not our concern’. This caused a major eruption in the audience, who were by this stage very angry. One counsellor asked the key question: ‘Please explain how if two people are doing exactly the same job but one is teacher-trained and the other is not, it is a teaching job for the first but not for the second? How long can the Teachers Council maintain such a contradictory position?’ Her answer did not satisfy him.<sup>42</sup>

The Council representative was rushing to catch a plane back to Wellington, so only one other question could be asked: what needed to be in a LAT job description to have it defined by the Council as a teaching role, to preserve the person’s employment and coverage? Her answer was that she didn’t know. At this point, the chair of the session asked me to help out and I said, to roars of approval: ‘The problem is, there is a large elephant in this room. PPTA believes that it understands pretty much the whole elephant. The Teachers Council thinks it’s doing fine just nibbling away at one leg. We have to get all the parties together and tackle the whole elephant together.’

In October 2006, the Council had convened a sector reference group to begin work on reviewing the Satisfactory Teaching Dimensions (STDs). It was a wide-ranging group, including people from NZEI, PPTA, principals’ groups, the Council’s early childhood and Māori Medium advisory groups, Deans of Education, NZSTA, Ministry, and the Education Review Office. There was a much smaller writing group as well.

The issue of whether the standards should be specific or generic was still being debated. A paper commissioned from the Australian Council for Educational Research recommending specified standards, a position that PPTA and NZEI opposed, was circulated.<sup>43</sup> The unions had commissioned Professor Martin Thrupp to write a paper which put a different view.<sup>44</sup> I took that report to the meeting and circulated copies. The consensus in the group appeared to lean, even at this early stage, towards more general standards than those advocated by Kleinhenz and Ingvarson, and to call them ‘dimensions’ or ‘criteria’ rather than standards. There were speeches about the growing evidence that standards and checklists did not create better teachers. The meeting set out some key principles to guide the Writing Group.<sup>45</sup>



The Reference Group met again several times during 2007 to review the work of the Writing Group. Finally, in Term 3 of 2008, sector-wide consultation on draft criteria took place. These seemed to be well received, and eventually what became known as the Registered Teacher Criteria (RTC) were published, with a phased introduction meaning they did not fully replace the STDs until 2013.

However, how the new criteria would relate to the Professional Standards in the Collective Agreements was tricky to negotiate. At a Reference Group meeting in September 2008, both PPTA and NZEI demanded that the Council amend words in the minutes of the previous meeting which said, 'Would schools who are using the collective agreement as their professional standards be willing to put them to one side? It was suggested that if the RTC succeed they will be strong enough to supersede the current collectives.' I commented to Executive that this was obviously written by someone who had no knowledge about the standing of collective agreements, but that it should have been picked up by other staff who did. We secured a rewrite to the effect of 'It was suggested that if the RTC succeed, the unions might see this as a reason to look at the ongoing role of the professional standards in their collective agreements.'<sup>46</sup> In the end, PPTA never chose to replace the Professional Standards in the agreement, because by the time the RTCs were fully in use and able to be evaluated, the Teachers Council had been replaced by an Education Council bent on revising the Council's standards yet again.

By the middle of 2008, the Reference Group's role had been expanded to encompass pilots of induction and mentoring processes, and then registration policy. The Council started to wrestle with defining a 'teaching position' for its registration policy, but its paper on the subject was circular in its arguments; failed to discuss problems with the current legislation, with Council policy, and with changing teacher roles; and lacked any indication of the fluidity of teachers' working lives among all the different roles it had listed – but at least Council had finally noticed a range of roles. The paper listed teachers in the classroom/ECE service, Guidance Counsellors, Resource Teachers: Learning and Behaviour (RTLBs), teacher educators, professional development educators, professional leaders in schools, ECE services and other educational institutions, staff in education-based state services/sector, and staff in museums, but it omitted Specialist Classroom Teachers (SCTs), Te Kotahitanga facilitators, Information and

Communication Technologies Professional Development (ICT PD) leaders, and more.<sup>47</sup>

This issue continued to fester into 2009. When the Reference Group met again in July, the Council was no further ahead in defining what made someone a teacher. It was defining a teaching position as being one that involved ‘holding a prime responsibility for the planning, implementation, assessment, evaluation and reporting of a sequential programme of at least 10 weeks’ duration’, which was far too specific for all the roles PPTA had identified, but it seemed that registration staff were basically telling schools to interpret the definition loosely. Some schools were finding that difficult, and PPTA had to intervene on behalf of members who were employed under entitlement staffing, teacher-trained and qualified, and on the STCA, but whose principal would not renew their practising certificates because they couldn’t literally apply the STDs to their work.<sup>48</sup>

Patrick Walsh, from SPANZ, the rival principals’ group to PPTA’s Secondary Principals’ Council, emerged at that meeting as a very useful ally. As a qualified lawyer as well as a principal, he argued that it was not good law-making to write a definition that was not future-proofed and for which you then had to list a whole lot of exceptions and keep adding to them as time went on. He suggested that the definition be ultra-simple, such as a teacher being someone who ‘has responsibility for teaching and learning’, which I supported but Council staff seemed at the time to dismiss.<sup>49</sup>

By June 2010, to PPTA’s relief, the Teachers Council had an experienced secondary school principal, Alison McAlpine, in the Chair’s role. She was recently retired after many years as principal at Nelson College for Girls. At that year’s first meeting of the Reference Group in June, she was in the chair, and showed clear understanding of the issues PPTA kept raising about the diversity of teaching roles in secondary schools. The Council had finally settled on the sensible definition of teaching that Patrick Walsh had suggested: ‘The holder of a “teaching position” has responsibility for teaching and learning in an institution, in the general education system or an approved setting.’

However, Council had been consulting on four possible categories of registration: ‘teaching practitioner’, ‘provisional’, ‘transitional’ and ‘allied teacher’. The SPC representative on the group, Lisl Prendergast, had

surveyed principals about whether, on the Council's descriptions, they believed they could be registered as 'teaching practitioners' or whether they would have to be 'allied teachers'. Their response had been fast and furious; in fact, Lisl had been shocked at how furious, because most of them believed that the 'teaching practitioner' description simply did not include principals. Among the furious responses was this one:

Teachers Council – I have been defending them in public for years – I have now reached the point where I will not. They are a waste of time, a parasite on the education system who do not even do the meagre tasks they are required to efficiently or in a timely manner. Of course I am not a teacher by their definition – the problem is the definition is wrong. PPTA should lead the way and all teachers should simply walk away from them. I am not an allied teacher – I am a leader of teachers and a leading teacher.<sup>50</sup>

Despite this emerging consensus, that meeting was still hearing arguments from Council staff that there were some people in teaching positions in schools who could not meet all the Registered Teacher Criteria, and 'some guidance counsellors' were mentioned again. This was a struggle that PPTA simply had to win, because members' job security in terms of being able to be employed permanently using entitlement staffing, and union coverage, relied on it.<sup>51</sup>

After this fraught meeting I reported:

Peter Lind agreed that the words 'carried out a full cycle of teaching and learning' needed a very broad definition with examples that were inclusive. I said that they also needed to exemplify how people in different sectors and roles would be able to meet the RTCs, if it was to be required that everyone meet all of them, and that it should then be a high-trust process where professional leaders make the judgement.<sup>52</sup>

Lind rushed out a Director's message to principals the following day, assuring them that there was no intention of principals being categorised as 'allied teachers', saying: 'Just as your fully registered status is protected under the Education Act now, it will continue to be protected under the new registration policy.'<sup>53</sup>

Finally, PPTA learned that the Council had ordered staff to bring together, before the end of 2010, a group of specialist secondary teachers to help produce guidance for schools. Even so, further lobbying was still required to make the meeting happen and to ensure that PPTA could be there to ensure the process resulted in something that would fix the problem. The meeting just scraped into 2010, taking place on December 15. There were two guidance counsellors, a secondary RTLB, an International

Students Coordinator and a Careers Advisor, plus PPTA's representative on the Council, Diane Wills, and some Council staff. However, AO Sarah Dalton and I, who took turns to be at the meeting as we had conflicting demands on the day, saw it as 'an exercise in frustration', because a rather short meeting had been organised and then too much of the time was taken up by Council staff telling the group about the RTCs rather than making use of the expertise they had brought together. While some materials were produced by the group, there didn't seem to be any sense of urgency, although the RTCs were to begin to apply to practising certificate renewals from the start of the following year, 2011.<sup>54</sup>

After almost a further year of PPTA pressure, the Council published guidance for schools on how the RTCs could be used in relation to teachers in specialist roles, including examples of evidence that could be produced by such teachers to demonstrate that they were meeting the criteria. It was in a far from prominent place, but at least it was on their website, and PPTA was able to communicate its existence to members in specialist roles.

For guidance counsellors – the group most endangered by the Council's floundering – the problem did not end there. Some of the non-teacher-trained guidance counsellors, having been threatened some years before with non-renewal of their LATs, had undertaken teacher education. Now they were finding that the Council would not let them move from provisional to full practising certificates unless they had done substantial amounts of classroom teaching, and if they did not achieve full registration by the end of four years, they would have to leave teaching. A new LAT was not an option, because they couldn't be given to people who were teacher-educated. PPTA had to step in again to negotiate a way out of this Catch-22 situation, though an agreement as to a minimum amount of classroom and small-group teaching was required, along with evidence of regular engagement in professional supervision sessions.<sup>55</sup>

New resources were developed over the next few years, but not by the Council. A research project exploring the ways in which school guidance counsellors, in their casework, sought to develop the key competencies from the curriculum, was published. It involved three Bay of Plenty counsellors and Waikato University staff.<sup>56</sup> Other material showed how counsellors were fundamentally involved with development of students' values, another key part of the New Zealand Curriculum. This proved

useful to counsellors who were having difficulty justifying their role as being about teaching and learning.

Another area of controversy to emerge from the Teachers Council's work on registration was the issue of teachers who failed to progress from provisional to full registration. In its review of registration, the Council discovered that there were 'quite large numbers' of teachers across primary and secondary who had been provisionally registered for a very long time, and this was seen as a potential quality concern. If they had failed to complete the process to move to full, was that because they had never met the grade, and if so, should they still be in the profession?<sup>57</sup>

However, on further investigation, a range of reasons emerged as to why they might be in this position: their school had failed to put in place an induction and mentoring process; they had been unable to win a position of sufficient hours or duration to qualify for full registration; they had been working in settings not able to help them gain full registration, such as alternative education centres or museums; or they had left the country before they achieved full registration. Many of these complications seemed to affect secondary teachers particularly.<sup>58</sup>

The Council wrote a policy that gave teachers three years, or for particular reasons up to six years, to move to full registration, and if they failed to meet this, they would have to complete a Teacher Education Refresh programme (TER). This policy took effect on 1 January 2012, but all teachers who might be affected were contacted and told they had till 1 January 2015 to meet the requirements.<sup>59</sup> Over the subsequent years, cases of individual members caught up in this situation occupied considerable amounts of Advisory Officer and Field Officer time. The courses cost money, both for enrolment (around \$4,000) and in terms of loss of earnings while doing the face-to-face components. There were assessments that had to be passed, including a practicum placement. There was a process for teachers to seek a review of the requirement to do a TER course, but this was quite involved and not easily granted.<sup>60</sup>

There were links between this issue and aspects of employment policies in some schools. I commented:

There are all too many beginning teachers who become part of a reserve army of labour within the profession and struggle to move out of it into more secure employment. This may be because they are inflexible about location, or they are in subjects that are not in short supply, but it may also be because they simply don't make a strong impression as applicants.

I did also admit, though, that there were a few cases where teachers had simply not been proactive about getting involved with a programme of induction and mentoring that would lead to full registration. However, beginning teachers are not generally in a powerful position in their schools to raise concerns about the advice and guidance they receive, or don't receive, and that was where the union needed to help.<sup>61</sup>

## **Education Workforce Advisory Group (EWAG)**

Before the Council could reach any kind of equilibrium in its core functions, Minister of Education Anne Tolley established an Education Workforce Advisory Group of hand-picked individuals to make recommendations on a whole range of areas including two within the scope of the Council, namely initial teacher education and the induction and mentoring of beginning teachers. (Others were career pathways in teaching, the school leadership tier, and 'accountability systems'.)<sup>62</sup>

The Terms of Reference for the EWAG suggest that the group was expected to take a once-over-lightly approach to its subject matter. Only four half-day meetings were scheduled between July and December 2009. A search of the Beehive.govt.nz archive suggests that there was no official announcement of the establishment of the group (which is consistent with PPTA's sense that it was very much a hand-picked group operating with a high degree of secrecy), nor did any interim reports become public.<sup>63</sup>

It was chaired by the Secretary for Education at the time, Karen Sewell, and the members included Byron Bentley (Principal of Macleans College), Barbara Cavanagh (Principal of Albany Senior High School), Professor Alister Jones (Dean of the Waikato University Faculty of Education), Dr John Langlely (CEO of Cognition), Emeritus Professor Gary Hawke, Peter Ferris (an intermediate school principal in the Minister's own electorate), Barbara Ala'alatoa (principal of Sylvia Park School), and Sally Webb (a leadership consultant).<sup>64</sup>

Interestingly, although at least two of EWAG's topics were very much the current work of the Teachers Council, Council staff were given only a couple of hours with the group, and the final report showed errors of understanding, such as saying that full registration was gained 'after ... assessment against Graduating Teacher Standards' when in fact the relevant

standards by that time were the Registered Teacher Criteria.<sup>65</sup> PPTA also noted that EWAG's description of a 'refocused' role for the Teachers Council almost exactly matched its current role, which left us wondering what the Group thought the Council did currently.<sup>66</sup> These kinds of errors gave PPTA little confidence that this was an exercise that might result in strengthening of the Teachers Council. Reporting to Executive after our first view of the still embargoed report, I wrote:

... it is quite startling how little evidence the report provides to support its recommendations. It is essentially the collated personal opinions of a group of the Minister's cronies, with relatively little research to underpin it, although they do show evidence of having read the two most recent BES studies and Te Kotahitanga (p.11).

Aspects of the EWAG report posed some threat to PPTA. It advocated that the union representation on the Teachers Council, which PPTA had worked so hard to secure, should be abolished on the spurious grounds that 'it may lead to emphasis on employment conditions and industrial matters rather than professional leadership'. It argued for a ministerially appointed Council providing 'effective sector leadership' rather than the existing mix of representatives and ministerial appointees. It also foreshadowed the Code of Conduct to come, saying that the Code of Ethics was 'more guidelines rather than a robust set of standards against which teachers are expected to align'. (EWAG appeared to be completely unaware of the previous lengthy and thorough debates about the style of Code that was best suited to a teaching profession.) Perhaps most worryingly for PPTA, it wanted 'flexibility for principals to use resources at their disposal, such as salary units and non-contact time, flexibly to provide opportunities for teachers to up skill and to reward their increased skill and capability.'<sup>67</sup>

Eventually the group's 'Vision for the Teaching Profession' was publicly released, a discussion document published, and submissions called for. PPTA submitted in August 2010, and did not hold back on its criticism, saying:

PPTA finds it offensive that a group hand-picked by the Minister and accountable to no one except the Minister could purport to publish something under the title of 'A vision for the teaching profession'. This vision represents the views of its authors, but in no way does it reflect a consensus of the teaching profession ... It is PPTA's view that none of the proposals in the current report will have any chance of success without the government showing real support for the teaching profession, by listening to the profession, valuing and acknowledging the professional practice of teachers, and supporting with a substantial injection of new money teachers' access to high-quality PLD.<sup>68</sup>

It was a very thorough submission, providing background information about issues skimmed over in the report such as ways to improve initial teacher education for secondary teaching, why moving to postgraduate teaching qualifications was not as simple as the group seemed to believe it was, and the long history of PPTA's work on career pathways for secondary teachers. The submission also, perhaps unfortunately in retrospect, argued for the status of the Teachers Council to be changed from being the sole professional body that was an autonomous crown entity to being a statutory authority, which would 'give a greater degree of independence from government'. The government duly created the Education Council as a statutory authority but took away its independence by making all the Council positions ministerial appointments (see below).<sup>69</sup>

In November 2010, PPTA sought under the Official Information Act the Ministry's analysis of the submissions on the report.<sup>70</sup> Access was refused, on the grounds of 'maintaining the constitutional conventions that protect the confidentiality of advice tendered by the Ministers of the Crown and officials'. PPTA appealed this to the Ombudsman.<sup>71</sup> PPTA had also sought minutes of the meetings of EWAG, and while this had not been very successful, a bundle of Ministry policy papers was received in January 2011, indicating the kind of advice that the group had received. Much of this was quite worrying, and signalled the likely directions of the group and the minister it was advising.<sup>72</sup>

The Minister invited PPTA, and many other sector groups, to an Education Sector Forum in April 2011 to consider the recommendations of the EWAG. While accepting the invitation and nominating as its representatives President Robin Duff and DGS Bronwyn Cross, General Secretary Kevin Bunker expressed concerns about 'the nature of the democratic process around the development of this report' and the representativeness of the Forum. He wrote:

It was never clear on what basis the advisory group was formed and in what ways they represented 'the profession' they were charged with developing a 'vision' for. It seemed to us that the description of this group as 'independent' was simply a cover for the fact that the members were accountable to no one but themselves.<sup>73</sup>

He went on to say about the Forum:

In the same vein, the composition of the education sector forum group is difficult to fathom. There are six groups which, in one way or another, represent primary principals, yet the sole national



secondary principals' group, Secondary Principals' Council, is absent. The independent schools are represented but not their union ISEA; Manukau Institute of Technology is represented though it is difficult to see how the vision applies to that institution which neither trains nor employs teachers and once again the union that operates in that sector, the TEU, is absent; the PTA is not represented but there appear to be some individuals charged with representing the whole private sector. Most troubling of all is the lack of balance in representation; some representatives speak on behalf of a constitutionally-established organisation with many thousands of members while other represent a few hundred, or just themselves, yet the structure of the group seems to assume they are all equal.<sup>74</sup>

PPTA requested a place on the forum for Julia Davidson, convenor of the Secondary Principals' Council, or her nominee, and asked that the forum begin with an explanation of the logic underpinning the composition of the group.<sup>75</sup> The Minister's reply, in early April, was that if SPC wanted a representative on the group then PPTA could give up one its places, and that at any rate, secondary principals were already well represented and two of the EWAG had been secondary principals (Barbara Cavanagh and Byron Bentley).<sup>76</sup>

The President, Robin Duff, followed up after the Forum with a letter to the Minister setting out the Association's concerns in some detail. His criticisms continued to be about the undemocratic process, the paucity of research evidence in the EWAG Vision report, the lack of discussion about the challenges of middle leadership, and a range of other matters.<sup>77</sup>

In June 2011, a report to the Minister, purportedly from the Chair, Barbara Ala'alatoa but likely to have largely been written by Ministry officials, was circulated to participants in draft form and marked 'confidential'. Deputy General Secretary Bronwyn Cross described it to Executive as 'a work of fiction designed to create the impression that there is "general agreement" (their phrase) to the proposals'. She responded by tracking changes and inserting comments, and sent this to the whole group, along with copies of the President's letter to the Minister criticising the process and proposals to that point.<sup>78</sup> This was greeted largely by silence.

## **Review of the Teachers Council**

The Education Workforce Advisory Group report had argued that the Teachers Council needed to be 'refocused', and although in the report this had appeared to be based on an inaccurate understanding of what the Council was already doing, the writing was clearly on the wall.

On 23 April 2012, Cabinet approved a formal review of the Teachers Council, the intended outcomes of which were to ensure that the Council set and enforced 'clear standards for entry, progression and professional accountability, has the full support of the profession, and is clearly differentiated from government and industrial advocacy organisations'.<sup>79</sup> A review group was appointed, consisting of Pauline Winter (Chair), Robyn Baker, Dr Judith Aitken, and John Morris. The review was described as 'part of a wider government undertaking to strengthen leadership in education'.<sup>80</sup>

Besides the recommendations of the EWAG, there was another piece of background to the review that had challenged government confidence in the registration system. This was the case of one Te Rito Miki, a convicted and jailed child sex offender who, despite the fact he was on an extended supervision order, somehow managed, using a fake CV and birth certificate, to gain employment during the five years to January 2012 in six North Island schools. He had even been arrested on the grounds of a Tauranga school, only to go on to teach in another school, because the principal assumed that the police would report the matter to the Teachers Council but they had not done so.<sup>81</sup> A Ministerial Inquiry into the case, led by former Ombudsman Mel Smith and former Chief Reviewer Judith Aitken, found that he had accumulated 53 fake identities. The Inquiry report was publicly released on 21 August 2012. There were recommendations for change by the Teachers Council, and also many recommendations for changes to be made by other government agencies and Boards of Trustees.<sup>82</sup>

PPTA staff met with three members of the review team, including Dr Judith Aitken, on 6 August, and the Ministerial Inquiry dominated discussion. It felt to us that there was little chance of stopping the juggernaut that was rolling towards the Council.<sup>83</sup>

Nevertheless, PPTA, with the help of its Professional Issues Advisory Committee, made a submission to the review. This argued for a narrower professional leadership role than the Council was currently expected to exercise, supporting instead a leadership role that was essentially what the Council had been focusing on over its ten years of existence: quality assurance of initial teacher education; registration and renewal of practising certificates; and competence and discipline. It argued that it was unrealistic to expect the Council to advocate for the wide diversity of registered

teachers. The submission also made a case for the Council becoming a statutory authority like the other registration bodies in New Zealand. This would give it more independence, by removing the requirement to 'have regard to government policy' and allow it to advocate more freely on behalf of the profession. PPTA was largely supportive of the Council as it had evolved in its first ten years.<sup>84</sup>

The review of the Teachers Council was submitted to the Minister in November 2012, but not released until May 2013. Instead of simply recommending refinement of the Council's work, or even of its empowering legislation, the review team recommended the creation of a new professional teaching body. This was to be independent of ministerial direction, 'capable of identifying key public policy issues and lead professional and public debate on their implications for high-quality teaching practice', and 'capable of publicly representing the voice and face of the teaching profession on education matters'. The review team stressed that there needed to be a transition process, with a major role of engaging the profession around the new body.<sup>85</sup>

Coinciding with release of the review report, in May 2013, a Cabinet paper was released, grandly titled 'Quality Teaching Agenda: Transformation of the New Zealand Teachers Council into a professional body for the 21<sup>st</sup> century'. In it, the Minister said that although the review team had recommended a long transition, she believed that 'persistent dissatisfaction, length of consideration, and urgency to lift the quality and consistency of our teaching practice' ruled this out. Instead, she set up a Ministerial Advisory Group, chaired by ERO's Chief Review Officer Dr Graham Stoop, with eight weeks to 'lead an engagement with the sector' and then report to her with final recommendations for reform. The Minister announced that leadership of the profession would be the domain of the new body: it was to be 'a strong professional body that provides leadership to, and is owned by, the profession'. She wanted to see it having independence from both the government and what she called 'industrial advocacy groups' – in other words unions – 'to create space for the professional body to be credible to the profession'.<sup>86</sup>

A paper to PPTA's annual conference that year made no bones about the union's opposition to these changes, starting with its title *Teacher ownership or government takeover?* Members had to read to only the

second paragraph to know the answer to the question: ‘The government claims that its goal in the latest phase of reforms is to create a Council that engenders a sense of ownership by the teaching profession, but their process and policy positions so far appear instead to be about a government takeover of the Council.’ This was described as ‘a major assault on the profession.’ The paper criticised as ‘absolutely contradictory’ that the government would claim that its goal was to establish a professional body that was ‘owned by the profession’, while at the same time rushing to legislate because of an election commitment to implement the recommendations of the Education Workforce Advisory Group. It also described the latest phase of consultation as having ‘a grubby history’ as revealed by various Ministry of Education and Treasury documents obtained under the Official Information Act:

These documents indicate that the government’s intention is in fact to change the Teachers Council into a body whose primary role is to control teachers to a much higher level of minutiae than currently, and for which teachers will have to pay higher fees. ‘Ownership’ will rest much more firmly with the government than it does now.<sup>87</sup>

The union reiterated its view on professional leadership, saying that the consultation document typified the government’s ‘deliberate refusal to acknowledge the professional leadership already provided by other organisations, including the teacher unions’ by using hand-picked advisory groups made up of individuals with no accountability to any group, by its constant references to unions as ‘industrial advocacy groups’ (ignoring the long history of PPTA, for example, in working towards high-quality public education for young people), and by its intention to remove from the Council any elected positions or positions reserved for union nominees. The paper went on to say:

This flies in the face of the evidence that the most successful education systems are those where the teacher unions are respected by the government as having a valid and beneficial leadership role in the interests of quality education ... It is ironic that a government which has committed to hosting here in March 2014 an international summit organised by Education International and the OECD, which is predicated on equal participation by ministers and union officials, would propose to deliberately remove union participation in the country’s professional body for teachers.<sup>88</sup>

The conference decisions signalled a round of Paid Union Meetings to develop a plan of action in response to legislation that was unacceptable to PPTA, and enjoined Executive to ‘continue to work with interested groups

towards the development of a truly representative Teachers Council in the future'.<sup>89</sup>

By December 2013 the process of change was becoming clearer, and the current Council organised a forum to brief sector groups on the likely legislative timetable, the role of the Council in relation to the Transition Board that the Minister had established, and issues on which groups might wish to submit when the Bill went to Select Committee. However, at that stage the Council had had no dealings with the transition group, whose secretariat was in the Ministry, not at the Council, and even the Council Chair, Alison McAlpine, was not clear about some aspects of the changes being rolled out.<sup>90</sup>

To ensure that the day was not dull, PPTA had responded to the Council's request for questions in advance by submitting some pretty provocative questions, such as:

1. It is our understanding that the Ministry of Education and Treasury have been working on a rewrite of the Registered Teacher Criteria, and what does this say about the future independence of the new body and about consultation and transparency with the profession for a future Teachers Council?
2. It is our understanding that these revised RTCs are to be graduated to facilitate the adoption of performance pay – what can be concluded from this?
3. Does the Teachers Council have any evidence that the union representatives on the current Teachers Council have pursued an agenda of industrial advocacy?
4. Is there a risk that teachers will resent funding the Teachers Council when they and their unions no longer have representation, and the Council is entirely appointed by the Minister?
5. What are the risks of real or perceived political interference when the entire Council are political appointees?

It became clear that day that Peter Lind, whom PPTA staff and Executive had come to respect highly, would be leaving, as the government had made it clear that all staff at the Teachers Council except the Director would transition over.<sup>91</sup>

The Education Amendment Bill which was to replace the Teachers Council with an Education Council was introduced to the House and its first reading was on 13 March 2014. In accordance with the resolution of Annual Conference 2013, Executive called for Paid Union Meetings to be held urgently at the start of April. Executive decided these would be big regional meetings as a political statement about PPTA's view of the reforms, and to ensure that members heard from well-informed speakers. The meetings were to inform the members about the content of the Bill, and to encourage them to write individual and group submissions and ask to be heard orally (for maximum effect and to delay passage of the Bill). We had heard that the Minister was trying to push the Bill through on a tight timeframe, perhaps because there was an election coming on 20 September and she wanted to trumpet its passing as an achievement, so there was urgency about getting members galvanised to make submissions.<sup>92</sup>

While the Bill was largely as expected, it concerned PPTA that it purported to establish a body which would have a much more major role than the current Council, when PPTA's position by then was that a smaller and more limited role would be better. I described the purpose statement in the Bill as 'quite ludicrous in its breadth':

The purpose of the Education Council is to ensure safe and high-quality leadership, teaching, and learning for children and young people in early childhood, primary, secondary, and senior secondary schooling in English Medium and Māori Medium settings through raising the status of the profession. (Section 377)

In contrast, the purpose of the current Council was: '... to provide professional leadership in teaching, enhance the professional status of teachers in schools and early childhood education, and contribute to a safe and high-quality teaching and learning environment for children and other learners'.<sup>93</sup>

The new body was to be called the 'Education Council of Aotearoa New Zealand' (EDUCANZ). Its Council was to have nine members, all appointed by the Minister, but on the other hand it was to be the statutory authority that PPTA had said we wanted, the government giving with one hand and taking with the other. Among the other aspects of concern, the Bill replaced the current reference to a Code of Ethics with the requirement that the Council 'establish and maintain a code of conduct for teachers', the new Council was to write new criteria for registration and 'ongoing practice',

there was to be an audit of 10% of all practising certificate renewals, and a Complaints Assessment Committee had to refer to the Disciplinary Tribunal any matter that it considered ‘**may possibly constitute**’ serious misconduct. To be fair, there were also tweaks to the current legislation that improved it in some areas.<sup>94</sup>

The speech at the Paid Union Meetings referred back to the title of the 2013 conference paper, ‘Teacher ownership or government takeover?’ and asserted that the Bill definitely represented the latter. In relation to membership of the Council, it said that:

The only check on the Minister’s whim is to ‘have regard to the collective skills, experience and knowledge’ of the Council members, and to take into account a number of individual skills, which include governance and leadership experience and financial skills.

The speech also predicted that this would result in a Council made up of ‘principals, Board members, and corporate types’. Secondary teachers whose days were spent in the classroom would not get a look in. Whereas with the Teachers Council there were positions set aside for union nominees, for this new body PPTA could nominate people if it liked, ‘but a nomination from PPTA would have no more chance of success, probably less, than a nomination from some personal friend of the Minister or from a contributor to the funding of whatever party happened to be in power at the time’.<sup>95</sup>

The speech attacked the greatly expanded list of functions for the new body as leaving ‘huge scope for forays into new territory such as curriculum and pedagogy, ICT and goodness knows what, all at the expense of the teachers who fund the Council, no doubt.’ The most worrying of the new functions was: ‘To identify and disseminate best practice in teaching and leadership and foster the education profession’s continued development in light of research, and evidence of changes in society and technology.’ The speech opined that this was what taxpayers funded the Ministry to do, but now, apparently, teachers were to pay for that work out of their registration fees. ‘Make no mistake, this is a licence to write unlimited cheques on teachers’ accounts.’<sup>96</sup>

The speech, subsequent discussion at the meetings, and the materials that were provided to members to help them develop submissions, had the required effect. Large numbers of individual members and branches put in submissions, and many of them requested to be heard orally. Not everyone

could be heard, but those who were made a huge impression, at least on the opposition members of the Select Committee. Over a period of a few days in May, the Policy and Advocacy team at National Office maintained a roster of staff to be at parliament and when the Committee sat in Auckland, to provide moral support to members, for many of whom this was their first experience of speaking to a Select Committee. After watching submissions in Wellington, I commented to Executive afterwards:

I have been absolutely awestruck by the way that our members have taken on board the information that we have made available to them ... filtered it through their own strong professional lenses, and absolutely wowed the Select Committee ...

- The members have shown their passion for teaching and their absolute commitment to delivering the best that they can to their students. So many of them walked up to the table and took command of the situation.
- They have also pulled no punches about how huge their workload is, talking about 12-hour days, working every day in the holidays, etc. They have also said that they should be able to use their energy for their students, not for fighting off constant attacks on the profession.
- The members have appeared very knowledgeable about the current registration framework and Council, and expressed horror that the good work that has been happening over recent years is being put at risk. Almost all of them have spoken highly of the work of the Teachers Council, including a third-year teacher who described the move from provisional to full registration as ‘rigorous and well managed’, with the Teachers Council having set up an effective and meaningful process and registration criteria, with administration that is ‘rigorous but not over-burdening’.
- The members have shown they’re keeping up with the submissions process; Whangārei Boys’ branch said that they had been watching the committee on webcam, which made quite an impression. They also commented on the Regulatory Impact Statement, which is not a level of investigation that most people would go to.
- The members’ wide range of experience, both within teaching and in other careers before entering teaching, has shown that secondary teachers are astonishingly well qualified for the job that they do.
- There have been numerous comments acknowledging the professional leadership of PPTA over many years, in the absence of real leadership by the government of the day. Our members clearly do see our role as not just industrial or about self-interest – they talk about PPTA being there for the students as much as for teachers. The Correspondence School said that PPTA had worked hard for many years to get quality teachers into schools. ‘The union has an incredibly high regard for education,’ said Hilary Jane Thomson of Kuranui College.<sup>97</sup>

A member from Wairarapa College, one Jane Ogilvie, was most entertaining. She said that teachers’ opposition to the Bill was not about patch protection; teachers knew that the job was difficult enough without having bad or weak teachers alongside them. But they needed to be governed by their peers, not by ‘a bunch of businessmen who wouldn’t presume to sit on the Midwifery Council, so why would they presume to sit



on a teachers' council?' She referred to the Minister's recent statement that quality teachers would be perfectly able to cope with bigger class sizes as an example of how disconnected she was from realities. When MP Tracey Martin (New Zealand First) asked her a patsy question, 'Do you think this Bill is the last straw for the profession?' she snapped back 'It's the whole bale!'<sup>98</sup>

In the end, with the number of requests for oral submissions and the need for the Select Committee to travel the country to hear these, and the length of time it seemed to take for the Ministry to provide its report on the submissions process and ideas for amendments, it was not until after the September 2014 election and return of a National-led Government that the Bill was able to be passed. It began its next stages on 25 November 2014. Aside from a positive change to have a minimum of five teachers who were registered and practising on the Council, Bronwyn Cross described the Bill as being 'as bad as ever and worse in two areas: the capacity to charge fees for a wider range of functions including the undefined 'providing professional leadership' and the intrusive (and probably expensive) 'auditing function'. She warned Executive that:

There can be no doubt that members will not see the Bill as being improved and will be angered when they see how much freedom this unelected quango will have to impose charges on them. The annoyance will be particularly acute for those who made the effort to write and present submissions. Their engagement with the democratic process has been treated with contempt. They will be expecting strong leadership from Executive.<sup>99</sup>

She urged Executive to ballot members urgently on a range of non-cooperation responses to the new body, including not making any nominations for the Council and boycotting the whole nomination process, refusing to meet with any EDUCANZ personnel except in relation to cases involving individual members, and withholding appraisal material. She also sought funding for 'legal advice on possible challenges to the EDUCANZ legislation'.<sup>100</sup> Executive agreed to fund the legal advice but deferred the balloting of members until its February 2015 meeting, presumably because it considered the timeframe unrealistic.<sup>101</sup>

## **EDUCANZ replaces Teachers Council**

In February 2015, Bronwyn and I wrote another paper to Executive, reporting that the Bill had passed its third reading on the evening of 10 February, the first sitting day of the new year. The union had achieved no changes at all:

All our efforts to get last-minute changes at the committee stage were to no avail. Some 14 Supplementary Order Papers put forward by opposition parties failed. The only SOP that succeeded was one put forward by the Minister herself, which made a few technical amendments that turned out to be of no significance.<sup>102</sup>

Annual Conference 2014 had resolved that if the Bill passed into law without sufficient improvements being made, Executive was empowered to determine to what extent the union cooperated with the new body, but also that any programme of action by members needed to be subject to a membership vote.

PPTA had received a legal opinion from Andrew Butler and colleagues at Russell McVeagh. They agreed with PPTA that the Bill had been poorly drafted, was out-of-step with regulation of other professions and was likely to be subject to challenge for years to come. It was, they said, not good legislation even as measured against the government's own advice on what constituted good legislation. The breadth of the purpose and functions of the body, as set out in the Bill, increased the likelihood of challenge, created uncertainty about its fee-setting powers, and was out of kilter with the Productivity Commission's advice about the need for clear objectives and functions. There was also no specific requirement to consult about fees, which they believed was challengeable. Also, the requirement to 'audit appraisals' left scope for challenges. The lawyers also saw problems with the Bill's making the Code of Ethics serve as an interim Code of Conduct, when the two were not at all the same kind of document, and they could see major issues with disciplinary proceedings in that period.<sup>103</sup>



PPTA poster opposing EDUCANZ, PPTA News April 2015

Executive settled on a wide-ranging programme of actions, including expressing no confidence in the new body; vigorously critiquing everything it did and, where possible, challenging its decisions to the Regulations Review Committee; staff not participating in formal consultation processes; Executive not putting forward any nominations for membership of it; and – pending a full ballot of members in Term One on the matter – instructing them not to accept nomination or appointment to EDUCANZ, and not to participate in consultation processes. It also decided to make a claim in the 2015 STCA round for members' practising certificate fees to be paid out of the public purse, on the basis of 'no taxation without representation'.<sup>104</sup>

In the ballot of members, 95% of members supported boycott action against EDUCANZ. This was explained as being that members were 'not to accept nomination or appointment to the EDUCANZ Council until the

legislation is amended to include elected teacher representatives and union representatives.’ They were also instructed not to participate in formal EDUCANZ consultation processes, including reference/advisory groups, making submissions, and meeting with Council members or staff. They were assured, however, that Field Officers and lawyers would continue to represent members through discipline and competence processes; that staff would continue to take up individual members’ issues such as around the application of the registration policy; that Official Information Act requests could still be made, and that they could still participate in professional learning offered by the Council, such as that provided on appraisal processes. They were advised that they should continue to pay registration fees, and do everything required to maintain their practising certificates, and they were positively encouraged to write Blog posts, Tweets, letters to the editor and media statements critiquing EDUCANZ.<sup>105</sup>

In the event, one PPTA member did accept a position on the EDUCANZ Council. When an ethics complaint was taken against her, she produced evidence that she had sought and been given incorrect advice by a PPTA staff member, so the complaint could not be upheld although the committee made it very clear to her that being a member of the Education Council was in breach of an instruction to all members and she should ‘reconsider her stance on EDUCANZ and resign from the Council’. When she did not do so, there was a second ethics complaint lodged against her, but during that process she resigned her membership of the union, so the complaint could not proceed.<sup>106</sup>

The 2015 conference paper was a relatively brief update for members. It reported on what had been done that year: the various boycott actions, anti-EDUCANZ posters, the claim for practising certificate fees to be paid by government, and the preparation of a draft Bill to replace EDUCANZ, in the event of a change of government. It warned that the government was considering handing over responsibility for teacher professional learning and development to the Council, something that PPTA would strongly oppose because of the inordinate power it would give to ‘a ministerially appointed quango that should be primarily responsible for registration’, and because it would create a role conflict by having the developmental purpose of PLD combined in the same body with the function of registration and deregistration. It also raised the spectre that teachers could end up paying for this through their practising certificate fees, and it would anyway be

inappropriate ‘for a ministerially appointed and unrepresentative teacher registration body to make critical decisions about the national priorities for teachers’ PLD ... managed by a quango through contracts with providers’.<sup>107</sup>



**PPTA visited Minister Parata’s office, 12 November 2015, where she introduced them to a cardboard cut-out ‘advisor’ named Orion after public criticism of the high staff turnover in her office. During the meeting, she engaged in conversation with it, asking it for advice then saying ‘See, Orion agrees with me on that’. [MICHAEL STEVENSON]**

Three draft Bills, each addressing a different problem area in the legislation, were prepared by Advisory Officer (Legal) Eva Hartshorn-Sanders.<sup>108</sup> After Executive approved them, there were discussions behind the scenes with members of the Opposition to work out who would put each one into the ballot for members’ bills, and to shore up votes should one or more of them be drawn. (This was only a long shot, as there were 68 bills in the parliamentary biscuit tin at the time.)<sup>109</sup>

In the STCA negotiations in 2015, PPTA claimed for members’ EDUCANZ fees to be paid by government over the term of the collective, and this claim was ultimately successful. In the ‘backroom discussions’ that led to a settlement proposal to be put to members in the second half of October, just after Annual Conference, it had been signalled to the Secretary

of Education that if the claim for the fees was successful, PPTA ‘might be willing to consider’ lifting the boycott on working with EDUCANZ.<sup>110</sup>

The boycott had proved to be a very useful bargaining chip as evidence of PPTA’s effectiveness as a union in convincing members to sign up to an action of that kind and demonstrate good discipline in sticking to it – always useful in industrial negotiations when the threat of strike action is ever-present. Actually only one part of the boycott, the refusal to participate in formal EDUCANZ consultation processes, could be proposed to members for lifting, because the other part, not accepting nomination or appointment to the Council, was contingent on the legislation being amended to include elected teacher representatives and union representatives.<sup>111</sup>

Executive agreed that if the proposed terms of settlement were ratified by members, there would be a subsequent ballot on whether to lift the boycott on consultation.<sup>112</sup> The plans for this ballot were deliberately not mentioned at the ratification Paid Union Meetings, in order to not distract members from the important issues about the settlement, and in the end the ballot was not held until June 2016.<sup>113</sup> It was passed, and EDUCANZ Chief Executive Dr Graham Stoop was informed of this by the President in a letter on 27 June.<sup>114</sup>

Dr Stoop had already written to the President on 3 May (and earlier on 23 March), asking the union to participate in work on EDUCANZ’s ‘project to develop standards and criteria for registration, the issuing of practising certificates and ongoing practice’.<sup>115</sup> Council staff wasted no time in requesting PPTA participation in the various strands of policy work they were engaged in, and on 29 July a team of five arrived at PPTA with the aim of briefing staff and the President. It was clear that there was a lot going on, and also that there had been a significant clean-out of the top layer of the Council’s staff, replacing them with Ministry secondments (some of whom later became permanent EDUCANZ staff including the current CEO, Lesley Hoskins). Our overall impression was that the Council was ‘keen to embark on empire building on a grand scale’, and we reminded Executive that this had been our greatest fear if the Council was appointed by the Minister rather than dominated by elected and nominated sector representatives.<sup>116</sup>

The discussion at that meeting about EDUCANZ work on the Code of Conduct left the PPTA side of the table barely able to suppress our laughter at times. Our visitors described a purpose statement they had developed that we pointed out was pretty much the same purpose that had been developed for the Code of Ethics, and the Council people said that the working group ‘had had significant debate about ethical dilemmas in teaching, and the fact that there is no black and white’, which of course is why a Code of Ethics was appropriate and a Code of Conduct was not. We talked about members who had told the Select Committee how much they valued the Code of Ethics because teaching is complex, and how the Select Committee had seemed interested but no change in the Bill happened. The Council staff told us that a decision had been made to not call what they were working on a ‘code of conduct’, but instead a ‘code of professional responsibility’. They had even made quite an effort to ensure that they could get away with this, despite the law mentioning ‘code of conduct’, and been told they could, they just needed to footnote it with a reference to s387 of the Act. The irony of this did not escape PPTA.<sup>117</sup>

Council staff told us that the group working on new professional standards had also been wrestling with what the law required of it. With a straight face, a Council staff member said that ‘the sections of the Act relating to standards were extremely confusing with different terminologies used in different places for no obvious reason and a lack of clarity about what was intended, so they had gone to the Ministry officials who worked on the legislation to try to clarify and got nowhere.’ This of course was exactly what PPTA had said in its submission on the Bill, and what had been confirmed by our lawyers, namely that the Bill was really poorly drafted. The Teachers Council itself, in its submission, had said the same thing.<sup>118</sup>

However, it was when the EDUCANZ staff described the work so far on standards that alarm bells began to ring on the PPTA side of the table. They had developed five core standards rather than the existing twelve, but then developed ‘indicators’ for four separate groups that would be indicated on a teacher’s practising certificate: teachers with provisional or full certification; ‘exemplary teachers (specialists)’; leaders; and education professionals working outside schools and ECE. These looked to us suspiciously like standards for career pathways, and the ‘exemplary teachers’ category seemed to have NZEI’s Advanced Classroom Teacher

Expertise (ACET) stamp all over it. We said that they had moved into industrial territory and our members would be ‘extremely allergic’ to such an idea. They were rushing to contract someone to develop these ideas into standards and indicators and we demanded a pause on that so we could meet separately and agree on a PPTA position on this. They agreed.<sup>119</sup>

A further meeting was held nine days later with two Council staff about the standards work. The President had met with Dr Graham Stoop prior to this to wave the red flag about PPTA’s antipathy to the intrusion into the industrial sphere and had shared a paper prepared by the professional and industrial teams together. This had found its way to the right EDUCANZ staff, and progress was made, after a certain amount of blaming PPTA for not being at the meetings of the standards group to date, because of the boycott. PPTA explained the history of our creating specialist roles that carry time and remuneration and had guidelines written for them and referenced in the STCA, and our firm opposition to ‘show-pony’ types of roles such as NZEI’s ACET teachers. We explained that the ‘exemplary teacher’ category was the thin end of the wedge of performance pay, and that was anathema to our members. EDUCANZ staff wanted to be able to provide ‘some kind of guidance about “what good looks like” beyond the generic standards’, and we said we’d be happy to talk about such material but it must not be part of the standards, because it was impossible to set a common standard for something like curriculum middle leadership in secondary schools when the roles were so diverse, and becoming increasingly so. This seemed to reassure them that we weren’t being totally obstructive, but we had our bottom lines.<sup>120</sup>

This led to discussion about the diversity of roles in secondary schools, including the thorny issue of guidance counsellors, and we reminded the Council staff that any standards they wrote would have to be broad enough so they still worked for people in those kinds of roles. By the end of the meeting, we had secured an assurance that the writing of indicators of the kind contemplated was now off the table. In my final comment to Executive, I wrote: ‘All the above demonstrates the benefits of having had a boycott in place for a time, and lifting it at a strategically useful time ...’<sup>121</sup>

In the end, after many more meetings of both the Code and Standards working groups, the two documents went out together for consultation in April 2017. PPTA’s submission raised concerns about both documents, but



mostly matters of detail and about the relationship between the two documents. The Minister had talked in Parliament about the draft code being ‘underpinned by standards’ and providing employers ‘with a strengthened disciplinary framework to better ascertain what types of behaviour would be determined a breach’.<sup>122</sup> PPTA’s submission said the union was ‘horrified’ to see this, because:

The Standards Working Group talked at length about how these two documents stood in relation to each other, and were quite clear that they serve different purposes and one is not subservient to the other. That message needs to be conveyed very clearly to the public and the profession. We strongly urge that all future publications of the Code and the Standards be as separate documents, to avoid the kind of confusion that the Minister was demonstrating in her comment.<sup>123</sup>

The Standards and the Code came into force just in time for the deadline set in the legislation, 1 July 2017.



**PPTA News in February 2016 reported that Auckland Executive member Lawrence Mikkelsen had researched the Council’s treatment of teachers with mental health issues after a newspaper headline implied they were rife in the profession. He found that only four teachers had their registration suspended over a 6-year period for mental health.**

## **Teaching Council of Aotearoa New Zealand**

On 23 September 2017, the general election produced a result on the night that was somewhat indeterminate. The final count, after special votes, gave National and ACT combined 44.95% of the vote (57 seats), and gave

Labour and the Greens 43.16% between them (54 seats). New Zealand First was again in the 'kingmaker' position, with 7.2% of the vote (9 seats). New Zealand First Leader Winston Peters negotiated with both Labour and National about a coalition agreement, and he made it clear he would not be in a coalition with the Green Party.<sup>124</sup> The country waited for his decision once again, and after nearly a month, on 20 October, he announced he had chosen to go into coalition with Labour.<sup>125</sup> On 24 October, the Green Party signed a confidence-and-supply arrangement with Labour. This gave the Labour-led coalition 63 seats to National/ACT's 57 seats.

Labour's manifesto had promised to replace the Education Council with a democratically elected Council, and in 2015 PPTA Te Wehengarua had supplied three draft Bills to the opposition parties, each one designed to make particular changes, but also to increase the chances of one of them being drawn in a ballot. One of these draft Bills, which provided for a return to elected representatives on the Council and a name change to 'Teaching Council of Aotearoa New Zealand', was drawn in a ballot in the late stages of the National-led Government in the name of MP Chris Hipkins, and was transferred to be dealt with by the new parliament, still in Chris Hipkins' name, passing its first reading on Thursday, 1 February 2018. This particular Bill did not make changes to the functions of the Council, which was covered in a separate Bill that had not been drawn; however, in February 2018, PPTA had been led to understand that the matter of the purpose and functions would be covered in a more general education amendment Bill later that year.<sup>126</sup>

Because the Bill was largely as PPTA had drafted it, Executive resolved to support it as it stood, except to submit in favour of adding union representation, given that the boycott ballot of members had set as a bottom line that a new Council must include both elected representatives and union representatives. The Bill introduced two new elected positions which the union had been seeking for some years: an elected position for a secondary school principal, and an elected position for a teacher educator, and PPTA's submission supported these additions strongly. On union representation, it argued that:

... union nominees, as were included on the Teachers Council, would make the Council even more robust. PPTA represents the majority of secondary teachers and we are seen as both the industrial and professional voice of our members ... Removing PPTA's ability to nominate a member onto the previous Teachers Council was seen as an attack on both the union movement and the teaching

profession. While the union nominees would be serving as individuals, they will have access to their unions' networks to canvas teacher opinion or to elicit wider feedback on Council decisions or performance, should they wish.<sup>127</sup>

In May, Executive discussed a paper on two separate issues in preparation for the Bill passing. The first was whether or not there needed to be a ballot of members to lift the boycott on nominating or accepting nomination to the Council. In the end, it was decided that, even though union representation had not been achieved, members would be happy enough to see the boycott lifted, especially given that the new Council had a majority of elected teachers. Hence the decision was that once the Bill came into force, members be advised that they were free to accept nomination for election to the new Council.<sup>128</sup>

However, the Bill took rather longer to pass than PPTA had expected, having its final reading in late September 2018. By that time, the Minister appeared to have developed the jitters about the level of democracy the new Council had been given in the Bill. He introduced an Education Amendment Bill (No. 2), which provided that in order to protect public interest, the Minister would be able to issue a 'policy direction' to the Council, relating to the functions of the Council. The Minister was required to consult with the Council before doing so, but if s/he issued such a direction, the Council was required to 'have regard' to it. AO Anthony Neyland advised Executive that 'even a small level of control arguably diminishes the independence of the Council', and that the amendment 'undermines the intent of the previous bill, and to some extent, threatens the Council's independent status and makes it vulnerable to political interference'. He believed that potentially, teachers would read this as the Minister not trusting teachers. On the other hand, the wording 'have regard to' did not require Council compliance, and he cited a 1992 High Court judgment<sup>129</sup> that clarified these words as meaning that the Council may not ignore the direction but must give it genuine attention and thought and such weight as it considered appropriate.<sup>130</sup>

Anthony Neyland's paper advised Executive that this new provision was not needed, and that if the government wanted to preserve the public interest, it should limit the Council's functions more tightly to just establishing, maintaining and enforcing standards and managing competence and conduct, because it was the other functions, such as providing leadership to teachers, direction for the education profession and

dissemination of best practice that were more open to interpretation, and could lead to the Council finding itself at odds with the government.<sup>131</sup> Executive agreed, and PPTA's submission argued accordingly.<sup>132</sup> Despite PPTA's submission, the provision exists in the Education and Training Act 2020 as Section 482.<sup>133</sup>

At the start of the new Council, its relations with PPTA appeared to go smoothly. However, a hint of what was to come appeared in a report of a May 2019 meeting between two PPTA Advisory Officers (Kirsty Farrant and Anthony Neyland) and the Council's new Manager: Policy, Angela Yeoman. PPTA had noted that the Council's website stated that practising certificate fees would remain fixed until 1 July 2019. They were told that the Council was 'undergoing much change at the moment, including an increase in services, and now had a larger governing board, so it was inevitable that fees would increase at some stage.' PPTA asked to be included in any review of the fees.<sup>134</sup>

The issue began to blow up in January 2020, when the Council released a consultation document proposing changes to its fees that amounted to an increase of 125% on practising certificate fees, from \$220.80 to \$470.00 (option 1) or \$500 (option 2) for three years. The consultation process was only three weeks in duration, from 28 January's announcement until 21 February, and it was right in the middle of the very busy start to the year. The rise was not completely unexpected, as fees had not increased since 2010; however, an inflation-adjusted figure would have been a lot less – in the vicinity of \$260 for a three-year renewal. In the Collective Agreement round in 2019, the Ministry had refused to engage with PPTA about continuing to pay teachers' practising certificate fees as part of the settlement, so this was an extra shock for teachers.<sup>135</sup>

The Council's justification for the increase was twofold. First there was the cost of establishing a Centre for Excellence as part of its responsibility for professional leadership. Secondly, there had been a blow-out in costs associated with conduct and competency cases. This had come about because of the change, in 2014, in the threshold for referral to the Disciplinary Tribunal whereby the Complaints Assessment Committees had to refer to the tribunal cases that 'may possibly constitute serious misconduct' rather than make a judgement, as previously, as to whether the case actually **was** serious misconduct. The fee increase was seeking to fund

both of these matters from teachers' practising certificate fees. The registration and certification work of the Council was only 27% of its costs, so teachers were being asked to fund what PPTA in the past had annoyed EDUCANZ by calling 'empire building'.<sup>136</sup>

For PPTA, the timing of the consultation fell short of what genuine good-faith consultation looked like, which set things up for conflict. The fees were highly regressive, impacting most on beginning teachers, relievers and part-time teachers at a time when teacher supply was already tight. Further, when Labour had promised to establish a Centre of Excellence for school leadership, teachers had not expected to have to pay for this out of their own pockets, and PPTA did not believe that teachers should have to pick up the tab for a fundamentally flawed and damaging conduct and competency system.<sup>137</sup>

Executive decided, on a Zoom meeting in early February, to invite Teaching Council members to speak at regional meetings, and to call branch-based Paid Union meetings on the fee increase.<sup>138</sup>

At the Executive meeting later in February, Teaching Council Chief Executive Lesley Hoskin, the Council's Chair Nicola Ngarewa and other Council staff were invited to speak at an informal plenary about the fees increase. The Council was challenged on the process and timing (although by then the deadline for submissions had been extended to mid-March), on the regressive effect of the increase, on the fact that teachers were being asked to pay for poor legislation (with regard to the disciplinary process), and on other matters. Later in the meeting, AO Susan Haugh led an informal plenary session, in which she updated Executive on actions taken so far in the campaign against the increase.<sup>139</sup>

At the same meeting, Executive also received a paper establishing policy on ways to improve the Council's conduct processes. This included advocating for improving its advice on mandatory reporting to reflect the high threshold set in the Education Act, improving its triaging of cases, and reintroducing the power of the Complaints Assessment Committees to make determinations on issues of serious misconduct.<sup>140</sup>

PPTA and NZEI wrote jointly to the Minister in March proposing a moratorium on any increase to Teaching Council fees to allow teachers to turn their focus to home-based teaching and learning, as the Covid-19 pandemic began to bite, and that the government provide interim funding to

the Council during that period. They also asked that there be an extended consultation with more options offered, including more moderate increases over a longer period of time, and that the Leadership Centre and other proposed PLD functions be centrally funded by government.<sup>141</sup> There was no reply to this, and a further joint letter was sent on 18 May, following the Council's announcement of its final fees decision.<sup>142</sup>



**Campaigning for a better Teaching Council, 2020 – member displaying her wish that the Council be responsive to teachers.**

In announcing its final decision on the increase on 14 May, the Council admitted that it had received 24,000 submissions despite the short timeframe for submissions. It acknowledged that teachers felt the scale of increases was unreasonable and unfair; that it disproportionately impacted on lower-paid teachers; that the costs should be borne by employers or

government, not teachers themselves; that teachers felt they were not getting value for money; and that the increase would exacerbate issues relating to recruitment and retention of teachers. Nevertheless, the Council announced that all teachers would pay \$157 per year, with renewal of certification moving from three-yearly to annual, coming into effect on 1 February 2021. PPTA had requested an option for teachers to pay by annual instalments but had not asked for annual certification. A further round of branch meetings was called, and PPTA's notes for branch chairs said, 'There is a clear and obvious difference between the request to pay certification fees in annual instalments and a wish to be re-certified each year and it is equally ridiculous to be told that the only way that certification can be paid for annually is for it to be assessed annually. This either shows that the Teaching Council is incompetent or does not know nor care about the needs of teachers.' These branch meetings were asked to pass a vote of no confidence in the Teaching Council.<sup>143</sup>

The Minister finally responded to the joint unions' letter on 18 June. He said that the goal was ultimately for the Council to be self-funding and self-sustaining, but that the previous Council had accumulated deficits and had not operated efficiently. The current and previous governments had committed taxpayer funding to transition the Council 'to a more sustainable and effective operating model'. Legislation was before the House to remove the mandatory audit of 10% of annual registrations, and the government was providing transitional funding to cover the move to annual renewal of practising certificates. He promised that neither the Leadership Centre nor the PLD would be funded through Council fees.<sup>144</sup>

This did not remove the unions' objections, and PPTA sought a legal opinion from Dr James Every-Palmer QC on avenues to challenge the fees decision. He recommended an application for judicial review by the High Court of the manner in which the Teaching Council conducted the consultation process and the decisions it made as a result of that flawed process. Evidence was gathered, and on 8 April Dr Every-Palmer wrote to Lesley Hoskin at the Council advising her of the impending action, and listing the grounds for the action, being that:

- The move from triennial to annual certification was a major change to the regime and had a substantial impact on teachers and principals,

yet there had been no consultation on this with the teaching profession.

- The Teaching Council had failed to properly explore the possibility of triennial certification accompanied by annual fee instalments as an alternative to annual certification.
- It was unclear whether the Teaching Council had the ability to set a blanket annual expiry on practising certificates, particularly in respect of teachers who did not already hold a current practising certificate.
- The Teaching Council failed to consult the teaching profession with respect to establishing the Leadership Centre even though the Centre had (or would have) a significant impact on the Council's expenses and would ultimately be paid for by teachers whether they benefited from the centre or not.
- The Teaching Council had set a fee for 'issuing practising certificates' that included costs for unrelated services.

A member in the Wairarapa, Evan Jones, had agreed to be the first respondent for the case, with the role of showing the Court what the implications of the Council's decision were at the coalface, and to reinforce the importance of the issue to the PPTA's individual members. PPTA itself was the second respondent and would cover all legal fees and indemnify Jones should any costs be awarded against him.<sup>145</sup>





**PPTA counsel for case against Teaching Council re consultation on fees, Dr James Every-Palmer, with Evan Jones, the teacher plaintiff.**

At the end of June 2021, PPTA heard that the Jones/PPTA case had been successful, with the High Court ruling in favour of PPTA with regard to five of the six grounds submitted for review. It declared that the decisions on fees and annual certification, in place since 1 February 2021, were unlawful and quashed those decisions.<sup>146</sup> That meant that all of the approximately 13,000 teachers who had been issued with annual practising certificates were now given three-year certificates.

The Court also found that the Council had been at fault in other ways, by wrongly representing to teachers that payment by instalment was unlawful and misleading the Minister on payment by instalment, by not considering the pros and cons of annual certification, by imposing a blanket one-year period of certification inconsistently with the Act, and by setting an

unlawful fee which bundled together all costs of the Council's services.<sup>147</sup>  
PPTA also received costs from the Teaching Council.<sup>148</sup>

In response to the decision, the Minister announced that he would introduce an amendment Bill to clarify the scope of fees the Teaching Council could charge, to 'make the Council's fee-setting powers consistent with other self-funding professional bodies'.<sup>149</sup>

### **Michael Stevenson**    General Secretary 2014 to 2023



After graduating with a BSc (Hons) at Victoria University of Wellington, Michael studied secondary teacher education in Auckland, majoring in Geography and Social Studies. His first teaching position was at Upper Hutt College from 2003. He threw himself into PPTA activism immediately, firstly as Branch Treasurer and NETs representative, and later for the Hutt Valley region as its Chairperson. In his second year he added Accounting, which he had studied at university to Stage 2, to his teaching subjects. After three years' teaching, he won a Field Officer position based in Palmerston North, covering Hawke's Bay and Nelson. Five years later, he won an Advisory Officer position in National Office, where he worked on collective agreement negotiations, Canterbury Earthquake support, the Novopay response, and supporting Jane Benefield on the IES variations. In 2014, with Kevin Bunker retiring, he applied for and won the General Secretary position. He enjoyed the big campaigns like reversing Global Budget, the Megastrike in 2019, and the judicial review of the Teaching Council's consultation on fee increases. He was also proud that the union's financial position is secure, and that staff are highly committed and skilled. Michael left PPTA in August 2023 to take up an appointment with Fire and Emergency NZ (FENZ).

This Education Amendment Bill 2021, which had its first reading on 12 August, expanded the ability of the Teaching Council to set fees, not just for registration and certification but for all of its legislated functions. AO Susan Haugh reminded Executive that this was contrary to PPTA policy which called for legislative change to reduce the Council's functions to only those for which they had the ability to collect fees. The Bill did not overturn PPTA's victory in the judicial review, in that it did not make the 2020 fee-setting process legal, and it also sought to allow for payment by instalments, which PPTA members had indicated they wanted, and which also suggested that the Council was not trying to return to the annual certification process which had been so firmly rejected by teachers. Susan Haugh wrote: 'Our lawyers have encouraged us to think of this as an emergency response brought about because of the judicial review victory's immediate application. It is a band-aid amendment to the Act to protect the status quo.' However, she was concerned that members might see the Minister bringing in such a law change to fix the mess that the Council had made as him supporting the Teaching Council over the profession.<sup>150</sup>

PPTA was not happy about the timing and quality of the Minister's communication about this Amendment Bill, with the President receiving a letter informing her about it with only two non-working days' notice before it was being introduced:

Given that the judicial review findings were damning of the Teaching Council, including the statement that they misled the Minister, the tone of this letter is unusually supportive of the Council. Minister Hipkins seems happy to amend the legislation to suit the Teaching Council's wishes with no consideration of the concerns that led PPTA to take this appeal on behalf of the profession.<sup>151</sup>

An Executive meeting on 16 August made plans for regional public meetings and other actions to encourage members to make submissions on the amendment Bill, but the following day, the country was suddenly put into a nationwide lockdown as a result of the appearance of a community case of Covid-19 that had no clear link to the border. At a subsequent meeting in early September, the plans for regional meetings were rescinded, but the Select Committee process had gone ahead by Zoom, and PPTA members, as they did in 2014 (see above), had turned out in good numbers to make submissions, written and oral. Once again, they did themselves and their union proud:

There were 1,032 written submissions and over 100 oral submissions. Ninety-two of these were made by PPTA Te Wehengarua members, either as individuals, or on behalf of their branch or region. The submissions were a joy to watch, as PPTA members stood up for themselves and the profession with power and dignity.<sup>152</sup>

Executive decided in September to fund morning tea for all branches where a member, or group of members, had made a submission to the Select Committee.<sup>153</sup>

This legislation had been presented by the Minister as a response to an emergency, hence the Select Committee process being significantly shortened. By 20 September, Executive was told that PPTA had a copy of the Committee's report to Parliament, and that it was recommending some changes from the original amendment Bill, in particular, introducing a distinction between fees and levies and giving the Council the ability to charge both. The distinction between the two was explained to Executive as being that a fee is charged for goods or services that are received by the person paying the fee, whereas a levy is a tax charged for a specific purpose which may or may not be used by the person paying the levy. This looked like another 'fix-up' to legitimise the status quo, whereas PPTA wanted to see the Council's power to charge teachers significantly reduced.<sup>154</sup>

The report also foreshadowed a Supplementary Order Paper to further amend the Bill, which would separate out the Council's leadership functions and make them 'optional and only to be undertaken by agreement from the Minister', and not recoverable by fees or levies. PPTA had difficulty getting to see the SOP, and had no opportunity to submit on it.<sup>155</sup> However, in the end, just three of the Council's functions, 'to provide leadership to the education profession', 'to enhance the status of education leaders', and 'to identify and disseminate best practice in education leadership', were made subject to the Minister's approval (s479(2)) and the Council could not charge a fee or levy for them. Unfortunately, these were only about the Council's leadership work, and it still left a number of very vague functions, such as 'to provide direction for teachers', 'to enhance the status of teachers' and 'to identify and disseminate best practice in teaching and foster the teaching profession's continued development in light of research and evidence of changes in society and technology' as functions that teachers could be levied for.<sup>156</sup>

As far as PPTA was concerned, this hastily drafted SOP still left a lot of questions. AO Susan Haugh commented:

There are some obvious issues with the changes in the SOP. Who exactly is meant by ‘education leaders’ is the first question. Similarly, the retention of the functions relating to providing direction, enhancing status, and disseminating best practice for teachers are exactly those which allow the Teaching Council to build an empire and charge teachers for it.<sup>157</sup>

Eventually, the President was sent a copy of the SOP, but as there was no opportunity to submit on it, it was pretty much a fait accompli. The Bill finally passed its third reading on 16 November 2021 and received royal assent three days later.<sup>158</sup>

Back in October 2020, as concerns mounted about the continued scope for ‘empire building’ in the functions of the Council, something that the Minister had indicated he would look at later in 2018 but never did, PPTA had returned to the strategy used during the time of the Education Council and developed a draft amendment Bill that would address the union’s ongoing concerns about the legislation. This was sent to the Minister himself and also to selected members of the Labour Government and opposition parties, but no one picked it up and ran with it. If they had, the issue of the Council being able to charge levies for undefined functions would not continue to be the running sore that it still is.<sup>159</sup>

In February 2022, following the passage in November 2021 of the amendments to the Bill, the Council embarked on a new consultation regarding fees and levies. A meeting with sector groups was held, but PPTA was not convinced by the Council’s arguments. In a letter to Council Chief Executive Lesley Hoskin, General Secretary Michael Stevenson argued that the consultation was yet again not genuine, ‘as the quantum of \$474 per 3 years has already been decided’. For it to be a genuine consultation, the Council would need to embark on a process that was not pre-determined, and ‘be open-minded to solutions teachers have for different dollar amounts and a corresponding reduction in services’.<sup>160</sup>

In a further letter on 16 March, PPTA accused the Council of having failed to learn from the court’s findings about the failures of the previous consultation, in that its consultation document provided inadequate, and in some cases, incorrect information about what the fees were to cover, and asked for ‘a proper explanation of the costs that it seeks to recover and a proper assessment of whether they are reasonable’.<sup>161</sup>

There was a further issue about the inflation adjustments used in the Council’s original consultation paper, and this had to be corrected as a result of PPTA pointing it out.

PPTA's formal submission to this second fees consultation noted that the union's fundamental objection was that the Council was seeking 'to convince teachers that the proposed fees increase is needed to cover the Teaching Council's actual costs', whereas it did not ask them whether they believed those costs to be reasonable. The submission argued that the Teaching Council was obliged to 'live within its means' and had an obligation to not set fees that would put teachers under undue financial pressure. If the amount of money teachers were able to pay was not enough to cover its current work plan, it should find alternatives such as restricting its activities, or seeking additional funding from the Minister. The submission reiterated the long-held view of PPTA that the teacher registration body should provide 'the bouncer at the door' of the profession, and that professional development work was not the role of the Council, nor was it the role of teachers to pay for that through their registration fees.<sup>162</sup>

The debate continued into April 2022, but in the end, the Council was immovable, and a final decision on the new fees was announced on 1 June, with the three-year cost for a teacher set at \$464.37 including GST. There were also increases for other categories.<sup>163</sup> This was almost the same amount proposed by the Council when the issue started to blow up in 2020, but at least PPTA's protests had delayed the increase by more than two years.

By this time, PPTA's energies had turned to negotiations and trying to get the government to cover the fees as part of the collective agreement, as it had earlier.<sup>164</sup> At the time of writing, this was one of a long list of 'claims in progress' for the STCA.<sup>165</sup>

## **Final words**

For the entire period covered by this history, and for some years before then, PPTA Te Wehengarua has had a consistent policy position in support of the compulsory registration of teachers, including provisions to remove that registration providing that proper processes reveal sufficient evidence of misconduct or incompetence. The union has also always supported external approval and audit processes for teacher education courses that lead to registration, to counter the pressures on providers to cut corners in order to fill places.

However, PPTA has also been consistent about wanting a registration body that has a reasonable degree of autonomy, is governed largely by members of the profession, and does not stray off track into ‘empire building’; in other words, a body that sticks to basic functions around registration of teachers. The legislation setting up successive registration bodies has been problematic ever since the Teachers Council legislation, introduced in 2000 and passed in 2001. In drafting this legislation, successive ministers of education have insisted on including functions for the Council that go beyond PPTA’s understanding of what the Council should do. Phrases such as ‘provide direction for teachers’ and ‘enhance the status of teachers’ have, in PPTA’s view, no place among the legislated functions of a teacher registration body. These functions are the ones that successive councils have used as their brief to ‘empire-build’, at significant cost and little perceived benefit to practising teachers.

One result of this mismatch in perceptions of how the body should be structured and what it should be doing is that the majority of PPTA members remain profoundly distrustful of their registration body, and certainly do not see it as ‘leading the profession’. They are happy to entrust their union with that role.

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### To oppose or improve, that is always the question

## Introduction

PPTA Te Wehengarua's membership encompasses the full range of political allegiances, although slanted more towards the Labour and Green end of the continuum. It has always been an important principle for the union to retain independence from all political parties, in order to be able to work effectively with whatever government is in power. This has proven many times to be a successful strategy.

There is no guarantee that a government of a particular colour will be more advantageous for PPTA's interests. For example, the Labour Party's policy commitment for more than two decades to pay parity between secondary and primary, and more recently early childhood as well, has meant that the secondary sector, which competes for teachers with different sectors than primary schools or early childhood centres, has experienced lower pay and chronic teacher shortages, particularly in Maths, Sciences, Technology, and English. There are few incentives for someone with a postgraduate degree in Physics, for example, to reject a lucrative career in industry in favour of a further year of tertiary education to become a secondary teacher on the same pay scale as generalist primary teachers with three-year degrees in teaching.

Only under National-led Governments, in 2011 and 2016, was PPTA able to break out of the stranglehold of pay parity, at least for a time. General Secretary Michael Stevenson commented that the break-out of pay parity in 2016 was because NZEI opted for a two-year settlement with a Top of Basic Scale (TBS) rate of \$75,949, whereas PPTA opted for a three-year settlement with a TBS of \$78,000. 'This was a high-risk strategy from NZEI in my view, especially considering parity (including changes to the entrenchment clause) was broken when National was polling extremely high, and all bets were on a fourth term National-led Government. Then

Labour changed leaders again to Jacinda Ardern, not long before the 2017 election, and Jacindamania struck.’<sup>1</sup>

On the other hand, the legislative environment of industrial law under Labour-led Governments is invariably more benign for all unions, and this can be very significant.

PPTA’s approach to policy announcements in education, from whatever kind of government, is to study them carefully, try to establish whether they will have negative impacts on secondary education, and if so, evaluate what the chances are of getting the policy amended to remove its negative impacts.



**President Jack Boyle presenting PPTA submission on Education Amendment (Update) Bill 2017 opposing introduction of Communities of Online Learning (COOLs) to the system**

Over the twenty-year period covered by this history, there have been several policy announcements where PPTA has chosen to work with the government to improve the policy or at least ameliorate its worst effects. Some of these are Extending High Standards in Schools, Investing in Educational Success, the Secondary Futures Project, and fast-track teacher education (Teach First NZ), all discussed in this chapter.

On the other hand, some policies simply must be campaigned against and stopped if possible. Examples of these are ‘Global Budget’, charter schools, Public-Private Partnership (PPP) schools (all discussed here), and the staffing cuts covered in Chapter 8 (in Volume Two).

PPTA usually accepts invitations to participate in sector forums set up by the government of the day, even though this can be exceedingly frustrating for the union's representatives. Examples of these discussed here are the Schools Consultative Group (set up in the 1990s but still meeting within this period), the Cross-Sector Forum set up by Minister Parata, the Education Workforce Strategy Group in 2017, the Education Summits, and the Education Accord.

PPTA adopts a stance of respect for those who hold parliamentary office, however their views might differ. Education Ministers are always treated with respect when they attend Annual Conference, for example. Even when relationships have broken down almost irrevocably, the Kawa that applies to receiving Manuhiri at Conference requires that members stand during the Karanga when they are brought in, sing a Waiata to welcome them, do not heckle them during their speech, and stand again when they leave. On the other hand, just as on the marae, introductory and thank-you speeches can contain subtle indications of how the union is feeling about the Minister, and the lack of applause can say much. At one conference, after Minister Parata was considered to have insulted PPTA Māori members at the Māori Teachers Conference in July and then was unusually critical of teachers in her conference speech, she was farewelled by Te Huarahi with a particularly aggressive Haka. Nothing was said, but the message was presumably heard.<sup>2</sup>

President Melanie Webber remembers that speech by the Minister. She recalls the President of the day reminding members of the PPTA protocol of behaving respectfully to the Minister including standing as she departed. However, one delegation who had felt particularly insulted by her accusation that teachers were failing Māori students sat 'with their faces like thunder' she said. When Minister Parata 'bounced back up the aisle, as she passed by them, she leant down and said "Oh, cheer up!"'<sup>3</sup>





**Minister Parata speaking to Māori Teachers' Conference 2014**

## **Working to improve policies**

### **Secondary Futures**

Labour's manifesto in 2002 referred briefly to 'a review of secondary education'. As a member of Labour's Education Policy Committee at the time, I tried to get Trevor Mallard to explain to us what he had in mind with this review, but he revealed almost nothing, at the same time insisting it had to be in the education policy.<sup>4</sup> PPTA felt similarly left in the dark about the policy, to the extent that President Phil Smith felt obliged to write to Mallard in stern terms about his failure to properly engage with PPTA. He wrote:

I have been appreciative of the efforts you have made to establish a positive relationship with PPTA this year and I am hopeful that it can be sustained. I acknowledge that this may be difficult at times given some of the contentious issues that need addressing but I certainly think it is worth expending the effort. A commitment to a 'no surprises' approach would assist in achieving this end. With this in mind, I am writing to you to identify some areas of future concern.

Firstly, and in relation to a no-surprise approach, we were concerned that although we have discussed the idea of the secondary review with you on a number of occasions, we have only the vaguest sense of what it is about. Yet, according to the article in the *Education Review* last week, you have a very clear view of what it is about and what you anticipate will be the outcome. The

description of teachers as ‘outdated’ is not helpful to relationships in the sector, nor is it particularly convincing (or accurate) to suggest that the major problem in secondary education is that teachers don’t share things. It is clear that when facilities are established for teachers to collaborate, they do so enthusiastically as with *English Online*. HODs attending the NCEA days last year asked for list-servs to be set up for every subject so news of changes could get to them quickly and so they could share ideas. Neither NZQA nor the Ministry has responded to this request.

In the expectation that members will be irritated by your reported comments, we have had no option but to prepare a response. It is disappointing that the first public comment we are obliged to make on the secondary review will be critical as we were endeavouring to keep an open mind about the exercise.<sup>5</sup>

### **Phil Smith**    President 2003 to 2004



Phil was President during the work of the Ministerial Taskforce on Secondary Teacher Remuneration, and the subsequent efforts to make progress through the 2004 STCA round. He succeeded in developing a good working relationship with Minister Trevor Mallard. President at the beginning of the Secondary Futures Project, he looks back on it as an opportunity missed because it was too vague for busy teachers to grasp and an idea before its time. While it could have been an opportunity for the secondary sector to shape the future of secondary education, little came of it in the end. He enjoyed working with PPTA staff and says that during his years at National Office he experienced the best working environment of his career, being constantly challenged and stimulated to find the best solutions for the union. He also valued the opportunity the role of President gave to engage (and sometimes debate with) members around the country on issues the union is facing. Phil came to the Presidency from being an Executive member for Southland for eight years, where he was HOD Social Science at James Hargest High School.

Following this letter, some communication on the project began to flow to PPTA from the Minister’s office, with a request in April for comment from PPTA on a number of questions titled ‘Where to from here?’ The letter said that the Minister hoped to make ‘a joint announcement of the project in

late May or early June’. Reporting to Executive about the letter, I commented ‘The idea of a joint announcement is news to us – we will have to consider that carefully.’<sup>6</sup>

I described the paper as ‘carefully worded to not set any alarm bells going’. It did not play to PPTA’s fears that the restructuring or demolition of secondary schools was part of the Minister’s agenda, and it tried to put the process a step or two away from the government. The project was ‘no small enterprise’, planned to run over three to six years. I commented:

If you shut down your paranoia mechanism as you read the proposal, you could get very excited. Whether it is reasonable to keep your paranoia mechanism turned off on this one is yet to be seen. This could provide a very exciting opportunity to re-engage secondary teachers in lively professional debate that goes to the core of what they are there for. We need to be thinking about what PPTA can gain from and contribute to such a process.<sup>7</sup>

The President consulted with Executive, including a joint meeting of the Curriculum and Professional Issues Advisory Committees, and in May 2003, wrote to the Minister offering detailed suggestions for improvement to everything from the name (which by then was proposed to be the Secondary Futures Project), the process of review, the principles by which it should operate, the length of time that was needed for such a review, and the timing of its launch.

A problem for PPTA was that the secondary sector was still bruised from a fraught collective agreement round, not settled till mid-2002, and there were issues yet to be resolved around G3 teachers. The Ministerial Taskforce was still meeting when the Minister began these discussions, and PPTA asked for a delay at least till after the Taskforce reported. The President warned the Minister of the danger if the review was launched earlier, it would ‘begin while the sector is still pretty grumpy, and ... the ongoing context includes staffing shortages and some pretty overloaded secondary teachers’.

The President suggested that the government resolve the G3 issues first; ensure that he as Minister keep his messages to the sector positive ‘so that we can work with you to “sell” the review to the sector’; work with PPTA to develop Terms of Reference ‘which excite rather than threaten secondary teachers’; undertake to work with PPTA to develop an agreed timeline for any changes resulting from the review, and offer time and funding to enable teachers to participate in the review.<sup>8</sup>

Two brainstorm sessions with sector representatives to refine the project took place, in May and in July 2003, and were attended by the President, the General Secretary, and me. Following the second of these, we recommended to Executive that 'PPTA's stance in relation to the Secondary Futures Project continue to be one of cautious support'. In a lengthy summary of decisions made to date, I reported that there was now a consensus around the name 'Secondary Futures Project' but it needed a Māori name as well; that we had clarified what was meant by the sector having 'ownership' of the project; had agreed on a goal for it that was very long term, expressed as 'to position secondary schooling to best meet the needs and expectations of students in twenty years' time', and had developed some clarity about the process. The Minister asked for recommendations of people to be the 'Guardians' of the project, and PPTA provided some to his office in confidence.

In summing up, I wrote:

It would be true to say that this Project feels like part of a huge juggernaut which is barrelling towards us at some speed, and which we have the choices to either board or jump aside from or get mown down ... The juggernaut is one which puts secondary education and secondary teachers under the spotlight, but it does the same to primary education (since there are suggestions that primary is not delivering students to secondary adequately prepared and therefore changes to primary need to be part of the future) ... The option of jumping aside has some attractions. We might refuse to be part of the Reference Group and refuse to nominate people for the Guardians or the Secretariat. This way we could not be held responsible by any members for anything that went wrong with the process ... On the other hand, we could not get credit from our members for anything good that came out of the process, and we would lose an enormous number of Brownie points with the Minister and with other key players in the sector who would not understand our reasons for jumping aside and would see it as us just being difficult and acting as dinosaurs ... The option of being mown down doesn't bear dwelling on! So, all things being equal, my recommendation is that we climb onto the juggernaut rather than jumping aside or being mown down, but that we fasten our seat belts and wear any protective gear available!<sup>9</sup>

### ***Seizing the initiative***

One strategy PPTA adopted to avoid being mown down by this project was to seize the initiative and do its own thinking about the future for secondary education, in the form of an Annual Conference paper in 2003 titled 'Future directions for secondary education'. We then organised a professional conference in 2004 on the same theme, titled 'Charting the Future'. In the conference paper, issues canvassed included the crowded curriculum; vocational versus academic learning; the knowledge versus skills debate,

and generalism versus specialism; ICT's role; the challenge of creating lifelong learners; systemic issues such as equity and school structures; and teacher professionalism, education and supply.<sup>10</sup>

The 'Charting the Future' conference, 18 to 20 April 2004, was attended by over 300 people, about a third of whom were from the education agencies such as the Ministry, NZQA, and ERO. The programme included keynote speakers Dr Anne Salmond on 'What is Excellence in Education?', Professor Ian Pool, a demographer, on 'How secondary schools will play a vital role in NZ's Future', Dr Jane Gilbert on 'The knowledge society', Australian Professor Alan Reid on 'Curriculum and democracy in a globalising world', Kay Hawk and Jan Hill spoke on transitions between primary and secondary, Dr Karen Vaughan discussed transition from school, and Professor Jane Kenway talked about global citizenship.<sup>11</sup>

The purpose of the conference, to stimulate thinking among PPTA members and others about changes ahead for secondary education, was certainly fulfilled, and assisted PPTA representatives working with the Secondary Futures Project to clarify their ideas. It also demonstrated that PPTA was not going to leave the future of secondary education to others.<sup>12</sup>

What had not been revealed by the Minister about his rationale for the Secondary Futures Project was its connection to the OECD Schooling for Tomorrow project that had begun in the late 1990s to develop futures thinking in education. This connection started to become evident to PPTA in December 2003, when there was an invitation to a workshop with Riel Miller and Tony McKay, two leaders of the OECD project. This was attended for PPTA by Russell Trethewey, Secondary Principals' Council Chair at the time, and Matt Velde, from the Communications team. By the time of the workshop, the Secondary Futures Guardians had been announced and were present. Miller and McKay revealed there that New Zealand had just joined the OECD project, along with, at that stage, the Netherlands, the United Kingdom, and Ontario in Canada. The OECD had developed a 'toolbox' for analysing various future scenarios for school systems, and they demonstrated how this could be used.<sup>13</sup> Tony McKay became very influential with the New Zealand government over the next few years, to the extent that when Minister Parata established EDUCANZ, she appointed him as Deputy Chair of the Council.<sup>14</sup>

## ***The project begins***

By March 2004, a Secondary Futures Project Secretariat, based in its own office away from the Ministry of Education, had been established. It sought nominations from the sector groups that had been meeting the previous year for what was to be called The Touchstone Group, a name suggested at one of the brainstorming meetings referred to above. PPTA President Phil Smith, Executive member Kate Gainsford and I were PPTA's representatives on this group, plus Don McLeod from Secondary Principals' Council. PPTA was asked to also nominate Māori and Pasifika teachers and a beginning teacher and a student teacher for the group. All PPTA nominees were appointed without any issues.

PPTA's President, Phil Smith had objected at the first brainstorming meeting in 2003 to NZEI having representation, since it was 'not their business', and a compromise had been arrived at where they had just one person on the group, compared with a substantial number of people from the secondary sector.<sup>15</sup>

The first meeting of the Touchstone Group was held on 13 May 2004. The head of the new Secretariat, Nicola Meek, was introduced, as were other members of her team. All but one of the Guardians were there: Professor Mason Durie as the lead Guardian, Bernice Mene (recently retired Silver Fern), Gillian Heald (previously principal of Rangi Ruru Girls' School, and then a founding director of Unlimited Paenga Tawhiti alternative school in Christchurch) and Ian Taylor (businessman and innovator from Dunedin). Mason Durie discussed two challenges he saw ahead for the group: thinking twenty years ahead while busy with current and medium-term issues, and the open and unstructured nature of the project that could make it feel really 'flaky'.<sup>16</sup>

At that first meeting participants were put into groups to discuss the OECD Schooling for Tomorrow scenarios, but they had been altered in ways that seemed to change their meaning, which can so easily happen to broad general descriptors like the OECD ones. Furthermore, the people facilitating the groups 'assisted' participants by reinterpreting the words further, resulting in another layer of meaning developing within the group.<sup>17</sup> This issue of generalities that could be interpreted in many different ways was an ongoing concern with the Secondary Futures Project's work, and

after attending many Touchstone Group meetings, I was driven to describe it to Executive as ‘wading through candyfloss’.<sup>18</sup>

Another concern, the question of who was pulling the strings of the Project – the OECD or the Ministry or the Guardians and Touchstone Group – also reared its head early on. I had run into a senior Ministry official who was off to Paris to an OECD seminar, and then on to Toronto to an OECD conference at which the Schooling for Tomorrow project was going to present, but so also was the New Zealand group. I expressed to Executive a concern that there might be a requirement that the Secondary Futures Project use the OECD scenarios in their work and wrote: ‘There should not be slavish adherence to a model imported from an organisation like the OECD; if there is some kind of requirement on the Project to use the OECD model, they need to come clean on that, because it would suggest that the Project is not as open as has been claimed for it.’<sup>19</sup>

Fortunately, however, PPTA sent its President and DGS Bronwyn Cross to that OECD conference, having been encouraged by the Secondary Futures Project to attend. Bronwyn reported quite positively about the New Zealand session, saying that the Secondary Futures Project:

... challenged the assumptions that underpin the other projects because it is genuinely consultative, participatory and democratic; moreover, it has the active engagement of PPTA. The other countries were particularly impressed by the fact that the Minister was prepared to stand back from the project and entrust it to the Guardians. For their part, Nicola Meek, Gillian Eadie and Bernice Mene were very convincing and the live demonstration of policymakers and unionists working positively together can’t have been lost on the delegates ... The concern now is that OECD will want to muscle in on our project just when we have got it going somewhere in the right direction but everyone is alert to this. Equally risky is the possibility that members will take offence at the project or that the project will be damaged by our involvement.<sup>20</sup>

At that meeting in Toronto, PPTA learned about the other projects under way by then, in the Netherlands, England, and Ontario, and also that projects in Australia and Ireland were looking to join up.

At a two-day gathering in Melbourne organised by OECD’s Tony McKay in April 2007, President Debbie Te Whaiti and I met people from two Australian projects, from South Australia and Victoria. The South Australian project seemed to fit within various state government initiatives to bolster the public schooling sector there. The Victorian project, investigating education workforce requirements for the future, seemed to be



working with school leaders rather than with ordinary teachers, parents and students as in New Zealand.

We found a dinner meeting with Larry Kamener, Vice-President of Boston Consulting in the company's boardroom high above Melbourne very interesting. He talked about how the company managed their staff, and said that school systems needed to put an equivalent emphasis on their staff. Boston Consulting competed fiercely for the best graduates while they were still at university; it invested heavily in induction processes and ongoing mentoring and feedback; it had twice-yearly performance reviews where the emphasis was on identifying training and development needs; it focused on team-based learning; the remuneration was steeply sloping to incentivise people to stay longer with Boston, and it provided career support for people to move on if it was mutually agreed that this would be better than them remaining, and then it held activities with its former employees, including those it had moved on, because many of them had been placed with Boston clients. Kamener used the term 'personalising learning for teachers' and said it was more cost-effective because it removed wasted mass training.<sup>21</sup>

## ***Frustrations***

Meanwhile, the Secondary Futures Project was holding workshops across the country with a range of groups and feeding back their observations to the Touchstone Group. It had been decided early on that there would be no 'product', in the form of a hefty report or its equivalent, produced, but that, instead, the emphasis would be on the process of 'conversations'. However, it became increasingly evident that because the project was so nebulous and under-resourced, very little would in fact be achieved. As early as October 2005, Don McLeod, the Principals' Council representative, told the Touchstone Group that he thought we were at 'a bit of a crossroads'. He said that from a practitioner's point of view, we were coming to a time when some kind of results needed to be in evidence, moving the 'conversations' into policy and practice. This led to a long discussion about 'what happens when teachers get involved in under-resourced innovation because of their fundamental altruism, but the policy environment isn't sufficiently enabling and they become sacrificial lambs.' As usual, the discussion was inconclusive, and I reported that 'I keep feeling that Secondary Futures lacks a political analysis, and I really don't know how to



change that. We raise it all the time in a range of ways, but the Project just seems to potter on regardless.’<sup>22</sup>

And potter on it did, finally winding down after the election of a National-led Government at the end of 2008, when its budget allocation ran out on 30 June 2009.

## Extending High Standards in Schools (EHSS)

### *Beginnings*

On 29 October 2004, Education Minister Trevor Mallard announced a new policy called Extending High Standards in Schools. In a speech two weeks later, he described it in more detail as ‘a new policy designed to reward schools that are successfully lifting the education standards of their students, and sharing their experiences with other schools.’ He promised an extra \$5.3 million annually ‘to promote excellence in schools and provide them with an incentive to continually lift their game.’ The funding would be available to any schools that were ‘willing to commit themselves to achieving real improvements in students’ education standards ... and show how these improvements will be shared with other schools.’ He estimated that about 270 schools would benefit.<sup>23</sup>

The repeated references to ‘rewarding schools’ and the selectivity were worrying but the union’s reaction was not outright negativity. Reporting to Executive after an off-line meeting with officials in early February 2005 attended by President Debbie Te Whaiti and me, I wrote:

Executive members may recall the attached announcement by Trevor Mallard on 29 October 2004. PPTA did not react negatively in the media at the time, although we had huge reservations, because we had other fish to fry with Mallard. It may be just as well we didn’t react at the time, because we now have an opportunity to substantially reshape the scheme.<sup>24</sup>

The paper explained: ‘It became clear as the meeting progressed that this initiative was something that had been dreamed up by the Minister, and the Ministry officials were really struggling to find a way to implement it which fitted comfortably with the way Ministry thinking is developing these days.’ Their discomfort was around the focus on whole schools, rather than on quality teaching; the possibility that it would not be well received in schools because of its selective nature, and just the nebulous nature of the proposal.

The sector groups at the meeting agreed to consult confidentially, and then meet again with the Ministry. I commented: 'If of course the Ministry doesn't manage to negotiate with the Beehive a final package that we can accept, we can take the gloves off and savage it', epitomising PPTA's stance when faced with such government initiatives.<sup>25</sup>

The promised second meeting took place in April, and by that time officials had done extensive research on overseas equivalents and talked with more groups. There still appeared to be a lot of tweaking of the policy needed to make it into something workable. In another paper to Executive, I wrote: 'I believe that this initiative has the potential to become something useful for schools, but it also has the potential to become something very dangerous. It is important that Executive members provide the President and me with guidance as to where you think the Association should be positioning itself on this.'<sup>26</sup>

## **Engaging**

By July 2005, at a further meeting of what became the reference group for the project, participants were allowed to look at papers that had been signed off by the Minister and Cabinet. The Ministry believed this was now an initiative that would satisfy the wishes of the government and the parties involved in the reference group, because 'It emphasises collaboration and partnerships between schools, rather than putting certain schools on a pedestal'. Various suggestions were made for further amendments, and many of these were taken up by the officials. Afterwards, I summed up where we had got to:

Overall, I think that the Ministry has done a very good job, with the support of the sector reference group, to turn around an initiative which was initially portrayed by the Minister as 'rewarding high achieving schools' into something which could have some good benefits for schools by promoting and resourcing collaboration of the right kind, and the process of application is not unduly burdensome. We congratulated them on that.<sup>27</sup>

While Extending High Standards in Schools did not survive the demise of the Labour-led Government in 2008, over its time various clusters of schools benefited from the funding for collaboration. By May 2007, clusters funded in Round One were in their second year of operation, with another two years of funding guaranteed, because all funding was for four years at a time, which was unusually long for Ministry contestable pools. A new set of

clusters were beginning their four years of funding, and a third were to begin at the start of 2008.

I commented:

I think PPTA can be reasonably pleased that we have helped to turn a sow's ear into at least a cotton purse, even if it's not a silk purse! It is pleasing to see the amount of support being provided for these clusters, the length of the funding, and the emphasis on between-school collaboration rather than top-down dominance by one school.<sup>28</sup>

In many ways, *Extending High Standards Across Schools* was the precursor of a National Government initiative, *Investing in Educational Success* (see below), another that began as 'a sow's ear'.

## Fast-track initial teacher education

### *Origins*

In May 2009, PPTA became aware that a growing number of countries were establishing initial teacher education schemes that had their genesis in Teach for America (TFA) and were loosely connected with one another by an international organisation called Teach for All. DGS Bronwyn Cross reported what she had learned at an Australian Education Union (AEU) Research Officers' Seminar about its growth in Australia. She described the model:

Basically these are schemes that recruit 'top graduates', and put them through a teacher training course in their summer holidays. They are then placed in a low socio-economic school where they have an 80% teaching load and are expected to complete a teacher training qualification over two years.<sup>29</sup>

Bronwyn Cross had been told that there tended to be a high level of private-sector involvement in the schemes, reporting: 'The Australian government has put \$50 million into the scheme with the rest coming from corporate sponsors Boston Consulting, Microsoft, Freehills, Stockland and Corrs Chambers Westgarth Lawyers.'<sup>30</sup> This immediately worried PPTA because of the union's longstanding opposition to private-sector involvement in public education. Cross discussed the challenges for PPTA in coming up with a position, should the current National Government decide to get involved. She hoped the Government would talk with PPTA first, because there were elements of the programme that the union could

work with, such as the paid mentor positions in schools, but others that would need to be changed. In Australia, the Victorian branch of AEU had been consulted initially, but this had not happened in other states, and as a result AEU nationally was opposing it, which, she felt, looked defensive, given that these people would no doubt become members of the relevant teachers' union. She described the issue as 'needing clever management'.<sup>31</sup>

### ***New Zealand beginnings***

Late in 2010 PPTA received a visit from one Shaun Sutton, director of a new private-sector organisation 'Teach First New Zealand'. He was accompanied by one of his Board members, Bernardine Vester, a previous Junior Vice-President of PPTA from the 1990s, and Ngaire Hoben, a teacher educator from Auckland University, who were proposing to partner with Teach First NZ and deliver initial teacher education. They failed to get PPTA's support, but the union did agree to keep talking, 'given that we need to stay well-informed about what their plans are and to take every opportunity to tell them what is wrong with what they are proposing to do'. The plan was to begin operating for the 2012 school year (but this was delayed until 2013).

Reporting to Executive, I described Teach First NZ and its international partner organisations as 'part of a growing trend across the developed world towards cutting corners on teacher recruitment and teacher education'. The main private partner at that stage, we were told, was the Tindall Foundation. Stephen Tindall had asked PPTA the previous year what we thought he could do to help low-decile schools in South Auckland: 'Sadly our splendid ideas did not bear fruit with him, but it appears that Teach First has.'<sup>32</sup>

The Teachers Council had just released new requirements for initial teacher education programmes, and it was immediately clear that the Teach First programme would not be able to meet them. President Robin Duff wrote to Council Chair Alison McAlpine expressing concern about this, but also that while the programme purported to be targeting the needs of low-decile schools, it was proposing to put the least prepared of people into those most challenging of environments, 'essentially students undergoing a form of training that might best be described as throwing them into the deep end and hoping they can swim'. This would also be a big imposition on middle managers in those schools who would be expected to work with

them when they already faced extra challenges. PPTA was concerned that the time allowances available in the STCA for Year 1 and 2 teachers would not be available because they would be classified as ‘untrained teachers’. PPTA was also concerned that they might not teach for long, as had been shown to be the case with such schemes in other countries.<sup>33</sup>

Later that year, PPTA came into possession of a paper prepared by Auckland University Dean of Education, Graeme Aitken, titled ‘Teach First New Zealand – Why is the Faculty involved?’ and marked ‘Not for distribution beyond Faculty of Education staff’. Sources had told PPTA that there was considerable disagreement among Faculty staff about the university’s involvement in the programme, and this paper was Aitken’s attempt to justify his support for it.<sup>34</sup> From the start, the university reframed its part in Teach First to be a ‘field-based teacher education programme’ which ran for two years, after which students would receive a Postgraduate Diploma in Teaching (Secondary, Field-Based). This gave it some status, because at that time, prior to the arrival of Master’s qualifications in teaching, it was a higher qualification than the Graduate Diplomas in secondary teaching most students completed. Aitken explained that students would have full responsibility for teaching their classes but at a reduced load and supported by two years of ‘ongoing mentoring from university staff and funded mentoring from the school’, as well as being required to participate in intensives during school breaks.<sup>35</sup>

Recruitment to the programme would be much more selective than to other secondary teaching courses, with only 20 students in the first year (2013) rising to no more than 40 in subsequent years, and the university hoped that the appeal of being paid from the outset, rather than having to incur a further year’s student loan debt, would attract high-quality recruits. The students would be placed in low-decile schools to fill vacancies that had not been able to be filled otherwise.<sup>36</sup>

One aspect that had puzzled us at PPTA when we heard that Auckland University was providing the teacher education using part of its Equivalent Full-time Student (EFTS) funding, was what the private partners such as the Teach First New Zealand Trust, the Tindall Foundation, Julian Robertson’s Aotearoa Foundation, Chapman Tripp, Deloitte et al. were paying for? Aitken explained: ‘The philanthropic funding supports the recruitment and selection processes, student fees, residential accommodation and a

complementary leadership programme.’ It was from the Trust spokespeople, rather than the university, that language about a sense of mission to help schools in disadvantaged communities tended to emanate. In Aitken’s statement to his Faculty, he tried to counter such hyperbole:

We will be looking for academic merit, high levels of communicative competence, empathy, optimism and humility. We are not looking to attract those with a patronising zeal to ‘save’ low-decile schools – rather those with a genuine commitment to low-decile education, to high aspirations and to learning. We aim to particularly attract more Māori and Pasifika students to teaching.<sup>37</sup>

The relationship between the university and the Teach First Trust never appeared easy. In a draft flier for the programme shared with PPTA by Shaun Sutton, the first director of the Trust in early 2011, the university’s role was barely mentioned, with the Trust implying that it would recruit the applicants, make the selection decisions, organise a pre-course week-long observation in a school, place participants in positions in schools and provide ongoing support, and train and support alumni to progress in their teaching careers.<sup>38</sup> At that point in time, Auckland University would have only just received course approval internally, and was in the early stages of seeking course approval from the Teachers Council and needing to establish that the students it placed in schools would be eligible for a Limited Authority to Teach, because they could not be registered as teachers until they had completed the two-year course. Auckland University appointed the former principal of Epsom Girls’ Grammar School, Margaret Bendall, to be the ‘go-between’ to manage the relationship between the Trust and the university.

### ***PPTA response***

PPTA Executive needed to establish bottom lines for the union’s support for the programme. The ongoing discussions with Teach First NZ and Auckland University had led to some evidence that the union’s objections were being listened to; however, these changes were nowhere near enough to justify PPTA support.<sup>39</sup>

Bottom lines would also be helpful for the President who, following his letter to Teachers Council Chair Alison McAlpine (see above), had been invited to speak on the matter to the Council’s Professional Leadership Committee in March.

At its February 2011 meeting, Executive approved a bottom line that included the course meeting relevant Teachers Council policies, positions being supernumerary, schools being funded for ‘participants’ to have no more than 15 hours contact in Year 1 and 17.5 hours in Year 2 and mentors to have 0.5 FTTE per participant in both years, and the participants being treated like other student teachers by being attached to classes for whom the prime responsibility was with an associate teacher who would receive the relevant allowance.<sup>40</sup>

Executive decided to commission a literature review on similar fast-track schemes from around the world. The Teach First NZ team had been making significant claims for the effectiveness of these schemes, but PPTA examination of the literature to date had not found that to be so. The rationale for the literature review was that someone else could do a more thorough search for and evaluation of the literature than PPTA staff were able to do at the time.<sup>41</sup> This was a classic PPTA response: when faced with claims that don’t ring true, check the evidence.

Murdoch University in Perth was chosen, because its team had relevant research backgrounds, no conflicts of interest through involvement in any of the Australian schemes and ability to work to a tight timetable with delivery in November 2011.

Unfortunately, there was not much research available on the effectiveness of such schemes, and they varied so much, it was hard to draw overall conclusions. The closest parallels to the New Zealand proposal were the schemes in the United Kingdom and Victoria, Australia because they partnered with universities. The literature review noted that partnering with experienced schools of education in well-respected universities, with the added in-school support of university tutors, seemed ‘to increase the likelihood that critical “on the job” training is supported, even if in-school mentoring is not available or effective’. However, on the critical question for PPTA, i.e. how effective such schemes were at producing quality teachers, the researchers wrote:

... few well-designed studies exist – on a scale large enough to be useful to decision makers – that have systematically examined this issue ... Based on the few studies that do address this question directly, the evidence about TFA teachers is mixed. On balance, there is insufficient evidence to conclude that TFA teachers are systematically less effective in fostering or advancing student learning than their traditionally prepared peers, either novice or experienced. In fact, a majority of the currently available evidence reports an advantage for TFA teachers, particularly in the areas of mathematics and science.<sup>42</sup>

There was also a lack of research evidence about ‘the motivations or influence of philanthropic foundations on TFA schemes’, which had worried PPTA about the Teach First Trust. The report noted:

... foundations supporting TFA in Australia and the UK do not have as publicly articulated political or social agendas for educational reform generally, as do their American counterparts. However, the extent to which those who are significant donors, such as the Walton Family Foundation, are actively and overtly engaged in attempting to shape educational policy would seem to indicate that the TFA model fits well with their vision for reformed public education systems. These reform agendas seem well aligned with privatized, market-driven educational systems, and a focus on standardised testing of student achievement used as the sine qua non of school and teacher effectiveness.<sup>43</sup>

Meanwhile, it took all of 2011 for Auckland University to obtain Teachers Council approval for the course, which was subject to several conditions. These were somewhat downplayed by Margaret Bendall at a meeting at PPTA on 9 December 2011. She talked of ‘just a couple of provisos’, being provision of time allowances for the ‘participants’ (their term) and their mentors and sorting out a way for the ‘participants’ to be able to gain LATs.<sup>44</sup>

But it became clear that more was yet to be achieved. The university was still negotiating with the Ministry for a staffing allocation for the scheme so it could meet the Teachers Council’s requirement that the ‘participants’ have only three classes, or 12 contact hours per week, and for the mentors. It was obvious that the scheme would go ahead with government support, and that the funding for the schools involved was not coming from Teach First’s private partners, but from Vote Education. \$200,000 for participants’ university fees was coming from the TeachNZ scholarships designed to recruit secondary teachers in hard-to-staff subjects. The private partners were paying only for the venue costs for the whole-day recruitment process and the running costs of the residential courses and the ‘leadership training’ that Teach First ran alongside the university course.<sup>45</sup>

Professional Issues Advisory Committee (PIAC) met in late January 2012 and recommended that, given recent developments, the PPTA bottom lines be slightly tweaked. One tweak was to remove the requirement that the positions be supernumerary, because we had realised this did not resolve the thorny issue of appointment processes (see below). Another was to reduce the maximum contact hours to 12 per week consistent with the Teachers Council’s requirement, and the mentoring requirement to 0.2 FTTE.



Reference to the ‘participants’ not having prime responsibility for a class was removed, because the government was clearly never going to fund that. The reference to the course meeting the Teachers Council’s requirements was deemed to be redundant, as it couldn’t operate without this.<sup>46</sup> Executive approved these changes at its February 2012 meeting.<sup>47</sup>

### ***The industrial issue***

However, all that seemed somewhat minor compared with a much more difficult industrial issue that had arisen and would eventually result in PPTA, yet again, taking legal action to defend the collective agreement.

The issue was about appointments. All positions in schools that were permanent full- or part-time, long-term relieving beyond a term, or fixed-term full-time beyond a term, had to be advertised.<sup>48</sup> The good-employer requirements in the State Sector Act 1988 also meant that the best person for the job must be appointed, which in this case had to mean a teacher who was trained and qualified over a ‘participant’ still in training. Also, a LAT could not be appointed over a suitably trained and qualified applicant, and they could not be appointed permanently (in case a trained and qualified person became available). The Teach First ‘participants’ would not be ‘trained and qualified’ until they had completed the two-year university course. Therefore, even if the positions were created as supernumerary, they were still part of a school’s staffing and had to be advertised, and the appointments rules followed.

The issue had first been raised with Teach First organisers when they visited PPTA in December 2010 (referred to above). After that, at virtually every meeting it was raised as a significant barrier to PPTA’s support. We said that ‘they simply could not just get principals to say that they would take one of the Teach First people to fill a vacancy without having advertised it and had no suitably qualified applicants’. It appeared to PPTA that the university and Teach First NZ were under the illusion that schools struggling to appoint staff in the shortage subjects being targeted by the course would just be able to ‘sign up to take Teach First people and LATs would miraculously appear for them’.<sup>49</sup> Despite our warnings, the university and the Trust ploughed on regardless, presumably having been reassured by someone else that all would be well and it was just PPTA making a fuss about nothing.

In late 2012 the recruitment process began, and the first group of participants arrived in schools. In July 2013, PPTA managed to secure a meeting with Margaret Bendall and Shaun Sutton, and the industrial matter came up again. They believed that because the 2013 cohort was supernumerary, there was not a problem, though by that time PPTA was quite clear it was. However, in 2014, the participants would be expected to fill existing vacancies. Margaret Bendall reported that to prepare for that, they were accepting students but warning them that there was no guarantee that there would be a place for them in 2014, and they were extending the size of the consortium of potential schools to increase the availability of job vacancies that the participants could fill. The meeting report notes: ‘We said that they needed to also talk very frankly with principals about the damage they could do to the programme if they did not follow correct appointment procedures, including advertising actual vacancies properly and not in a way that appears to privilege a Teach First participant, and did not conduct proper selection processes.’<sup>50</sup>

While it was hard to see why a principal would appoint a Teach First participant who could teach only 12 hours, was virtually untrained, and required a lot of support, when they could appoint someone who could do a full load and could hit the ground running, PPTA worried that the rhetoric around Teach First might convince some principals to prioritise appointing a Teach First participant. A further concern for PPTA at that time was that there had been a big redundancy round the previous year. At the end of 2013, we discovered that what we had feared was the case, and most of the schools in which the Teach First participants had been ‘placed’ were schools that had been identified as having surplus staffing in 2013. The fear was that trained and qualified teachers may have been made redundant at the same time as untrained Teach First ‘participants’ were taken on by their schools for the following year.

PPTA tried to obtain information from the schools in Cohort 2 but was referred instead to a lawyer representing them all, one Richard Harrison.<sup>51</sup> He wrote to PPTA on behalf of all the schools (14 in total), stating that the positions had not been advertised, so there was no documentation listing applicants or identifying appointment criteria or assessments made against such criteria. He claimed that Teach First advertised places in the programme, conducted interviews, and then offered the participants to schools. He also claimed that they were appointed to 0.6 FTTE positions –

which was untrue, as he was confusing contact hours with positions. This misunderstanding was problematic, because he leaned on it to argue that the positions were not covered by the STCA because they were fixed-term part-time positions, which did not have to be advertised.<sup>52</sup>

Harrison also came up with a novel line of reasoning, namely that the participants were not appointed to actual vacancies but were instead participating in a training/apprenticeship programme that was funded by the schools themselves out of locally raised or Operations Grant monies that paid for the 0.6 FTTE positions. As an alternative, he argued that the State Sector Act requirements were met because Teach First NZ had a thorough advertising and recruitment process that ensured the best people gained places on the programme.<sup>53</sup>

PPTA replied the following day to Harrison, seeking to clear up his misconception that the participants were in part-time positions, and asking again for the information requested.<sup>54</sup> The union also wrote to Margaret Bendall and Shaun Sutton, asking them to confirm that PPTA was correct in its understanding that (a) the positions were full-time, and (b) the funding/staffing for them came out of schools' staffing allocation, not out of locally raised or Operations Grant money, and to organise an urgent meeting to discuss the whole matter.<sup>55</sup>

Shaun Sutton's reply revealed something new to PPTA: that the arrangement with the Ministry for Cohorts 2 and beyond was for the schools to fund the 0.6 contact time themselves, but the Ministry was topping up their staffing so that the participants could be full-time. Not that this made much difference to the matter of advertising. Some 900 teachers' positions in secondary schools at the time were funded by locally raised funds or Operations Grant monies, but they still had to be advertised and subject to a fair appointment process. Wherever the staffing came from, the positions were full-time and therefore subject to the STCA advertising requirement.<sup>56</sup>

In April 2014, PPTA sent a briefing paper to Secretary for Education Peter Hughes, seeking his help to ensure that the STCA was not breached in the process of placing Teach First participants in schools for Cohort 3 and beyond.<sup>57</sup> Eventually, PPTA was invited to a meeting with Industrial Relations people at which it was agreed that all such positions should be advertised and the Industrial Relations people gaily said they would 'sort

this with Teach First'. PPTA suggested that Teach First would say that it was not quite that simple from its viewpoint, and that the best solution might be for the Ministry to fully fund the positions for the rest of the pilot.<sup>58</sup>

In late April, Teach First and Auckland University (Shaun Sutton, Margaret Bendall and Ngaire Hoben) visited PPTA again, but this achieved nothing except a deterioration in the relationship between the parties, especially after one PPTA staff member suggested to Margaret Bendall, a former principal, that she and Teach First had 'led principals by the nose into breaching the STCA'. At any rate, the matter had already been placed before the Ministry.<sup>59</sup>

On 11 June, a letter was received from the Ministry describing what it believed was a solution to the appointments issue; namely that 'the Teach First NZ positions for cohort 3 will be advertised in the *Education Gazette*. Applicants will need to meet all of the pilot programme's selection criteria to be successful, and accept the associated conditions of the position.' It also confirmed that schools that were known to be undergoing surplus staffing procedures at the point where appointments were being made would not be included in Cohort 3.<sup>60</sup>

At first reading this appeared to be a solution – until PPTA staff realised that what was being proposed was 'actually a sleight of hand, that positions would be advertised as Teach First positions' and therefore only available to those selected for that programme. PPTA advised the Ministry that its 'solution' was not acceptable, and the matter required further discussion, urgently. Further meetings were held but no solution was found. PPTA's patience eventually ran out, and court proceedings were filed with the Employment Relations Authority in August 2014. This listed the respondents as being the Secretary for Education, the University of Auckland, and Teach First New Zealand, and accused them of 'inciting, instigating, aiding and/or abetting breaches of the Collective Agreement, State Sector Act, and/or misleading conduct', in that they had failed to advertise the teaching positions; failed to give preference to the person best suited for the job; interfered with and/or carried out the application process, appointment process and selection decisions for teaching positions in schools; failed to comply with the good-employer obligations, and attached conditions to the appointment such as fulfilling the full two-year

programme which were inconsistent with the STCA. PPTA sought an urgent order for compliance, and an injunction to prevent Teach First NZ and/or the University of Auckland from recruiting and selecting employees for teaching positions in secondary schools.<sup>61</sup>

As usual, the case was referred to mediation. This failed and eventually the matter was returned to the Authority for determination. The Chief of the Authority at the time, James Crichton, found in PPTA's favour, confirming that appointing people into teaching positions without advertising and without following a proper and fair appointment process and acting independently is a breach of the STCA and the State Sector Act.<sup>62</sup> He demolished the arguments put up by the Ministry of Education, writing:

65. I am satisfied that if there is to be a construct within the education service which allows Teach First to progress its particular vision of teacher training, that will need legislative amendment and amendment to the collective agreement as well.

66. For the avoidance of doubt, I am satisfied there are breaches of clause 3.1 and 3.2 of the collective agreement together with breaches of s.77F and s.77G of the State Sector Act 1988 ...

67. While I have not dwelt in this determination on a breach of s.77F, that section requires the employer (for which read the host Board for these purposes) to act independently in matters relating to the appointment of staff. Given the nature of this programme, it seems to me impossible for boards to act independently and indeed they are effectively dependent on the Teach First programme and not independent of it.<sup>63</sup>

At the beginning of 2016, the parties to the dispute sat down again and tried to come to an agreement that was in accordance with the ruling. This led to an agreement on 17 March 2016 in terms of which positions must be advertised by schools and open to any applicant, that the best person for the job must be appointed, and that the school must act independently in the matter. Any future funding for the Teach First programme from the Ministry would be conditional on its having a Host School Agreement that was consistent with the State Sector Act and the collective agreement. There was also confidential agreement on costs to be paid to PPTA for the case.<sup>64</sup>

### ***Legislation overrides the hard-won settlement***

However, the dust had barely settled on this agreement when, in June 2016, the Minister suddenly produced a Supplementary Order Paper to an Education Legislation Bill creating a new class of teacher, a 'trainee teacher position'. This seemed to PPTA, and possibly to some of the other parties to

the March agreement, to come out of the blue; however, there were suspicions at PPTA that Teach First NZ had continued to pressure the Minister to come up with an arrangement that suited it better.

The SOP was introduced at the last minute in the legislative process, and it seemed there was to be no opportunity for submissions. However, a limited submission process, restricted to invited parties, was arranged. PPTA's submission argued that the SOP was bad faith on the part of government because it cut across an agreement reached only three months before. It asked the Select Committee to firstly consider recommending against the SOP, or at least introduce a clause delaying its commencement until the end of 2017 as part of addressing concerns about timing and process. The agreement already reached allowed the Teach First NZ programme to continue, and a delay would provide a level playing field for other initial teacher education providers to consider developing employment-based courses.<sup>65</sup>

This was all to no avail. The SOP became part of legislation and remains in the Act today as Section 615, Employment-based trainee teaching positions, whereby the Secretary for Education may, by written notice to a board, establish an employment-based trainee teaching position for the school, to which only such people can be appointed.<sup>66</sup> The Ministry worked with PPTA in establishing a set of guidelines for such employment-based training positions, and these were, in the end, reasonably useful.<sup>67</sup>

### ***Loss of the university partner***

In October 2016, a meeting of teacher educators with PPTA was told that Auckland University was ending its involvement with Teach First NZ and the last cohort would finish its two-year programme at the end of 2018. The reasons given included that the programme had been very costly, that there were no economies of scale, and that the Education Council requirements were onerous for so few students. We were told that Teach First NZ was seeking a new partner, calling for Expressions of Interest and approaching vice-chancellors. No interest was shown by any of the teacher educators present at the meeting. By that time, many of them were developing postgraduate and Master's programmes, and some were in parts of the country where there were no significant teacher shortages at that time.<sup>68</sup>

A year later, on 5 December 2017, PPTA received a newsletter from Teach First NZ announcing that its new partner was Mind Lab. This was a shock, as Mind Lab had no history in initial teacher education, although it had been providing ICT professional learning to teachers for some years. At that stage, it was still part of Unitec, but in August 2018 Mind Lab gained approval from NZQA to be a standalone Tertiary Education Organisation.<sup>69</sup>

The Mind Lab partnership with Teach First NZ was quite short-lived, with only three intakes, from 2018 to the last cohort ending in November 2021.<sup>70</sup> PPTA sought information on the course approval process from the Education Council, using the Official Information Act, and noted that it was to be offered from Auckland, and from Whangārei and from Gisborne via a satellite Mind Lab base there.

The Teach First Trust itself has since taken over the provision of the initial teacher education, having been registered with NZQA as an education organisation since 2020, with approval to deliver a Postgraduate Certificate in Secondary Education and a Postgraduate Diploma in Secondary Teaching, both at Level 8 of the Framework. It also has approval to deliver a Preparation for Initial Teacher Education micro-credential at Level 7.<sup>71</sup> Its website profiles eight staff who are described as teacher educators/kaihautū.<sup>72</sup>

## **Public-Private Partnerships**

On 8 December 2009, a Request for Proposals appeared on the Government Electronic Tendering Service (GETS), looking for someone to advise Treasury and the Ministry of Education on public-private partnerships (PPPs) in education.

PPTA had been on the alert for this development since 2007, when National was still in opposition, having seen a report of a speech by Opposition Leader John Key to an audience of developers and investors on 2 September 2007, in which he had argued that under-investment in infrastructure for several generations could be remedied by working with the private sector, not just for roads, but for the property sector ‘in areas like prisons, schools and hospitals’. In some of these cases, he said, ‘a property could be developed and owned by private investors and leased back to the government, with the asset transferring back to the Crown after a period of

time'. PPTA had raised this matter with Katherine Rich, who was Education Spokesperson for National, who was somewhat surprised but rushed to assure PPTA that Key was referring to new schools only, as if that helped.<sup>73</sup>

The year before, the Office of the Auditor-General (OAG) had evaluated the success or otherwise of existing arrangements whereby the private sector created and/or ran projects. Its Glossary identified different models in New Zealand, Australia and the United Kingdom. The report was not overly enthusiastic about these kinds of arrangements for public assets and warned about the traps to avoid. At that time, there seemed little central government interest in these partnerships, and the OAG commented that the greatest interest appeared to be coming from local government.<sup>74</sup>

Then, in November 2008, John Key's National-led Government replaced the previous Labour-led Government, and a year later things began to move. PPTA staff began to gather the evidence needed to counter the push that was clearly coming.

In February 2009, PPTA noticed a letter arguing in favour of public-private partnerships in the *Dominion Post* from one Adrian Wimmers, who at the time was head of infrastructure projects at KPMG Corporate Finance.<sup>75</sup> President Kate Gainsford responded, arguing that in his efforts to minimise the risks that PPPs posed to the taxpayer, Wimmers had misrepresented the Building Schools for the Future programme in England, which was at the time running into problems because it relied on private-sector firms being able to raise capital in a challenging financial climate. The worry was that taxpayers might be required to pump in the funding that would enable private profit from a PPP. She asked, 'Why not simply have state employees on regular salaries do the job?'<sup>76</sup>

In September 2009, Education International published a report on PPPs in education that confirmed PPTA's fear that New Zealand was on its way to becoming, yet again, the victim of something that had already failed overseas, but was being enthusiastically advanced by right-wing advocates for small government, keeping a tight hold on state expenditure, fostering choice and competition, and the private sector being able to do things better than the public sector.<sup>77</sup>

Sure enough, on 5 December 2009, Education Minister Anne Tolley issued a press release announcing that the Ministry of Education and Treasury were 'assessing the suitability of public private partnerships



(PPPs) for building and maintaining some new school property’ but that these would only go ahead ‘if they free up schools to focus more on teaching and learning and deliver better value for taxpayers’. The operation of the school would remain the role of a Board of Trustees. The oft-used argument that the private sector can do things better was promoted: ‘PPPs for new school property would use the skills and abilities of the private sector to finance, build and maintain a new school.’ She claimed that such partnerships had been successful overseas but failed to provide any examples.<sup>78</sup> Then, on 22 July 2010, she and Finance Minister Bill English jointly announced that officials had been instructed to prepare a Stage Two business case, which would include recommendations for specific schools to develop as PPPs.<sup>79</sup>

To raise awareness among members, PPTA presented an annual conference paper on privatisation issues. This paper touched on a range of types of privatisation: the rise of the private sector in professional learning and advisory services, the influence of the OECD on policy and assessment, the influence of entrepreneurs such as Bill Gates on education policy, and PPPs in school property developments. (Charter schools had not quite appeared as a threat at that point but were just round the corner.)<sup>80</sup>

The paper cited a warning about PPPs from the Auditor-General’s 2006 report: ‘Public entities are ultimately accountable for delivering public services and cannot transfer this responsibility to the private sector.’ If the private-sector partner fails, the public sector has no choice but to pick up the tab. This had been the experience in many PPPs overseas, including a hospital project in Australia discussed in the Auditor-General’s report. Treasury had been more enthusiastic in a report in 2006, but even it had warned of considerable risks: the complexity of PPP contracting, pricing variations having to be negotiated, the difficulties in specifying levels of performance in some areas such as customer relations or public relations, and the political risks of the private party going bankrupt or – at the other extreme – being shown to make inordinate profits.<sup>81</sup>

The conference paper summed up the issues:

Finally, the term ‘public private partnership’ is a complete misnomer. As we have seen, the ‘partnership’ is not the warm relationship between equals that might normally be construed by the term, but an exploitative relationship whereby the public purse is raided by privateers bent on extracting profit. Governments, which are elected to guard public money against such raids, seem too fearful and venal to do anything other than weakly comply. A more accurate acronym for these

mechanisms is not PPP but simply PP, for 'private profiteering'. That phrase more accurately reflects the parasitic nature of the relationship.<sup>82</sup>

Conference resolutions began with a general statement of opposition to PPPs 'in the absence of evidence that they provide long-term cost savings for public budgets, greater efficiency, or innovation'. They called for advice to assist members considering employment in PPP schools, and for the union to work to ensure transparency and safeguard teachers' professionalism and working and learning conditions in such schools. They also called on the Labour, Green and Māori Parties to warn any private companies that contracted to build public schools that in the event of a change of government, their contracts would be repudiated without compensation.<sup>83</sup> This final resolution did not succeed, with the incoming Labour-led Government in 2017 agreeing to leave existing contractual arrangements in place for completed schools, expansion projects in completed schools, and in schools in process of construction.<sup>84</sup>

The government announced in 2011 that it was moving to construct two new schools in Hobsonville Point in Auckland, one primary and one secondary, using a PPP for their construction and ongoing servicing. In early May, the President, AO Trevor Bleakley and I hosted two officials from the Ministry of Education who had come to brief us on the project.

One of these officials was Angela Hawkings, who had been appointed as Project Director PPPs. She was an interesting choice, a New Zealander who had been in the UK for the previous 10 years working on PPP projects in education and other areas. Because of this background, she seemed to know an awful lot about what could go wrong in PPPs and was keen to avoid that in New Zealand. She was also disarmingly honest, admitting, for example, that the financial benefits from using PPPs had been shown to be marginal, but that the Ministry hoped to gain 'intangible benefits' such as asset performance (cost certainty, quality of construction), improvements in educational outcomes because educators aren't having to spend time on property matters, and improved Ministry procurement processes. Unlike PPPs overseas, both the land and the buildings would be owned by the MoE from the outset, even though there was to be a servicing contract for the following 25 years. Initial Expressions of Interest were due in a few days, and they expected the final contract to be signed in early 2012. The primary school was to open in 2013, and the secondary school in 2014. One of

PPTA's concerns was about third-party use of the buildings being restricted by the demands of the servicing company. This concern was eased to some extent when Hawkings described arrangements which seemed to give a lot of power to the Board.<sup>85</sup>

PPTA needed to decide whether to continue meeting with the Ministry on the issues. We had been very helpful to the Ministry team at this meeting, pointing out issues they hadn't thought of, such as the likelihood of the secondary school roll not reaching their projections because of the excessive school competition in that part of North-West Auckland. Should the union help the government ameliorate the worst effects of something we had assured our visitors we were philosophically and practically opposed to, or should we let the whole experiment fail? Whether we liked it or not, a new secondary school was to be constructed and its staff would become PPTA members.<sup>86</sup>

In May, Executive resolved to establish a PPP Taskforce consisting of two Executive members, one principal from SPC, and two members including at least one from 'the affected region', being Auckland.<sup>87</sup> This group met in September, and members shared what they knew about the fraught history of PPPs for education overseas. They studied the decisions made at the 2010 Annual Conference, deciding that Conference did not intend to instruct members not to apply for work in these schools, and therefore PPTA, in the interests of those future teachers, should seek ongoing engagement with the details of the development to ensure that bad mistakes weren't made. This included the design of buildings, especially as it was not clear at that stage how much influence the Establishment Board of Trustees would have over the school design.<sup>88</sup>

By the time the Taskforce met, PPTA had already had to make a decision as to whether to meet with the Ministry officials again on 20 September and had determined that in the absence of a directive not to, someone should attend to keep up with developments. This meeting was at the Ministry of Education, with Angela Hawkings again, but also with Jerome Sheppard, the Ministry's Property Policy Manager.<sup>89</sup>

All was going well, from the Ministry's point of view, with a good number of responses to the call for Expressions of Interest. They were down to three consortia, each consisting of a design company, a construction company, and a property management company. An Establishment Board of

Trustees (EBOT) for the two schools had been appointed, and been consulted, but it seemed at only a very high level, about the design. We were worried about whether the EBOT had enough secondary expertise, but the Ministry was open to the trustees co-opting more. The plan was to appoint the principal for the secondary school by the end of 2011, giving them two years till opening to be involved with the project.<sup>90</sup>

In the weeks following that meeting, PPTA sent a series of questions to the Ministry about detailed aspects of the contracts that would be signed, and I had to report to Executive as follows:

I feel bound to report that so far, we haven't caught the Ministry out with any of these questions. Basically, they seem to have thought of everything that we might have thought of, and covered it off, leaving us with a philosophical opposition to PPPs for schools but not a lot of evidence of immediate practical issues.<sup>91</sup>

One of the issues I had raised with the Ministry was about after-hours and weekend access to the buildings. It had given us a very thorough and acceptable answer on this way back in May, but NZEI had published a claim in its magazine, *Education Aotearoa*, that 'Documents seen by NZEI show that pupils and parents will only have access for agreed school hours, plus one hour a day. The school will have to rent back its own premises for other activities.' The Ministry reiterated its earlier answer, that the BOT would decide what the 'core hours' would be, when students would be in the school; when specialist areas would be open and to what time for after-school use; that staff would have unlimited 24/7 access to school facilities, and that the BOT would be able to arrange with the 'facilities management company' for other access, and make all the decisions on third-party use. The Ministry had also surveyed schools to establish what their current usage of their buildings was, and the amount of time allocated to the PPP schools was well beyond that. They were very puzzled as to where NZEI had got its information.<sup>92</sup>

In late November, the two Executive members on the PPP Taskforce and I met in Auckland with Alan Curtis, who was the Chair of the EBOT. Although not a teacher, he was a very experienced BOT member, and at the time Chair of the BOT for Westlake Girls. The meeting happened to be five days before the 2011 General Election, and he said that although he believed that the Ministry was ready to announce its preferred consortium, it would hold off until after the election in case the National-led

Government was defeated and a new government wanted to unpick the whole process. There would then be negotiations around the final contract.<sup>93</sup>

Curtis seemed aware of the challenges in working with this new procurement model and said that the EBOT had asked the Ministry a lot of questions, such as what would happen if the consortium failed to perform. The Board expected to see in the final contract some detailed mechanisms to be used if the consortium failed to meet its performance criteria. I later sent Curtis a link to a British story about a Private Finance Initiative (their equivalent of PPP) school needing some new locks and having to pay an extortionate amount. He was worrying about things like that, and he was also interested in an issue PPTA had raised with the Ministry about the BOT wanting to build other property outside the contract, such as a school marae or a sports centre, and wanted provision for this in the contract. He said that the Ministry was struggling with settling on a formula for the Operations Grants in the new schools, because some of what it covered in other schools would be done under the servicing contract.<sup>94</sup>

It was not until the end of the following year, 2012, that I was able to meet with Maurie Abraham, the principal of Hobsonville Point Secondary School, along with Alan Curtis. Despite hopes of the principal being appointed to the role at the end of 2011, Maurie had only in fact been able to take up the role in October 2012, losing quite a bit of preparation time. He went to Hobsonville Point from the Ōpōtiki College principalship, so he was an experienced principal. At that stage, they were receiving a lot of help from the Ministry and were not seeing any problems with being a PPP school. They were appreciative of PPTA's response to a difficult dilemma, maintaining a watching brief on the PPP aspect, but being supportive of them as a new school. Alan Curtis commented that NZEI had not met with him at all, and he had been irritated by the inaccurate claims in the *Education Aotearoa* story.<sup>95</sup>

The morning of that meeting, I had visited Maurie at his 'office' in an old Navy house in Hobsonville Point, temporary quarters until the primary school opened. He pointed me to where the secondary school was being built, and I drove past and saw huge concrete panels propped up with metal poles as the building took shape. Tragically, three days later, on 6 December, a tornado whipped through Hobsonville Point, and knocked over

some of the panels and crushed three workmen. This was a horrific beginning for a school. The school has a memorial to the men on its site.<sup>96</sup>

On 24 June 2013, I met with Maurie Abraham and Alan Curtis again, this time at the newly opened primary school, so by this time they had the experiences of the primary school to draw on. At that stage, the only issue they had struck was rules about what could be hung on the walls and where. The facilities management company did not want, of course, to constantly have to repair and repaint walls, but they were confident a reasonable compromise could be achieved. The issue of the level of the Operations Grant was still unresolved. How much of an Operations Grant it is reasonable to use for maintenance was an area of dispute in many schools, and they did not want to go short because maintenance was supposedly covered by the facilities management company.<sup>97</sup>

In September 2014, the Ministry announced that, having had a successful pilot of PPPs with the two schools in Hobsonville Point, it was moving to Phase 2 and advertising PPP contracts for four more secondary schools. Only two of these were entirely new schools, Rolleston College in Christchurch and Ormiston Junior School in East Auckland. The other two schools were replacement schools. Wakatipu High School in Queenstown was undergoing a complete rebuild on a new site. A newly created composite school in Christchurch East was being built to replace Aranui High School and several primary schools damaged in the February 2011 earthquake. These last two introduced new complexities, because in one case an existing staff and BOT would have to transfer to a new site with changed contractual arrangements, and in the other case a new school was being constructed in the grounds of Aranui High School while it endured the trauma of moving towards closure.<sup>98</sup>

In 2017, a member who was a Deputy Principal at Wakatipu High School shared with Executive, Secondary Principals' Council and Senior Positions Advisory Committee an essay she had written for a Master's paper about the implications for her as a senior leader involved with the planning, design and implementation of the new school, working with private partners, alongside preparing the staff for the pedagogical shifts that would be required as a result of moving into a new 'flexible learning environment'. She had discovered that in the 25-year contract with the 'facilities management company', no alterations to the school were allowed

without the company's agreement and a significant financial penalty, and this included displaying student work on walls, propping office doors open, or installing blinds. It placed a burden on school staff to ensure that all the details were provided for at the beginning of the project and not discovered later, adding a layer of bureaucracy for schools to manage at two levels, contracts and Ministry, and required a shift in values as students and teachers had no ownership over the space. 'School leaders become answerable to private companies who are primarily motivated by profit', she wrote. She was also concerned that the PPP model relied on contractors, and wrote:

Contract work has implications as institutional knowledge, shared values and long-term commitments to social goals do not underpin decisions, but can be driven by market forces and economic rationalisation ... Often, turnover is considerable and the contracts are focused on achieving short-term outcomes with little accountability ascribed to their actions and there is no recourse for school leaders if they feel the process has been flawed.<sup>99</sup>

The new school in Aranui, Haeata Community Campus, opened in February 2017. Whereas Rolleston College had had the usual year or more for the new principal and staff to work together in the lead-up to opening, Haeata had been given little preparation time, with the new principal not having been appointed until after finalisation of the contract and construction beginning. Haeata opened in January 2017 with a roll of 995 students, much higher than expected, as a campus catering to students from Years 1 to 13 in a 'modern learning environment'. There were problems from the start. By the time of the first Education Review Office visit, in April 2018, the roll had dropped to 772. The ERO report commented:

Leaders and staff agree that 2017 was a particularly difficult year as staff, students and the community adjusted to the new learning environment, developed understandings of the new approach to learning, and established relationships of trust.<sup>100</sup>

One of the teething problems that came to PPTA's notice was that the design of the school had failed to ensure that there was adequately lockable storage in the science area, and the school had lost most of its scientific glassware through thefts, possibly for meth labs in the area. This kind of basic design detail would not have been missed if a Science teacher had had a chance to check the plans.<sup>101</sup>

Phase 3 of the National-led Government's PPP schools project was signed in April 2017.<sup>102</sup> This included a number of new primary schools but

also the relocation of Avonside Girls' High and Shirley Boys' High onto a co-located site at the former QEII park. Both schools had been severely damaged in the earthquakes. There had been rumours that they would become a single co-educational school, but ultimately they were able to maintain their separate identities, moving to the co-located site in 2019. By then a Labour-led Government that did not favour PPP contracts for schools was in power, but the contracts have been left to run their course.

Looking back over his time as principal of the first PPP secondary school, Maurie Abraham commented that 'The intention to allow a principal and BOT to focus on teaching and learning rather than property has been achieved'. On the other hand, from time to time the school rubbed up against the profit-making imperative of the partners. He also finds it frustrating, in the school's daily operations, to work in an environment dictated by a contract with which he does not have complete familiarity. He wrote:

I operate in the belief that whatever I would have expected from a caretaker in any other school I expect from our maintenance partners. A few times I have been surprised that some things are 'not included in the contract' so will need paying for. As well, charges are higher than I would expect with a Property Facilities Management 'surcharge' added. I do acknowledge, however, that wherever possible these 'extras' are completed for us. In my previous school the caretaker would carry out a lot of minor maintenance, repairs and painting as part of his job. Now I have to pay for this, as well as the 'surcharge' for having it organised for me. These aren't major hassles as we have been carefully managing our funds, but they do act a bit like that pebble in your shoe.<sup>103</sup>

## Investing in Educational Success (IES)

### *Origins*

On 17 January 2014, Education Minister Hon. Hekia Parata signed a Cabinet paper outlining this initiative, and on 23 January the Prime Minister, John Key, announced the new policy in a speech to the West Auckland Business Club. He asserted that the country was moving in the right direction, listing achievements across a wide range of areas. He then turned to education, saying that 'New Zealand stands out among other countries for the wide gap we have between our top students and our lowest performing students', and that the government needed to 'strengthen the teaching profession and strengthen school leadership', and 'support a culture of collaboration within and across schools'. He went on to announce



four new roles for principals and teachers, with an investment of an extra \$359 million over the next four years. He called the four roles Executive Principals, Expert Teachers, Lead Teachers, and Change Principals, and said there would also be funding (Inquiry Time) for teachers to work with the Expert and Lead Teachers. He also announced a \$10 million fund ‘for schools and teachers to develop and research effective teaching practice’.<sup>104</sup>

An unexpected aspect of the announcement was that he also said ‘The next step is to sit down over the next few months with representatives of the education profession, including unions, to further develop these proposals. That process might result in some changes to the details of the policy ...’<sup>105</sup>

Following the Prime Minister’s speech, Minister Parata issued a press release linking the new spending of \$359 million over four years to National’s policy of ‘an unrelenting focus on giving all our young people a better education and raising achievement for all’. She promised that the investment would provide career pathways and raise the status of the profession, as well as lifting student achievement.<sup>106</sup>

She used language such as ‘highly capable’, ‘experts’, ‘teachers with a proven track record’, ‘helping lift teaching practice’, and ‘great principals’ to be employed in ‘really struggling schools’ to ‘turn their results around’. This kind of highly judgemental language did not sit well with PPTA. However, in the same vein as the Prime Minister, she made it clear that the government wished to work with the sector. Her release said she had asked the Secretary for Education, Peter Hughes, ‘to work with the sector unions and other key groups, including NZ School Trustees Association (NZSTA) as representatives of Boards of Trustees, on the details of how the new roles will work.’<sup>107</sup>

In a follow-up release the next day, she listed the names and organisations of those who had been invited to form the working group, which included PPTA (President Angela Roberts), NZEI (President Judith Nowotarski), NZ Principals Federation, Secondary Principals Association (SPANZ), Area Schools Association, NZ Association of Intermediate and Middle Schools, Ngā Kura a Iwi o Aotearoa, the Pasifika Principals Association, and others. PPTA’s Secondary Principals’ Council was not invited, which was a problem PPTA tried unsuccessfully to resolve. The group met for the first time on 3 February.<sup>108</sup>

What was very unusual about this announcement, and a key factor in PPTA's deciding to work with the government on the initiative, was a section in the Cabinet paper headed 'Industrial implications'. This clarified the intent to include the roles in the relevant collective agreements. It said definitively: 'We want to develop these changes with input from the sector; are open to changes to the design detail and will provide opportunities for that discussion' (paragraph 59).<sup>109</sup>

What was also unusual about the initiative, and not known publicly at the time, was the influence of PPTA on the nature of the proposal. In late 2013, President Angela Roberts had been part of a delegation led by the Secretary for Education to Singapore and Hong Kong (mentioned by the Minister in her first IES press release) to try to tease out what made those two places so successful in the PISA international comparative testing regime. This had led to discussions about what needed to change in New Zealand. A high level of trust had developed among the delegation, and they continued to meet off-the-record with the Secretary for Education Peter Hughes after returning home. Hughes asked how they would want to spend a large injection of new money to improve teaching quality in the 2014 Budget, and Angela's reply was that it should be spent on 'building teachers' collaborative practice', which was essentially what IES became.<sup>110</sup>

Despite those origins of the announcement, there was still quite a flurry of papers produced by members of the Policy and Advocacy team as they teased out their advice to Executive about the union's stance on the policy. After all, there were elements in the announcement that were troubling: the language used, the absence of the Secondary Principals' Council on the working group despite the plethora of other groups on it, relativities of pay levels for the roles with existing middle leadership positions, and a lack of clarity about decision-making processes.

DGS Bronwyn Cross argued that it was difficult to reject a substantial sum of money for roles that would be enshrined in the collective agreements and not able to be easily removed if the government changed. Professionally too, the initiative offered more support for teachers in the form of meaningful PLD offered by their colleagues rather than by 'academics and private consultants', more collaboration across schools, some new career paths, and a high status for classroom practice. She said that the principal positions were 'probably the weakest part of the proposal' because of the competition that existed between schools in so many areas.

She wrote: ‘It will work in some areas and those that fail will be object lessons in the weaknesses of Tomorrow’s Schools that can be used to inform future policy. If nothing else, it does articulate a new expectation around cooperation.’<sup>111</sup>

My analysis showed it stacked up against other major policy work the union had been involved in, particularly PPTA’s submission to the 2003 Ministerial Taskforce on Secondary Teacher Remuneration. This had included recommendations on career pathways for teachers and the creation of teacher development positions in schools. The work on the workstreams in 2004–2007 – such as developing new career pathways and the Shared Vision agreed between the Ministry and PPTA as part of the workstreams, similar career pathways that PPTA had already developed such as the Specialist Classroom Teacher and the short-lived Senior Subject Advisor, and Annual Conference decisions on advanced qualifications for teachers and professional mentoring had also formed part of the 2003 submission. I concluded:

It is clear that, astonishingly, the government proposals are a logical extension of work in which PPTA has been engaged for more than a decade. This does not deny that big issues will arise during the discussions to develop the proposals into a working model; especially because those with whom we are negotiating will not all have the same history.<sup>112</sup>

In the end, it was taken as read that PPTA would, at the very least, engage in the initial discussions of the Working Group, and there is no Executive resolution specifically approving that. By the first Executive meeting of the year, on 20–22 February, AO Jane Benefield was already reporting on progress after two meetings of the Working Group and various meetings of the Secretariat where PPTA was represented by AO Rob Willetts and herself. There was pressure from the government’s expectation of a final report to Cabinet by the end of April 2014 in time for a Budget announcement. Benefield commented: ‘It is hard to see how all the wrinkles can be ironed out by then, and it may be that Cabinet approves more time for a continuation of the Working Group and Secretariat.’<sup>113</sup>

### ***Refining the proposals***

The detailed work was being done in the Secretariat, whose membership was staff from PPTA, NZEI, NZSTA and the Ministry. They wrote papers to the Working Group and responded to papers from the Ministry. They had

been assured by the Secretary for Education that the cost of the initiative would not come out of future settlements of collective agreements, and that they had ‘a fair degree of scope to adapt the proposals to enable the new roles and the innovation fund to best work’.<sup>114</sup>

They used the Cabinet paper to develop principles to guide their work. These included that the changes should support teachers to be self-critical and explore opportunities to improve their practice, develop and utilise leadership expertise and experience, provide opportunities and incentives to stay in the classroom, encourage collaboration, enhance opportunity for teacher-led innovation, and provide pathways to fuller professional careers. There were also statements that change should be evidence-based and properly managed, that unintended negative consequences must be identified and avoided, and an aspiration that teaching would increasingly become a first career of choice for the best graduates.<sup>115</sup> These principles were adopted by Executive at its February 2014 meeting.<sup>116</sup>

At this stage, reports to Executive were marked ‘Strictly Confidential’, as the government did not want details released until Cabinet had approved the shape of the policy.

On 17 April, after 12 weeks of what AO Jane Benefield described as ‘intensive interaction’ with the other parties in the Secretariat, and for Angela Roberts on the Working Group with the wider sector organisations, the Report of the Working Group to the Secretary for Education was completed – all 128 pages of it.<sup>117</sup>

Some quite significant changes to the original model were recommended in the report, including reduction of the allowance rates, addition of a time allowance for the Within School Teacher role, changes in the numbers of positions, funding for new administration costs associated with participation in a Community of Schools, a component of centrally organised and funded PLD and networking funding for each of the new roles, funding for backfilling of roles, and eligibility for unit holders to apply for Within School Teacher positions.<sup>118</sup>

The report was to go, unaltered by the Secretary, to the Joint Ministers Key, English, Joyce and Parata, accompanied by a Ministerial commentary that the Secretary promised would be supportive. There would be a Budget announcement, and the full report was planned to be on the Ministry

website by May. Bargaining with the unions around variations to enshrine the roles in all the collective agreements would then begin.<sup>119</sup>

However, as early as March 2014, NZEI was beginning to balk at aspects of the policy as it was being refined. At a meeting between the two unions sought by PPTA to try to clarify what NZEI's 'game plan' was, it appeared it was stuck in a mindset that it hadn't been consulted before the announcement, and it didn't see it as the best way to spend that amount of money. There was some paranoia in NZEI's position, including that it remained 'convinced that this is a plot to give secondary principals control over primary schools with primary principals reduced to a DP role'.<sup>120</sup> At that stage, though, NZEI did not choose to walk away from the discussions.

The union was informed in early May that the Working Group was to be re-formed as the IES Advisory Group and have an ongoing role in overseeing the whole initiative, meeting monthly. In addition, there would be a Sector Reference Group (SRG) made up of practitioners with experience and expertise in various areas, meeting twice monthly. Papers would go up to the IES Advisory Group from the SRG and from the various workstreams from the Secretariat, with the addition of other staff as needed. This was not seen as a problem by PPTA.<sup>121</sup>

### ***Professional standards for the roles***

At this stage, an 'independent' group was also formed to write professional standards for the new roles. The Ministry called for nominations for individuals with relevant expertise, and PPTA, on the strength of my work on standards for teaching and for student assessment, nominated me. The Ministry accepted the nomination, and the group began work with a three-day meeting (25–27 June 2014). The Ministry had invited an Australian academic, Professor Stephen Dinham from the University of Melbourne Graduate School of Education, because of his involvement with developing standards for teachers. However, it was clear from the start that his experience was in writing very detailed sets of standards at multiple levels for a variety of different teaching roles. He found New Zealand's relatively generic standards astonishing, and was surprised that the group, largely academics but also including an NZEI principal, were happy with them.

Nearly ten years earlier, in November 2005, PPTA and NZEI had jointly commissioned a paper by Professor Martin Thrupp on standards for

teaching. He was asked to ‘critique and offer an alternative’ to an Australian Council for Educational Research (ACER) literature review on professional standards. This literature review had been commissioned by the Teachers Council as part of its work on developing Graduating Standards for initial teacher education, and also, potentially, the Satisfactory Teacher Dimensions that were the main professional standards at the time.<sup>122</sup>

The ACER report, a 2005 draft of which we had seen, had taken the position that generic standards for teaching ‘may have value as statements of overall principles about what is valued, [but] they are limited in their capacity to ‘capture’ what good teachers know and do’. It had contrasted this with more specific sets of standards, for particular subjects, or year levels, or specialisms, and it had also raised the possibility of standards for ‘advanced’ or ‘expert’ teachers, such as those offered in the USA by the National Board for Professional Teaching Standards.<sup>123</sup> PPTA and NZEI were very concerned about the possibility that the Teachers Council would develop a plethora of standards, hence the commissioning of Professor Thrupp.

Thrupp’s report, *Professional Standards for Teaching and Teacher Education: Avoiding the Pitfalls*, had put up a strong argument for keeping standards generic, on four grounds: that specified standards have a greater capacity to control and contain teachers by asserting the perspective of the standard-setter over the teacher themselves; that it is unlikely specified standards will lead to the improvement in teaching quality that their proponents believe; that they can never be detailed enough to reflect the complexities of teaching; and that adoption of specified standards is usually political and ignores the pitfalls in them that have been identified in other countries.<sup>124</sup>

The unions had been successful over the years since in persuading the Teachers Council to keep the standards they developed (such as the Registered Teaching Criteria) generic rather than specific. In fact, the current Teaching Council’s website makes a statement of principle about this from the outset: ‘The *Standards / Ngā Paerewa* are purposely designed at a high level so every practitioner can apply them to suit the context they are working in.’<sup>125</sup> That being so, the two unions were not going to support the viewpoint of the Australian academic brought in by the Ministry to help develop standards for the new IES roles. Interestingly, the New Zealand

academics at the meeting, including Professor Mere Berryman from Waikato University, Professors Viviane Robinson and Helen Timperley from Auckland University and Professor Tim Bell from University of Canterbury, did not support that viewpoint either. Professor Dinham appeared to give in quite quickly and accept that his view was not going to prevail in this country.<sup>126</sup>

In the end, professional standards as such were never produced for the IES roles. Ironically, the Note that was put into the 2015–2018 STCA in various parts of section 4, where the roles were outlined, still appears in the current agreement but has been edited to update the language, so that it now reads, for the Across Community Teacher, ‘Kāhui Ako (across community) professional standards are to be developed in 2015. Until the professional standards are developed the annual assessment for this role will be based on the National Criteria for Selection developed by the Professional Standards Writing Group.’<sup>127</sup>

The note does sum up what the professional standards group did, in fact, achieve, which was to write National Criteria for Selection for the roles. We focused on this at the start because it was much more urgent than developing standards by which appointees would be assessed over time. The Criteria, were, as might be expected, quite generic. They were published in a booklet which included role descriptions and other information for communities of schools. Communities were advised that:

The descriptions set out the purpose and functions to be carried out in every situation. However, the local setting and the needs of the specific Community of Schools in which the roles operate will determine how these functions are enacted in the local context. Each Community of Schools will need to include the local expectations and criteria it has agreed for its community.<sup>128</sup>

At the end of the three days, having produced the criteria, we were told that we would be called together again at some later date to write the professional standards themselves. This never happened, and from PPTA’s point of view, that was no bad thing. The union was comfortable with the work done writing appointment criteria but could not see why these could not be used for ongoing appraisal, as advised in the Note in the STCA.<sup>129</sup>

## ***Varying the collective agreements***

On Friday 16 May, the day after the Budget, Advisory Officers Jane Benefield and Michael Stevenson updated Executive on the IES work, including circulating an information sheet that had been prepared for use at regional meetings. Jane also played to Executive a video clip NZEI had produced for its members, and highlighted inaccuracies in it because it conveyed the impression that nothing had changed from the original Cabinet paper, whereas in fact the final report to the Secretary had included significant changes.<sup>130</sup> NZEI was becoming increasingly obstructive during the various IES meetings.<sup>131</sup>

At that May Executive meeting, approval for bargaining the variations was given, subject to the Ministry's bargaining parameters having sufficient scope to engage with the model recommended by the Sector Working Group (rather than the original Cabinet paper). Executive stated these parameters as including time allowances for all the new roles, PLD for the new roles as necessary, time and remuneration for teachers in current positions who were being expected to support people in the new roles, fair relativities with existing positions, both in time and pay, and flexibility in the number of each type of position and the quantum of inquiry time.

Negotiations did not finally begin until July, and they came unstuck because the Ministry would not agree to PPTA's claim for the Within School Teacher allowance of \$10,000 to be reduced in order to preserve relativities and to free up funds for a 0.08 FTTE time allowance to do the role (two hours per week). PPTA saw this as essential to ratification by the membership, and had been consistent about this right through the process. After three days of obduracy on the matter by Ministry negotiators, PPTA suspended negotiations, saying that work on the other collective agreements (ASTCA, ASPCA and SPCA) – and in fact PPTA's involvement in the whole initiative – was being put at risk.<sup>132</sup>

By August, the Ministry had agreed to reducing the pay for Within School Teachers to \$8,000 and to providing schools with the staffing for release time. It was a most unusual situation for PPTA to be in, to be insisting on a **reduction** in pay for a position. The Cabinet paper appeared to envisage that these teachers would simply stay in their classrooms and other teachers would come to observe them and go away impressed by their skill (and presumably having learned something). PPTA knew that a much more powerful kind of learning for teachers is when another teacher visits



their classroom and provides feedback, as evidenced in the Ministry's own Best Evidence Synthesis on Teacher Professional Learning and Development (2007).<sup>133</sup>

Terms of Settlement for the STCA variations were agreed on 30 September 2014, and a large package of information sent to branches. The President's covering letter gave information on each of the changes. She clarified that this was 'not the package NZEI voted to reject. That original offer was also rejected by PPTA Executive; this version is the result of eight months of PPTA negotiations with the Ministry of Education to turn the initial idea into something that would work in schools.'<sup>134</sup> The ratification meetings were well attended and the variations approved by 80%, with a majority in favour at each paid union meeting (PUM).<sup>135</sup>

Negotiating the variations to the Secondary Principals' Collective Agreement, in partnership with SPANZ, also went smoothly, beginning on 8 July and Terms of Settlement agreed on 30 September. The variations covered the Community of Schools (CoS) leadership role, the Principal Recruitment Allowance (renamed from the 'Change Principal'), funding for the costs of being in a CoS, and other matters.



**General Secretary Michael Stevenson and Ministry negotiator Nik Kyrke-Smith sign the IES variations, 2014 [MICHAEL STEVENSON]**

However, the PPTA President had to inform members in October 2014 that NZEI had rejected the IES package and moved to what it called ‘the joint initiative’: a whole new round of talks with government to try to get ‘something better’. This was a problem because IES was what the government had agreed to fund, not something different. On 22 August 2014, NZEI had sent a letter for circulation by NZEI principals to parents and caregivers, in which it described IES as it had been set out in the January Cabinet paper, not as it had been altered by all the groups working on it since then. It claimed that all schools would be grouped into clusters, when in fact groups of schools were to participate by choice. The NZEI letter used the original titles for the roles when by that time these had been changed significantly. It described the ‘Lead Teachers’ as role models, whereas their role had been greatly shifted to a mentoring one.<sup>136</sup> NZEI told parents and caregivers that they wanted the money spent instead on smaller classes and 100% qualified teachers in early childhood education, and better funding for special needs education and teacher aides.<sup>137</sup>

In February 2015, after the first IES Advisory Committee meeting of the year, Angela Roberts reported concerns in the group about ‘how the NZEI’s “Better Plan” or “Joint Initiative” was going to connect with IES and how the Ministry was going to be able to operate in good faith with PPTA while working with NZEI on an alternative’. These concerns had been dismissed by Ministry Deputy Secretary Dr Graham Stoop, as ‘simply an issue of timing’. He claimed that NZEI was engaged in much the same process as PPTA had been through the previous year, and that the focus on transitions, collaboration and career pathways made the Ministry confident the end result would look much like IES, although he had no answer to the question of how the two initiatives would connect up in the end. Angela commented that he did not seem to care about the delay in establishing communities of schools.<sup>138</sup>

Nevertheless, PPTA began work to vary the area schools’ agreements so that PPTA members in those schools could gain the benefits of IES despite NZEI’s position. First, General Secretary Michael Stevenson wrote to Secretary for Education Peter Hughes and NZEI National Secretary Paul Goulter requesting discussions about the matter, invoking Clause 1.6 in which the parties agreed that the terms and conditions could be varied at any time subject to the written agreement of the parties. PPTA’s letter pointed out that 32 area schools had submitted expressions of interest in

becoming part of a CoS including six that wanted to be part of a Southern Area Schools CoS. The letter pointed out: ‘Understandably, PPTA members in area schools want collective agreement coverage of the allowances and other provisions relating to the new roles.’<sup>139</sup>

Little progress was made, so in April 2015, after further discussion with NZEI, Michael Stevenson wrote to the Secretary for Education informing him that the two unions had agreed that when NZEI and the Ministry had come to whatever agreements they might come to through the joint initiative process would be the time to jointly negotiate variations into the ASTCA and ASPCA, but in the meantime, given that there were area schools wishing to enter CoS and members there who would be involved with that work, there needed to be equitable provisions for the roles. He asked the Secretary to use the concurrence clauses in both agreements to ‘offer additional terms and conditions where they are not inconsistent with those already in the agreements’ to enable PPTA members to take up the IES roles.<sup>140</sup>

In a newsletter to area school members in June, PPTA was able to report that the Secretary would consider any application for concurrence from boards of trustees, though he was not bound to agree. He had indicated, however, that he was ‘not opposed to any board seeking concurrence with the same terms and conditions as the secondary variation’.<sup>141</sup> Members in area schools were provided with a sample acceptance letter that they could use if offered positions in communities of schools, which stated that they would accept the position only on the same terms and conditions as in the STCA.

Only a month later, however, media were reporting that NZEI had dropped its opposition to IES, although this might not have been exactly how NZEI would have described it.<sup>142</sup> The list of preferred spending that it had sent to parents and caregivers nearly a year before had changed considerably, and the discussions with the Ministry on the joint initiative appeared to PPTA to have arrived at something fairly similar to what PPTA had agreed on many months before: a focus on raising achievement; ‘whole of sector pathways’ from early childhood to tertiary; the same roles as PPTA had agreed to; and a tweaking of the principal leadership role so that it might be supported by others in the community. NZEI wanted the ‘communities of schools’ renamed to ‘communities of learning’ (CoL)<sup>143</sup>. It

had also set up ongoing working parties with the Ministry on special education, Pasifika achievement, Māori achievement and professional learning, and an investigation into how support staff could be active in CoLs.<sup>144</sup>

Nevertheless, NZEI dragged the chain on area school negotiations until its Primary Teachers and Primary Principals Agreements were settled, so that many more months went by before, in May 2016, PPTA was able to write to its member principals in area schools seeking their consent to ratify a variation for IES.<sup>145</sup>

NZEI's insistence that the Lead Principal role should be tweaked so that others in the community who helped could be paid something resulted in a primary principal who was appointed to be the Lead Principal in a CoL being paid \$5,000 less than if they were secondary. The other \$5,000 was to be shared with up to two other principals in the community in return for some leadership responsibilities.<sup>146</sup> I recall, when visiting a Rotorua secondary school for a different purpose, being berated by a primary school Lead Principal for the fact that she was being paid \$5,000 less because she was primary. I said, 'Don't blame PPTA, talk with your union, NZEI!'<sup>147</sup>

This difference also applied to NZEI principals in area schools. However, PPTA negotiated a different outcome for its principal members, in terms of which two possible arrangements were approved, and a CoL could decide which was better for its needs: either the \$25,000 allowance with \$5,000 shared with two other principals, or the SPCA version with \$30,000.<sup>148</sup>

The negotiations to vary the Area Schools Teachers' Agreement for IES were very protracted, not helped by both the Ministry and NZEI having inexperienced negotiators for most of the time.<sup>149</sup> However, in May 2016 it, too, was settled. Ways were found to accommodate the differences between the primary and secondary agreements. Teachers between Years 1 and 6 in area schools did not keep the time release for the roles – it was up to the principal how it was used – but teachers in Years 7 to 13 kept the time allowance. The induction and mentoring allowances and Inquiry Time were the same as in the STCA. The agreement contained the alternative titles 'Community of Learning/Schools', which were eventually renamed by the Ministry to Communities of Learning/Kāhui Ako.<sup>150</sup>

Frustration at the difficulties of negotiating area schools agreements jointly with NZEI boiled over after this experience, and staff involved

recommended to the May Executive meeting that there be consultation with area school members about their future coverage.<sup>151</sup> (See Chapter 6.)

### ***Teacher-led Innovation Fund (TLIF)***

There were other aspects of Investing in Educational Success besides the new roles that were eventually negotiated into all the collectives. The Teacher-led Innovation Fund had considerable potential. The idea was for groups of teachers to put forward a proposal to conduct research in or across a group of schools on a particular topic.

As the PPTA representative on the workstream developing this project, I was able, in September 2014, to report positively on work done. There had been a survey of teachers to establish interest, and decisions had been made about the application process. A two-step process that did not involve teachers in vast amounts of work on a proposal that had no chance of going anywhere was settled on, and we had defined three categories of project: those with small numbers involved and taking less than a year, those with a moderate number of teachers involved and moderate scope, and larger projects that could be funded for more than a year and involved broad scope. To reduce workload, milestone reporting would be required only for the largest category. We had defined ‘innovation’ as ‘inquiring into new practices or applying existing practices in new contexts, and investigating in a systematic way whether they result in improved learning outcomes’.<sup>152</sup>

The Fund was independent of the CoLs. Applications could be received from groups of teachers from any school, and there was no responsibility for a CoL leader to supervise the projects, for example. All sorts of guidelines and tools were developed to assist teachers to apply and to conduct their research. I commented that ‘the work on this has been pretty smooth, especially once NZEI left the workstream. Up to then, the NZEI representative was being very obstructive ...’. A group of teachers already involved in research projects was brought together in September to give us feedback on the draft materials, and this was very helpful.<sup>153</sup>

There were five rounds of applications for the Fund, the last in 2019. The Fund is now closed, but summaries of completed projects and an evaluation are available on the Ministry’s Education Counts website.<sup>154</sup>

## ***Later refinements***

There had always been some issues with Investing in Educational Success, even after PPTA's strenuous efforts to address these through the IES Working Party and its subgroups, and through collective agreement negotiations. In 2017, PPTA surveyed teachers and principals who were in schools that were, according to Ministry of Education lists, in CoLs, and AOs interviewed principals and members in roles across the country. The findings were reported to members in a 2017 Conference paper, which recommended that members endorse six principles for IES: increased collaboration; collaborative focus on students; the right for schools to choose whether to belong to a CoL and which to join; flexibility in the way CoLs were organised; CoL choice over their own achievement challenges and measures of progress; and consultation with teachers, parents and the wider community at all stages of CoL development.<sup>155</sup>

The paper reported some startling results from the survey; for example, most teachers whose schools were ostensibly in a CoL either were not aware that they were or knew nothing about it. Most teachers had not been consulted about being in a CoL, or about the achievement challenges, or the new roles and how they would operate in conjunction with existing roles. There had been very little consultation with parents about the establishment of a CoL or what the achievement challenges should be. Even where teachers knew that achievement challenges had been agreed on, only 12% felt a sense of ownership of them. There was limited awareness of the written resources that had been developed by the working groups to assist schools, and evidence that the appointment processes for the Within School Teacher roles were often being poorly managed, leading to resentment among teachers, and especially middle leaders. The relativity issue between middle leaders and the CoL roles, which PPTA had tried to fix during negotiations around the variations, was still a running sore.<sup>156</sup>

The paper allocated blame for the mess across many parties: the government for the political pressure cascading down on the Ministry; the Ministry itself for poor implementation processes; some school leaderships that had failed to consult and inform adequately; and the pressures on teachers who were struggling to manage existing workloads let alone take on new work. The paper recommended a wide variety of solutions to the

problems and called for a further report to the 2018 conference. These recommendations were carried unchanged by Conference.<sup>157</sup>



**Education Minister Chris Hipkins speaks to 2018 conference**

By 2018, a new Labour-led Government had been elected. It did not have National's political commitment to the policy but was willing to maintain the roles.<sup>158</sup> PPTA tried again to improve the model, beginning with another Conference paper. However, Annual Conference, while agreeing to endorse two underlying principles for the CoLs – collaborative practices within and between schools and classroom-based career options – amended a recommendation that would have empowered PPTA to immediately seek a series of specific changes. These included halving the number of Within School Teacher roles and making the remaining roles permanent; recognising with money and time the work of teachers who were not in the roles but working with those that were; rebalancing the relativities between middle leaders; making at least one Across Community Teacher permanent; and requiring external input into selection of Within School Teachers.<sup>159</sup> Conference was not happy to be as specific as that, and instead called for material to help members consider options for change, – an interesting example of Annual Conference, the supreme decision-making body of PPTA, demanding more grassroots involvement.<sup>160</sup> Material was duly prepared, but a year later AO Rob Willetts reported that ‘the feedback

received was limited in quantity and provided no additional or alternative structural change proposals that could be usefully advanced'.<sup>161</sup>

On the other hand, the new Minister Chris Hipkins had instructed the Ministry to work collaboratively with the IES advisory group to 'make the current Kāhui Ako model more collaborative, more responsive to the needs of local communities and more empowering for educationalists'. The resulting increase in flexibility led to more options around management structures and greater school choice around the achievement challenges. However, problems remained. Also, the Ministry imposed a moratorium on development of further CoLs to free up funding for the collective agreement settlements in 2019, leaving some 4,000 PPTA members in secondary and composite schools unable to access the funding that came with being in a CoL.<sup>162</sup>

Executive, at its February 2020 meeting, agreed to discussions on structural adjustments beginning with the Ministry, some of which might involve variations in the collective agreements.<sup>163</sup> However, the matter ended up sitting with the Accord process that resulted from the 2019 STCA settlement. A subgroup was set up, and agreement was reached that the review would take an evidence-based approach, there would be sector-wide research, it would look at examples of successful Kāhui Ako, and receive inputs from interested parties.<sup>164</sup> It met a few times and produced a report for the Minister, but its progress was slowed by Covid and shackled by the riding instruction on the Ministry that any changes had to be within existing funding. As is so often the case, the main outcome was the decision that more work needed to be done. Rob Willetts comments: 'The Ministry also became fascinated by the idea of reviewing all mentoring roles in the system, and the opportunity to make early gains around improvements that had general support was lost.'<sup>165</sup>

On the other hand, by February 2021, Rob Willetts was proposing some potential changes for the Kāhui Ako leadership role. These were prompted by requests to PPTA to support two quite unusual variations on the model in the SPCA.<sup>166</sup> Executive supported consulting SPC and Te Huarahi on possible changes to the role, at the same time as affirming that resources for teaching roles should not be able to be converted into additional resourcing for the leadership role (as one of the requests to PPTA had proposed).<sup>167</sup>



In 2022, PPTA included in its collective agreement claims the core elements of the cost-neutral changes proposed in the 2018 conference paper plus proposals for some minor operational tweaks to address problems primarily affecting small and rural Kāhui Ako. However, as at February 2023, the Ministry was refusing to make any changes to the existing provisions because it was still engaged in its own parallel process of review.<sup>168</sup>

## **Review of Tomorrow's Schools**

When Labour came to power again in 2017, Education Minister Chris Hipkins launched into a wide-ranging 'Education Work Programme', one aspect of which was a review of Tomorrow's Schools, a policy which by then had been in place for nearly thirty years. The government's intention for the review was 'to consider if the governance, management and administration of the schooling system is fit for purpose to ensure that every learner achieves educational success.'<sup>169</sup> An independent taskforce was established in April 2018, comprising Bali Haque (Chair), Barbara Ala'alatoa, Professors Mere Berryman and John O'Neill, and Dr Cathy Wylie.<sup>170</sup> They began work in April, published their first report in November, submitted a further report in July 2019, and the government's response was published in November 2019.



**Bali Haque, former school principal and later Deputy Chief Executive (Qualifications) at NZQA, was Chair of the Tomorrow's Schools review group**

PPTA had current policy on Tomorrow's Schools. This had been developed over many years of working with the devolved system, and had been updated in a conference paper in 2008 titled *Tomorrow's Schools: Yesterday's Mistake?* which began as follows:

It is fair to say that PPTA's support for the educational reforms that were enacted in 1989 under the name Tomorrow's Schools was muted. The PPTA submission warned that New Zealand had previously experimented with devolution almost 100 years earlier and the result was 'falling standards and marked differences between the provision of education in the "poor" provinces and the "wealthy" provinces'.<sup>171</sup> Twenty years on, it seems that concern was entirely justified.<sup>172</sup>

The paper argued that while Prime Minister David Lange might have genuinely intended the policy to 'empower communities', the intent of those charged with developing and implementing the policy was more about imposing 'market discipline' on the school sector. It claimed that the officials involved 'were more focused on extracting "value and efficiency" via the mechanisms of competition and choice than [on] empowering communities.' The paper discussed previous attempts by government to review the policy that had been greeted with such opposition from vested interests that they had been watered down or abandoned, and asserted:

Yet it has never been more critical that New Zealanders reflect honestly and dispassionately on the intended and unintended outcomes of Tomorrow's Schools and consider the extent to which it fosters educational achievement, innovation, self-management, fairness, democracy and value for the taxpayers' dollar.<sup>173</sup>

Annual Conference called on PPTA to commission an independent review of Tomorrow's Schools, focusing on aspects such as student achievement, fairness and equity including outcomes for Māori and Pasifika, effectiveness of devolved administration, effective use of state resources, and school innovation. However, PPTA learned that Dr Cathy Wylie was to publish a book reviewing Tomorrow's Schools in the light of her study of systems elsewhere in the world, so the independent review was deferred. In the event, this research report, *Vital Connections*, was not published until 2012. By then, a National-led Government was in power again, and there were other struggles.



**Dr Cathy Wylie**

PPTA's submission in August 2018 urged that schools should be governed, managed and administered in such a way that the principles of equity, success for Māori, student achievement, student wellbeing, effective use of public resources, innovation, collaboration between schools, ability to meet national objectives, democratic participation, support for teachers, and high trust could be promoted. A number of these principles had been mentioned in the 2008 conference paper.<sup>174</sup> SPC also filed a submission focusing on the excessive size and complexity of the Principal's and Board of Trustees' roles.<sup>175</sup>

An annual conference paper that same year sought to raise members' awareness of the review and to generate support for the positions taken in the union's submission.<sup>176</sup>

The November 2018 report of the Taskforce contained 31 recommendations. In a paper to the Executive, AO Anthony Neyland expressed general support for these, saying that many of them were either in accord with PPTA's submission, or could be supported.<sup>177</sup>

A further consultation process on the November 2018 report was organised by the Ministry, but the material PPTA provided to branches and individuals to support their submissions raised some concerns. One was the possible impact on employment arrangements of the proposed 'education hubs', something addressed by the General Secretary, Michael Stevenson,

in a January 2019 paper to Executive.<sup>178</sup> Another was the report's support for middle schools whereas PPTA's policy had, for some time, been that if the government wanted to reduce the number of transitions for students, they should move to Year 1–6 primary schools and Year 7–13 secondary schools, a model that had been introduced in Invercargill (after a network review), Christchurch (after the earthquake) and some other areas.<sup>179</sup> A 2019 conference paper set as bottom lines for the reforms that national collective agreements must be maintained, teacher and principal terms and conditions must be retained in any transition phase, there must not be limited tenure for principals, and any College of Educational Leadership must be fully funded by the government.<sup>180</sup>

On 12 November 2019, the government released the Taskforce's final report and its own response.<sup>181</sup> AO Anthony Neyland reported that the final version of the Taskforce's report seemed:

... a watered-down version of the original, perhaps a pragmatic approach leading up to election year or, more positively, an attempt to accommodate feedback from the sector. Gone are the hubs, the 5-year contracts for principals, the chapter on Competition and Choice, as well as the recommendation for the amalgamation of MOE, NZQA and ERO.<sup>182</sup>

The government's response promised to establish an Education Service Agency to provide central, regional and local support (instead of the hubs); establish a Leadership Centre within the Teaching Council; reduce Boards' responsibilities to four key objectives and support them more to carry these out; help with resolution of disputes, and various other changes.<sup>183</sup> This was a mere shadow of what had been recommended in the Taskforce's first report, and with the arrival of Covid-19 in New Zealand in March 2020, the pace of implementation has no doubt been slower than initially intended.

## **Opposition the only choice**

### **Charter Schools**

The introduction of charter schools, another import from the United States and England, clearly had to be opposed from the outset. It was privatisation of public education and exempted these schools from the requirements of the collective agreement, the Teachers Council, and the Official Information

Act. It looked like the private sector's dream: taxpayer money pouring in, but no reciprocal obligations to account for its use.

The policy was an outcome of the National Party's confidence-and-supply deals with the ACT Party for the 2011–2014 and 2014–2017 governments. ACT MP John Banks, ACT's only MP in that term, was made Associate Minister of Education in 2011, and the policy was ostensibly in his hands, although Minister Hekia Parata showed considerable enthusiasm for charter schools as well. A two-page annex to the confidence-and-supply agreement described the policy in some detail, including that the parties agreed to allocate school charters to areas where 'educational under-achievement is most entrenched'. South Auckland and Christchurch were to be the initial target areas.<sup>184</sup>

### ***PPTA opposition clear***

The union wasted no time establishing its position. Executive, at its February 2012 meeting, resolved that PPTA did not support the introduction of charter schools into New Zealand, and set out a programme of action: a membership kit backgrounding the issues, a communications plan, and an invitation to an international expert on charter schools to speak at Annual Conference 2012.<sup>185</sup>

In a stinging letter to John Banks later the same month, President Robin Duff noted Banks' assertions in the media that he would like PPTA to assist him with his plan to introduce charter schools to South Auckland and East Christchurch. The President said that, should the union have been asked at an earlier stage to contribute to a process of public consultation, in-depth research and careful consideration of the costs and risks, this would undoubtedly have revealed that 'there was no merit in transplanting a structure from countries that not only have a considerably worse educational record than our own but do not have the same level of devolution'. Duff described the introduction of charter schools to New Zealand as 'little more than a gimmick' that would take its place 'in a long line-up of politically-driven initiatives that serve the electoral interests of politicians and not the educational needs of students'.<sup>186</sup>

This letter was written less than a year after the disastrous February 2011 earthquake that had disrupted education in Christchurch so badly. Robin Duff expressed particular concern about the choice of East Christchurch for

a charter school, saying, ‘It is particularly unconscionable to be opening a new school in East Christchurch when rolls there are so fragile because so many families have fled the red zone. Surely this community deserves better than to be treated as collateral damage for a political stunt?’<sup>187</sup>

This clearly established the union’s opposition to the policy, and there was no going back from that. PPTA’s campaign against charter schools (called ‘partnership schools’ or ‘kura hourua’ by the government) raged for the rest of National’s term of government, till the end of 2017.



**Catherine Isaac, chair of the Charter Schools Authorisation Board 2012 and former president of ACT**

In May 2012, PPTA was invited to present to a meeting of the New Zealand Model of Charter Schools Working Group, chaired by Catherine Isaac, a past president of the ACT Party. The Working Group had been set up to ‘make the decisions that would create the best possible model’, not revisit the decision to create charter schools. PPTA attempted to persuade the group that rather than being free to ‘pick winners’, charter schools should be expected to enrol students nominated by surrounding schools whose life circumstances meant they would be most likely to benefit from the extra funding support that charter schools could provide. The meeting report noted: ‘They understood that they didn’t want schools choosing

students but are at a loss to design a system that doesn't do that.' There was also discussion about a comment in the House by John Banks about charter schools 'being able to kick out underperforming kids and keep the funding' at which 'eyes narrowed and there was silence'. The group seemed bent on establishing a charter school in Christchurch, despite every counter-argument presented by PPTA.<sup>188</sup>

Duff wrote to Peter Dunne, whose United Future Party also had a confidence-and-supply agreement with National, challenging the need for charter schools to have public funding and the anti-union nature of the policy:

Presumably, if there is genuine philanthropic support for the establishment of a school that has a solution to under-achievement in low socio-economic areas, that could be done under the private school regulations. It seems to us the main appeal of public funding is that, as in USA, it opens the door for considerable profit to be made out of the captive market that compulsory education delivers ... We suspect the other reason ACT is looking for a new type of school is because it is endeavouring to establish a school where there is no union coverage.<sup>189</sup>

Legislation was introduced in October that year, and Te Wehengarua efforts focused on getting National's partners in government, particularly United Future and the Māori Party, to vote against the legislation.

### ***The campaign***

A joint paper to Executive from the Āpiha Māori Te Makao Bowkett and DGS Bronwyn Cross called on Te Huarahi to get actively involved in the campaign to oppose charter schools, noting that while it was good to see charter school advocates facing an uphill struggle to persuade the public that New Zealand needed them, it was worrying that Māori and Pasifika in poor communities were being targeted to convince them of the benefits. The paper argued: 'It is Māori and Pasifika people who have borne the brunt of the cuts to social and educational services over the last few years, and it is the same political parties that endorsed those cuts that are now pretending to care about the education of disadvantaged students.' Komiti Pasifika had already voted to support the PPTA campaign opposing charter schools. This was critical, as South Auckland was one of the areas being targeted, along with West Auckland and Christchurch East.<sup>190</sup>

Meetings were organised in the target areas, principals canvassed, branches supplied with persuasive materials, and MPs lobbied. An article



by Peter Garelja, principal of Tikipunga High School in Whangārei, was distributed widely. He had spent a sabbatical studying charter schools in the USA, and was highly critical of them. He set out 12 reasons why they would not be a useful addition to New Zealand's school system, including that a strong public education system was what was needed, not 'following the direction headed in by countries we already leave behind in our educational wake'. Why follow 'the failed ideas and policies of the corporate world who are responsible for the global recession and the moral vacuum our society operates in?' he asked. He described the introduction of charter schools as 'a sad, cynical and opportunistic move by politicians with little respect for the fact that we live in a democratic society' and criticised the fact that ACT had not talked about the policy during the 2008 election campaign but sneaked it in later. 'It's almost as if the destruction of schools in Christchurch was seen as an ideal opportunity to bring in Charter Schools just as was the case with New Orleans following the devastation caused by Hurricane Katrina.'<sup>191</sup>

Garelja referred to New Orleans because in Louisiana, after Hurricane Katrina, the government supported the building of charter schools to replace those destroyed, to the extent that charter schools became the dominant schooling provision. PPTA invited Karran Harper-Royal to speak at the 2012 Annual Conference, to politicians, and to meetings around the country. Harper-Royal was a New Orleans parent who advocated for equal rights for students of colour and students with special needs.<sup>192</sup>





**Karran Harper-Royal, parent campaigning against charter schools in New Orleans**

The legislation was returned to the House in April 2013. There had been 2,190 submissions, with 2,100 of these opposed to charter schools, 60 in favour, and 30 not addressing that section of the Bill. Despite this huge level of opposition, only one change was made, adding a power to the Ombudsman to independently review complaints against charter schools as with state schools.<sup>193</sup> AO Tom Haig reported to Executive:

None of the other egregious problems with the legislation that the hundreds of submitters raised were addressed. Despite this Minister Parata had the gall to announce today that ‘The Bill has been thoroughly examined and I think the proposed changes have improved it. The changes demonstrate the Committee has listened to the views of those who submitted and acted on them.’<sup>194</sup>

PPTA and NZEI purchased an opinion from Chen and Palmer ‘to identify those elements of the charter school clauses of the Education Amendment Bill 2012 that may enable a legal challenge’.<sup>195</sup> They proposed a judicial review based on the selected applicants being predetermined before the passage of the legislation. However, the Ministry of Education must have got wind of this challenge and slowed the whole process down so that the case was less likely to succeed. In the end, the money was instead spent on

Chen and Palmer drafting a Bill to repeal the charter school legislation, to be shared with the opposition parties for use as soon as they became government, which was not, in fact, until 2017.<sup>196</sup>

The Bill passed its final reading on 5 June 2013, tragically with the help of the Māori Party, and the plan was for the first group to start operating at the beginning of the 2014 school year.

Annual Conference 2013 supported a paper on charter schools that condemned charter schools as ‘inimical to a coherent and effective public education system and social cohesion’, demanded that the \$19 million set aside for them be returned to the state school sector, and enjoined members to continue to fight for their abolition. It strongly advised members not to apply for positions in charter schools, and instructed members to ‘refrain from all professional, sporting and cultural contact with charter schools including their sponsors, managers, and employees’.<sup>197</sup>

On 24 October, Secondary Principals’ Council Chair, Alan Vester, sent information and advice to principals in areas known to have groups applying for charter schools. He warned that during the life of their commercial contracts, the rolls in these schools were set to rise from 140 to 220 in the South Auckland schools, from 108 to 192 in the North Auckland based school, and from 121 to 428 in the three Whangārei schools. He wanted schools to see the threat to their own rolls that these charter schools would pose, especially in the light of general population decline in those areas. He advised that if they had signed agreements with organisations which had taken on charter school status, they would be wise not to continue with these arrangements after the end of 2013, and offered assistance if they needed legal help to discontinue such agreements. He also warned that agreeing to requests from charter schools for instruction for their students in subject areas on which they couldn’t deliver might undermine their own school’s longer-term interests, and again offered support if they wanted to extricate themselves from any such arrangements. The directive to members from Annual Conference about refraining from professional, sporting and cultural contact with charter schools had been sent to all principals.<sup>198</sup>

The campaign became all-consuming for some members in areas where charter schools were established. Whangārei and South Auckland became the epicentres of the campaign.

In Whangārei, two charter schools were established in the first round. President Angela Roberts wrote to the Minister, Hekia Parata, imploring her to put a moratorium on the establishment of these schools, pointing out that they had already shown themselves as not able to be self-sufficient and were leaning on local schools to deliver part of their curriculum, and this was causing bitterness and division.<sup>199</sup>

Whangārei Boys' High School was particularly affected, because it had a previous relationship with He Puna Marama Charitable Trust, which had provided hostel accommodation and academic, social and cultural support to a group of students who attended Whangārei Boys'. The Trust gained charter school status for a school, to be named Te Kura Hourua O Whangārei Terenga Paraoa. The Branch demanded that the Board not sign any Memorandum of Understanding with the charter school unless it shared all the information publicly and gained the assent of the staff and the Branch (which was unlikely to be given). Executive approved a regional Paid Union Meeting to build union solidarity on the issue.<sup>200</sup>

The Whangārei Boys' Board finally made a decision in early 2014 to not provide services to the kura. An ERO assessment for the Ministry of Education, in June 2014, noted that the kura senior students' learning was mostly independent project work and programmes provided by Te Kura (the Correspondence School), Northtec, and Te Wananga o Aotearoa. It noted 'The change from the original intention of students studying courses at other local schools may have resulted in a better outcome for students in terms of pastoral care, cultural identity, and learning support.' Nevertheless, the school had gained Consent to Assess for NCEA from NZQA.<sup>201</sup>

The second charter school approved in the Whangārei area was out in Whangaruru, on a long and winding road from Whangārei. The story of this school is an object lesson for how badly things can go wrong when the private sector tries to run schools. As Wikipedia summarises the story:

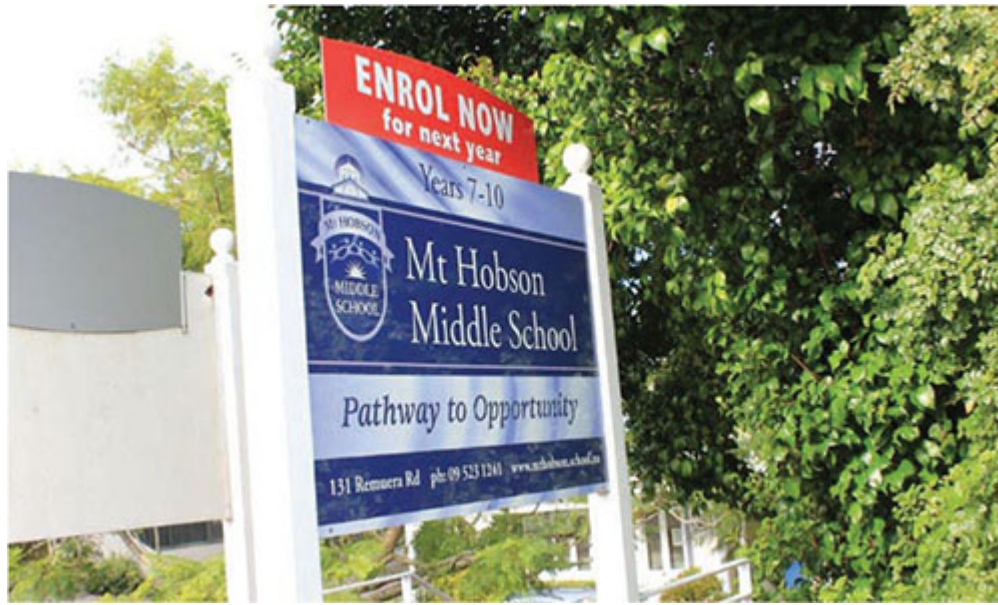
In September 2014, the Northland-based Te Kura Hourua ki Whangaruru ... attracted controversy over its poor leadership, high absenteeism of 20%, and mismanagement of government funds. The school, which received 500% more funding than a state school, spent half its income buying a farm. The Ministry of Education carried out a secret inquiry and immediately installed its own manager. One of the two original managers left hurriedly. Problems first arose in 2013 when it was claimed that the school had been set up in a paddock using portaloos for toilets. It was reported that drugs were a problem in the school and that some students had been removed to an unknown place. The school had only one teacher with a current practising certificate. The original management was replaced by an executive manager from Child, Youth and Family. The school

received \$27,000 per student compared to \$6,000 per student in a state school. In October 2015, the Education Ministry acknowledged that charter schools had been over-funded an extra \$888,000 more than they would have been allocated had their funding been strictly based on their enrolments.<sup>202</sup>

Eventually, the contract with the school was ended by the government on 28 January 2016, after a year of warnings, and attempts were made to recover the money that had been misspent. The failed venture had cost the state \$5.2 million.<sup>203</sup>

Maintaining the PPTA boycott on relationships with charter schools needed continuing vigilance by the region. In May 2016, PPTA learned that the principal of Kamo High School, Jo Hutt, was proposing to allow a staff member of Te Kura Hourua O Whangārei Terenga Paraoa to access the school's chemical store and fume cupboard, because the charter school didn't have its own. The President wrote to the Kamo principal explaining in detail to her the implications of this for her school under the Health and Safety at Work Act 2015 and the Hazardous Substances and New Organisms Act 1996.<sup>204</sup> In a somewhat ungracious response, the principal advised PPTA that she had changed her mind and would not allow access for the charter school.<sup>205</sup> In another incident, PPTA learned that a staff member from an initial teacher education provider had placed a student teacher on practicum in a charter school. The provider was mortified at having unwittingly breached the PPTA ban and moved the student teacher immediately.<sup>206</sup>

Annual Conference 2015 received an update on the charter school campaign. This noted examples, after only two years' operation, of misuse of taxpayer funding; failing to meet roll expectations but holding onto the funding; building up significant cash reserves; management failure; inability to manage student behaviour, and dubious claims about NCEA results. In both Whangārei and Manurewa, the establishment of charter schools in areas where rolls were declining damaged the ability of existing schools to deliver a full curriculum for their students. Furthermore, because of their generous funding, charter schools were able to offer smaller classes which appealed to parents and were attractive to prospective teachers. The report noted: 'Surrounding schools resent the fact that charter schools use their funding advantages to poach their teachers.'<sup>207</sup>



**Mt Hobson Middle School, existing private school run by Villa Education Trust's Alwyn Poole**

Two of the charter schools were middle schools run by the Villa Education Trust. This organisation already ran Mt Hobson Middle School with Alwyn Poole as the principal and his wife Karen Poole as chief executive of the Trust. Mt Hobson Middle School was a private school, but they were allowed to set up two charter schools, the South Auckland Middle School in Manurewa and Middle School West Auckland. In May 2015, parents of a student at the private Mt Hobson Middle School complained to the Minister of Education and the charter school authorisation board about that application, on the grounds of Mt Hobson's management and a lack of transparency and accountability; however, their concerns were ignored.<sup>208</sup> PPTA also received a comprehensive complaint from a parent of a student with special needs who was at the South Auckland Middle School, alleging their child had been given no support for their special needs, but instead a not-too-subtle message that she should take them elsewhere.<sup>209</sup>

### ***Seeing them off***

PPTA kept up the struggle against charter schools. In 2016, a member's Bill in the name of Chris Hipkins, the Education (Charter School Abolition) Amendment Bill, was drawn from the parliamentary biscuit tin and introduced to the House on 7 April. It would have the effect of reversing all

the law changes that made charter schools possible, meaning that no more could be created and the existing ones either would have to become private schools or special character integrated schools, or would have to close. The Bill was unlikely to succeed, of course, as the Māori Party and ACT would vote with the government: ACT because it was its policy, and the Māori Party because it had somehow been persuaded that charter schools would help raise Māori achievement. However, the Bill did provide a good opportunity to get the issues back into public view and force the government to defend them, when the recent media reports on charter schools had been largely negative – especially the scandal around the Whangaruru charter school.<sup>210</sup>

By 2017, there were ten charter schools around the country, which was probably well below what the ACT Party, at least, had hoped for. There were still two in Whangārei, where a primary charter had opened after the Whangaruru one was closed. Two new charter schools opened that year, in Hamilton (Years 7–13) and Hawkes Bay (Years 11–13). The remaining six were in Auckland. The impact on the rolls of mainstream schools was not something covered by the MOE-commissioned evaluation of charter schools, although in Whangārei anecdotal evidence suggested this impact was quite significant because many schools there were already operating below capacity and saw their rolls falling further.<sup>211</sup>

However, by this stage the policy was faltering, partly because the excessively generous funding charter schools had been offered in the early years had had to be pegged back because of evidence of mismanagement and the general unpopularity of the scheme. The following quote from the right-wing WhaleOil blog in February 2017 is interesting for what it tells about the success of the campaign against them:

Three years on from when the first Charter School was opened it is now much, much harder for a Charter school to get off the ground. It is not just the continued opposition to the model from the left but the funding for the model has been reduced by the government to the point where some organisations keen to open a Charter school have been withdrawing their applications once they discover the reduced funding alongside other issues.<sup>212</sup>

At the 23 September 2017 election, National failed to gain a majority, and on 19 October New Zealand First leader Winston Peters announced that he was forming a minority coalition with Labour, with the Greens giving confidence-and-supply, leading to a Labour-led Government under Prime Minister Jacinda Ardern. Looking back at the campaign against charter

schools, former President Angela Roberts commented that PPTA had succeeded in making them so unpopular with the public, they had made it easy for the incoming Labour Government to abolish them.<sup>213</sup> This happened via an Education Amendment Act in 2018, repealing the enabling provisions. The charter schools began negotiations with the Ministry about their futures. Despite protests by some, all became, from Term 1 of 2019, state-integrated schools with the same funding, oversight and accountability as other state-integrated schools, and staff were now eligible to join the union.<sup>214</sup>

Chickens do, generally, come home to roost, and the propriety of the Villa Education Trust has since been called into question by the Auditor-General. In August 2020, the OAG, auditing the combined board's initial financial statements for the period from August to 31 December 2018, found areas of concern, and asked the Ministry of Education for comment. At issue was a payment made by the establishment board responsible for overseeing the transition to the state system of the two schools after charters were abolished. The board paid \$467,000 in 'management fees' to the Villa Education Trust, whose members were the exact same people as the establishment board's – a clear conflict of interest. The Office was not satisfied with the Ministry's report, so in 2021 it conducted an inquiry under Section 18 of the Public Audit Act 2001. That inquiry criticised the establishment board of the two new state-integrated schools for failure to manage conflicts of interest, and suggested ways that the Ministry could better manage such situations in the future.<sup>215</sup>

## **‘Global budget’ aka Bulk Funding Mark II**

### ***The skirmishing***

PPTA had been aware for some time that Minister Hekia Parata was interested in looking at school resourcing. In 2014, a paper went to Annual Conference titled 'A needs-based model of resourcing for schools – time for a national discussion?' It reported that the Minister had discussed with media in February a wish to move towards an 'outcomes-based' funding approach, the meaning of which was far from clear but sounded like a contractual, bulk-funded approach similar to the model of resourcing used for the new charter schools. Even earlier, the Minister had told reporters, 'I

don't like deciles' and 'we do need to review the way we fund schools and focus more on outcomes rather than blunt proxy'.<sup>216</sup>

PPTA was not averse to discussions about a suitable replacement for the decile system, with the conference paper saying:

The existing decile system is inadequate to address the educational inequity of social disadvantage and it has become misused as a comparative measure of schools. Decile ratings are used by real-estate agents, and ambitious school leaders, as a marketing tool. The recent move by ERO not to publish decile ratings in their reports recognises this. More significantly, while the achievement gaps between high and low decile schools persist, it is reasonable to ask, are we doing enough to address the resourcing needs of learners in low decile schools? Though the evidence is clear that out of school factors are always the most significant determinants of school achievement, it is also true that in New Zealand our schooling system does not mitigate against the impact of SES as well as some other systems. Accepting that the resources available make a difference to learners' experiences, there is a strong case to be made that one of the reasons for this inequity is inadequate resourcing for low SES students.<sup>217</sup>

During 2015, PPTA convened a series of forums with other sector groups to tackle issues around school resourcing. At the first meeting in April, representatives from a range of groups heard from Dr Cathy Wylie from the NZ Council for Educational Research, and agreed on a set of principles including a statement that the current system was not fully fit for purpose. They also agreed that the purpose of a resourcing review 'must be to ensure equity of access and a fair opportunity for all students to succeed in their local school and that all schools have the resources required to achieve this for their unique combination of students.'<sup>218</sup>

This group became known as NELP (National Education Leadership Partnership), and it met a number of times from 2015 to 2018, becoming a significant force in relation to the government's resourcing review.

Finally, in late 2015, PPTA became aware that the government was starting to look seriously at the funding of schools. A paper had been presented at the Ministerial Cross-Sector Forum which PPTA had not attended, so it was given a copy of the paper and offered a meeting with officials instead. Advisory Officers Tom Haig and Rob Willetts reported that they found the officials 'pretty cagey', although happy to continue to meet. They said the Minister was determined to keep using the Cross-Sector Forum as her avenue for consultation on the funding review, which would cover staffing, operations and property funding. PPTA expressed concern that the government's assessments about what was and what was not working in the current system did not appear to be based on any clearly



articulated principles. The officials tried to suggest some principles, such as ‘horizontal and vertical equity transparency’, ‘reasonable certainty’, ‘efficiency’, ‘getting resources to the right place’, all of which sounded fine but PPTA staff wondered why these couldn’t be written down. The officials shared some thinking about changes to the decile system, and PPTA’s belief that the Ministry did not really know what it cost ‘to run a school and deliver a decent education’.<sup>219</sup>

A further meeting with the same officials took place at the beginning of April 2016. This was described by PPTA as ‘another cagey affair with little given away by the MOE staff’. They were relieved to hear that the Secretary for Education would be establishing a sector advisory group about the review, which PPTA saw as ‘somewhat heartening as it means it won’t just be through the Ministerial Cross-Sector Forum’. There was discussion about a recent leak to the *New Zealand Herald* concerning proposals for an alternative to decile funding, but there was no indication at that point that the government was considering any form of bulk funding of the teacher salary component of school resourcing.

In early 2016, the National Government initiated an Education Systems Funding Review. A Cabinet paper listed the proposals it would cover: a per child funding amount that would vary across the levels of schooling; an additional payment for children most at risk of under-achievement; retaining supplementary funding to support a network of provision, especially for isolated schools; a direct link between state and private school funding ‘to ensure ongoing diversity of choice’; a ‘global budget’ for delivering teaching and learning funding to state and state-integrated schools; separating funding for property-related costs; ‘clear expectations and greater accountability for educational progress’ (whatever that meant). However, this paper was not released at the time, and only came to light later.<sup>220</sup>

In May 2016, PPTA was officially advised that a Funding Review Advisory Group of sector representatives was to be announced by the Minister, and this group, which included PPTA and SPC along with several other groups, began meeting.

## **The truth emerges**

But in June, the whole issue blew up when PPTA and the other sector groups learned of some Ministry papers that introduced some very unacceptable proposals. These papers, quietly dropped onto the Ministry's website between two Advisory Group meetings, revealed that the government was trying again to introduce a single staffing ratio across all year levels, an idea which had been rejected firmly by the public in 2013 because of its impact on class sizes. A single staffing ratio would impact very negatively on secondary schools, and PPTA predicted a reduction of about 1,300 Full-Time Teacher Equivalents from secondary schools, reducing curriculum options, driving up class sizes, and increasing costs to parents. (See Chapter 8 (in Volume Two).)

Another proposal was to reduce operational funding to secondary schools by equalising the rates across primary and secondary. Private schools were to receive guaranteed per-student funding as a fixed percentage of the per-student funding in public schools, which would take money out of state and state-integrated schools by removing the cap that existed on funding for private schools.<sup>221</sup>

But even worse, the papers detailed the concept of 'global budget'. In a furious letter to the Minister and the Secretary of Education, the Presidents of PPTA and NZEI expressed their anger at the process and the policy proposals. They wrote: 'At the 16 June meeting, we heard that bulk funding and vouchers had been ruled out by the Government and Ministry. Just four days later, bulk funding – dressed up as global budgeting – was publicly announced.' The Ministry hastily removed the papers from its website pending the 1 July meeting of the Group, but the damage was done.<sup>222</sup>

The Presidents demanded that the government and Ministry rule out bulk funding, including bulk funding under another name, and that the Ministry 'openly and transparently present its work plan to the Advisory Group so the members can determine whether they are involved in a genuine consultative process or are simply there to rubber stamp a fait accompli'. They also warned that the fact they were writing a joint letter should be seen as a signal that:

... we stand together and will not be defeated by a cynical attempt to provide state and state-integrated schools with flexibility in return for no certainty. Nor will we be divided – what is bad for support staff, principals and teachers is bad for students and school communities too. Acting in this way demonstrates contempt for New Zealand's education system and has brought the bulk funding fight of the 1990s to the forefront of our thinking.<sup>223</sup>

Soon after this, the papers were released to members of the Funding Review Group in advance of their 1 July meeting. The one on Global Budget made it quite clear that this was bulk funding as PPTA had successfully fought off in the 1990s. Schools would receive an annual government funding amount, out of which they would have to meet all their operational costs, including teaching and non-teaching staff salaries, supplemented, if they could, by locally raised funds. All school funding would be specified in monetary values, rather than a combination of an Operations Grant (money) and a staffing entitlement (Full-Time Teacher Equivalents). The government would use, as it did in the 1990s, a national average cost of teacher salaries.<sup>224</sup>

### ***The campaign***

The reaction from the sector was fast and furious. PPTA's Executive met by teleconference on 6 July and approved a budget of \$250,000 for a campaign against the global budget proposals including Paid Union Meetings to be held in weeks 7 and 8 of Term 3. They also authorised the President and General Secretary to make these PUMs joint with NZEI, if that could be agreed.

In addition, they authorised a special one-day meeting of SPC, augmented by two additional principals from each area, 'to ensure they are fully aware of all the implications of these proposals'.<sup>225</sup> This latter meeting took place on 19 August, and received presentations from the President and PPTA Advisory Officer Rob Willetts, Deputy General Secretary Tom Haig, Dr Cathy Wylie (NZCER), NZEI President Louise Green, and SPC Chair and member of the Funding Advisory Group Allan Vester.<sup>226</sup>



**Allan Vester speaking to principals about government's funding proposals, especially global budget, August 2016**

On 2 August PPTA presented a paper to the Funding Advisory Group setting out the flaws in the Global Budget proposal. It argued that the proposal conflicted with the stated purpose of the review, which was to design a funding system 'which will improve the excellence and equity of student achievement'. The advantages of the Global Budget proposal, as noted by Treasury, were that it was administratively simple and transparent for central government, but there was little to suggest that it would lead to student achievement gains. 'Removing guaranteed staffing, which the Global Budget proposal would do, puts at risk the principles of *equity* and *certainty* which were identified as guiding the review.' The proposal was also counter to the recent policy direction of addressing some of the challenges of devolution by providing greater support for networks among schools, including through the IES initiative, because it would lead to greater inconsistency of practice between schools, and remove one of the key levers of government to determine appropriate national educational provision.<sup>227</sup> The presentation of the paper was preceded by discussions with other members of the Advisory Group 'to test where they are at on the GB proposal and encourage them to take a stand against it'. After the 2 August meeting, there were to be only two further meetings, both in August, so the ideal would be for the group to recommend to the Ministry that the proposal be dropped.<sup>228</sup>

On Friday, 5 August, the PPTA and NZEI Executives met to agree on plans for joint action against the Global Budget proposals. This meeting

was informed by a paper from PPTA Deputy General Secretary Tom Haig and NZEI Campaign Director Stephanie Mills, setting out the unions' concerns about the policy and proposing combined PUMs.<sup>229</sup> The two executives voted separately on the motions, and they were carried unanimously by both unions.<sup>230</sup> Melanie Webber, an Executive member at the time, recalls the careful management of that meeting:

We met together in their offices – their exec on one side, ours on the other – and had been carefully primed beforehand. Speeches on both sides, then drinks ... There were always drinks! The success of the bulk funding campaign with its joint action with NZEI led directly to us working together in the 2018 round ...<sup>231</sup>

The combined Paid Union Meetings, under the shared campaign slogan 'Better funding, better learning', took place between Monday, 5 September and Friday, 16 September. Their organisation was somewhat more challenging than is usual for PUMs, because there needed to be more meetings (nearly 50 in all) and larger venues to accommodate both PPTA and NZEI members, a set of agreed standing orders had to be developed, and staff from both unions had to be allocated to the various meetings. They made quite an impact, though, with teachers from primary, secondary and area schools in an area all out together.<sup>232</sup> Angela Roberts noticed the different union cultures evident at these meetings: 'NZEI seem to be more into campaign branding, issuing placards to wave and suchlike, whereas PPTA has always been more about bringing the evidence to bear to get members on board.'<sup>233</sup>



**Joint paid union meeting with NZEI to protest Global Budget proposals**

Three motions were put to every meeting: rejecting global budgeting because it undermined equity and quality; calling on the government to collaborate with the sector to develop a funding system that recognised the real costs of delivering equitable quality education to all; and asking the unions to continue to work together for better education funding.<sup>234</sup> These were carried resoundingly (99% in favour) across all meetings.<sup>235</sup>

### **Success**

On 8 September, the Funding Review Advisory Group's report to government was released publicly. It conditionally agreed that five of government's seven proposals should proceed to the next step of policy design and testing (including finding a replacement for deciles). The majority supported, or 'conditionally supported' further development of the private school funding proposal. However, 'the global budget was opposed'. The report went on to say: 'Key concerns with the concept included the removal of the 'ring fence' around teacher resourcing, given the critical role of quality teaching in improving student outcomes.'<sup>236</sup>





**Students at Howick College prepare morning tea for staff to celebrate the unions' win against bulk funding, April 2017**

In late October, a new Cabinet paper was released. It included the announcement that the Minister was not proposing to 'take forward the global budget mechanism as a means of delivering funding to state and state-integrated schools'. The paper referred somewhat tetchily to the Paid Union Meetings organised by PPTA and NZEI, criticising the unions for 'taking a wide latitude from what Cabinet actually approved for discussion, and what was then considered in the Advisory Group'; however, it conceded that there had been 'emphatic opposition to global budgets as a funding delivery mechanism'.<sup>237</sup>

While there were further challenges ahead in terms of other aspects of the government's review of funding, at least bulk funding had been seen off for a second time, this time with a much greater degree of unanimity between the two teacher unions.<sup>238</sup> In 2022, schools were advised of their funding under the new Equity Index system to replace deciles in 2023. At the time of writing, there appears to have been little controversy around this.<sup>239</sup>



**Allan Vester, Principal of Edgewater College, SPC Chair and member of the Funding Advisory Group**

## **Trying to achieve PPTA goals in consultative forums**

Ministers of Education have a tendency to establish consultative forums, or advisory groups, comprising largely the people who will tell them what they want to hear. PPTA's participation in such groups is always fraught with danger, because the union's voice, despite it representing some 95% of secondary teachers, can be lost in the work of such groups, and the union can appear to be consenting to policy positions that it strongly opposes. This can cause a loss of confidence in the union on the part of members.

Confidentiality rules for such groups can also erode members' confidence. PPTA Presidents invited to such groups always insist that they must, at least, be able to consult with Executive, even if this is on a confidential basis, for accountability reasons. This is often a particular issue for people on such groups who are in elected positions. Sometimes these groups are a mix of elected officials, with the accountability that that entails, and individuals who have no accountability except to themselves



and who may be flattered by being privy to ‘secret discussions’. Sometimes PPTA has reluctantly agreed to join groups, and then resigned in protest, such as when it appeared the group was being used just to ‘engineer consent’.

Over the two decades covered here, PPTA has been invited to participate in a range of groups. The examples below are chosen as the ones that presented the greatest challenges to the union.

## **Schools Consultative Group (SCG)**

The Schools Consultative Committee/Group was established by Secretary for Education Howard Fancy at some stage during 1999. Graeme Macann, President at the time, accepted an invitation from Fancy in September 1999, writing optimistically that:

We seem to have been through a very harsh decade in some respects, and the nature and importance of the issues will always make decision making difficult, but I do sense more than a glimmer of hope about relationships improving within the sector.<sup>240</sup>

A meeting in March 2000 covered the topics of support for schools, the new National Administrative Guidelines (NAGs), and Pasifika education, and signalled some new questions to be included in ERO reviews about the education of Māori students. At that stage anyway, the group clearly had a wide-ranging brief, rather like Minister Parata’s Ministerial Cross-Sector Forum later on, but in this case led by the Secretary for Education, so somewhat less political.

President Jen McCutcheon reported on a meeting of the group in 2001 and indicated its broad membership: representatives from SPC, SPANZ and NZPF, NZ Area Schools Association, integrated schools, independent schools, Te Runanga, intermediate schools, ‘and possibly others’. Topics covered ranged across developments in Māori Medium education, school improvement projects, curriculum work, special education, and property.<sup>241</sup>

It was still operating in 2004, although President Phil Smith was much less kind about the group than Graeme Macann had been a few years before. He wrote:

The meetings are essentially Howard Fancy’s attempts at consultation [brainwashing of the sector]. Essentially what happens is that the Ministry of Education wheel in people from their various silos to explain the plethora of policy they are developing. Some ‘debate’ occurs following

each presentation but essentially Howard is telling the sector what is happening or is going to happen and using the Group as a way to try and obtain sector agreement with his direction for the Ministry of Education. The meetings tend to be long and intensely dull but they do afford the opportunity of uninterrupted access to Howard.<sup>242</sup>

President Debbie Te Whaiti presented a paper to a meeting of the group in May 2006.<sup>243</sup> She recalls a heavy presence of intermediate and middle-school principals in the group, and an impression that the middle-schooling movement was growing at that time, and ‘doing a lot of chest-beating’.<sup>244</sup> The group continued to meet into 2008, when President Robin Duff reported on a discussion there about Schools Plus which he perceived to have been an exercise in members airing their shared ignorance.<sup>245</sup> At a meeting the next month with new Secretary for Education Karen Sewell, the President ‘expressed disappointment at the way lack of preparation from the Ministry for the Schools Consultative Group means the meeting wastes everyone’s time’, and Sewell apologised for not having been able to be there and promised to attend next time.<sup>246</sup> Meeting with PPTA later that year, two days before the election, Karen Sewell said that she would cancel the November SCG meeting because of the election, and that she wanted ‘to think again about the purpose of the SCG now all the groups meet separately with the Ministry anyway’. She said that in 1998, when it was set up, no one had any other access to the Ministry.<sup>247</sup> It appears that the group ended with arrival of a new National-led Government. Kevin Bunker suggested that perhaps Karen Sewell recognised that the meetings were not really consultative, and the group had passed its use-by date.<sup>248</sup>

## **Ministerial Cross-Sector Forum on Raising Achievement**

This group was set up in 2012 by new Education Minister Hekia Parata. While it had similarities to the Schools Consultative Group/Committee in terms of the wide-ranging brief and the tendency to give issues only a ‘once-over-lightly’ treatment, PPTA’s participation in it was far more politically fraught because it was set up and chaired by the Minister rather than the Secretary for Education. Its genesis was in the sector’s vigorous opposition to her proposed staffing cuts and the antagonistic climate that resulted – see Chapter 8 (in Volume Two).

Its first meeting was just a short afternoon gathering to agree on ‘the purpose, process and conduct of the Forum’, ‘the student achievement challenge’, ‘a learner-centred system-wide approach’, and ‘commitment to advise the Minister on a quality achievement programme’. Just these statements at the top of the agenda indicate how the Minister was driving the group’s work, and there was more of such language in the draft Terms of Reference. The Forums were to be chaired by the Minister. There was also a firm statement about confidentiality, that members would provide free and frank advice to the Minister, that such advice would be treated in confidence, and that members must not disclose any confidential information obtained during the meetings.<sup>249</sup>

The group was large, some 30 people plus at least nine named officials. The list of members included some who were presidents or Chief Executives of named organisations, but also several people whose designation was ‘principal’ or ‘independent consultant’, who appeared to have no accountability to anyone but themselves. Some of these names came up again in other groups set up by the Minister, such as Barbara Ala’alatoa, principal of Sylvia Park School who was later on the Education Workforce Advisory Group (EWAG) and then chair of EDUCANZ; Barbara Cavanagh, principal of Albany Senior High School who was also on EWAG; Iva Ropata, principal of Howick College at the time who was later on EDUCANZ; and Professor Gary Hawke, who seemed to appear on numerous education groups.

After only one two-hour meeting of the Forum, President Robin Duff was already sounding the alarm when he sent Executive the report of the first meeting. He wrote:

As you can see, the composition of the group is such that those who truly represent the interests of teachers and teaching are heavily outnumbered. This is problematic in terms of effective input and advocacy both within the wider forum and within the smaller workstreams. A cynic might think that this is the means by which the Government is seeking to snatch victory from the jaws of defeat following the staff ratio cuts debacle.

He also perceived another difficulty in that the context that was to inform the work of the Forum was the Government’s Better Public Service education targets, namely that 98% of all children starting school in 2016 would have been in quality early childhood education, and that, in 2017, 85% of young people would achieved NCEA Level 2 or equivalent. He commented:

Setting aside the arbitrariness of those targets, whether they are realistic, how to measure and against what, etc., the real subtext is that these targets will be achieved during a period of planned austerity (rather than stimulus) budgets. Doing more with less as the Hon. Anne Tolley used to say. Another irritation is that self-appointed, non-accountable ‘experts’ can identify ‘Rules and regulations around class sizes and teaching hours’ as an obstacle – see Page 6, small group discussion report. To whom and to what one might ask?<sup>250</sup>

Duff expressed hope that the G7 Group that had been established in early June, originally to fight the Budget cuts in staffing, might help to overcome these difficulties by the July meeting of the Forum, if they developed a common agenda, messages and strategy that made the genuine voices of the profession audible. The G7 group was made up of ‘the elected leaders of public education organisations who had the mandate and expertise of their large education organisations behind them’, initially PPTA, NZEI, NZSTA, New Zealand Principals’ Federation (NZPF), SPC, SPANZ and New Zealand Association of Intermediate Middle Schooling (NZAIMS). NZEI had contracted Nicola Meek, who had coordinated the Secondary Futures project (see above) to work through the establishment of the group.<sup>251</sup>

In a paper to Executive in July, DGS Bronwyn Cross and AO Tom Haig discussed ways to counter the impact of ‘the Minister’s Forum’, and the dangers that lay ahead:

The Minister’s forum will move on inexorably to its pre-determined conclusion and we will have to either divert it from its path or walk away sooner or later. It’s not out of the question that the powers-that-be want a walkout because the minister will then be able to argue that the unions are so intransigent that it’s not possible to work collaboratively with them. The unions would be isolated which, in the context of hostile changes to the Employment Relations Act and the State Sector Act, is not a good place to be.<sup>252</sup>

They warned that the G7 group had only a fragile consensus and were not optimistic that it could achieve much.<sup>253</sup>

Before the second meeting had even happened, there was a controversy about a sudden convening of a Forum subgroup on 13 July. The G7 group had happened to be meeting on Friday 20 July, where it was revealed that two of them had attended a meeting of a subgroup of the Forum on the previous Friday. No other Forum participants attending the G7 group had received any notice that a Forum subgroup was meeting, which of the four subgroups it was, nor what its agenda or brief were. The General Secretary issued a press release on 13 July complaining about the process. He also wrote to the Minister advising her that PPTA proposed to raise process questions at the Forum at the end of July:

This is raised because the apparent secrecy and exclusion (particularly if the subgroup was other than one of those begun at the first forum meeting) breeds disillusionment and distrust which is totally contrary to what we had believed to be the central ethos upon which the Forum had been established ... Not knowing what is going on and being denied any opportunity for input also undermines confidence in the exercise as a whole, its outcomes and any preparedness to engage meaningfully. One is left feeling that the exercise is merely a rubber-stamping of government policy rather than robust analysis and critiquing and the development of a constructive and collective plan (or plans) to achieve broadly-endorsed goals.<sup>254</sup>

He expressed the union's concern about the need for the Forum to be informed and have access to relevant expertise. The President had reported from the first meeting that members had been asked to focus on 'all learners, not just those in our own sectors', but that prevented individuals from contributing where they had genuine expertise, while 'inviting them to comment on areas where they are unfamiliar with the research, practice and policy'. He asked that forum members be given 'the flexibility to nominate others from their organisations (or beyond) with the knowledge and expertise to be able to contribute meaningfully to some of the key issues under consideration'.<sup>255</sup>

On the day of the G7 meeting, 20 July, a bundle of extra papers arrived at PPTA for the Forum meeting on 23 July, including a letter from the Minister to the President complaining about the behaviour of his 'General Manager' in issuing the press release on 13 July, the General Secretary's letter, a copy of some 'agreed' principles of conduct PPTA was alleged to have breached, and two different agendas for the meeting. The Minister was clearly aggrieved!<sup>256</sup>

At the same time, it would appear that at least one of the General Secretary's requests, that PPTA be able to send different people to particular subgroups of the Forum, was agreed to, as reports of meetings from that time on come from a greater range of writers. It also appears that a lot more was achieved in the subgroups<sup>257</sup> than in the main group.

However, the Forum continued to be largely a tool for the Minister to engineer consent for her plan. In September 2012, in response to a request from PIAC that he try to persuade the Minister and the Forum that matters of concern raised there be addressed, President Robin Duff reported:

To some extent this is happening but the Minister is firmly in control and making it clear that she is unlikely to make further changes and that if you do not like the situation, as she told NZEI, then 'you can leave'.<sup>258</sup>

From the November 2012 meeting, the Forum started using Michael Dreaver as a facilitator, while the Minister remained as Chair.<sup>259</sup>

## **Bronwyn Cross** Deputy General Secretary 2002 to 2016



After 15 years as a secondary teacher, Bronwyn joined PPTA staff as Women's Officer in 1991, during a time when public education and teachers' pay and working conditions were under constant attack from National Governments. She recalls with some pride the way PPTA members resisted the privatisation agenda, collectively and courageously, for almost 10 years.

Subsequently, she took over the role of advisory officer with responsibility for professional issues. One of the most important activities then was developing a PPTA Teacher Education Commission which challenged the prevailing orthodoxy that quality teacher education could be achieved through a reliance on competition and 'bums on seats'. This was the beginning of a fight-back against the managerialist maxim that teachers were simply employees who should be excluded from engagement with wider professional activities.

PPTA was committed to advancing professional interests including NCEA, but she feels that in 2001–2002 it lost sight of the fact that assessment change, while entirely laudable educationally, was creating unbearable workload pressure for members. The result was an intense industrial campaign during which members took industrial action above and beyond what was directed by Executive. The union was in a very fragile position and several staff left, ground down by the struggle. Bronwyn became Deputy General Secretary at that point. Matters were eventually resolved but the lesson that professional matters can impact industrially was not to be forgotten.

Another membership triumph she recalls with pride was defeating the ACT Party's privatisation push through charter schools. Secondary teachers, especially in Northland, armed themselves with the facts and set out to expose profit-making charter schools for the rort they were. She knows that particular threat is still present

but remembers a past PPTA president saying: 'A union is always either in a campaign or preparing to fight the next one.'

At a regular meeting with the Minister in June 2013, she asked PPTA to explain what its problem was with the Forum. PPTA's representatives talked about a paper presented there which Angela said was 'symptomatic of the lack of evidence and poor process that the forum follows', and DGS Bronwyn Cross said there were papers coming to the forum that were so bad PPTA wouldn't allow them to be presented to its executive. The Minister responded with 'a spiel' about how 'she gets that PPTA is very traditional and has a different DNA' and went on: 'I don't want the forum becoming some sort of formal process that makes your members feel comfortable.' She claimed that the forum was 'about coming up with new good ideas for the sector' which would influence her, and that people on the forum were considered to be individuals, not representatives. Bronwyn Cross then jumped in to say that it was 'a hybrid beast, neither fish nor fowl, it's not an ideas shop as it's so poorly researched and it's not accountable to anyone and it is simply enthusiastic amateurs throwing ideas around!' Tom Haig summed up the exchange as 'So basically a "Yah boo sucks" – she was not interested in addressing the concerns we had and couldn't care less if we left. So much for collaboration and joint goals set with the world looking on.'<sup>260</sup>

The Ministerial Cross-Sector Forum limped on into 2015, but the lack of discussion of it in PPTA reports and papers suggests that PPTA's interest faded. However, in 2015 Bronwyn Cross reported very amusingly on her attendance a Forum meeting on 21 May, Budget Day. It appears from her description that by this time the Forum had descended into madness. She wrote:

There were about 200 people there so it was easy to hide. It started with an opening incantation which was printed on a card for us to intone. '... Accelerating Success, Encourage and support, and raise it to its highest level, ensure that high achievement is maintained ...' (It may be that the translation into English doesn't do it justice.) After that we were instructed to turn to the people on either side of us and say, 'I love you'. Then Katrina Casey set out the plan for the day and gushed about the fact that 'our minister' is the only minister authorised by the Minister of Finance to run her own Budget lock-up and she has been so authorised for three years. The Minister ... said that the Education Act was full of frustrating provisions and that her omnibus bill to change all that will be in parliament before the end of the year.



The group work involved talking about the taskforce's idea that the Act needs a purpose statement that 'better recognises and supports a learner-centred education system' and the Ministry had developed a guide for discussion. What a good idea – set 200 educationalists, bureaucrats and ring-ins to editing goals for the education system! As you might expect there was a lot of complaining that the Ministry had got it wrong and many deranged ideas suggested: 'We need more innovation!', 'Businesses are the purchasers of the education product and we are not getting what we need'. I confined my comments to expressing concern about the total absence of the word 'equity' anywhere in the proposals.

I left at the tea break as I didn't want to be witness to all the gushing at the budget lock-up.<sup>261</sup>

After that, there is no further reference to the Forum in PPTA files.

## Education Accord

An outcome of the 2019 settlements of the STCA and ASTCA was agreement to participate in an Education Accord. The concept behind the Accord was a formal agreement to discuss and seek ways forward on matters of long-term interest to the parties. It was a very different kind of forum from the ones discussed above, which involved a wide range of education sector groups plus hand-picked individuals. The Accord is just the parties to the teachers' collective agreements plus the Ministry, with others able to be invited for specific purposes or subgroups with the consent of all parties. However, there was a risk that it would become just a talkfest that went nowhere. This concern was expressed in a paper to Executive in July 2019, written jointly by Deputy General Secretary Yvonne Oldfield and AO Rob Willetts:

It is important to recognise that the Accord is an undertaking to talk about issues. There are no guarantees of any specific outcomes, nor is any funding set aside. So far, the only outcomes linked with the Accord and the settlement of the STCA – the eight teacher-only days for NCEA planning over the term of the agreement and an undertaking to remove the existing requirements around teacher appraisal from legislation – are welcome moves by the government, but neither has a financial cost. The rubber hits the road when recommendations from any of the parties carry a cost implication. It is at that point that we will see if there is any real value in the participation.<sup>262</sup>

On the other hand, a hopeful sign at that stage was that the governance group of the Accord had an independent facilitator/chairperson, the process was sponsored by the Minister, and the presidents and general secretaries of the two unions, plus the Secretary for Education and one of her Deputy Secretaries, were all active participants. The purpose statement of the Accord was 'to transparently give effect to building a high-trust

environment where the teaching profession is highly regarded, sustainable, and is fit for now and the future of learning.’ But worryingly, at this early stage, the beginnings of the Accord were being held up because the Minister wanted to see the settlement of the principals’ collective agreements before engaging, and the paper commented: ‘Starting off by using the Accord as an industrial pressure point does not send a good message.’<sup>263</sup>

Minutes of early meetings of the governance group indicate that quite a lot of time was spent on process matters to ensure that progress was made, and in all the meeting notes there is an Action Tracker section which looks helpful.

As an example of the range of issues that the Accord has sought to tackle and of the processes followed, in October 2019, a decision was made to set up a subgroup to look into ‘whether children are presenting with more complex health, learning and behavioural issues than in the past, whether there are greater numbers of these children, and how this impacts on workload for teachers and principals, starting with schools.’<sup>264</sup>

While the governance group for the Accord was confined to Presidents and General/National Secretaries of the unions, other groups and individuals and other staff from the unions could participate in subgroups. For example, Professor Stuart McNaughton, Chief Education Scientific Advisor, was invited to join the group on children with complex needs. The first meeting of the group identified a significant problem, that the Ministry of Education ‘did not collect or hold reliable data about the prevalence of children with complex needs in schools’, especially those who were not receiving any targeted support, and there was a need to get data from other areas, especially health. The subgroup recommended to the governance group that a researcher be engaged to collate and analyse what data existed.<sup>265</sup> These recommendations were tabled at a governance group meeting on 22 November 2019, and a team of Massey University staff was commissioned to undertake the analysis, with the Accord partners sharing the cost. A draft final report was submitted in October 2020.<sup>266</sup>

However, the issue that Rob Willetts and Yvonne Oldfield had identified at the start of the process, that there was no money allocated to implementation of Accord recommendations, appears to have meant that not a lot further happened as a result of this analysis. At the meeting in November 2020, the Ministry essentially undertook to dig around Vote

Education and see if they could find some money to fund work.<sup>267</sup> By August 2021, the final report had been received and a paper was being drafted for the Minister.<sup>268</sup> At that point, the trail seems to go cold.

The Accord has certainly tackled various issues<sup>269</sup> during the life of the 2019–2022 collective agreements. Near the end of 2021, as collective agreement negotiations came nearer, industrial matters such as pre-bargaining processes also appear in the records of meetings. Whether participation in an ongoing Accord will be an outcome of the 2022–2023 negotiations is unclear at the point of writing.<sup>270</sup>

## Final words

PPTA’s constitutional objective ‘to advance the cause of education generally’ requires it to engage with the government over policies that affect its members or their students. Decisions about whether that engagement is in the form of full or qualified support or direct opposition are guided by many years of policy development involving the members through conference papers, consultation processes, and the work of Executive in reflecting their members’ thinking. Over the two decades covered here, this engagement has resulted in some successes, some failures, and many frustrations. This chapter has covered only a sample of these.

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### Negotiating the STCA

## Introduction

Successfully negotiating new collective agreements for members is the core business of all unions, and for many PPTA members this is the primary interest and point of contact with their union. Failure to lead the union to positive outcomes in industrial negotiations would be fatal to the union's survival, but success has rarely proved easy to achieve.

Also, what counts as success often depends on the political context of the time, although there is no direct correlation, as many might expect there would be, between the rate of success and having an incumbent Labour or Labour-led Government. During the twenty years covered in this book, while there have been some significant differences in approach with governments of different colours, it has always been the size of the salary bill, within the context of all other pressures on government spending, that serves as a brake.

Contextual factors<sup>1</sup> also influence chances of success. The route to bargaining success can be highly unpredictable.

An advantage PPTA has over most other unions is that it negotiates fewer collective agreements. The Secondary Teachers' Collective Agreement (STCA) covers the majority of PPTA members. The other agreements which PPTA has at least a part in negotiating are the Area School Teachers' and Area School Principals' Collective Agreements (negotiated with NZEI), the Secondary Principals' Collective Agreement (negotiated with SPANZ), and the Community Education Agreement. This chapter covers the main teachers' agreement, the STCA, and the following chapter covers the Area School Teachers' Agreement (ASTCA). The two principals' collectives are covered in Chapter 9, 'Principals and PPTA' (in Volume Two), and matters related to community education including their collective are covered in Chapter 16 (in Volume Two).

While staffing, and its impact on teacher workload, has often been raised in PPTA collective agreement rounds, the Ministry nearly always insists on discussing it elsewhere. This chapter makes brief mention of staffing claims and gains made, but Chapter 8 (in Volume Two) covers staffing, class size and workload campaigns in more detail.

## **STCA 2002–2004 and the G3 saga**

The 16-month industrial dispute in 2000–2002 was largely covered in *Those Who Can Teach*, David Grant's history of PPTA's first 50 years, in his chapter '2002 – Year of Tumult'. The union's case for higher pay and more staffing to provide greater preparation time appeared very strong, in the form of extreme shortages and the overwhelming demands of the new qualification, the National Certificate of Educational Achievement (NCEA). Nevertheless, success was hard to achieve. NZEI's 'entrenchment clause', which guaranteed that any pay increase negotiated by PPTA would be passed on to NZEI members, was a barrier to achieving a settlement that reflected the specific conditions in secondary schools.<sup>2</sup>

2002 was marked by industrial action in many forms, including against the NCEA in its first year of implementation. In many ways, this round was a classic case of the professional interweaving with the industrial in a 'union of professionals', with the union using the introduction of the new qualification as an industrial tool, but also using industrial means to achieve improvements in the provisions for implementation of that qualification.

The union executive faced a serious loss of confidence among its members when it twice recommended settlements for ratification that were then rejected as inadequate. The idea of putting the dispute to an independent arbitration process began to be considered by the parties. PPTA polled its members on this, and 74% voted in favour, while recognising that any settlement would still have to be ratified by them.<sup>3</sup>

## **The Alternative Dispute Resolution (ADR) panel**

Finally, just before the 27 July 2002 general election, the government agreed to the dispute going to arbitration, and the Prime Minister, Helen Clark, announced on national television that the government would abide



by any decision of the arbitration panel. The union responded that it was not able to match that offer because its rules required all settlements to be ratified by its members, which further annoyed the government. Nevertheless, the panel, known as an Alternative Dispute Resolution panel (ADR), began work with the agreement of both parties. It comprised Dame Margaret Bazley (a retired public servant), Bruce Murray (a retired principal), and Doug Martin (a management consultant).

PPTA staff worked with great speed to collate and present documentation about salaries, workload, and the issues secondary teachers faced, and on 20 August the ADR panel announced a recommendation for settlement that included pay rises beyond what PPTA had ever asked for in negotiations and was costed at \$270 million. Needless to say, the government was shocked.<sup>4</sup> Branches were faxed on the day the panel's report was released and asked to hold a meeting between 26 and 28 August to vote on ratification. Interestingly, the fax included the words 'Executive recommends that members give serious consideration to the ADR proposals' rather than 'Executive recommends ratification'. This was presumably because Executive had been burned twice before in the round, when members rejected settlements recommended to them. Not surprisingly, considering the size of the pay increases for most teachers, the members voted overwhelmingly for its ratification, with 88% supporting it, and 12% opposing. The settlement delivered a 12.5% salary increase across three years to most secondary teachers.

Significantly, the panel also proposed a new way of working. It recommended setting up a Ministerial Taskforce which had the overarching brief to develop recommendations:

- that would ensure a supply of high-quality, appropriately qualified secondary teachers who will improve the learning outcomes of all students in state and integrated schools.
- that provided a remuneration strategy which took into account the issues facing the secondary teaching profession over the next decade.<sup>5</sup>

Unfortunately, the ADR Panel also created the G3 problem which was to occupy PPTA executive, staff and members for many years.

## **The G3 problem**

G3 is shorthand for 'Group 3', a special salary group designated many years earlier to make it possible for secondary schools to recruit teachers of 'practical subjects' whose qualifications did not usually include a university degree.<sup>6</sup> Until the ADR panel ruling, G3 teachers with trade qualifications were paid the same as teachers with university degrees (although G1 and G2 teachers had lower maxima on the salary scale). However, the seeds of a new problem for the union and the government were sown by the panel's decision to create an extra step in the new salary scale for those teachers with a bachelor's degree or higher plus a separate teaching qualification. This step became known as G3+, and was not accessible to G3 teachers, estimated by David Grant to have been about 15% of PPTA's members, or 2,000 teachers.<sup>7</sup>

These G3 teachers mostly had the trade and advanced trade certificates which up till then had been treated as 'equivalent' for pay purposes to university degrees, but some of them had primary teaching qualifications with no separate subject degree, or older composite teaching and subject qualifications that were below degree level. It is likely they made up a high proportion of the 12% of members who opposed ratification.

The ADR panel recognised that there would be an issue with leaving these differently qualified teachers behind on pay. It acknowledged that arrangements had been entered into in the past in good faith, and equity required that these should be honoured. However, it balanced that against the goal of increasing the qualification level of all secondary teachers with four years of tertiary qualifications, as well as minimising the flow-on cost to primary teachers with only a three-year qualification. The panel had understood the difficulties of the entrenchment clause in the Primary Teachers' Collective Agreement.<sup>8</sup>

Recognising the urgency of settling the dispute, the ADR panel's report included a recommendation that PPTA and the Ministry of Education negotiate on the issue of differently qualified secondary teachers, and offered to reconvene as a panel should these negotiations not be able to find a way through.<sup>9</sup>

As soon as members learned of the qualification fishhook in the proposed settlement, the union began to face heat from those adversely affected. PPTA's files from the period following the panel's initial decision are full of correspondence with angry G3 members. Some argued that the union

should defer ratification of the panel's proposed settlement, but as Bronwyn Cross, Deputy General Secretary (Policy and Advocacy) explained to one of these members:

Although we had hoped that this could be sorted before ratification, the Ministry wouldn't play ball and it doesn't have to because the Panel's recommendations (page 8) clearly intended this to be dealt with post-ratification. The ADR Report is presented as a package – we can't relitigate bits of it. If we tried that the Ministry would want to do the same especially with the \$270 million. Deferring ratification would not oblige the Ministry to negotiate around the G3 equivalence, it would empower it to walk away altogether because deferral is, in effect, rejecting the settlement.<sup>10</sup>

The pure size of the settlement, with pay increases greater than the union had even claimed, made it impossible to expect a majority of members to reject ratification.

However, the pain for the affected members was very real. Penney Dunckley, Southland Executive member at the time, remembers feeling 'gutted that we were no longer valued for the work we were doing in an area that did not have many university courses applicable'. She wrote: 'It felt like academic snobbery – our past work and education was now somehow valued less than it was when we started teaching.'<sup>11</sup>

Despite the panel's recommendation that the parties meet in good faith to resolve the G3 issue, the Ministry initially refused to do so and also refused to take up the panel's offer to reconvene to find a solution. This refusal was totally unacceptable, so PPTA took legal action to make it happen, and in December 2002 the government capitulated and reconvened the panel. But the panel's solution, delivered in January 2003, was still problematic for PPTA, in that it proposed that equivalence to a degree come from a Level 7 qualification on the Qualifications Framework.

While it seemed logical to use the Framework to determine equivalence, those teachers with advanced trade qualifications were still left out in the cold because their qualifications mostly pre-dated the Framework and were not registered on it, at any level. It also left out teachers whose Technology qualifications came from older composite secondary teacher education courses with subject-specialist components, such as Home Economics or Commerce, because these qualifications were not at Level 7 on the Framework or not listed at all. The old 'qualifications chart' that had helped to determine equivalence over the years was also not Framework-referenced, but rather linked qualifications to agreed salary starting steps and maxima on the pay scale.

However, General Secretary Kevin Bunker reported to Executive at its February 2003 meeting that the news was not all bad:

The panel did not close off all pathways. It recommended that existing/old G3 non-degree qualifications be examined by the competent authorities to determine which met Level 7 or better, or not. It also recommended that the Ministerial Taskforce address itself to the recruitment, retention and appropriate qualifications matters. These are helpful but will be time-consuming and the arguments complex. Goal number one has to be to get as many over the Level 7 hurdle as possible. That is under way. Goal number two will be to find and effect pathways for those still caught; an ideal would be an agreed variation appropriately backdated or, as a fall back, an agreed 'claim' for the next agreement. An avenue for this is the Ministerial Task Force. Goal number three is to keep members focused and together during what will be a complex and time-consuming set of tasks; again, a task for the Executive.<sup>12</sup>

This task turned out to be nowhere near as easy as the General Secretary portrayed it, and the work continued for several years, involving a substantial amount of staff time.<sup>13</sup>

## **Ministerial Taskforce on Secondary Teacher Remuneration**

This Ministerial Taskforce (MTF) had been agreed as part of a May 2002 offer which the members later rejected. It reappeared in the final settlement as a way of finding longer-term solutions to recruitment and retention of secondary teachers. The ADR panel, in its first report, had seen the MTF as having an ongoing role to resolve issues that it could not resolve:

The panel recommends that the following matters that are not part of the settlement package be referred for the attention of the Ministerial Taskforce on Secondary Teacher Remuneration:

1. a review of the experience of pay bargaining in the secondary sector over the past decade for the purpose of assessing whether changes should be made to the pay fixing process to facilitate a speedy and non-disruptive resolution of disputes;
2. the possibility of creating incentives to encourage accelerated repayment of student loans and higher levels of retirement savings;
3. the desirability of including exit provisions in the secondary teachers' collective agreement to provide options for teachers who have become burnt out and who wish to leave the service; and
4. a review of the workload of HODs for the purpose of developing strategies directed at ensuring that schools have adequate numbers of HODs in the foreseeable future.<sup>14</sup>

In its second report, the ADR panel added a further, and most urgent, role for the MTF: addressing the G3 issue. Many of the affected teachers were in

subjects with the most extreme shortages, such as Technology. The relatively generous pay settlement for the majority had had no immediate discernible impact on recruitment for secondary, so solving the G3 problem was urgent.

The Ministerial Taskforce met for the first time on 6 March 2003, and reported in November the same year.<sup>15</sup> It was chaired by Dame Margaret Bazley, who had also chaired the ADR panel. PPTA was represented by Senior Vice-President Jen McCutcheon and Junior Vice-President Debbie Te Whaiti. Margaret Bendall, at that time principal of Epsom Girls' Grammar, represented principals. New Zealand School Trustees Association was represented by its general manager, Ray Newport. There were also two Ministry of Education members, not named in the report.

### **Debbie Te Whaiti** President 2005 to 2006



Debbie joined Executive in 1999 from the Wairarapa/Hutt Valley region. She became Junior Vice-President in 2003, and President two years later. Debbie has vivid memories of being a PPTA representative on the Ministerial Taskforce on Secondary Teacher Remuneration in 2003, and the gains that were made but also the frustration of not being able to persuade the Taskforce to adopt a simple 'grandparenting' solution to the issue of teachers without degrees. She also remembers the series of difficult meetings around the country in the first half of 2004, at which she and other PPTA speakers tried to persuade G3 teachers that the new qualification being offered was a worthwhile long-term solution for them. There was a lot of anger at PPTA, but she knew that not all members with degrees were supportive of that group, as evidenced by the ratification vote on the settlement that left them behind, so the union needed to persuade G3 members to accept the solution. Qualifications issues continued to rage during her presidency. Debbie is now an RTLB and regrets that being based in a primary school means she is unable to continue as a member of PPTA, as she still feels strong loyalty to the union.

In April 2003, PPTA made a submission on the G3 issue to the MTF. It began by acknowledging that PPTA had longstanding policy recognising the need for appropriately qualified and suitably trained teachers in secondary education. The remuneration system had always recognised this by differentiating pay according to qualification levels and training. The union's 'trained and qualified' policy was made up of two components:

- satisfactory completion of an approved course of (preferably secondary) teacher training; and
- a solid knowledge/skill base (theoretical and practical) in their major curriculum/teaching subject area as attested to by a three-year university degree at least, or its recognised equivalent.<sup>16</sup>

The submission noted that finding pathways for teachers in subjects where a three-year university qualification was neither available nor appropriate was not a new challenge. Work on this had been done in the 1970s and 1980s, including identifying ways for existing G1 and G2 qualified people to achieve G3 status, via 'an assessment of service given, including PR service, professional development and additional study undertaken and like factors'. A solution for the current impasse was urgently required: 'This is a considerable source of disquiet, anxiety and potential disharmony which, from earlier experiences, will severely disaffect morale, retention and recruitment if not remedied quickly.'<sup>17</sup>

PPTA recommended that for existing teachers held at G3 by the settlement, a similar process to that adopted a few decades back take place again: 'That is, the development of a system, akin to the 1980s "points system" by which these teachers' qualifications, teaching service and experience, professional development or professional contribution or further post-entry study can be assessed and given credit. In the meantime, we believe these teachers should be "grandparented" to step 14 (the G3+ step) for at least 5 years.'<sup>18</sup>

PPTA's submission also highlighted other related issues that would need resolution. One was the inequity that G1, G2 or G3 teachers with units of responsibility had, in some cases, ended up earning less than the teachers for whom they were responsible. The submission recommended that for this group there should be 'a rate for the job' for which the unit(s) were held, or else to provide for progression to the G3+ step for all unit holders. The second group was teachers holding He Tohu Mātauranga Māori, a

qualification for the teaching of Te Reo Māori me ona Tikanga Māori awarded by their Iwi and Kaumātua. For this latter group, the union recommended consulting with Māori on how it should be recognised then and in the future.

The union's solutions did not prevail with the Taskforce. In its report in November 2003, on the matter of teachers whose qualifications did not meet the requirements for G3+, it recommended as follows:

1. That postgraduate practice-based secondary teaching qualifications be developed on the basis of the principles established by the Taskforce.
2. That a working group of stakeholders be established to develop a qualification remuneration model for consideration in the 2007 STCA negotiations once the postgraduate teaching qualification pathways are established, operating and assessed to be working.<sup>19</sup>

## **The G3 qualifications**

It had become clear by July 2003 that the Taskforce's solution was going to be in the development of these 'postgraduate practice-based secondary teaching qualifications'. The Ministry had recommended to the Minister, Trevor Mallard, that this work be done, and he announced his agreement at PPTA Annual Conference, 23–25 September. By late September, a new Level 7 National Diploma Working Party had been established. PPTA had also established its own G3 Taskforce, made up of affected members, as a reference group.

Executive was nervous, and under pressure from aggrieved members, and the following recommendation, moved by two senior Executive members, Debbie Te Whaiti and Di Wills, was passed at Annual Conference 2003:

That if, after examination of the detail and subject to advice from the G3 Taskforce, the Executive determines that the National Diploma proposal is unacceptable, members be instructed not to offer themselves for assessment and that the Association pursue as a priority, a resolution of the issue in the next Secondary Teachers' Collective Agreement round.<sup>20</sup>

However, PPTA's representatives on the Level 7 National Diploma working party left no stone unturned to try to ensure that this did not happen. The first big task for the working party was to clarify what was meant by 'practice-based qualifications', and the second was to design a new qualification. The aim of the PPTA representatives was to be satisfied this qualification would be accessible to as many of the affected members

as possible, would not require inordinate amounts of extra study, and would use a process of assessment that members found enriching rather than bureaucratic.<sup>21</sup>

The intent in designing the diploma was that most candidates' prior qualifications, such as Advanced Trade Certificates, would be deemed, through the process of Credit Exemption, to constitute 240 credits at Level 6. The appendix to the eventual qualification contained a list of these 'approved G3-equivalent qualifications'.

The challenge was finding ways for the candidates to gain the further 120 credits required to turn the diploma into a Level 7 qualification. To qualify as a Level 7 Diploma under Framework rules, 72 of these credits had to be at Level 7 (Bachelors' degree-equivalent). The credits had to come from unit standards because that was the Framework currency of the time (except for the achievement standards written for the NCEA).

The working party spent many hours trawling through printouts of unit standards already on the Framework, looking in detail at the standards themselves, and trying to assess whether the affected teachers would be able to show that they met the performance criteria for these in their work, using the Qualifications Framework's provision for 'recognition of prior learning'. Although the Terms of Reference for the working party allowed for the creation of new standards, avoiding this was a high priority, especially for the PPTA representatives, because that would add considerable extra time.<sup>22</sup>

PPTA's G3 Taskforce was brought together in November 2003 to have a look at the draft qualification and make an assessment of its viability. The Taskforce was concerned that it was going to be difficult to find 72 credits at Level 7 that were outside the teacher education field, and this was a problem because the Ministry were saying that a 'substantive non-teaching qualification' meant just that, so therefore the diploma could not include education standards. While there were standards on the Framework relevant to areas such as workshop technology, commerce and the like, these tended to be designed by industry for industry use and had to be assessed in industry contexts.

Work continued into early 2004 to try to find solutions to these problems, but many challenges were encountered on the way. General Secretary Kevin Bunker wrote to Chris Hipkins, at that time political adviser to the Minister,



Trevor Mallard, seeking to reassure the Minister that the new diploma had no flow-on to primary teachers:

We are troubled by the implication that the risk of triggering entrenchment means we cannot continue to explore solutions based around immediate movement to the top of the scale and back pay for those who can register for the diploma. As we have already indicated we do not believe the diploma has any flow-on. It has been deliberately developed to exclude the sort of teacher education qualifications that primary teachers (and some secondary teachers) have. If there was an intention to allow NZEI to develop its own version of a diploma based on teacher education qualifications then we needed to know that before we started work on our model because it need not have been so restrictive. As it stands, perhaps 30–50% of our [affected] members cannot access the diploma – a price we have reluctantly accepted. There is little point in our irritating a group of members if there is a possibility of expanding the diploma to meet their needs in the future. It is also very frustrating to constantly have the primary tail wagging the secondary dog. There is a recruitment and retention problem in these subjects in secondary schools that needs to be taken into account.<sup>23</sup>

Finally, three days after that reassuring email, the Ministry informed PPTA General Secretary Kevin Bunker that NZQA was currently in the process of registering the Diploma in Specialist Subjects (Secondary Teacher) and sought PPTA's endorsement of it. (PPTA had expressed concern to the Minister's office about the Ministry unilaterally proceeding with registration, because it would go down better with members if both parties publicly owned it, after PPTA members had had a chance to look at it. This had not swayed the Ministry.)<sup>24</sup>

The letter described the Diploma as 'the outcome of a great deal of work by both the Ministry of Education and the PPTA, and we appreciate your constructive engagement during this process.' In addition to working with NZQA to register it on the Qualifications Framework as a 360-credit Level 7 Diploma, the Ministry offered a package of support to affected teachers who completed it:

- up to two weeks' paid study leave for each teacher enrolled in and studying towards the Diploma;
- new study awards available to assist with additional study towards the Diploma (50 awards (FTTE) in 2004; 25 awards (FTTE) in 2005 and 2006);
- reimbursement of half the course fees upon completion of the Diploma;
- G3+ salary status for teachers completing the Diploma to be backdated to the first pay period in February of the year before

candidates completed the Diploma.<sup>25</sup>

Nevertheless, PPTA did not immediately endorse the qualification. Instead, from mid-May 2004, consultation meetings with affected teachers in Auckland, Hamilton, Wellington, Christchurch and Dunedin, and other centres that requested meetings, were convened. A guide to achieving the Diploma had been produced and distributed to members, giving examples of how teachers with the most common qualifications and/or experience could make up their 120 credits. The examples were for teachers with Advanced Trade Certificate and 6,000 hours, Home Economics Teachers Advanced Diploma, the National Diploma in Business Education, He Tohu Mātauranga, and an experienced middle or senior manager. The guide explained the process of Recognition of Prior Learning:

Using unit standards means that most members will not need to undertake any new learning. Instead, you will just have to show evidence that you already meet the standards. Exactly what that evidence will be has to be determined by the provider(s) of the diploma when they are chosen.<sup>26</sup>

These meetings wound up at the end of June. In a recent interview, Debbie Te Whaiti, who had been part of the team fronting the meetings as Junior Vice-President and a member of the MTF, recalled how difficult they were. While the affected members were angry, she was also conscious that they did not have the support of all the rest of the membership, some of whom felt that those without degrees didn't deserve the same pay and should just get on and do the qualification. 'Keeping everyone together was the challenge,' she said.<sup>27</sup>

Finally, DGS Bronwyn Cross was able to advise the Ministry that Executive had endorsed the qualification and was keen to see a provider appointed to deliver the qualification as soon as possible. Bronwyn also attached the results of PPTA's survey of affected members, saying that it revealed 'that support for the diploma is very fragile which is why Executive is keen to see progress on the three outstanding issues identified above'.<sup>28</sup>

These three issues were around teachers with G2 subject qualifications, a need to clarify the status of overseas G3-equivalent qualifications, and mechanisms 'for restricting the wrap-around package to PPTA members as we feel we have made a significant commitment in time, money and energy

to solving this issue and it is clear that that level of commitment will need to continue for some time to come’.

There were further delays while the Ministry of Education negotiated with possible providers of the qualification. In the end, an arrangement was made with Christchurch College of Education, working with the Centre for Assessment of Prior Learning (CAPL), also in Christchurch, and registration for it finally began early in 2005. The diploma was a short-life qualification, available only to teachers in the profession in 2003 or entering it during 2004 or 2005 and who engaged with before the end of 2008. For those enrolling in 2005 and completing in 2006 without having to do extra study (most people), G3+ salary would be backdated to 5 February 2003, earning a substantial amount of backpay. Those who had to do additional study would receive backpay to February of the year prior to their completion of the diploma.<sup>29</sup>

Members who were eligible were encouraged to register for the diploma and get on with preparing for assessment, but some were very reluctant. Some resistance came from outrage that whereas previously they had been seen to be as qualified as their degreed colleagues, they now had to do a new qualification to achieve equity. Some resistance was probably rooted in fears that they might enter and fail. In the end, the majority of affected members who were eligible did enter and did achieve the diploma.

Penney Dunckley (Executive member from Southland) was one who did, and she appreciated the generous time allowance PPTA had negotiated to do the work, along with the payment of the fees, appropriate professional learning, and backpay once it was completed. She wrote:

Actually completing the qualification was not too difficult, just time-consuming. I remember going to one PD session and presenting my work for one of the unit standards and discovering I had then completed another of the standards as well. Assessment was in the form of an oral presentation with an approved examiner, in my case Rowley Currie, a recently retired principal. When I had nearly finished, he said I had passed and didn’t need to continue, but I told him I had done the work so he could listen to the end! In retrospect, the work made me reflect on my teaching practice. I used a lot of the knowledge and experience I had gained with my work on NCEA for PPTA<sup>30</sup> ... I went through the qualification very early on and from that experience I was able to help the other affected teachers in my department, where I was the Head of Learning Area (Technology). I know of some teachers who did not do the qualification and they have missed out on considerable pay over the years. I think some of them couldn’t be bothered and didn’t feel they should have to, either.<sup>31</sup>

Unfortunately, not all PPTA members who were ineligible for the top step were able to get there through this first version of the diploma. There was still a group of members whose qualifications did not allow them to be credited with the first 240 credits and then be assessed for the final 120 credits. Staff in PPTA National Office spent considerable time working through these individual cases, and ultimately a second version of the qualification was developed for them – see below.



**Southland Executive member Penney Dunckley**

There was also another group of teachers who held existing Level 7 Diplomas that PPTA argued were equivalent to a university degree, but the Ministry of Education was not, initially, recognising these – see next section.

However, these teachers were by no means the only problem remaining. The Ministry was also being quite obstructive of efforts to sort some of the other individual qualification cases brought to it. In fact, in a letter dated 24 August 2005, the Ministry's chief negotiator wrote to PPTA essentially saying that the price to pay for addressing two relatively minor individual G3 cases was for PPTA to accept that this would 'wrap up all outstanding issues raised by teachers and the PPTA around G3 issues and the

Diploma'.<sup>32</sup> In reaction to this, at a Special Executive meeting on 30 August 2005, the following motion was carried:

That Annual Conference be asked to suspend PPTA participation in all Ministry/PPTA fora unless the Ministry agrees to recommence effective and speedy engagement to develop pathways for the following groups of G3 teachers:

1. Home Economics Teachers
2. Holders of atypical Technology qualifications
3. Teachers outside the DipSS subject areas
4. No teacher training
5. Newly recruited Technology teachers and those with overseas B.Ed. Tech
6. He Tohu Mātauranga (Auckland College of Education).<sup>33</sup>

This recommendation provides a useful list of the groups of teachers who were still outside the tent for the first version of the Diploma in Specialist Subjects (Secondary Teacher).



**Technology class 2005**

By 14 September, this threat to stop engaging with ongoing G3 issues had achieved its aim, and the union was thanking the Secretary for Education for progress that had been made.<sup>34</sup> The motion was never put to annual conference. With its usual brinksmanship, the Ministry of Education had agreed to reconvene the G3+ project group (consisting of MoE, PPTA and School Trustees representatives) to consider the possibility of a second version of the New Zealand Diploma in Specialist Subjects (Secondary

Teacher) to cater for many of the group who had not been eligible to enter for Version I.

The report on this, dated 23 December 2005, notes that approximately 1,000 teachers were already working their way towards the original Diploma. It also notes that the solution had been positive for this first group:

The parties agreed that the diploma has been a successful exercise with the majority of applicants expressing satisfaction with the process as a professional learning experience. The reflective nature of the Assessment of Prior Learning process was well supported. It appears to be a process that is worth continuing in some form. The advantage of this model for the sector is that it allows teachers to complete it while remaining in full-time work.<sup>35</sup>



**Havelock North High School celebrates its G3 teachers finishing the Diploma in Secondary Specialist Subjects, 2006**

The report then went on to describe the process undertaken to address the needs of the remaining teachers affected. First, the group had to define the group of teachers under consideration. These were identified as 'Trained teachers who were in service at 05 February 2003 and who were on step 13, or were progressing to step 13, and who are currently in service. Note: Teachers who were progressing to step 13 are defined as G3 teachers and teachers who are G1 and G2 and held a permanent unit at 05 February 2003 and still hold a permanent unit.' (A footnote explained that: 'G1 and G2



teachers are capped at salary steps 10 and 11 respectively (as per the Secondary Teachers Collective Agreement). Those who hold a permanent unit are entitled to move beyond the salary cap to step 13 whilst they hold that unit. If they no longer have a permanent unit then they revert back to the qualification maximum of their grade.’) This was, then, still quite a narrowly defined group, but they were the group who had had reasonable expectations of progressing to the top of the pay scale but had been made ineligible by the requirements of the first Diploma.<sup>36</sup>

The second step in the process was to try to identify the size of the group under consideration, in order to enable the Ministry to estimate the probable cost of providing this new route to G3+. This was not easy to calculate, because the Ministry’s information about teachers’ qualifications and positions held was not detailed enough, so the report estimated that the new qualification would be available to ‘between 1,115 and 2,165 teachers’.<sup>37</sup>

The solution proposed was that there would be Division II of the Diploma, still 360 credits, but that teachers in the lower salary groupings (G1 and G2) would receive Credit Exemption for fewer than the 240 credits awarded to the initial group, with those on G3 still being exempted the full 240 credits, but those on G2 being exempted 200 credits, and those on G1 exempted 180 credits. Extra unit standards might need to be listed to allow them to make up the difference.

All seemed well, and the parties departed for Christmas 2005 and the holiday season. However, as was so often the case over those years, the devil was in the detail.<sup>38</sup> The report of the group was a recommendation to the Minister, and he was not entirely happy with the requirements of the qualification and needed convincing. It took another full year before President Robin Duff was able to write to the Ministry of Education and give PPTA’s endorsement for the final structure of Division II of the qualification to be registered with NZQA.<sup>39</sup>

In the meantime, the funding for this group of teachers to do the qualification, including course costs and the wrap-around package of 5 days’ study leave and an average of 8 months’ backpay had been agreed as part of a package of budget spending in May 2006.<sup>40</sup> Again, it was a short-lived qualification, with applications closing on 13 October 2008.<sup>41</sup>

## **Existing Level 7 qualifications**

As discussed above, PPTA identified members who already had Level 7 qualifications that were degree-equivalent but MOE refused to recognise these and pay the holders accordingly. Bronwyn Cross commented on this recently: ‘That was mad! The Ministry insisting on using the Framework but still arguing that levels weren’t definitive, size of qualification was. Worrying about entrenchment again.’<sup>42</sup>

After futile efforts to resolve these individual cases, the union had to threaten legal action, which was set down to be heard in March 2005. Just before the hearing date, interim agreement was reached on a Qualifications Review to inform the 2007 negotiating round. This would consider the current qualifications chart and the qualifications most appropriate in relation to the G-notations of the pay scale, and it would also review individual cases of unique qualifications and qualification combinations.<sup>43</sup>

On the strength of this agreement, National Office felt able to write the following to a member with a Level 7 Resource Teachers of Learning and Behaviour Diploma and a teaching qualification:

PPTA has reached agreement with the Ministry of Education on the status of Level 7 qualifications. All Level 7 non-teaching diplomas will now be recognised as G3+, effective from February 2003.<sup>44</sup>

However, that optimism turned out to be somewhat premature, and resolving this matter for the longer term had to be carried over into the 2007 STCA negotiations. That was five years after the G3 problem had been created by the ADR panel.

## **And amid all that, the 2004 STCA negotiations**

The Ministerial Taskforce on Secondary Teacher Remuneration had tabled its report in November 2003. As previously noted, its objective had been ‘to develop recommendations ensuring a supply of high-quality, appropriately qualified secondary teachers who will improve the learning outcomes of all students in state and integrated schools.’<sup>45</sup> The intent was to lay the groundwork for a less contentious negotiating round in 2004 than 2001–2002 had been. Dame Margaret Bazley’s foreword to the report describes the process and its outcomes as ‘positive and constructive, with all parties



able to accommodate others' views in achieving the consensus reached by this report'.<sup>46</sup>

The report set out principles for a remuneration strategy, career pathways, professional development and recognition of learning, salary (base scale, units, recognition of qualifications), non-salary remuneration, and workload. It included a proposed timeline from 2004 to 2010 for addressing all of these issues, with three-year agreements to be settled in 2004, 2007 and 2010, eventually incorporating all the changes proposed.<sup>47</sup>

The 2004 STCA round was relatively smooth, and one reason for that may be that from 27 to 30 October 2003, Minister Trevor Mallard, along with Secretary for Education Howard Fancy and the Minister's Private Secretary Chris Hipkins, were in Edinburgh for the 15th Conference of Commonwealth Education Ministers, and PPTA President Phil Smith, along with NZEI President Bruce Adin and Secretary Lynne Bruce were attending a parallel symposium organised by the British Council. PPTA had asked the Minister to accredit the three education union people to the Commonwealth Ministers' Conference so that they could participate in both events.<sup>48</sup>

Phil Smith told me about two conversations he had with Minister Mallard at that conference. The first was a brief conversation after dinner, once the NZEI people had left in a taxi, when Mallard suddenly said, 'You can have 3%'. Phil Smith says he replied, 'Not without the five non-contacts'. Mallard said he would have to talk with Finance Minister Michael Cullen and other Cabinet colleagues, and that he would have an answer if Smith met him for breakfast. Both sides phoned New Zealand overnight. At breakfast the next morning with Mallard, Fancy and Hipkins, the President checked that they were talking 3% per year for three years plus moving to five non-contacts in 2005, and Mallard said he had spoken with Michael Cullen and 'The money's there'. Howard Fancy wrote a minute to that effect, and both Mallard and Smith signed it. Phil Smith says that there was no discussion about G3 at that point. Phil Smith believes that when Minister Mallard returned to New Zealand, the government had realised that NZEI's entrenchment clause would greatly magnify the total estimated cost, but that this would be ameliorated by the G3 teachers that were being held back from the top step.<sup>49</sup> In fact, that 'saving' did not continue for long, because by early 2005, G3 members were registering for the new qualification and

when they achieved it, they received backpay to the commencement date of the 2004 settlement.<sup>50</sup>

Back in New Zealand, in a meeting pre-arranged by Phil Smith and Howard Fancy in Edinburgh, PPTA General Secretary Kevin Bunker, DGS Bronwyn Cross and AO Rob Willetts met with the Secretary for Education and one of his senior officials 'to talk, without prejudice or commitment, about next year's collective agreement round and the future beyond that'. Bunker commented that 'It is clear that the Ministry does not want a repeat of the last round and it is even possible that it is seeking to learn to do better. We should assist in that educative process.'<sup>51</sup>

The MTF had laid the foundations for such a process and had also provided some ideas about content of the negotiations. However, the General Secretary noted that they had tried to convey to the Ministry that clearing of 'certain current irritations', mainly centring around the still unresolved G3 issues discussed above, would greatly help to smooth the path for the upcoming set of negotiations.<sup>52</sup>

By January 2004, planning was well under way, with Paid Union Meetings having taken place in November 2003 for members to consider possible claims. Executive had considered various papers looking towards the round, on matters such as the make-up of the negotiating team, and the size of the campaign fund (set at \$450,000, indicating another long struggle was anticipated).<sup>53</sup> Further branch meetings were held in March 2004 at which members were asked to arrive at a branch consensus rating a list of possible claims. In April 2004, Executive endorsed recommendations from the Conditions Strategy Committee that the Heads of Agreement include an undertaking to look at workload issues around involvement in Kapa Haka competitions in the workload and curriculum staffing workstreams and that employers be required to consider the workload issues for Māori teachers from their involvement in cultural activities.<sup>54</sup>

Notice initiating bargaining was lodged by PPTA on 4 May 2004; however, the notice signalled that it would not be possible to submit detailed claims until completion of consultation with members over the G3 qualification and over the new strategic approach recommended by the MTF. The letter signalled that PPTA's bottom lines for engaging in this new approach were a G3 solution, agreement on a mechanism for adjusting the

base-scale salary, and agreement on other issues that would demonstrate to members that the government was genuine in wanting a new approach.<sup>55</sup>

The new approach became known as The Skyline Protocol, named after the venue at the top of the Cable Car where some of the meetings took place. Reports of some of these meetings suggest that they were never easy and required a high degree of patience on the part of the PPTA representatives (and perhaps the Ministry representatives, too). Nevertheless, in his report to Executive on 14 July 2004, the General Secretary was quite upbeat about the process. He talked about ‘the classical view of industrial relations’ which holds that ‘bargaining by mutual terror is not the norm’. He described Margaret Wilson, Minister of Commerce in 2004 and architect of the Employment Relations Act, as ‘an adherent of the classical view of industrial relations’ and ‘part of a government which is seeking to develop a broad social, economic and political consensus’. In summary, he posited that ‘it could be that we are on the verge of an era where progress can be made by stints of positive engagement rather than disengagement and bursts of action. If so, it will be a welcome change.’<sup>56</sup>

The work on the Ministerial Taskforce and the subsequent Skyline Protocol did reset the tone completely. PPTA put in 37 separate claims under the headings G3 solution, salary components, non-salary remuneration, workload, careers, and other. After 13 days of negotiations, a settlement was reached, with 25 of the 37 claims being addressed, in stark contrast with the 16 months of dispute prior to the 2002 settlement. One could say that PPTA had industrial and/or political capital in the bank, but there is no doubt that the shock cost of the 2002 settlement spurred the government into behaving quite differently. Also key to achieving this settlement so quickly were both the work of the MTF and the fact that the 2.5% + 3% + 3% salary increases were put on the table from the beginning. This meant there was time to properly discuss the other issues members wanted taken to the table.<sup>57</sup>

The settlement package was ratified by 83% of members at meetings during August 2004. It was a three-year agreement expiring on 30 June 2007, and contained a mix of immediate improvements and staged implementation of others over the three years of the term.<sup>58</sup>

Marion Norton, advocate at the time, recollects:

I think we were all a bit astonished that we achieved this so quickly, although it did require some long sessions. There was significant goodwill to reach agreement and get a settlement on the part of the MoE team, which was led by Industrial Relations Manager Chris Collins. I remember very vividly winning one last gain that final night, saying ‘Right, we have a settlement if you agree to just one last thing. It won’t cost a lot, affects relatively few, but you haven’t responded to our claim for surplus staffing. If you sign off on extending retraining options and the supernumerary period from three to four terms, we’re done!’ Done!<sup>59</sup>

Immediate gains included phased pay increases, an immediate \$500 cash payment for PPTA members only, the introduction of medical retirement, improvements in leave and surplus staffing provisions, extension of the High Priority Teacher Supply Allowance (HPTSA) and stepped increases in the rate paid per unit of responsibility. From 2005 there were new Middle Management Allowances (MMAs); time allowances for units, and, from 2006, a fifth non-contact hour for all teachers; new Specialist Classroom Teacher positions; and sabbaticals.<sup>60</sup>

The MMAs were a mechanism to increase payment to middle leaders (holders of 1 to 4 units) while avoiding the flow-on costs through the primary teachers’ entrenchment clause. If that money had been put onto the value of a unit, then the Ministry would have had to cost the flow-on to primary units through that clause, and the Ministerial Taskforce had already identified that it was middle leaders in secondary schools bearing the brunt of increased workloads through the new NCEA qualification.<sup>61</sup>

## **The 2005–2007 workstreams**

In the 2004 settlement, the parties also agreed to take part in eight separate workstreams. 2005 would see the beginning of workstreams on workload, career pathways (including the Specialist Classroom Teacher position), professional development and recognition of prior learning, paid sabbatical leave, and medical retirement (and other exit provisions). Beginning later, in 2006, would be the work environment of teachers, and curriculum staffing, plus another one added post-settlement, a qualifications review. These workstreams were largely following the areas of work identified by the Ministerial Taskforce on Secondary Teacher Remuneration.<sup>62</sup>

The workstreams promised an excellent opportunity for the union to meet some of its industrial and professional goals. A popular mantra in the profession is that ‘a teacher’s working conditions are a student’s learning

conditions'. Addressing professional learning of teachers, giving them sabbaticals for refreshment, taking steps to reduce excessive workload, and providing career pathways that keep enthusiastic teachers in the classroom can all be seen as meeting both teachers' and students' needs.

A Shared Vision for secondary schooling was developed and agreed between the parties in August 2005, reflecting the optimism of that time. There were worthy statements about goals for students, for teaching, and for teacher supply, such as: 'Teaching is a sought-after career and a profession held in high regard by teachers, students, families, communities, and the general public.'<sup>63</sup>

The Shared Vision was informed by strategic work by PPTA, in collaboration with NZEI and the Australian Curriculum Studies Association (ACSA), with which both New Zealand unions had a longstanding partnership. Both countries were facing the same heavy emphasis from government agencies on the notion that 'the individual teacher in their individual classroom is solely responsible for the performance of their students', and there was a shared need to assemble 'an alternative vision of quality teachers and quality teaching which takes into account a wider range of factors which influence what takes place in schools'.<sup>64</sup>

Over the course of discussions in 2003 and 2004, the idea had developed that a Cross-Tasman forum be held, with senior government officials and politicians from both countries invited, to try to shift the discourse to a more useful direction by exposing participants to leading researchers and some challenging discussions. It was decided to hold the forum in Melbourne, and to invite 110 carefully selected policy makers, academics, teacher unionists, officials from registration bodies and professional associations on both sides of the Tasman.

The two-day forum took place in May 2005. Keynotes were given by Professor Andy Hargreaves from the United States, Professor Allan Luke from Singapore, Dr Adrienne Alton-Lee from New Zealand, and Professor Alan Reid from the University of South Australia. The forum was chaired by Anthony Mackay, who was Chair of ACSA at the time, but also held many other influential roles in Australia and internationally. Attendees from New Zealand included Secretary for Education Howard Fancy, Deputy Secretary Rob McIntosh, Peter Lind and Cynthia Shaw from the New Zealand Teachers Council, Colin Davies from the School Trustees'

Association, and researchers Dr Helen Timperley, Dr Cathy Wylie, Professor Russell Bishop, Dr Tanya Wendt Samu, and Professor Noeline Alcorn. The coalition government was represented by Chair of the Education and Science Select Committee Brian Donnelly, a New Zealand First politician. PPTA took about ten executive members and staff.<sup>65</sup>

The forum was highly influential for a time. The Ministry of Education invited the New Zealand participants to a follow-up meeting in July 2005. A PPTA report on this meeting comments: 'It is true that the Ministry sees a very strong connection between the workstreams and the quality teaching work, and this is not unhelpful to any of us.'<sup>66</sup>



**Education Minister Steve Maharey speaking to 2006 conference**

However, while the parties had agreed to these workstreams in good faith and with a high degree of optimism, they presented a significant challenge in terms of staff time and resourcing for everyone (including the School Trustees Association which had been included).<sup>67</sup> By November 2005, after a year of effort in the workstreams, frustration was growing. Colin Davies, NZSTA's Manager (Service Delivery) spoke to the November Executive

meeting. He noted difficulties in progressing issues beyond the scoping phase, and suggested the cause was a lack of fiscal approval at Government level and the nervousness of officials to commit or be seen to commit the government to outcomes. He warned that if no outcomes were appearing by early in 2006, 'the efforts to settle matters in an industrially sensible way would be lost'.<sup>68</sup>

On the other hand, Labour had been returned to power in the General Election on 17 September 2005, and there was a new Minister of Education, Steve Maharey. The General Secretary was optimistic that this would be a positive development. In his report to the November Executive meeting, he wrote that PPTA's first interaction with Maharey had been a refreshing experience. 'He listened carefully, was thoughtful in his responses and was not shy about noting issues upon which "his side might need to pick up the pace".' He reiterated government commitment to the MTF recommendations.<sup>69</sup>

By the end of 2006, PPTA was still hoping to make gains through the workstreams. A joint report by the parties in December 2006 provided an analysis of progress to date and work to be done, showing there had been wins, but there was a lot still to do. On the other hand, the MTF had envisaged this work as a ten-year plan, from 2003 to 2013, so while the parties continued to work productively together, and the government resourced the work adequately, all would be well.<sup>70</sup> The report notes that the 2007 STCA negotiations would be putting in place the next three years of the ten-year plan, and joint preparation for these negotiations was under way through another 'Skyline' process 'looking toward the short-, medium-, and long-term work to be done'.<sup>71</sup>

Unfortunately, events did not turn out quite that way, although PPTA can claim some achievements from those of the workstreams that were able to make progress.

### ***Career pathways workstream***

One of the faster gains from the workstream process was the firming-up of a new position, the Specialist Classroom Teacher (SCT). This had been a specific outcome of the 2004 settlement, along with medical retirement for terminally ill teachers and a small number of paid sabbaticals. The SCT position was part of addressing the MTF's call for new career pathways for

secondary teachers, and enabled teachers whose interests lay largely in the classroom rather than in administration to receive extra salary and time to mentor other teachers. It had been agreed that there would be one in each school, and it would be piloted from 2006. An allowance of \$6,500 p.a. and four hours per week time had been agreed.

By August 2005, the parties had agreed to the issue of a set of guidelines for schools for the 2006 pilot. Appointments had to be internal, as there were only the extra four hours of staffing provided and the appointee had to be in a permanent teaching position. Also, the criteria for the role included being ‘seen by teaching staff as being an effective and credible classroom teacher’, which would be hard to demonstrate as a new teacher to a school. Appointees’ current positions were to be protected for the year of the pilot, but they would be free to reapply for the SCT position in 2007.<sup>72</sup>

During 2006, there was a dispute between PPTA and the Ministry about whether the positions could be permanent in 2007, following the pilot. PPTA argued that this had been agreed in the 2004 STCA negotiations; the Ministry argued that a decision like that could not be made until the results of the pilot were evaluated. Letters to Ministry Deputy Secretary Rob McIntosh and Minister Steve Maharey were required to make progress on this matter, and eventually, from 2007, schools had the option of making permanent appointments to the role.<sup>73</sup>

The MTF had envisaged the SCT role as just one of a number of new career pathways. It noted a concern that: ‘... the present career structure does not provide opportunities for teachers to develop specific interests, skills and talents as classroom teachers, nor does it recognise this development as it occurs,’<sup>74</sup> and also:

Significant discussion in Taskforce meetings and visits has centred on the idea of creating multiple career pathways for teachers, particularly for those who wish to focus on professional teaching practice. Other pathways might be teacher mentoring, student guidance, ICT, or co/extra-curricular student learning opportunities. A broader range of career pathways would offer more attractive career prospects to young graduates and in this way should improve recruitment into the service. It would also improve retention of experienced teachers.<sup>75</sup>

This broader range of career pathways, however, has never eventuated, and there is still only staffing for one SCT per school regardless of school size. There certainly was discussion of these broader roles during workstream meetings, but the ‘lack of fiscal approval at Government level’



noted by Colin Davies (above) meant that these discussions never went anywhere.<sup>76</sup>

One career pathway that did exist briefly was the Senior Subject Adviser. Initially, the idea for the Senior Subject Advisers was not part of the workstreams programme, but rather it began as an idea from PPTA President Debbie Te Whaiti and staff. 2005 was marked by furore over variability in 2004 NCEA and Scholarship results, and there were confidential discussions with NZQA and the Ministry about how to improve moderation and marking. PPTA proposed the position, initially termed a 'moderation adviser', during these discussions.<sup>77</sup>

In June that year, the author had a discussion with a group of experienced teacher/moderators, who helped to shape the direction of the proposals. At that stage, the idea had been to have three tiers of moderators: the national moderator for each subject; a group of paper-only moderators, contracted by NZQA on top of their teaching jobs; and a team of 'moderation advisers' who would be given time to work face-to-face or by phone with teachers to provide 'advice on what to do next to teachers who have "failed" a moderation'. This face-to-face moderator role was rejected by the experienced moderators as likely to put them in stressful situations with upset and angry teachers. They agreed with a comment that Karen Sewell (at that time CEO of ERO) had made at a meeting with PPTA the previous week, that the 'advise and assist' role should be separated from the moderation function.<sup>78</sup>

Out of that discussion arose the idea of a team of 'assessment advisers'. The task of these advisers was to 'enhance teachers' capabilities to validly and reliably assess the internally assessed standards of the NCEA.'<sup>79</sup>

In November 2005, the scoping and development of this assessment advisory service was referred to the Career Pathways Workstream.<sup>80</sup> By December, the workstream had renamed the role to 'senior subject advisers' and recommended a four-subject pilot beginning in Term 2, 2006. However, this timeline proved unachievable, and the pilot did not take place until 2007. Work on details in 2006 arrived at a model where the Advisers would be seconded to School Support Services (which at that time had a full national service through six regional centres, and had ongoing contracts with the Ministry of Education to provide advisory services).



**Karen Sewell, chair of PPTA's Principals' Council during the 1990s, joined the public service in 1997 and served as Chief Review Officer for ERO, Acting Chief Executive of NZQA, and then Secretary for Education from 2006–2011.**

Because School Support Services reported that subject support needs varied across their regions, it was agreed that there would be 24 Advisers for the pilot in 2007, across a small range of subjects (but not just the original four).<sup>81</sup> School Support Services Managers, Ministry, NZQA, School Trustees Association and PPTA met and determined which subjects would have Senior Subject Advisers, designed a role description, and settled on an appointments process. Appointments were to be one-year fixed-term and non-renewable, because this was a pilot, and also because Secondary Principals' Council had argued that principals should not be expected to release their most skilled teachers for longer than a year.<sup>82</sup>

All went well at first. Appointments were made, training was provided, and the appointees largely enjoyed their role.

However, the 2007 STCA negotiations intervened. While a variation to the STCA had been negotiated to include these positions, this was only for 2007, the pilot year, and the cost of continuing the roles was being counted by the Ministry negotiators as part of the cost of a new settlement, at approximately \$12 million per year. PPTA's position was that the members should not have to carry the cost of improving the quality of NCEA assessment against their salary settlement, and would not agree to its inclusion in the 2007 STCA.<sup>83</sup>

It was an irony that Karen Sewell, who had, in 2005, been an enthusiastic supporter of the original idea in her previous role as Acting Chief Executive of NZQA, was by that time the Secretary for Education whose Ministry was insisting the cost of it would thenceforth have to be a charge against the STCA.<sup>84</sup>

### ***Exit provisions workstream***

The 2004 negotiating round had achieved a new provision for medical retirement, for a permanently appointed teacher with a terminal illness that meant they could not continue, or return to, their position. This entitled the teacher to either the balance of their unused sick leave entitlement or two months' salary in lieu of notice, whichever was the greater. However, the MTF had recommended that the government consider providing for a wider form of medical retirement: 'The Taskforce has heard submissions that some assistance may be required for individuals who, because of serious health states, will never return to the workforce and wish to exit the profession with dignity.'<sup>85</sup>

PPTA was keen, and saw this workstream as having two goals: to identify options for teachers who become unable to continue teaching (but might not be suffering from a terminal illness, as covered by the medical retirement clauses discussed above), and also to identify ways in which teachers could keep making an effective contribution to the profession in the later stages of their careers, where a full teaching load might be unsustainable.

The Steering Group directed that immediate work should focus on the first of these purposes, medical retirement. In a report to the Steering Group in April 2006, the workstream recommended the introduction of medical retirement on the grounds of serious illness, for a one-year trial between 1 July 2006 and 30 June 2007, allowing teachers who were medically unfit but did not have a terminal illness to leave the profession with dignity, and schools to appoint permanent replacements for them without delay instead of having them remain on the staff using up their sick leave (which might be up to 300+ days) and relievers having to be appointed.<sup>86</sup>

A variation to the STCA was agreed, and a set of guidelines for schools, outlining the provisions during the trial, was issued. In the 2007 settlement, the trial of medical retirement for serious illness became permanent (Clause

3.12 Medical Retirement). However, no progress was made on PPTA's second goal for the workstream.

### ***Workload workstream***

The MTF recognised workload pressures as a key concern for secondary teachers and a factor in sub-optimal teacher recruitment and retention, especially of middle leaders. Additional non-contact time had been secured in the 2002 Settlement, but only as a staged increase, moving from three to four hours a week in 2004, and an 'endeavour to provide' five hours in 2005.<sup>87</sup> The Taskforce had hoped that this would ameliorate workload pressures to some extent. However, it identified a need to further investigate the workload of teachers and unit holders, identify current best practices of workload management in schools, and consider school structures, suggesting that some work carried by teachers could be done by ancillary staff. The MTF was also concerned to hear that in some schools, teachers were not receiving their full complement of non-contacts (which in 2003 was only three per week for a base-scale teacher).

The MTF recommended that there be an urgent study to 'investigate possible changes in work practice, role definition, non-contact time and the use of specialist and ancillary supports', and also review best practices of schools.<sup>88</sup> The contract for this study was awarded to the Australian Council for Educational Research (ACER). Its report was published in February 2005, rather than the middle of 2004 as recommended by the MTF. This delayed things a little, but the study provided useful evidence for this workstream.<sup>89</sup> (The study is discussed in more detail in Chapter 8, 'The struggle for time to do the job' (in Volume Two).)

The Workload workstream was tasked with considering the findings of the ACER report and prioritising its fifteen recommendations. Other issues tabled at the workstream included non-contact time for part-time teachers and its resourcing, ICT management, and non-contact time for online teaching. The parties agreed to prioritise middle management workload issues and the reduction of compliance.<sup>90</sup>

In early 2006, the Steering Group was asked to provide the government with priorities to use \$25.5 million of new money in Vote Education to be allocated in the Budget to implementation of workstream recommendations. For the Workload area, the group prioritised a time allowance for Heads of

Departments with beginning teachers, giving additional release time for those who were directly responsible for the advice, guidance and curriculum support of Year One beginning teachers, with one hour per week for each beginning teacher. It would be possible to transfer this to another teacher if they had been given that responsibility.<sup>91</sup> A variation to that effect was put in place later in 2006 for a one-year trial period and later became permanent. Little else was achieved in this workstream.

### ***Professional development and recognition of learning workstream***

Early in the process, this workstream was combined with the work on career pathways; however, in retrospect, this may have meant that less attention was given to these latter topics. The report from the steering group in December 2006 records: ‘The detail of the nature and delivery of “appropriate, accessible and adequately resourced professional development for all secondary teachers” (STCA 2.2.3 (a & b)) and how this is linked to career pathways is yet to be considered.’ Work yet to be done by the workstream included developing a framework of the broad career strands and related roles and the professional learning required for these roles and the practice-based qualifications that might recognise this learning.<sup>92</sup>

This was despite the Ministry of Education calling another post-Melbourne forum in August 2006, focusing this time specifically on professional learning and quality teaching. PPTA’s presentation to the forum:

... emphasised teachers’ professionalism, the need for a ‘high-trust’ environment, the need to make more opportunities for teachers to share good practice and how this all linked to the structures of our schools and the new career pathways which we are trying to develop in the workstream negotiations ... emphasising the benefits this would have for teaching and learning.<sup>93</sup>

The forum was somewhat distracted, however, by a presentation from NZEI that argued that professional learning did not belong in workstream negotiations, but rather in ‘non-industrial’ discussions between the union, the Ministry and the Teachers Council. Everyone in the room except PPTA agreed with NZEI. PPTA insisted that it would continue discussing professional issues such as these in the workstreams outlined by the Ministerial Taskforce.<sup>94</sup>

With discussions going nowhere in the workstream, PPTA's attention turned, as has often been the case, to developing its own detailed proposals for an advanced qualifications pathway for secondary teachers. Discussions were held with universities about what advanced education qualifications they offered, and whether they might be able to cooperate to allow more cross-crediting of papers. It seemed that the Ministerial Taskforce's notion of practice-based qualifications was not seen as a problem by the universities, as many of their papers already included practice-based elements.<sup>95</sup>

PPTA's Professional Issues Advisory Committee developed an annual conference paper for 2007, titled 'An advanced qualifications pathway for secondary teachers'. This recommended support for the development of postgraduate professional learning qualifications for secondary teachers, to be coordinated by a centre for secondary teacher excellence, but conditional on provision of time allowances for teachers who enrolled, fully funded course fees, and payment on completion of each level of a qualification. Entry to these qualifications was to be voluntary.<sup>96</sup> These recommendations were all carried by Conference 2007; however, it has never been possible to put them into the STCA.

### ***Sabbaticals***

The MTF had recommended paid sabbatical leave and this was agreed as part of the 2004 settlement, beginning with a small pilot of 15 places in the second half of 2006, and 30 places in 2007 and thereafter. The workstream's role was to develop guidelines for the pilot and thereafter, design a review process and consider its findings.<sup>97</sup>

### ***The work environment***

The MTF noted that 'there were issues around the physical conditions in which secondary teachers are expected to operate as professionals.' They commended the government for partially funding teacher laptops but were concerned by reports of a 'lack of secure and dedicated workspaces in schools where teachers could effectively operate with the laptops'. They argued that there was a connection between professional working conditions and the retention of teachers.<sup>98</sup>

PPTA had analysed issues that came through Paid Union Meetings held in the 2003–2004 period. These included issues with poor quality or lack of physical space;<sup>99</sup> lack of ergonomically designed furniture; ventilation, and noise levels – but also issues around availability of sick leave and lack of mental health support.

The workstream had been ‘tasked with considering the physical and emotional environment under which teachers operate and how it affects teacher effectiveness and student learning outcomes’, but discussions were not helped by differing views on what that encompassed. A decision was made to begin with the physical environment. Despite three meetings in March, May and June 2006, there had been no time spent on the emotional environment.<sup>100</sup>

The Ministry officials came to the first meeting apparently determined to keep the scope of the workstream narrow, limited to identifying what needs to be in the teaching environment to aid effective teaching and learning. Unfortunately, they had to admit that there was a lack of research on that matter.<sup>101</sup> The Ministry’s representative from its Property Division contended that ‘property issues had never been better managed and that in most cases the codes are complied with but the codes may be too low. He ... observed the difficulty in respect of the right of self-managing schools to make their own property decisions.’<sup>102</sup>

This lack of hard information prompted PPTA to write to Karen Sewell, as Chief Review Officer at the time, asking the Education Review Office to prioritise a review of the school environment. A study had been done ten years previously, in 1996. PPTA outlined its main areas of interest as ‘acoustics, lighting, ventilation and health and safety issues related to computer use. We are also interested in levels of intimidation, bullying and violence on the school site as secondary teachers rate this as one of their main sources of stress.’<sup>103</sup> A search of ERO’s extensive listing of evaluation reports does not reveal anything of this kind. ERO had to negotiate with the Minister about what national evaluations were done, and even if it did put this on the list of proposals, it may have been rejected by the Minister.<sup>104</sup>

## ***Curriculum staffing***



This workstream was scheduled to begin in 2006, but did not even start scoping the issues until November that year. Its task was to consider ‘the current models of curriculum staffing delivery in light of changes to the learning and assessment environment in schools ... to inform future consideration of staffing following the completion and review of the School Staffing Review Group (SRG) process.’<sup>105</sup>

By March 2007, a set of topics had been agreed. The first of these was to arrive at agreed definitions of ‘curriculum’ and ‘curriculum staffing’. Following that, the group would look at current curriculum staffing delivery, how schools were currently using this staffing and the effects of NCEA on this usage. Further topics were curriculum breadth and subject assessment options including the impact of roll size, the relationship between delivery of curriculum and class size in terms of learning, assessment and different pedagogies, and the different staffing delivery mechanisms such as e-learning, distance learning and school clusters.<sup>106</sup>

If it had been possible to cover even some of these topics adequately in the workstream, it would have been an achievement. However, work foundered at the first stage, i.e. defining ‘curriculum’ and ‘curriculum staffing’. In April 2007, the Ministry responded to a PPTA paper that had offered a range of possible definitions by circulating its own paper in which it accepted that curriculum could be holistically defined ‘to encompass students’ entire experience at school, and everything done by boards of trustees, principals, teachers and non-teaching staff in relation to that experience. Both the current National Education Guidelines and the draft Curriculum could arguably be said to take this broad view’. However, the Ministry expressed a wish to keep the definitions narrow, and argued that ‘curriculum is what happens to students through the interaction of a teacher and a student whilst a student is a member of a group or class of students. It refers to the total experience provided to students in a class setting, formal and informal. It also includes the time outside the classroom required by teachers for activities such as preparation for classes, assessment of students’ work, and professional learning.’ MOE was unwilling to include in the definition other activities such as management, guidance and pastoral care, or additional support for students with special education needs. ‘Curriculum staffing’, it argued, was the current formula-based staffing.<sup>107</sup> The problem for PPTA with this definition was that it was not future-



focused; it deliberately excluded discussion of the wider role of the school, and it was unhelpfully circular.

Following receipt of this paper, and the first meetings of the technical groups on 16 April, General Secretary Kevin Bunker wrote to Secretary for Education Karen Sewell expressing the union's 'frustration and disappointment at what I perceive to be a lack of capacity and/or commitment on the part of the Ministry to engage with us in a constructive and meaningful way within this working party'. He said that for one of these technical meetings, PPTA staff had circulated material beforehand, but the meeting was 'an abject failure. I am advised that neither of the Ministry personnel present had sufficient knowledge or expertise to understand the technical issues and engage constructively upon them. Either that, or a strategy to stall and not engage was in place.'<sup>108</sup> Meetings of the group ground to a halt, with nothing achieved, and a high level of frustration on PPTA's part.<sup>109</sup>

### ***Qualification review group***

The Terms of Settlement for the 2004–2007 STCA included this brief sentence: 'The parties agree to undertake a review of the Qualifications Chart during the term of this Agreement.'<sup>110</sup> The Qualifications Chart grouped qualifications for salary purposes, and had last been updated in 1999.

At the time of settlement of the STCA 2004–2007, the parties had not been able to agree on the definition of the G-notations that defined salary groups, and this had proved a significant problem because of the ADR panel's decision, as issues developed about which existing Level 7 qualifications should be accepted as degree-equivalent and appropriate for secondary teaching. The purpose of the group was to ensure 'that the secondary teacher subject qualifications framework is effective in achieving goals of recruiting and retaining highly qualified and trained teachers and encouraging teachers currently in the system to improve their subject qualifications.'<sup>111</sup>

The group began work in March 2006 and set up a technical subgroup to investigate the issues and report. It scoped the range of problems, and sought assistance from NZQA, teacher education providers and the

Teachers Council.<sup>112</sup> By May, the group had agreed on a definition of an appropriate substantive non-teaching secondary teacher qualification for the purposes of entering secondary teacher education: ‘Entry to the graduate diploma (secondary) should be on the basis of a Level 7 or above qualification that supports the teaching of the New Zealand secondary curriculum from Years 7 to 13.’<sup>113</sup>

The review group aimed for final decisions to be announced at PPTA’s annual conference the same year. However, as was so often the case with the workstreams, things were not progressing well. PPTA arranged in October for the Minister to meet privately with a subset of the group of teacher education providers who met twice a year at PPTA National Office. At this meeting, providers told him that progress on resolving the issue of qualifications for entry to secondary teaching was stalled in the Ministry of Education, and causing them big problems with recruitment into certain subject areas, especially technology.<sup>114</sup>

PPTA was then asked to provide a background paper on this for the Minister. This explained that with the use of the Qualifications Framework as the reference point for Level 7, there had been a change from the traditional time-served model of qualifications to one where the levels of the Framework recognised the complexity of learning. This meant that a substantive Level 7 qualification might just as easily be a one-year 120-credit diploma with a minimum of 72 credits at Level 7 as it might be a three-year 360-credit diploma with the same 72 credits at Level 7. PPTA’s paper argued that the Ministry had not been prepared to accept this, and had only agreed, under threat of legal action, to an interim settlement (the Level 7 Agreement March 2005) to that effect until the expiry of the STCA on 30 June 2007. One of the sticking points was the ADR panel’s use of the words ‘a substantive qualification’, which the Ministry was interpreting as implying a time-served model. One of the most infuriating elements of the discussions to date, the paper said, was that while there appeared to be consensus at the technical group – including from Ministry officials – when papers went up to the overview group for this workstream, an agreed version of the report could never be produced ‘because of further intervention from Ministry officials who sought to insert a 360-credit requirement and to use the words “bachelor degree” instead of “Level 7 qualification”’.<sup>115</sup>

This paper to the Minister had the desired effect in that he instructed the Ministry to resolve the issue before April 2007. On 27 March 2007 the Ministry invited PPTA to a meeting with a senior official. At this meeting, the lower-level officials working on the Qualifications Review explained that they were working on recommendations for the Minister which would put into place exactly the position that the technical group had agreed on about a year before. Bronwyn Cross reported to Executive: ‘Judie and I had to pretend we had never heard of the ideas contained in the paper even though it was a total back down from them and virtually a re-wording of the paper we put to them!’<sup>116</sup>

Developing words to express this hard-won consensus became part of the negotiations for the 2007 STCA. The words currently in Clause 4.1.2 ‘Salary qualification groups’ of the STCA largely reflect what was finally arrived at in 2007. Note 3 describes the Issues Committee, a process agreed upon in 2007 to resolve any conflicts about categorising qualifications, and it involves NZQA, the Ministry of Education, the Teaching Council, the School Trustees Association, and PPTA.

### ***In retrospect ...***

Looking back at the workstreams process, Advocate Marion Norton commented:

All these efforts in the various workstreams did appear to grind down those of us engaged in the work. From finding that the Senior Subject Advisers were to be a charge against teachers’ salaries, through to still fighting to have qualifications recognised five years later, it was starting to feel like the beginning of the end of ‘new ways of working’. Meaningful outcomes from the workstreams were becoming distant or non-existent, as it just seemed increasingly too hard and too costly for the Ministry to continue to work this way. Nevertheless, PPTA is not dismissive of what had been possible and gained through extensive engagement by the parties over those few years.<sup>117</sup>

## **Back to the old ways – the 2007 round**

Three years of mounting frustration with the workstream process meant that this time the union was keen to make gains through the negotiations rather than rely on vague promises to talk afterwards.

In June 2006, PPTA had called Paid Union Meetings for members to discuss the workstream process to that point, and to discuss the three

proposed variations.<sup>118</sup> At that stage, responses to the process were strongly positive, with 85% of branches reporting ‘a positive initial reaction to the four workstream outcomes’ to date.<sup>119</sup>

A further round of PUMs in November 2006 elicited members’ initial thoughts about the 2007 claim. Pre-bargaining talks had also begun in early December, and appeared to be proceeding relatively smoothly, with PPTA still proposing continuation of the workstream approach in another three-year agreement, while at the same time reserving as an alternative a one-year settlement with a 7.5% pay increase and a small number of conditions improvements.<sup>120</sup>

However, by April 2007, AO Rob Willetts was advising Executive that the Association should not agree to a replication of the workstream approach in the next STCA. He wrote:

We have found that the progress of work streams has been slow and inefficient throughout except where there was an already agreed start-date for something or we were able to create pressure points. Since the 2006 May budget initiatives there has been practically no progress at all – so that is over a year now ... It has pretty much mired down in the last few months. The Ministry lacks resources and the will to engage properly and the intensification of control within the Ministry by the Industrial Relations Team over the processes as we enter formal negotiations makes productive engagement unachievable until the Agreement is settled.<sup>121</sup>

He argued that while a majority of members were still keen on long-term no-action approaches if it met their needs, an alternative to the workstreams was required if there were to be another long-term agreement.<sup>122</sup>

Executive resolved to suspend engagement with the workstreams while the STCA was renegotiated, and advise the Ministry that if a further three-year agreement was reached in the STCA round, an alternative strategic approach would have to be part of the settlement.<sup>123</sup> The Ministry had said that formal bargaining could not begin until after the May budget. In fact, the Bargaining Process Agreement, the initial step in formal bargaining, was not signed until early June, despite the fact that the 2004–2007 agreement was due to expire at the end of that month.

An offer that fell well short of the union’s expectations was received on 2 July, and the question became, ‘Are they back to their old ways?’ Marion Norton noted recently: ‘Perhaps part of this was about changes of personnel in the Ministry, perhaps not, but a difference was certainly noted.’<sup>124</sup> After three weeks of little progress, Executive suspended bargaining. PPTA

advised the Ministry that ‘It would be a waste of valuable time to continue bargaining when there is no prospect of a settlement without new initiatives from the Government on salary and the high priority areas.’<sup>125</sup> A lobbying and media campaign was initiated, and a decision made to recommend to members that PPTA stop trying to negotiate a three-year agreement and instead focus on a one-year agreement.<sup>126</sup>

PUMs were called for the two weeks from 6 to 17 August. Fact sheets focused on the government’s abandonment of the ten-year plan for improvements laid out in the MTF report, the inadequacy of its pay offer, and its failure to adequately address class size issues.<sup>127</sup> The strategy to shift focus to a one-year claim was supported by members, and it was lodged on 21 August.<sup>128</sup> Members at the PUMs had also authorised Executive to call a national ‘Day of Action’ on 12 September. This threat elicited a new three-year offer, increasing the salary steps to 4% per annum and a one-off payment of \$750, signalling that the Ministry was returning to the old ways of forcing the union to plan for industrial action before the Ministry would put decent money on the table.

The union did not accept this pay offer immediately, but called off the ‘Day of Action’ and returned to bargaining. Marion Norton remembered:

Members’ claims for this round, as in 2004, were fairly extensive, so there were still many that were unresolved at the time the improved salary offer was put on the table. While we ended up with a substantial settlement, it was hard won. It took another six weeks to gain other improvements where members had identified the greatest need, on class size. Any wording at all about class size in the collective agreement seemed to be complete anathema to the Ministry and NZSTA, but a clause about ‘endeavour’ was eventually agreed to. Again we were also focussed on the pay for middle and senior managers without flow-on to primary, as well as ongoing issues around teachers’ workload and class sizes. This time I remember that the last things we won were the 100 relief days for organisers of the national Kapa Haka competitions, and doubling paid leave to two days for a partner to be at the birth of their child!<sup>129</sup>

On 15 October 2007 Terms of Settlement for a new three-year agreement to expire on 30 June 2010 were finally agreed, with significant gains made. This included a \$750 lump sum payment for PPTA members only; salary increases of 4% per annum (PPTA’s original claim) that the Ministry had previously rejected as ‘unaffordable’; stepped increases in the payment per unit of responsibility; a new set of ‘Middle Management Allowances’ and ‘Senior Management Allowances’ on top of the existing units; an increase in the payment for Specialist Classroom Teachers, as well as payment for them to do ongoing study, and a small increase in the allocation of hours to

the SCT position in larger schools; plus an increase in the value of the Service Increment.

Reflecting the wish of the MTF that teachers be encouraged to engage in ongoing learning, there were new Study Support Grants giving recipients four hours a week for study, supplementing the existing Study Awards (which gave a full year's study leave). The pilots of medical retirement and HOD time allowance for supporting beginning teachers and sabbatical leave were firmed up as permanent provisions.

To address teacher workload, there were new clauses requiring schools to 'endeavour to provide' a Maximum Average Class Size of 26 students per teacher and an extra non-contact period for teachers with four or more units, non-contact time for part-time teachers on the larger loads (0.72 FTTE and above), 100 teacher relief days for the organisers of the national Kapa Haka competitions, and two days paid leave for a partner at the birth of their child.

The qualification groups in the Agreement were updated to reflect agreements on qualifications.

The parties also agreed to a version of the previous workstreams in a commitment to work together on a 'Future of Secondary Education project'. This was to gain agreement on the outcomes for students from education 'in a 21st century knowledge-based society and economy and to understand what needs to be in place to ensure these outcomes are achieved from a secondary schooling perspective.'<sup>130</sup>

Ratification meetings were held between 15 and 26 October, with Executive recommending ratification. The speech to the meetings noted that it was the best settlement to be had 'at the table' without significant industrial action and would leave members with some breathing space should there be a change of government at the 2008 election, and suggested that public support might wane if further industrial action was taken to improve the settlement, given that the government had met or partly met PPTA's original claim in so many areas.<sup>131</sup> The members took this advice, and the settlement was ratified.

## **Future of Secondary Education Project**

This group was part of the 2007 settlement. It was to begin early in 2008 and run to mid-2009.<sup>132</sup> The objectives of the project as stated in the STCA were:

1. To gain agreement on the outcomes for all students from education in a 21st century knowledge-based society and economy, and
2. To understand what needs to be in place to ensure these outcomes are achieved from a secondary schooling perspective.<sup>133</sup>

Included in the discussions were to be such areas as what is taught, how it is assessed; what is needed to support 21st-century education through personalisation of learning; transitions between the various stages of education; how to cater to diverse learners.<sup>134</sup>

The Policy and Advocacy team at National Office got together in early November to brainstorm a substantial list of professional and industrial issues that PPTA might try to advance through the project, including the secondary–tertiary interface, curriculum staffing, induction, professional learning, and many more.<sup>135</sup>

Executive agreed that the President and Junior Vice-President would be the union’s representatives on the group with relevant staff in attendance as technical support, as had been the case with other groups such as the Ministerial Taskforce on Secondary Teacher Remuneration.<sup>136</sup>

However, the Ministry procrastinated about establishing the group after settlement of the STCA in October 2007, and then the government changed to a National-led majority<sup>137</sup> and a new Minister of Education, Hon. Anne Tolley, and there was no progress for more than a year.

In April 2009 Secretary for Education Karen Sewell apologised to PPTA for the delay in establishing the group and explained this as being ‘due to the election’. She advised that Graeme Marshall, a former principal of Hutt Valley High School who was now a Ministry official, had been charged with getting things started, and that the new Minister had agreed to it because she saw it ‘as a commitment that needed to be honoured’. Karen Sewell expressed a wish for ‘something real to come out of it – something with practical implications’.<sup>138</sup>

At a planning meeting in May to discuss processes, the Ministry, PPTA and STA agreed to extend the membership to include representatives from secondary principals, area schools, the Correspondence School, and Māori

Medium education. Dates and discussion topics for four meetings between June and mid-August were agreed, and these were two to three weeks apart, showing an intent to do some intensive work over a short period. PPTA tried to get the group to focus not just on the four major bullet points in the STCA list of areas of focus, but also on a final bullet-point that read: ‘referral for further work on issues including staffing and other resources’. This was fobbed off by the Ministry, or as the external meeting report more politely recorded it: ‘Graeme (Marshall) assured us that both those and any other implications would be threaded throughout. Kate (President Kate Gainsford) assured the group that our members would be scouring any report looking for the “s” word.’<sup>139</sup> Despite PPTA’s best efforts, no referral for further work on staffing eventuated.

In fact, there was some confusion evident among Ministry officials at the planning meeting when the School Trustees’ Association asked if there was to be a joint report from the group, with recommendations. The PPTA meeting report notes: ‘Clearly there is a difference of approach between some members of the MOE team with comments like “We’re not looking for a joint report and the Minister is not looking for recommendations” and another saying “Reaching common ground or making recommendations is not precluded” – whereas we had indicated that we would prefer to have a joint report. The further we dug into this the more nervous we got!’<sup>140</sup>

At this stage, PPTA’s view was a mix of optimism and realism. The staff member (unnamed) who wrote the meeting report for this planning meeting wrote:

We noted afterwards that we would probably end up doing most of the work through producing papers but there would be specific pieces of MOE work that we should be asking for. We are certainly regarding the convening of this project group as an important chance to prepare the way for the next industrial round and we need to be sure of what we want out of it.<sup>141</sup>

At the first of four formal meetings, the topic was to be ‘What is taught, how is it taught and how it is assessed?’ Prior to the meeting, PPTA proposed a framework for the discussion, which included requests for relevant papers from the Ministry to be circulated prior to the meeting, and a promise that PPTA would circulate papers on various aspects. PPTA’s notes from that meeting reflect a wide-ranging discussion but there is no evidence of conclusions or recommendations. There is also no reference to any government papers having been circulated prior to the meeting. The



notes report that Graeme Marshall said the parties should expect ‘a set of notes/minutes’ as an outcome, and that ‘Between meetings will be a chance for people to send papers around’.<sup>142</sup> There does seem to have been circulation of draft milestone reports, and changes being suggested, but little indication that anything concrete would eventuate.<sup>143</sup>

The final report compresses the discussions into five pages, with no recommendations. Its conclusions state:

There is agreement that decisions about the future of secondary education should be based around the principle that the student is at the centre. Students whose needs, interests and abilities are met, who have goals, understand the pathways, and experience smooth transitions between learning environments are more likely to succeed. The challenge for the future is Government, schools, principals, and teachers providing the best possible learning environment for New Zealand students.<sup>144</sup>

It is impossible to avoid the conclusion that the Ministry’s participation was just a matter of going through the motions, and by the time the project concluded, PPTA’s attention was already turning to the 2010 STCA round.

## **Crisis politics – the 2010 round**

In August 2008, New Zealand was officially in recession, after two consecutive falls in real Gross Domestic Product. A global financial crisis was affecting the domestic economy. In July 2008, the Reserve Bank began cutting the official cash rate (OCR). In the May 2009 budget, it was clear that spending on public services, including education and health, was planned to ‘flat-line’. This was consistent with the instinct of the Key government to reduce the size of government, and the crisis provided an opportunity to justify this.<sup>145</sup> Hence the planning for the 2010 STCA round occurred in a much more difficult environment than had been the case for the previous few rounds.

In November 2009, President Kate Gainsford warned Executive that ‘there was a big fight to be faced’. She ‘felt that the membership knew they were dealing with a hostile government whose message was “no money” while saying, at the same time, that technically, the recession was over.’ She stressed the need for watertight and compelling logic about the need to invest in secondary education, but at the end of the day it was the industrial threat that would move governments and the fact that the wider community

recognised ‘the harm done when false economies are made by making cuts to education’.<sup>146</sup>

The 2007–2010 STCA was to expire on 30 June, so PUMs to endorse the claims were held in March, and bargaining was initiated on 3 May 2010.<sup>147</sup> Executive had approved the claim at its May meeting, and talks were under way by early June. An offer was received on 16 June, but after conducting a straw poll of members, PPTA wrote to the Ministry rejecting the offer ‘on the grounds that it is not fair and reasonable, nor in the long-term interest of the secondary teaching profession or of secondary schools’.<sup>148</sup>

At the Executive meeting at the end of July, Marion Norton reported that the government was ‘still running the line that they could not afford any more than they have offered’, and that they had ‘not moved an inch from where they had been a month ago’ and there was a huge amount of work to be done to get a settlement.<sup>149</sup> Paid Union Meetings were called for 24–25 August, and an industrial action plan agreed to put before these meetings, including a one-day strike on 15 September, a ban on call-back days in Term 4, a ban on meetings after 5 p.m., and rostering home in Term 4 for one day each week.<sup>150</sup> This signalled a return to traditional collective bargaining tactics, more like the 2001–2002 campaign than the two campaigns after that.<sup>151</sup>



**Members considering possible claims at Wellington Paid Union Meeting, March 2010**

However, in a sign, perhaps, of what was to come the following February, a serious earthquake (7.1 on the Richter scale) struck Christchurch in the early morning of 4 September, 11 days before the planned national strike. There was one fatality and two people seriously injured, and the Canterbury region, including schools, experienced serious disruption to buildings and infrastructure. Executive met by teleconference to consider the implications of this for the industrial action but decided that the strike would go ahead as planned except that the members in the Canterbury Region would be exempted from participating.<sup>152</sup>

Talks limped on, with no real progress for months. In mid-November, the Ministry put PPTA in the embarrassing position of having to apologise to principals for the late cancellation of one of the rostering home days, for Year 10 on Thursday, 11 November. The President wrote to principals acknowledging that a decision to rescind the action on the previous afternoon had ‘left schools, students and their families in a difficult situation’. PPTA had warned the Ministry’s negotiators that ‘any notice to rescind after a Tuesday deadline would be extremely disruptive to schools

and communities’ and that PPTA was ‘therefore most reluctant to go down that path’, but the Ministry had insisted that bargaining could not continue while such action proceeded. She described this ultimatum as ‘nonsense’, and wrote: ‘Talks can always continue, as they have in previous years in the middle of industrial action, to good effect, and just as took place last week.’ However, the Ministry’s team had conveyed that ‘ministers had issued instructions to the secretary for education that if action took place the following day, the ministry would withdraw their team and there would be no talks.’ At the same time, they had dangled a carrot in the form of a ‘promise of movement on an offer around class sizes and resourcing for staffing’. The negotiating team felt it had no choice but to announce a last-minute cancellation of the action.<sup>153</sup>

And after all that, and the criticism that PPTA had to wear from principals, it turned out that the Ministry had no real improvements to offer. The mid-November offer was 0.85% on the base scale and a \$800 lump-sum payment, plus another 1.9% from 1 August 2011. There was also to be a working group on class size. PPTA had been pushing for a class size maximum of 30 from 2012 in the STCA, but the Secretary for Education had written saying she knew how important this maximum was to PPTA, but it could not be put into either the Terms of Settlement or the STCA. Marion Norton, PPTA’s Advocate, surmised: ‘Clearly there is a political directive sitting behind this.’<sup>154</sup>

As was always the case in negotiations, the spectre of the ‘entrenchment clause’ in NZEI’s collective agreement was preventing PPTA from achieving a settlement that reflected the particular needs of secondary schools. In late November 2010, NZEI had settled its negotiations for primary teachers with 2.75% on the base scale and a \$300 lump sum. Because the entrenchment clause had remained intact in its collective, if PPTA succeeded in negotiating a higher percentage increase or lump sum for its members, this would then be passed on to primary teachers, supplementing what they had already negotiated. This meant that the government costing of the secondary settlement took into account the cost of passing it on to primary, which in the mid-November offer to secondary would be another \$5 million. Finding a way to structure a settlement to avoid the impact of entrenchment was a high priority for PPTA.<sup>155</sup>

Talks broke down once again and PUMs were scheduled for 22–24 February.<sup>156</sup> The industrial action plan to be put to members at the PUMs included a ban on any meetings<sup>157</sup> outside the hours of 8.30 a.m. to 5 p.m. on school days or at any time in the weekends and holidays, a one-day strike in March followed by resumption of rostering home, and rolling strikes beginning in Term 2.

## Earthquakes change everything

The PUMs were scheduled to start at 8.30 a.m. or 1 p.m., and last for two hours. There were too many members in Christchurch to all fit into one venue, so the branches were split across two meetings to be held on 22 February, one at 8.30 a.m. and one at 1 p.m., both in the Christchurch Town Hall. Meetings in Kaikōura and Timaru were scheduled for the same day, at 1.30 p.m.

At 12.51 p.m. on that day, a magnitude 6.3 earthquake struck Christchurch, its epicentre located about 10 km from the city centre and nearer the surface than that of the September 2010 quake. Significant liquefaction followed across Christchurch, and there were 185 deaths in total. Members had to be rapidly evacuated from the Town Hall.

Ian Hamill, a Canterbury Field Officer at the time, described being in the Town Hall when the quake struck:

I had returned to the Town Hall for the second session and gone to talk to Glennis Mehrtens (a member) while waiting for members to arrive. We were sitting in a row of seats when the earthquake occurred. Everybody knew it was a strong earthquake but you can't get under those sorts of seats for shelter so you just sit it out. The lights went out, and the bulbs in a chandelier shattered and came down like confetti. A group of teachers about 20 metres from me got up and ran for an exit when the quake stopped. There had been some screaming but then people just exited, in my case into Kilmore St with Glennis. I spoke with Robin Duff (President at the time and from Christchurch) and it was obvious that the PUM would not go ahead. I went back into the Town Hall to get my coat and then exited again. People were going in all directions and I headed back to the Christchurch Field Office but I could not find our office staff.

The streets were full of people. Lots of people may be in the city but they come and go at different times, but now they were all out on the streets at the same time. I could see collapsed buildings but some motorists were still trying to drive down Gloucester St into town.

I had been at a day course in the Wellington Office not long before this earthquake. It had lots of content but the one bit I remembered most was 'Know your way home' because you will probably have to go on foot. I did go home on foot and the streets were awash with water brought up by liquefaction and burst pipes. The easiest way was to walk in the centre of the road where there was less water and one didn't have to worry about traffic because it was virtually stationary.

Communications were out as the systems were overloaded so it took a long time to find out how people had fared.<sup>158</sup>

A number of schools in Canterbury were badly damaged. The secondary schools worst hit – those with older buildings such as Avonside Girls High, Shirley Boys High and Christchurch Girls High – also happened to be among those whose members were attending the afternoon PUM, so their students had gone home for the afternoon. It has been suggested that this is one of the reasons no students were injured at school. One student from Linwood High School died in Colombo Street, when a building fell on the bus in which he was a passenger. He was on his way home because his teachers were going to the afternoon PUM.<sup>159</sup>

The alternative secondary school, Unlimited, was based in the central city in an office block, and the students were at school when the quake struck. Executive member Jacinta Grice was told that ‘The buildings were collapsing around them. The teachers had a terrible time making sure that the kids were alright.’<sup>160</sup>

The earthquake was felt across the South Island and parts of the Lower and Central North Island. In Timaru, it felt to me, stopped at a red light, like a huge gust of wind that seemed to last a long time until I recognised it as an earthquake. When I arrived at Mountainview High School where the 1.30 p.m. PUM was held, members were in a high state of distress and struggled to attend to the matters at hand.<sup>161</sup> Miles Winter, Executive member for the Aoraki region at the time, recalls the impact of the quake:

The atmosphere as the Mountainview meeting began was a mixture of disbelief and concern as the quake had happened not long before the meeting and most people had felt it. We knew it had to have caused damage. During my presentation, a number of people were on cell phones checking the news and relaying updates to those around them. It was difficult for everyone to concentrate as many had family in Christchurch. During question time the news came through that the Cathedral spire had toppled down. That was the time when the enormity struck, that this really was major compared to the quake the previous September. As the Executive member delivering the speech, I started to feel that our matters were minor compared to the life-changing situation in Christchurch for our families and colleagues.

At the Ashburton meeting the following afternoon, many of the members were keen to get away to Christchurch as soon as they could to pick up family members who had been caught up there. Others were concerned about their own families in the Ashburton region as heavy aftershocks were happening and they did not want to be away from home and their own children too long.<sup>162</sup>

An urgent decision was taken to carry on with the PUMs on the following two days, but to assure members that Executive would take the

events in Canterbury into account in its industrial thinking. Members were asked to vote on the proposed action plan as it stood, but were also offered the opportunity to propose extra motions that took into account what had happened in Canterbury.

At that point in time, the full scale of the disaster in Canterbury had perhaps not registered with most members, and the only extra recommendation relevant to the effects of the earthquake was one carried at the Oamaru meeting the following morning: ‘That the industrial action signalled in recommendations 2 and 3 be postponed to a more appropriate time.’<sup>163</sup> This motion reflected a high state of emotion that morning. One member had confronted me on my way into the meeting and shouted that it was ‘obscene’ for the union to carry on with the PUMs after what had happened. But actually, the meeting seemed to act as support for a distressed group of members, many of whom had friends and family directly affected by the earthquake.<sup>164</sup>

There was also a flood of emails and phone calls from individual members to the President and to National Office in the days after the earthquake. Many of these were asking for the action to be called off.

## **Settlement achieved**

Executive met by teleconference on Thursday, 3 March. An Issues and Organising Seminar from 25 to 27 February in Wellington had provided a useful opportunity to test members’ opinions about the way forward following the Christchurch earthquake. On the teleconference, Advocate Marion Norton reported that some progress had been made in negotiations with the Ministry in the previous few days. Decisions were made to defer all Term One action except the meetings ban in the meantime and review the situation later in the month.<sup>165</sup> Soon afterwards, on 16 March, Terms of Settlement were agreed with the Ministry, and the union decided to recommend the settlement and hold ratification meetings.<sup>166</sup>

In a videoed speech to members to be played at the school-based ratification meetings, President Robin Duff told members: ‘It is not the settlement we were looking at last year; nor is it the settlement we were preparing to fight for before the Christchurch earthquake. It is, however, the best settlement that can be wrung out of the ministry at the table, without

further industrial action and in a context where there has been a serious national disaster that has impacted on all New Zealanders and on the economy.’<sup>167</sup>

He explained that the union had had to compromise and settle on something that would ‘put money in members’ pockets at a point where the economy is looking very fragile’, prevent any loss of conditions for the next two years, begin addressing ‘the unfairness that entrenchment has imposed on the secondary scale’, and retain collective coverage. Settlement averted the dangers, with a hostile government, around all members automatically going onto individual agreements on 1 July 2011 (one year after expiry). Duff said: ‘Given the level of vindictiveness the ministry and the government have demonstrated, and Anne Tolley’s personal crusade for performance pay and against collective conditions, the retention of the STCA as a viable document is very important.’<sup>168</sup>

The new agreement to 15 January 2013 separated trained and qualified teachers from untrained teachers into two separate scales, with percentage increases only for the trained teachers but a higher one-off payment for the untrained (\$800 versus \$300). There was a new 12-step scale for trained teachers with varying increases depending on the step. The new scale purposely applied the highest increases to the entry levels for secondary teachers with G3+, G4 and G5 qualifications (each receiving 3%), and the top steps accessible to the same three groups (receiving 2.93%). There appeared to be only 500 untrained teachers in the secondary service at the time, and government accepted this arrangement as a way of incentivising them to become fully trained and qualified. There were also stepped increases in the number of Middle Management allowances and Senior Manager Sabbaticals, further teacher relief days for teachers to attend Kapa Haka and Polyfest competitions with their students, provision for HOD Beginning Teacher Time with second-year teachers, and other minor refinements.<sup>169</sup>

Perhaps most attractive of all was that the new pay scale began to render NZEI’s entrenchment clause inoperable. Under its clause, NZEI would have to agree to the whole pay structure as negotiated by PPTA. Accepting this new pay structure would mean some of its members’ pay would actually decrease, because some of the steps were at lower rates than it had recently negotiated for its members. Most of NZEI’s members didn’t hold both a



subject-specialist qualification and a teaching qualification, so they were not G3+. If NZEI chose to refuse the pass-on, it would see the end of the unified pay scale, at least for the duration of the collective.<sup>170</sup>

To have achieved such a triumph in such difficult times was a major coup for PPTA negotiators. Before the February earthquake, they had already warned Executive that the fiscal envelope available to settle the agreement was shrinking by the day. After the earthquake, as the government began to realise the full cost of the quake, it shrank further. Getting a settlement urgently was imperative. Advocate Marion Norton recalls that ‘each time we arrived back at negotiations, we were told, almost gleefully, that each day was costing us! We worked very hard and fast with calculators and spreadsheets to gain the most benefits for our members and to break the unified pay scale.’<sup>171</sup>

The settlement was ratified by 86% of members. Marion Norton, reviewing the results, commented that one would have been unlikely to predict this level of agreement prior to the earthquake. She wrote: ‘I think we can assume several things: that Executive read members’ mood correctly, and that members have confidence in Executive decision making – and of course, that the enormity of the Christchurch earthquake has sobered nearly everyone’s thinking.’<sup>172</sup>

The Terms of Settlement included, under the heading ‘Class size’, the working group on secondary school staffing that the Ministry had offered earlier. This was couched in terms of the parties agreeing that more work was desirable to ensure staffing was ‘most appropriately delivered to schools’. The group was to be named the Secondary School Staffing Group, and would consist of the Ministry, PPTA, NZSTA and principals’ groups.<sup>173</sup> There was also agreement to set up a working group to find possible mechanisms to deliver equitable non-contact time for part-time teachers.

## **Re-entry to Christchurch office**

In a postscript to the 2011 settlement, PPTA learned that its Canterbury Field Office in Latimer Square, on the fourth floor of Latimer View House, had been irreparably damaged in the February earthquake and had been condemned. Field Office staff, having escaped with very little, were unable to access the office to retrieve personal possessions, let alone files or

equipment. Latimer Square was within the original cordon around the city centre, but permission was given by authorities for a scissor lift to be employed for three hours in mid-May to remove a window and gain access to retrieve the most important items. Volunteers were called for. (The staff who had been in the building at the time of the quake were still too traumatised to take part.)

A *PPTA News* article reported that four staff entered the building, with the help of two engineers, and found chaos in the office:

... paper was strewn everywhere, drawers of filing cabinets buckled and bent, bookshelves and equipment were hurled across the room with the force. The paperwork alone formed a layer up to half a metre thick that the team of four PPTA had to wade through. On entering the building Ian Hamill and Peter Cooke salvaged electronic items. Ian then worked to recover what he could from his office including personal items and artwork. The team retrieved a vanload of office equipment, and some of the more surprising items included a pair of glasses – they had been lying among paper on the ground but were unscratched.<sup>174</sup>





**CLOCKWISE FROM TOP LEFT: Michael Stevenson inside Latimer House; The Christchurch office recovery crew, left to right: Field Officer Ian Hamill, IT Manager Peter Cooke, journalist Kate Shuttleworth, Advisory Officer Michael Stevenson [MICHAEL STEVENSON]; Unloading from the scissor lift used for the re-entry to PPTA's Christchurch office [MICHAEL STEVENSON]**

## Qualifications issues continue

As usual, settlement of the agreement was not the end of matters, and there were ongoing disputes about interpretation. One of these was a continuation of the G3 saga which had begun ten years earlier. It centred around an unfairness which mainly applied to overseas-trained teachers, but could also apply to New Zealand teachers, and was a consequence of the separation of the pay scales into trained and untrained. These teachers had been accepted as having Level 7 subject qualifications, and the Teachers Council had set up a process to determine whether to accept their teacher education qualification as 'a recognised teaching qualification' in terms of 4.1 of the STCA.<sup>175</sup>

However, even if the Council registered them, the Ministry was refusing to recognise that in salary terms as qualifying for the G3+ group. It was demanding that these teaching qualifications also had to be approved by NZQA. This was despite the fact that PPTA had tabled a letter – obtained through an Official Information Act request – from the Ministry to NZQA

and the Teachers Council back in February 2007, stating that ‘the Teachers Council will assume the responsibility for providing assurance of the training and qualifications of overseas-trained teachers’ and that ‘I am confident that any overseas-trained teacher granted registration by the Council can be safely considered to be trained and qualified to the standards we expect’. This letter had (deliberately or accidentally) not been sent to PPTA, even though the union was a member of the Issues Committee.<sup>176</sup>

The Issues Committee met in August 2011 and there had been apparent agreement by the Ministry, so in September 2011 PPTA signed a variation that established what had been agreed at the Issues Committee, namely that the mechanism for recognising teaching qualifications was registration by the Teachers Council. However, by the end of 2011, despite the variation, it became apparent that the Ministry was still requiring evidence in addition to registration (and a separate subject-specialist qualification) to allow entry to G3+ pay. In June 2012, the union was forced to file an employment problem with the Employment Relations Authority.<sup>177</sup>

Advisory Officer Jane Benefield described subsequent events:

At the first mediation the Ministry changed tack and said that they now agreed that registration did meet the teacher education tests but then went on to argue that the registered teacher’s qualifications had to be resubmitted to NZQA so they could guarantee that there was no ‘double counting’. We saw this as simply a different approach but with the same effect – preventing secondary teachers reaching G3+.

By November 2012, we had filed in the Employment Court on behalf of a specific member who had a BSc from an English university as well as teacher registration but whom the ministry insisted was G3. After 13 days in Court and endless submissions, including presenting evidence via video conference from our witness in England, the Judge made an interim judgment on 23 July which upheld a great deal of our case and referred the parties back to the Issues Committee to see if, assisted by his judgment, we could resolve the outstanding issues.

A number (feels like 50 but nearer 6 or 7) of Issues Committee meetings have been held over the last two months and we have finally reached a satisfactory agreement on the outstanding issues, including a further proposed variation of the relevant sections of the STCA.<sup>178</sup>

This further variation was agreed by the Executive on 30 September 2013.

## **Fending off performance pay – the 2013 round**

With the Collective Agreement due to expire on 15 January 2013, preparations for this next round began well back in 2012. In fact, the

Minister (now Hekia Parata, since the 2011 election) had indicated to the President when they were together at the International Summit of the Teaching Profession in New York in March 2012 that she was interested in some kind of process, and PPTA had received a letter from the Secretary of Education encouraging PPTA to engage with such a process. However, when PPTA approached the Ministry to instigate this, it appeared not to be a serious attempt at pre-bargaining, because the people PPTA was asked to meet in March were at a low level in the industrial team rather than being people with real power as in previous pre-bargaining exercises.<sup>179</sup>

The President wrote to the Minister seeking to have the discussions elevated, and at the next meeting with Minister Parata, on 2 May 2012, she made brief reference to it, having spent most of the meeting regaling PPTA with her wide-ranging views on the education system. The meeting report comments: ‘She appeared interested in a collaborative forum but having met with her, it rather appears that her idea of collaboration is that we are to do what she thinks and as a lot of what she thinks is impractical and unworkable, that won’t be possible.’<sup>180</sup>

One worrying development that had been hinted at in the meeting with the industrial team was that staffing cuts might be lurking in the wings. One of them had asked the question, ‘Would staffing cuts derail any collaborative pre-bargaining process?’ When PPTA replied that ‘staffing cuts would be in fact a declaration of war’, he seemed puzzled that PPTA would take on a fight with the Government that had already announced cuts.<sup>181</sup> Unnoticed by the education unions, Treasury’s briefing to the incoming Minister of Finance, published, it appears, in February 2012, had suggested that work supporting quality teaching could be funded by increasing class sizes, inextricably linking the two issues of class size and teacher performance. In the summary of key policy recommendations, under the heading ‘Reform the education system to improve educational attainment at lower cost’, one of the suggested actions was ‘Implement initiatives to improve school teacher quality, funded by consolidation of the school network and increasing student/teacher ratios’.<sup>182</sup> In the detail of the briefing, this recommendation was justified as follows: ‘Increasing student/teacher ratios, and consolidation of the school network, can free up funding that could be used to support initiatives to enhance the quality of

teaching, such as more systemic use of value-add data and a more professionalised workforce.’<sup>183</sup>

However, all was eventually revealed when the 22 May Budget was announced – see Chapter 8 (in Volume Two).

In view of all this, unsurprisingly, PPTA expected a hostile round and began preparing for it. By April it had become evident that the Minister also had some thoughts about performance pay, and it appears from the briefing notes prepared for a meeting on 2 May that this interest had been stimulated by certain comments to her by principals. She was also keen to advance the workplan the Ministry had developed from the recommendations of the Education Workforce Advisory Group’s *Vision for the Teaching Profession*, which had been published in April 2010.<sup>184</sup>

PPTA’s briefing to her outlined an alternative view, emphasising that there were already elements of performance management in the collective agreements, citing attestation against professional standards and the ability to withhold increments on the pay scale where the standards were not being met; the ability to offer financial rewards to high-performing teachers through units and senior and middle management allowances; and provisions to support and reward ongoing professional learning. The briefing notes commented: ‘We note your interest in the topic and look forward to constructive discussions on the topic. We are somewhat bemused when principals speak on the topic without appearing to understand the range of rewards and sanctions that they are already charged with operating in the Secondary Teachers’ Collective Agreement.’<sup>185</sup>

## **Front-footing performance pay**

In May, Executive agreed to set up a short-term Quality Teaching Taskforce, whose role was ‘to design a strategy on teacher performance, appraisal and professional support and report to Annual Conference’.<sup>186</sup> The context for the Taskforce’s work included Michael Fullan’s ‘right and wrong drivers for the education system’.<sup>187</sup> Two wrong drivers described in the Executive decision were ‘an overemphasis on accountability and a focus on individual teacher and leadership quality at the expense of group solutions’ and two right drivers were described as ‘to invest in high-quality teacher preparation and professional development’.<sup>188</sup>

The Taskforce was asked to look at current performance management in schools and design a best-practice model and evaluate the current performance appraisal system for principals. It was also to consider the critical role and linkage of resourced professional learning and development with appraisal and the role and use of student achievement data including ‘value-added measures’ in appraisal; make recommendations on whether to move towards best-practice guidelines and/or clauses on appraisal in the STCA and ASTCA; and consider the adequacy of the provision of professional support to teachers at all stages of their careers – and any other relevant matters.<sup>189</sup>

The Quality Teaching Taskforce was a good example of PPTA front-footing a significant professional area to guard against attacks on teachers’ conditions. The advice to Executive put it this way: ‘Teacher performance, appraisal and professional support, aka quality teaching, is an area where teachers’ professional and industrial interests are deeply and importantly intertwined.’<sup>190</sup> It was no accident that the Executive members who formed the Taskforce came from its industrial and professional committees, with the addition of the Secondary Principals’ Council and the Senior Positions Taskforce. Similarly, the staff working on the project came from both the professional and industrial arms of the Policy and Advocacy team.

It was a major project over a short period. Executive had required the Taskforce ‘to consult widely’ and had empowered it ‘to invite presentations and/or submissions from any of NZTC, ERO, SPANZ, MOE, NZSTA, NZEI, TEU and political parties’.<sup>191</sup> The first meeting was held on 8 June. At that meeting, submissions were heard from the Teachers Council Director, Peter Lind, and Manager (Teacher Education) Barbara Benson. There was considerable agreement between PPTA and the Council about the way forward; however, the Council was facing a review, and when asked by a member of the Taskforce what the Council’s response might be if the government demanded a different approach, they courageously said that they would argue for what they believed was right. Perhaps this is why the Teachers Council met the fate it did.<sup>192</sup> (See Chapter 3, ‘Who leads the profession?’)

Also at that first meeting was a submission by three Ministry officials, from Education Workforce, Industrial, and TeachNZ, the Ministry’s recruitment arm. The previous day the government had announced a



reversal of the Budget staffing cuts, and as a result the officials ‘cried poor’, because the announcement would mean shifts in Vote Education. There was little substance in what the officials had to say, and at the end they delivered a warning, that PPTA’s advocacy in this area needed to present options ‘for both the current fiscal climate and for more positive conditions in the future’.<sup>193</sup>

The Taskforce had two further meetings in July, at which it heard from politicians, academics, NZEI, the Education Review Office, the Quality Public Education Coalition, and even the Maxim Institute (a right-wing think tank). Further submissions were received from the Ministry and the Teachers Council. It then turned to assembling its ideas for a report to annual conference.<sup>194</sup>

This report explained the purpose of the Taskforce as being:

... to define the profession’s case for what will promote and enhance system wide quality teaching for students. The focus is on what helps teachers be the best that they can be throughout their careers. No one cares more than teachers about making education as good as it can be, and no one knows better than teachers how to do it.

The Taskforce outlined in considerable detail what was needed to enhance quality teaching in all schools, including what needed to be in the next STCA claim.<sup>195</sup>

## **Negotiating begins**

Paid Union Meetings looking towards the 2013 claim took place in late August and early September. Claims proposed included further tweaking of the salary scale to better recognise teachers who improved their qualifications, a pay increase, a two-year term for the agreement and work groups to make improvements in career pathways and professional learning, and staffing and class-size improvements.<sup>196</sup> This was strongly supported by members and proceeded with a few minor changes and additions.

On the first day of bargaining, 42 ‘claw-backs’ (reductions in conditions) were placed on the table by the Ministry negotiators. When advised that PUMs were scheduled for November, the Ministry tabled a new offer, which failed to address any of PPTA’s claims but ‘did remove the most incendiary elements of the initial claim – maybe so the ministry could position itself in public as appearing reasonable’. Further negotiations



followed, and in the end both parties withdrew all their claims and explored arriving at just a pay increase with no claw-backs. This led to a very simple proposed settlement with minor pay increases stepped over a 29½ month term (till 30 June 2015).<sup>197</sup>

At the PUMs, Executive justified ratification on the grounds that negotiators sincerely believed there was no more money available, that the term would ‘see out the current government’, protection of conditions in ‘a political cycle that continues to be hostile towards teachers and workers in general’, low inflation and falling interest rates, and the fact that settling early would mean no lost pay. By that time, it was clear that the government’s ‘quality teaching’ agenda was mostly on hold, because other events had intervened, such as the education ‘renewal’ programme in Christchurch, the Novopay debacle (see Chapter 7), the hole in Vote Education as a result of the reversal of the staffing cuts, and the distraction presented by introducing charter schools (see Chapter 4).<sup>198</sup>

Seventy-eight per cent of members voted ‘Yes’ to ratification, although this was a percentage of barely half the membership, as returns from the branch-based process were worryingly low. A significant number of branches, both small and quite large, simply did not send in a return at all. However, the union’s rules for ratification were met, and the agreement was settled.<sup>199</sup>

This was the last collective agreement for which Marion Norton was the PPTA Advocate because she retired in August 2013. Reflecting recently on her experience of negotiations, she wrote:

My overarching view of negotiations is that they are somewhat of a charade – played out ridiculously by the MOE putting their ‘authorised bargaining agents’ at the table with no real authorisation at all. They were only authorised to hear what we had to say and ‘explore’ (God, we got sick of that word!!) the issues we raised endlessly! Real discussions were very limited because none of their negotiators had been anywhere near a school or classroom since they had left themselves. I remember being absolutely horrified when one of them had no idea at all about how units were used in schools and even where they came from. That was an eye-opener ... One of their tactics was to suddenly come back to the table after a gap between one week and another with a written ‘offer for settlement’ – usually with quite a number of our claims not even having been explored or discussed. That never worked so I don’t know quite what they thought to achieve as we always knew pretty clearly where we needed to go to get a settlement.

The other part of the charade was that they never seemed to believe us at the table – whose authority did we have, we were just making things up, we were just kidding, the members would settle for less. We always seemed to have to go back through holding PUMs and getting votes on what the MOE had offered and votes on actions the members would be prepared to take.

There was a certain flavour to how negotiations were carried out and it wasn't exactly great – it could have been so, so much better. There were glimmerings of that occasionally, but it never lasted long as the MOE returned to type. Actually I do believe it was a deliberate ploy to downplay negotiations – and ours was the opposite where it was extremely important – and high profile.<sup>200</sup>

## **NZEI accepts performance pay**

In a postscript to this settlement, in early June 2013, PPTA became aware that NZEI had agreed to include in the Primary Teachers' Collective Agreement a capped performance pay allowance. NZEI members were being asked to ratify lower pay increases on most of the steps of their scale in order to fund 800 new \$5,000 Advanced Classroom Expertise Teacher (ACET) allowances. AO Jane Benefield explained to Executive that these should not be seen in the same light as secondary's Specialist Classroom Teachers, and in fact 'could hardly be more different. While SCTs are rewarded to the value of 2 units, this remuneration is linked to the position not the person, and the positions also attract a time allowance to enable SCTs to perform their duties of induction, professional guidance and mentoring of other teaching staff'.<sup>201</sup>

Benefield warned Executive of the danger for PPTA in this NZEI decision:

So – where does this leave us? PPTA members have been adamant in opposing all forms of performance pay. However, in the past, it was NZEI's acceptance of professional standards in the PTCA that led to an inevitable final acceptance of them in the STCA and the ASTCA. Could these ACET allowances be the thin end of the wedge in empowering this government to really come after performance pay measures for secondary and area school teachers if they remain in power until the next bargaining round? There could well be pressure from primary teachers covered by the ASTCA that this allowance be included in the next round, and there could even be pressure from our own members in area schools, 7–13 schools and intermediates. When you add to this mix the implications of the review of the Teachers Council in providing a possible mechanism for the government to introduce performance pay through the back door, it is clear that the issue of performance pay is still a very real threat to both future salary claims and the unity and collegiality of the teaching profession.<sup>202</sup>

Meeting urgently on the matter, PPTA's Management Committee decided to write to NZEI to 'condemn in the strongest possible terms' its decision on the matter, and to ask the CTU National Secretary to place the issue on the agenda of the next CTU National Affiliates Council meeting.<sup>203</sup> Kevin Bunker, General Secretary at the time, told me:

I can remember the outrage being expressed at the time and it was hoped that NZEI's actions would be condemned by the affiliates. However, the CTU Secretary of the day counselled against tabling at an affiliates meeting in favour of direct dialogue with NZEI. It was left at that as previous attempts at CTU facilitated mediation had not been that productive.<sup>204</sup>

## **Unexpectedly smooth sailing – the 2015 round**

The STCA was due to expire on 30 June 2015, and at Annual Conference 2014 members were warned that without serious industrial action, it was unlikely they would be able to achieve any serious salary catch-up. At the time of writing the paper, it was not known who would win the upcoming election, but by the time conference met, members knew they faced a further three years of a National-led Government which intended to amend the Employment Relations Act with a number of anti-employee provisions such as removal of the duty to conclude bargaining, a 60-day stand-down period before bargaining could be re-initiated, deduction of pay for 'partial strikes', and removal of the automatic collective coverage of new teachers in their first 30 days.<sup>205</sup>

It had become clear that members had a decided preference for achieving a substantial salary increase over attempting to improve conditions. The government had been asserting that the recession was over, so it seemed reasonable to expect some movement on pay. Salary increases had in no way kept up with inflation over the previous five years or more. The paper proposed that the 2015 claim focus almost entirely on pay increases, and that conditions improvements be very limited. Branches would be asked to prioritise possible conditions claims, limiting themselves to those that were widely held and deeply felt, low cost, simple and strategic.<sup>206</sup>

Wider membership discussion of claims began in March 2015 and in April, a strategic and streamlined claim was approved by Executive. This included a substantial pay increase and increases on various allowances, a further attempt to achieve pro-rated non-contact time for all part-time teachers, a small increase in the number of teachers' sabbaticals, a small increase in leave to attend a partner at the time of the birth of a child (from two days to five days), and, most notably, a claim for the payment of teachers' practising certificate fees from the public purse. (By that time, the relatively democratic Teachers Council had been replaced by an Education Council whose members were all appointed by the Minister, a move that

had been strongly opposed by PPTA, and members were not of a mind to support out of their own pockets a Council over which they had no influence through elections and union nominees.)<sup>207</sup>

There was also a claim for re-wording of the coverage clause to ensure it still covered ‘manual teachers’, because some of the terminology, such as ‘approved manual training centres’ was redundant. NZSTA had been encouraging schools to put all specialist technology teachers under the primary collective, negatively affecting some of their conditions and pay.

Bargaining was initiated on 4 May and PPTA’s claim presented on 26 May. By June, AO Tom Haig was describing the bargaining as being still in its ‘phoney war’ stage. PPTA began its first major social media campaign during an industrial round. It aimed to build members’ knowledge of, and buy-in to, the claim, and to build public support for the idea that secondary teachers deserved a fair pay deal. This social media campaign sat alongside the usual mainstream media campaign. Three short videos were released online using YouTube initially, with the last one also being released on Facebook. The three videos were titled ‘What do teachers do all day?’, ‘What makes a great teacher?’ and ‘Can you solve the problem?’ The videos presented students talking about teachers. A twitter hashtag was also launched and well-used by PPTA staff, activists and allies, including some opposition politicians.<sup>208</sup>

Negotiations moved slowly, with significant delays caused by the Ministry. In July, the negotiating team recommended Executive reject the Ministry’s latest offer because there was no movement on the part-time non-contact claim, practising certificate fees, or a bargaining fee for non-members. There were, at least, no claw-backs being claimed, and there was some movement on pay, but insufficient for ratification in the judgement of the negotiators.<sup>209</sup>

Executive called for urgent branch meetings for members to consider whether they found the offer acceptable, or what elements would need to change to make it acceptable.<sup>210</sup> Members took the same view as Executive, and the negotiators were sent back to bargaining.<sup>211</sup> By early September there had been no real progress, and Executive called for regional PUMs in October to give members an opportunity to confirm their rejection of the offer and to signal the beginnings of planning for future industrial action.

The effect of this on the negotiations was significant, and on 21 September, just before Annual Conference, the negotiators advised that Terms of Settlement for a three-year agreement had been signed and recommended that the deal go to members for ratification, thus turning the October PUMs into ratification meetings. The claim for payment of Education Council practising certificate fees had finally been successful, with the Ministry agreeing to pay these directly to the Education Council from 1 November 2015 to 31 October 2018. The pay increase was improved considerably, with some backdating, the revised coverage clause now protected access to the STCA for technology teachers in primary and intermediate schools, and ten more sabbaticals had been gained.<sup>212</sup>



**Jill Gray served on STCA negotiating teams for several rounds**

Details of the proposed agreement were taken to Annual Conference, but the Minister was asked not to talk about it in her speech to conference because the wider membership had not yet been advised.

At the PUMs, 91.6% of members voted to ratify the settlement.<sup>213</sup> Jill Gray, a Hawke’s Bay Executive member who was on the negotiating team for this and many previous rounds, told me recently that this ratification vote meant that she could ‘retire on a high’ from Executive at the end of the following year, having served twelve years on Executive (2005–2016).<sup>214</sup>

Two working groups were set up as a result of this settlement, one on workload and one on supply. These met in 2016 and 2017 and are discussed elsewhere, under Staffing.

## **A round full of surprises – 2018**

On 23 September 2017, the General Election result was unclear. National had won 56 MPs and Labour 46, but New Zealand First had 9 MPs, the Greens 8, and ACT 1. The Māori Party and United Future both missed out. Winston Peters of New Zealand First had made it clear he would not be in a coalition that included the Greens. After nearly a month of behind-the-scenes negotiations, he announced on 19 October that he was forming a minority coalition government with Labour. The Greens promised confidence-and-supply, delivering a comfortable majority on crucial votes of 63 to National and ACT's 57. Jacinda Ardern became Prime Minister, and Peters Deputy Prime Minister. This changed the political context for the 2018 round.

## **Preparations**

An industrial strategy paper had been written well before the election, and was titled 'Once more unto the breach, dear friends, once more', anticipating continuation of a hostile bargaining context. It warned members to prepare for extended industrial action. This paper was discussed at the 2017 Annual Conference, which took place from 3 to 5 October, about ten days after the election but before Winston Peters had announced his decision.

A foundation for the round, in terms of supply and workload, had been laid by the two working groups set up in the previous STCA. The paper proposed claims to address these issues, such as significant pay increases to address recruitment, increases in the time allocated to units, reduction in the maximum average class size, and ongoing payment of Education Council practising certificate fees.<sup>215</sup>

Referring to the election, the paper argued that a Labour-led Government:

... will not necessarily be easy sailing for PPTA members to achieve significant pay increases either. While Andrew Little (Labour leader at the time) has spoken publicly in recent times about

workers needing to see 4% pay increases in coming years, the need to show fiscal restraint will weigh heavily. Labour has promised to run surpluses in government but has also committed significant funding in education to ensure 100% trained and qualified early childhood education teachers and to reduce class sizes.

While a Labour-led Government may not necessarily be better for PPTA in terms of winning a significant pay increase in bargaining in 2015, it would certainly provide a more favourable industrial and education climate generally. With commitments to extend the rights of workers to collectively bargain, and develop industry wide standards to form the basis of collective agreements, this is a markedly preferable option for our bargaining environment.<sup>216</sup>

The final 2018 claim was not greatly different from that outlined in the 2017 industrial strategy paper, even though it had been written with a different government in mind. It included a 15% pay rise for a one-year term, significant increases in the value of units and Middle and Senior Management allowances, increases in non-contact time for teachers with and without units, payment of practising certificate fees, an increase in the Māori Immersion Teacher Allowance, and a bargaining fee for non-members.<sup>217</sup>

Work had been done towards an effective communication strategy, with focus group research into parents' perceptions of secondary teaching in 2016, and similar research with groups of PPTA members in 2017.<sup>218</sup> The teacher focus groups involved members who had not held office nor attended any courses or conferences (as proxy for 'disengaged' members). The groups tested messages being considered for the 2018 campaign, using them as the stepping-off point for wider discussion of members' engagement with, and attitudes to, PPTA.

The research identified significant issues for the union. Some of these 'disengaged' members openly questioned the value of the organisation, but much of this seemed to come from a lack of knowledge about past achievements. It was clear that office holders in their schools were the main interface for them, and the variable quality of their interactions with them 'heavily colours PPTA impressions'.<sup>219</sup>

These members wanted a campaign that gave positive and clear messages with concrete links to their experiences as teachers, rather than overtly political or aspirational messages.<sup>220</sup> This was taken on board in development of the 'Bring out the best' theme for the 2018 campaign.

As a result of PUMs and branch discussions in June, a long list of suggested extra claims emerged for Executive to prioritise. In the end, extra claims were added for Careers advisors (money and time), removal or

amendment of the cap on short-term relievers' pay, extension of parental leave, re-wording the 'endeavour to provide' clauses to include a default compensatory mechanism, increasing the High Priority Teacher Supply Allowance, time for fixed-term unit holders in charge of subjects, increasing the Service Increment, and advocating for a working group on staffing ratios for guidance counsellors.<sup>221</sup>



**2018 STCA negotiating team (from left): Joe Hunter, Advocate Jen Dive, Doug Clark, Pōwhiri Rika-Heke, Derek Morris, Ellen Curnow, Rob Torr and Graham Smith.**

## Negotiations begin

The final claim was presented to the Ministry on 7 August, well in advance of the 31 October expiry of the current collective. A late addition was a somewhat disguised attempt to get an 'Auckland allowance', which members there had been demanding for some time. It was packaged as a 'High cost accommodation allowance' for teachers in schools where the median weekly rental price exceeded 110% of the national median weekly rental. It was capped at a maximum of \$100 a week, and would be available to teachers who were renting, or who were within the first three years of a mortgage.<sup>222</sup> This gained no traction with the Ministry, who argued:

The cost of accommodation and housing in New Zealand is complex and affects both government employees and the wider community. This is not something that can be solved in a short period of



time and we are not prepared to agree to a proposal that cannot be implemented. Further, eligibility based on the school's location rather than the teachers' is likely to further distort recruitment pressures for schools not covered by the proposal.<sup>223</sup>

## **Collaboration with NZEI**

Meanwhile, NZEI was struggling to get its primary teachers' collective agreement settled. In an unusual move, perhaps building on the experience of joint campaigning against the Global Budget proposals in 2016 (see section in To Oppose or Improve), PPTA Executive members were encouraged to attend NZEI's strike-day meetings on 15 August and speak in support of its campaign. Supplied speech notes expressed solidarity with NZEI, and referenced teacher shortages, excessive workloads, inadequate support for students with special needs, and the red tape and box-ticking that was taking teachers away from time with their students. The notes concluded: 'A decade of neglect is taking its toll on all of us – and our young people's education is suffering.'<sup>224</sup>

Melanie Webber, Junior Vice-President at the time, recalls speaking in support of NZEI at Aotea Square in Auckland:

I had lunch and a free period, so jumped on my bike from Western Springs College and sped to join them. I parked my bike up in the square and walked down to meet them. Lynda Stuart, NZEI President, called out to me, and we walked up the rest of the way together. I remember us making our way into the square, and the people just kept on coming. I have a photo of Lynda crying at the top of Queen Street – I'd dragged her out of the square to show her how the members were still filling the street.<sup>225</sup>



**Auckland Executive member Laurence Mikkelsen also attended the Auckland NZEI rally [MELANIE WEBBER]**



**NZEI rally in Auckland at which JVP Melanie Webber spoke**

STCA negotiations proceeded intensively in August and September, and an offer was received on 21 September. The union had been arguing that significant improvements in pay and workload controls were necessary to attract and retain teachers, but the negotiators reported that the Ministry team did not seem to see these as solutions to the recruitment and retention

problems facing secondary schools. Executive decided to refer this offer to the upcoming Annual Conference with a recommendation that it be rejected.<sup>226</sup>

Instead of dealing with the immediate issues, the Ministry appeared to be putting faith in the government's Education Work Programme, a three-year programme aiming 'to develop an education system that meets the needs of the 21st century, from early learning through tertiary education and beyond'.<sup>227</sup> This multi-strand programme had been launched by the incoming government earlier in 2018. One working group was tasked with developing the 'Education Workforce Strategy'. PPTA was represented on this group, along with many other sector groups. It looked very broad brush and aspirational, and unlikely to produce the kind of detailed pay and conditions improvements that the Executive and members were seeking.<sup>228</sup> In his Presidential Report to the November Executive meeting, and in the face of little progress with the STCA negotiations, President Jack Boyle wrote about the group:

Continuing to bang our heads against this brick wall has been ... well, unproductive and our patience is wearing thin. In the past few days, we have told Secretary for Education Iona Holsted that we have little faith that the Workforce Strategy will in any way help redress current or even future shortages and that we would not be attending the EWSG meeting on the 7th of November.

While we are not pulling out entirely at this point, we have questioned how 'productive' it is for leaders of peak body groups in education to attend meetings largely to write 'what attributes teachers might need in 2030' on post-it notes.<sup>229</sup>

Conference had duly rejected the offer, and regional PUMs were scheduled for 7–23 November. A further offer had been received on 6 November, but the PUMs were advised to reject this as well. While this new offer included a slight increase in pay, to 3% per annum over a three-year term, and increases in the value and number of senior and middle management allowances, it also included what was seen as a claw-back on hours of work which would have simply exacerbated teachers' workload.<sup>230</sup> Members were asked to authorise a one-day strike in Term 1, and the development of a further plan of industrial action, and they approved.

And then, on 16 November, what might have once been considered impossible occurred: PPTA's Executive attended an NZEI rally at lunchtime then met with its Executive later that day.<sup>231</sup>

The recommendations for the joint executive meeting were set out in a paper by DGS Tom Haig. They were to agree that teacher shortages undermined educational equity and opportunity for children; that the current shortages of primary and secondary teachers constituted a crisis and the government's proposals to address them were insufficient; that excessive and unproductive workload was detrimental; and that terms and conditions in collective agreements were a key mechanism to recruit and retain teachers. The two executives were to call on the government to acknowledge publicly that teachers' terms and conditions were key drivers of recruitment and retention, to urgently reduce excessive and unproductive workload, to significantly increase the value of the offers to primary and secondary teachers and principals, and to remove all claw-backs from the negotiating tables. It was also proposed that if there were no satisfactory offers before the start of Term 1, 2019, they would put in place joint campaign plans and joint actions.<sup>232</sup> These recommendations were adopted by the joint meeting.

**Jack Boyle** President 2017 to 2020



Jack joined Executive in 2013, representing Hutt Valley/Wairarapa, before becoming Junior Vice-President in 2016 then President the following year. He recalls the first joint meetings of the PPTA and NZEI Executives, first joint Paid Union Meetings and ultimately, joint industrial action, involving 70,000 educators across the country, as critical milestones of his presidency. This culminated in the settlement of collective agreements and the establishment of an Education Sector Accord between unions and government to guide future reforms and wherever possible, help to ensure co-design and co-implementation with the sector. As the achievements he is most proud of, Jack lists the establishment of a PLD fund for PPTA members, closer working

relationships with other sector groups and the policy work to establish a Māori Vice-President. In 2021 Jack took up a role at the Ministry of Education in the newly established Curriculum Centre/Te Poutāhū.

However, PPTA was not naïve about the risks ahead in joint campaigning with NZEI. DGS Tom Haig and AO Rob Willetts wrote a paper referring to possible threats in the relationship. They warned:

Cooperation with NZEI is at unusually high levels around industrial matters. While it is helpful to have NZEI taking action and operating a good campaign around supply and workload which currently support our preparations there are risks:

1. that they fold over a relatively low offer
2. that their supply pressures are resolved in the short–medium term.

The case NZEI has about primary supply has always been a little more tenuous than the secondary one. You will notice in their discussions on media that they are often talking of the fall in numbers of applicants (from 60 to 30) rather than having few applicants or not having any. There is some credibility too in the criticism raised at primary that their shortage is of experienced teachers (and that they are not as employers keen to take on young graduates). There has also been a pickup in the recruitment into ITE which seems to be all in the primary numbers.<sup>233</sup>

A third offer from the Ministry was received on 27 November 2018, along with an offer to engage in mediation. This third offer was rejected by the negotiating team.<sup>234</sup> On mediation, PPTA responded that there was still room for negotiation at the table about a range of substantive issues and the request was premature, but PPTA would engage in mediation as long as all matters that had already been raised in negotiations were able to be discussed there.<sup>235</sup>

The Ministry agreed to this, and after some further to-ing and fro-ing, mediation began on 11–12 February 2019. At the same time, branches were meeting to consider options for further industrial action in Term 1, on top of the strike day to which they had agreed at the PUMs in November. A fourth offer was received on 8 March, at a further mediation session.<sup>236</sup> This too was rejected, and at a special meeting on 9 March, Executive confirmed its plans for more industrial action in Term 2.

Setting the exact date for the Term 1 strike action approved at the PUMs the previous November proved difficult. Initially, 6 March was put forward, but Executive, at its February meeting, changed that to 3 April – discussions with NZEI over making this a joint strike having revealed that because NZEI negotiations were at a somewhat different stage, a later date in Term

1 would suit it better. A letter to NZEI inviting it to join the action on 3 April was sent.<sup>237</sup>

## **Crisis intervenes**

Then, on 15 March, the lone terrorist struck at two mosques in Christchurch, changing the context for industrial action completely. Writing two days later, Acting DGS Rob Willetts recommended that the 3 April strike day be cancelled and members be invited to consider donating some or all of their pay from the day to the Christchurch victim support fund, and that the planned ballot of members on action in Term 2 be deferred to Term 2. He reminded Executive that the 2010/11 Christchurch earthquakes had taught PPTA that an active industrial campaign ‘cannot be sustained in a situation where there is loss of life in a traumatic event’. At a time of national crisis, the wider community has little tolerance for groups pursuing other issues, the government usually receives a boost in support because it is seen to be dealing with the crisis, and members’ focus goes onto meeting student needs and their support for industrial action fades. Members’ emails and Facebook comments showed that enthusiasm for action was disappearing. The campaign should not be abandoned, but ‘What we need to do is to create clear air between the national disruption of March 15th and any decisions and steps in the campaign.’<sup>238</sup>





**Megastrike in Auckland, May 2019 – Melanie Webber centre, holding banner and in full voice**

At a hastily called Zoom meeting on 19 March, Executive supported some but not all of his recommendations. Rather than cancel the 3 April action and invite members to donate the day's pay to the victims' support fund, Executive merely suspended the strike day, with no new date set, and approved deferring branch meetings and the ballot.<sup>239</sup>



**2nd year English teacher Joe O'Conner (centre with apple placard) at Megastrike May 2019. He told PPTA News that he was striking because his students needed teachers to be available and properly paid.**

NZEI proposed that the joint day of action take place on 29 May instead. Its bargaining was still making slow progress, hampered by the government's self-imposed Budget Responsibility Rules and associated wage caps. While it hoped negotiations might pick up pace, it was pessimistic, and proposed events and meetings across the country on 29 May, while perhaps offering members in Christchurch the option of opting out.<sup>240</sup>

Finally, a successful 'megastrike' involving both unions took place on 29 May. On a Zoom meeting on 10 April, Executive had approved it along with rolling strikes between 17 and 21 June, and rostering home in weeks 6, 7, 9 and 10 of Term 2. The 29 May date was in many ways more suitable for NZEI because of the stage its negotiations were at; however, Executive decided that the power of a megastrike outweighed that consideration. It also approved electronic balloting of members to approve the action plan – a new development.

The threat of the megastrike provoked a flurry of correspondence between the Secretary for Education, Iona Holsted, and both PPTA and NZEI, seeking agreement to facilitated bargaining before 29 May. PPTA's



response was that unless the Ministry had something new to propose, it would be better to continue bargaining at the table or in mediation.<sup>241</sup> Strike notices were issued on 24 May, and the strike went ahead on 29 May.

Despite PPTA's rejection of the proposal for facilitated bargaining, the Ministry made an urgent unilateral application to the Authority. PPTA filed in opposition; however, the Authority ruled in the Ministry's favour and PPTA was going to be forced into facilitated bargaining.

## **Minister intervenes**

Before that process began, however, the Minister, Chris Hipkins, invited PPTA and NZEI to a meeting on 6 June 'in a bid to find a way through the current "impasse".'<sup>242</sup> General Secretary Michael Stevenson described the day to Executive as 'a full-on day' from 8 a.m. to 6 p.m. It involved the General Secretaries and Presidents of both unions, Minister Chris Hipkins and Associate Minister Tracey Martin for the government, and the Secretary for Education and a Deputy Secretary for the Ministry.

The government and NZEI were insistent that a unified basic pay scale must be an outcome, but at least the 25% increase on the payment for units and doubling of payment for Middle and Senior Management Allowances were not passed on to NZEI. There was agreement in principle, subject to both unions obtaining the required mandate from members, to a three-year term, a new top step of \$90,000, and various other gains.<sup>243</sup>

Consistent with a promise made the previous day, the General Secretary withdrew the strike notice that had been issued for rostering home of Year 10 students coming up in a few days' time.

Suddenly there was progress. A proposed Terms of Settlement from the Ministry was received on 13 June, for a three-year term from 1 July 2019 to 30 June 2022. But that was not the final word on the settlement. At the meeting with the Minister, there had been a proposal that to simplify the current remuneration structure, there would be New Units that would replace the Middle and Senior Management Allowances and existing units. President Jack Boyle had told Executive that under this change, everyone would be better off; however, what the Secretary for Education insisted she had said was that 'no one would be worse off'. When bargaining resumed this caused confusion, leading to an angry phone call between the Secretary

for Education and PPTA's General Secretary. However, PPTA negotiators managed to find a solution that did not include the New Units but did involve increasing the value of the existing units and allowances, to \$5,000 and \$2,000 respectively.

This resulted in some money being left over, in the order of \$12 million per year of the agreement. PPTA's General Secretary met with the Secretary for Education to determine how this might be spent, and it resulted in three extra units per school, and agreement to a Professional Learning and Development Fund of \$5 million per year for three years (see below).

On the strength of these last-minute adjustments to the package, Executive agreed to endorse it being put before members. Ratification meetings were called urgently for 24 to 28 June.<sup>244</sup>

## **Significant gains**

The settlement amounted to a 15.4% salary increase over the three years for teachers at the top of the basic scale and bigger increases for those who had G1, G2 and G3 qualifications because they were allowed to progress beyond their existing maximum steps on the scale. These increases were described as arresting the decline in relativity, while not returning teacher salaries to the relativities of the early 2000s. There were increases in the number of units and middle and senior management allowances, and the value of these, as negotiated in the final hours, was not as much as claimed, but close. There were also improvements in the Māori Immersion Teachers Allowance, Careers Advisers Allowance, and the High Priority Teacher Supply Allowance. There was a one-off lump sum payment of \$1,500, confined to union members only, plus a delay of three months in actioning the pay increases for non-members, and the Secretary for Education agreed to direct Boards not to recompense non-members for what they lost because it would exceed the provision of the Collective.<sup>245</sup>



**Education Accord signing, 11 October 2019**

There were no improvements in non-contact time except for that associated with the extra units, because this would have required extra staffing and the Ministry was insistent that it would not negotiate staffing levels through the collective agreement process. There was also no progress on a range of other issues; however, the settlement included signing up to an Education Accord at which many of these issues could be addressed. The central payment of Education Council fees was not continued in this settlement, but the government argued that the one-off payment was in some measure compensation for this.<sup>246</sup>

The Education Accord involved PPTA, NZEI and the Ministry, with an independent chairperson. Its purpose was described as to ‘transparently give effect to building a high-trust environment where the teaching profession is highly regarded, sustainable, and is fit for now and the future of learning.’ Areas that the Accord could discuss included teacher and principal workloads, future workforce requirements, wellbeing, collective agreements, and union negotiated fees.<sup>247</sup> Significantly, as part of the Accord,<sup>248</sup> PPTA members were to be given eight teacher-only days over the next three years to help prepare better for NCEA and curriculum changes, on days that the school would otherwise be open to instruction. On this, President Melanie Webber commented: The TODs being included in

the collective (via the Accord document) has caused significant issues with timing, and at times the Ministry ‘making things up’ to include in them because the materials were not available. This was exacerbated by Covid but was always going to be an issue. The timing wasn’t right for the collective, but they acted as a sweetener. Jack (Boyle, President at the time) had suggested it as a ‘great idea’ to me, and I’d said it wasn’t, but then they came out of the bunker.<sup>249</sup>

The speech at the Paid Union Meetings made it clear that Executive was recommending neither acceptance nor rejection of the offer. Members were asked to vote separately on the proposed collective agreement and on the Accord; 65% of members agreed to ratify the settlement itself, and 86% agreed to ratify the Accord.<sup>250</sup>

## **Repeal of performance appraisal**

The settlement included what might have been a major win on workload through the promised repeal of requirements for performance appraisal and auditing of 10% of practising certificate renewals, but this was not in the end such a big win. This change came about as a result of the discussions on 6 June, when both the Minister and the Secretary for Education said that they thought appraisal was ‘a waste of time’, and they were comfortable with simply removing it from the legislation and having nothing in its place. They said, ‘Just talk to each other, have what we would call professional conversations.’<sup>251</sup>

Advice in *PPTA News* in November 2019 presented the promised abolition of performance appraisal requirements as ‘a key workload reduction win’ from the 2019 settlement. It advised members that the law was expected to be amended by mid-2020, but in the meantime it was ‘Time to wind down appraisal processes in anticipation of the law change’. Members were told that there was ‘already no requirement for onerous items like inquiry or portfolios of evidence’, citing the Teaching Council’s position as being a reliance on the opinion of professional teachers, not paperwork. It suggested teachers instead have at least two professional conversations with each other a year, undertake an annual lesson observation, engage in reflective practice (without defining this), do some professional learning and development, and keep some brief documentation

of all this. This appears to have been an interim position until the legislative requirement was actually removed.<sup>252</sup>

Unfortunately, the President at the time, Jack Boyle, and some key staff at PPTA became concerned that just telling schools ‘appraisal is now gone’ would not result in its complete removal, but that instead, principals would fill the void with something unless a replacement was suggested. This led to the development of a ‘professional growth cycle’, which some members have asserted is ‘just appraisal by another name’ and for which they have blamed the union.<sup>253</sup>

The Teaching Council ostensibly supported the repeal but was concerned to still ensure that teachers met its standards – on which renewal of practising certificates was based. The Council took the initiative in developing the idea of replacing appraisal with a Professional Growth Cycle (PGC), and between mid-2019 and mid-2020 a cross-sector group including PPTA, NZEI, various principals’ groups, NZSTA and others worked on its implementation. In August 2020, the Council wrote to all teachers acknowledging that appraisal ‘had become over engineered and the compliance activity was onerous’ and that it didn’t always show value. It claimed that ‘A Professional Growth Cycle is intended to capitalise on the authentic learning collaborations between teachers that are likely to already be in place. The removal of performance appraisal will enhance the status of these collaborations and the role they play in supporting teachers’ professional growth.’<sup>254</sup>

Issues around control of the process came to a head in November/December 2020, when PPTA received a letter from the Teaching Council criticising the resources on the PPTA website supporting the Professional Growth Cycle. PPTA’s response criticised the Council for not consulting adequately about its own advice before publication, expressed concern that schools would simply rename their appraisal systems as Professional Growth Cycles and carry on as before, and stated that it was important to provide clear guidance about what a high-trust model looked like. The PPTA material had been designed with the input of teachers, SPC and the Āpiha Māori, who had agreed that guidance was needed as to what an ‘opportunity to discuss and receive feedback’ looks like in a high-trust environment. PPTA wrote: ‘This decision was reinforced by a principal who attended a Council meeting on the PGC, and said that “it was very vague in

this area”.<sup>255</sup> The Council’s reply cited the work of its reference group, and PPTA’s participation in it, but the issue – as was so often the case with the various registration bodies – appears to have been that the Council was preparing material for the whole sector, from early childhood to upper secondary, whereas PPTA was focused on designing materials that worked in secondary schools.<sup>256</sup>



**Manawatū-Whanganui Regional Action Day Term 4 2020, members discuss how to make the professional growth cycle manageable**

## **The PLD Fund**

As a result of the last-minute negotiations between the Secretary for Education and PPTA’s General Secretary, the Terms of Settlement signed by both parties on 13 June also contained the words ‘From the commencement of the 2020 school year there will be a Fund of \$5 million per annum for the purposes of secondary school teachers’ professional development. A Memorandum of Understanding will be developed and agreed between the parties that describe the purpose, application criteria and process to access the Fund.’ In the aftermath of the signing, PPTA staff worked hard to develop a Memorandum of Agreement, including a description of proposed PLD activities to be funded, to put to the Ministry for signing. The goal was to get the fund under PPTA’s control, notwithstanding that it was subject to the Public Finance Act.<sup>257</sup>





**General Secretary Michael Stevenson signs the Memorandum of Understanding for the PLD Fund**

It took till 28 August for the PLD Fund contract between the Ministry and PPTA to be signed. The agreement had the end date of the Fund as 30 June 2022, to coincide with the expiry of the STCA; however, there was a further clause, ‘The parties intend that this Agreement will be extended for a further three years from 1 July 2022.’ PPTA had control of allocation of the fund, subject to adherence to Ministry priorities and policies. The union established a new position to coordinate administration and use of the fund, and set up a separate accounting system to manage the quite substantial funds involved.

General Secretary Michael Stevenson commented: ‘I couldn’t believe my luck with the PLD Fund. It’s made a huge difference to our revenue streams and means we can do a lot more for members. Better than an extra lump sum, I feel, as a big chunk of that would just go in tax. I would have loved pro rata non-contact though.’<sup>258</sup>

## **Implementation issues**

Implementation of the agreement did not go smoothly. There were technical issues with the Lump Sum payment to teachers in day relieving positions, who were entitled to a pro rata payment. Many weeks of staff time were spent trying to resolve these issues for individuals and groups of teachers. There were also delays in payment of the new rates, which the Ministry argued was caused by the new Primary Teachers' agreement having also been agreed, meaning 50,000 or so teachers' pay rates had to be adjusted.<sup>259</sup> The Ministry advised PPTA that new pay rates would be implemented on 13 September, which it admitted was longer than the standard six weeks from ratification.



**The final straw in a fraught campaign – having to wait longer than usual to be paid the new rates**

NZEI was experiencing the same problem, and on 19 July the two unions filed a joint claim in the Employment Relations Authority alleging the Ministry was not meeting its obligations under the Wages Protection Act 1983. The matter was referred to mediation, and after two days of mediation, on 3 and 10 September, there was no resolution and the unions agreed to proceed to court.

By this time, of course, the pay was about to be implemented on the Ministry's timetable, and on 20 September the Secretary for Education wrote to PPTA General Secretary Michael Stevenson, copied to Paul Goulter at NZEI. She wrote: 'As I have mentioned previously, the Ministry



has no interest and gains no benefit in delaying the payment of new rates to teachers. We addressed this issue promptly and provided additional resources to Education Payroll Limited (EPL), so that payroll changes could be put in place as quickly as possible, while ensuring that EPL had the time to get it right. The Ministry wanted your members to receive these entitlements as soon as possible but we also have to balance that with our responsibility to ensure accuracy, to avoid errors, additional work and inconvenience to your members.’<sup>260</sup>

The Secretary offered to engage in discussions with PPTA about the payroll system, if it was felt that ‘more openness and transparency about how it operates and gaining a better understanding of the technical aspects of it will assist you in your dealings with members’.<sup>261</sup>

## **Echoes of 2000–2002 – the 2022 round**

### **Preparations**

The 2019 Collective Agreement was another three-year agreement, expiring on 30 June 2022, and as usual, PPTA began planning for the 2022 round about a year before expiry. In a paper to Executive in May 2021, staff tried to predict the context in which the round would occur. At that stage, they were able to say that New Zealand’s economy had so far survived the onslaught of the Covid-19 pandemic in good shape, despite or perhaps because of high levels of government spending to soften the impacts on people and the economy. Shortages, always useful in arguing for improved pay and conditions, were on a rising trend and expected to peak in secondary in 2025.<sup>262</sup>

In the Education Accord document, PPTA and NZEI had agreed that ‘A joint pre-bargaining process ... will begin four months before the expiry of the first collective agreement to discuss the UPS (unified pay scale) and any other matter relating to bargaining.’<sup>263</sup> This pre-bargaining process, with its origins in the ‘Skyline process’ instituted in the 2004 round, would be different this time, staff warned, because NZEI was to be part of the process. It was expected to begin in March and April 2022, and Executive was warned to be ‘realistic in our expectations for these meetings, given recent pay restraint announcements from Ministers Robertson and Hipkins,

combined with low to no stomach for a pay fight from NZEI after their 18.5% gain on TBS (Top of Basic Scale) in 2019'.<sup>264</sup>

An Industrial Strategy paper was written for Annual Conference 2021 but had to be withdrawn because of Covid lockdowns that resulted in the Conference becoming just an AGM, held by Webinar on the afternoon of 5 October. The paper, along with others prepared for the conference, was instead presented at the Issues and Organising Seminar held on 5 March 2022. Because of Covid, this seminar was also held by Webinar.

The paper discussed a range of unpredictable elements that could influence how the 2022 round went. These were economic and health uncertainties (because of the pandemic), the political environment, public attitudes to public sector workers, early negotiations by other public sector unions, and membership expectations. Conversely, there was more certainty that workload and wellbeing would loom large because the Accord process had failed to produce any significant reduction of workloads, but also because of the additional stresses and pressures caused by the Covid environment. 'Wellbeing is inextricably linked with working conditions and is an area that has been recognised as a priority for negotiations within the public services guidelines.'<sup>265</sup>

The teacher supply situation was mixed, the paper reported, using data from PPTA's March 2021 staffing survey. While recruitment of overseas teachers was greatly reduced, fewer teachers had left to go overseas and resignations were lower than usual. The loss of fee-paying students had created some spare capacity in some schools, but the number of relievers available to schools had fallen, which was 'an early warning sign of building supply pressures'. Retirements continued to be the major reason for resignation.<sup>266</sup>

The industrial strategy paper was presented at the seminar alongside a paper titled 'Revisiting our vision for education', which had also originally been written for the 2021 Annual Conference. This paper was intended to be a frame within which to present the 2022 collective agreement claims. The vision was described as 'a synthesis of what was most widely felt and deeply held when we asked members what their aspirations for the teaching profession are.' As might be expected from such an exercise, it was highly aspirational, setting out what teaching and learning should be like, what in the current system needed to be kept and what needed to be changed.<sup>267</sup>

A ‘pre-pre-bargaining’ meeting with the Ministry and NZEI took place in February 2022, as required by the Accord. The parties agreed on some process matters for pre-bargaining meetings.<sup>268</sup> These eventually happened on 6 April, 4 May and 18 May, but they appear to have been short Zoom meetings, and not nearly as productive as Skyline meetings in previous rounds which involved just PPTA and the Ministry.<sup>269</sup>

A long list of potential claims for consideration by members was approved by Executive in March, and after various refinements these became the claim.<sup>270</sup> Besides salary claims, there were many conditions claims, including Community Liaison roles ‘for teachers working with Māori and Pasifika communities and students and providing cultural leadership and education in schools’; recognition of teachers who are ‘Matatau ki te reo Māori me ōna tikanga’ (largely in English Medium settings, highly skilled in Māori language and culture and with responsibilities in the classroom and community but not receiving the Māori Teacher Immersion Allowance); time allowances for teachers involved in guidance and pastoral care; revision of the hours of work and leave provisions to make them compliant with legislation; pro-rated non-contact time for all part-time teachers; continuation of the PLD fund; and payment of Teaching Council fees.<sup>271</sup>

## **Negotiations begin**

Bargaining for the 2022 round was initiated on 2 May 2022.<sup>272</sup> The claim itself was presented on 6 July 2022 but negotiations proceeded slowly. A negotiations update presented to Annual Conference 4–6 October had little progress to report. On 26 October, PPTA finally received the Ministry’s initial offer, which it described as ‘PSPA offer’ (Public Sector Pay Adjustment) but was not exactly that, but rather a two-year offer with a flat rate of \$4,000 on all salary steps from signing the agreement, and \$2,000 on all rates 12 months later. Two claims were met or partially met, but there were many major omissions. At its November meeting, Executive rejected this offer, established its bottom lines for what needed to be in a settlement, and also formalised recommendations to PUMs later that month, including a one-day strike in Term 1, 2023 and a ban on members doing relief for other teachers, and consultation early in 2023 on further industrial action.<sup>273</sup>

The November 2022 PUMs strongly supported Executive’s recommendations, with 99% endorsing the rejection of the pay offer.<sup>274</sup> In late January 2023, the industrial team reported that two further rounds of negotiations since the PUMs had not produced an improved offer, and that therefore the proposed strike for both secondary and area school members should go ahead on 16 March. This decision was independent of NZEI.<sup>275</sup> On Thursday, 9 March, NZEI announced that it would be joining the action on 16 March. This would involve teachers and principals in primary and area school, and kindergarten teachers.<sup>276</sup> At the same time, PPTA announced that its area school principal members would also join the megastrike. (Only the secondary school principals’ agreement had been settled at that point.)



**Dunedin members set out from First Church for the Megastrike, 16 March 2023**



**PPTA and NZEI members on Megastrike, Palmerston North, 16 March 2023**

However, the March 16 2023 megastrike still did not produce a settlement. Once again, a major crisis – in this case a series of disastrous weather events across many regions of the North Island during January and February, leaving the government facing unexpected demands on the economy – was making negotiating complex. In early March, the Ministry requested mediation, and PPTA agreed, but no further formal offers for settlement eventuated. Industrial action continued. The Ministry then sought facilitation, and the Employment Relations Authority directed the union to engage with this. It resulted in an offer on 3 May which was overwhelmingly rejected by PTA members. Further negotiations during a temporary suspension of industrial action led to another offer on 30 May, which again was overwhelmingly rejected by members. Industrial action was ramped up to include rostering home and a one-day rolling strike.

Finally, echoing the way that the 2000–2002 claim was settled, members at PUMs at the end of June supported resorting to arbitration. The process began in early July, with parties presenting written and oral submissions to the panel chaired by former High Court Justice Kit Toogood, with Craig Renney (CTU economist) and Tracey Martin (former NZ First MP and education spokesperson). All industrial action was suspended. The panel's final recommendations were released on 27 July and approved in their entirety by Cabinet on 2 August. Members overwhelmingly supported ratification, and a new agreement, dated 3 July 2022 to 2 July 2025, was signed on 9 August.<sup>277</sup>





**Otago Executive member Joe Hunter speaking at the Dunedin megastrike rally, 16 March 2023**

Acting President Chris Abercrombie told members that while the settlement was not perfect, it was significantly better than earlier offers. ‘That is all down to your persistence and your insistence on an offer that was worthy of you,’ he wrote. The settlement would take the top of the basic pay scale to \$103,000 by the end of 2024, a 14.5% increase. There was a lump sum for everyone of \$5,000, equivalent to backpay to July 2023, plus, for PPTA members only, a further \$1500 and an additional \$710 to recompense teachers for the cost of renewing their Teaching Council certification. (Beginning teachers’ costs to reach full registration were to be covered directly by payment from the Ministry to the Teaching Council.) 1,340 pastoral care allowances of 0.25 FTTE would be introduced to recognise the workload engendered by increasing student needs, especially post-Covid. Guaranteed pro-rated non-contact time for part-time teachers was finally achieved, to be implemented from January 2025. (The union conceded that this would replace the 11% salary loading part-time teachers had received.) The PLD Fund, managed by PPTA in the previous three years, would continue for the term of the agreement. There were other gains as well, such as a small increase in the pay rate for relief teachers, an increase in Māori Immersion Teacher Allowances, a new Pacific Bilingual

Immersion Allowance, a trial of 335 cultural liaison positions recognised with both money and time, an increase in sick leave, and improvements in provisions about teachers' hours of work.<sup>278</sup>

## Final words

Over the eight bargaining rounds discussed here, PPTA has shown itself to be a very successful negotiator with significant achievements made over the years. The negotiating process requires large amounts of patience, with some members sitting in on sessions describing it in terms such as 'watching paint dry'. It also requires a lot of backroom work on spreadsheets trying to find different ways to work the numbers to achieve a settlement, and the willingness to take the claims that have been won and pocket the losses to revisit another time. But most of all, it requires a committed and loyal membership who can be relied upon to exert pressure by acting collectively and decisively when all else fails, and PPTA's membership has demonstrated this capacity many times over the years.

- 1 For example, natural disasters like the Christchurch earthquake in 2011, global events like the Global Financial Crisis (2007–2008), or the major weather events of early 2023.
- 2 Grant, D. (2003).
- 3 PPTA (2002). Teachers' and Principals' Collective Agreement Report, presented at Annual Conference, 24–26 September, 2002. PPTA files, AA2/10/7.
- 4 Ibid.
- 5 Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, November 2003. PPTA files, IPM3/1/9.
- 6 The qualifications chart describing salary groups for secondary teachers, G1, G2 and G3, emerged from the codification process in 1988 which followed the passing of the Labour Relations Act which meant that the old 'Green Manuals' that had determined such things had to be translated into industrial agreements.
- 7 Grant, D. (2003).
- 8 This clause enabled NZEI to claim for its members any salary gains negotiated by PPTA for its own members, meaning that the government budgeted the cost of any settlement proposal to PPTA as costing three times the amount it would cost if it were paid to secondary teachers only.
- 9 Alternative Disputes Resolution Panel (2002). Final recommendations for the settlement of the Secondary Teachers' Collective Agreement, 19 August 2002. PPTA files, IPM 3/1/7.

- 10 PPTA (2002). Fax from Bronwyn Cross to a member at Taradale High School, 29 August 2002. PPTA files, IPM3/1/8.
- 11 Penney Dunckley (personal communication, 2 August 2022).
- 12 PPTA (2003). General Secretary's report to Executive, 12 February 2003. PPTA files, Circular HX03/28.
- 13 Judie Alison (author's recollection as a staff member working on getting teachers to G3+).
- 14 Alternative Disputes Resolution Panel (2002). Final recommendations for the settlement of the Secondary Teachers' Collective Agreement, 19 August 2002. PPTA files, IPM 3/1/7.
- 15 Scoop (2003, 6 March).
- 16 PPTA (2003). Submission to Ministerial Taskforce on Secondary Teacher Remuneration. G3 Equivalence: Teachers in specialist subjects/curriculum areas. PPTA files, IPM03/01/09.
- 17 Ibid.
- 18 Ibid.
- 19 Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, November 2003. PPTA files, IPM3/1/9.
- 20 PPTA (2003). Minutes of Annual Conference, 23–25 September 2003. PPTA files, Circular HC/03/069.
- 21 Judie Alison (author's recollection as a member of the Working Party).
- 22 Ibid.
- 23 PPTA (2004). Email from General Secretary Kevin Bunker to Chris Hipkins, adviser to Minister Mallard, 5 April 2004. PPTA files, IPM3/1/12.
- 24 PPTA (2004). Email to Minister's office, 5 April 2004. PPTA files, IPM 3/1/12.
- 25 MOE (2004). Letter from Chris Collins (MOE) to Kevin Bunker (PPTA), 8 April 2004. PPTA files, IPM3/1/12.
- 26 PPTA (2004). Finding Your Way to a NZ Diploma in Specialist Subjects (Secondary Teacher), 17 May 2004. PPTA files, IPM3/1/12.
- 27 Debbie Te Whaiti (interview, 13 November 2022).
- 28 PPTA (2004). Letter from Bronwyn Cross (PPTA) to Chris Collins (MOE) 30 June 2004. PPTA files, IPM3/1/12.
- 29 PPTA (2004). Letter to member, 14/12/04. PPTA files, IPM3/1/12.
- 30 Penney's comment about her work on NCEA relates to her being a longstanding member of CAC and representative on the Leaders' Forum – see NCEA section in Chapter 11, 'A strategic approach to professional issues' (in Volume Two).
- 31 Penney Dunckley (personal communication, 2 August 2022).
- 32 PPTA (2005). Letter from President to Secretary for Education Howard Fancy, 30 August 2005. PPTA files, IPM03/1/12.
- 33 PPTA (2005). Minutes of Special Executive Meeting, 30 August 2005. PPTA files, MX05/10/02. He Tohu Matauranga ACE referred to teachers who had been attested by a marae Komiti to have the language and cultural competence to qualify for Tohu Mātauranga mō te ao Māori, which had, until the ADR Panel



decision, qualified as at G3 level for entry to a one-year Te Atakura teaching qualification at Auckland College of Education (ACE).

- 34 PPTA (2005). External meeting report, meeting with Howard Fancy, 14 September 2005. PPTA files, IPM03/1/12.
- 35 MOE (2005). Report of the G3+ Project Group, 23 December 2005, p. 7. PPTA files, IPM03/1/17.
- 36 Ibid., pp. 6–7.
- 37 Ibid., p.7.
- 38 Judie Alison (author’s recollection as a member of the G3+ Project Group).
- 39 PPTA (2007). Letter from Robin Duff (PPTA) to Chris Collins (MOE), 1 February 2007. PPTA files, IPM3/1/17.
- 40 PPTA (2006). Variation of the STCA and ASTCA, 2 May 2006. PPTA files, HX06/028.
- 41 UC Education Plus (2008). Letter from Peter Allen (UC Education Plus) to PPTA Field Officers, 8 July 2008. PPTA files, IPM 3/1/17.
- 42 Bronwyn Cross (personal communication, 10 October 2022).
- 43 PPTA (2005). Agreement on Level 7 qualifications, 14 March 2005, signed by Marion Norton (PPTA) and Chris Collins (MOE). PPTA files, IPM03/15.
- 44 PPTA (2005). Letter to member, 17 March 2005. PPTA files, IPM 03/1/08.
- 45 Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, p. 4. PPTA files, IPM3/1/.
- 46 Ibid., p. 3.
- 47 Ibid., pp. 46–9.
- 48 PPTA (2003). Letter from General Secretary Kevin Bunker to Secretary for Education Howard Fancy, 28 July 2003. PPTA files, ER4/4.
- 49 Phil Smith (interview, 25 August 2022).
- 50 Judie Alison (author’s recollection).
- 51 PPTA (2003). General Secretary’s report to November 2003 Executive meeting. PPTA files, HX03/166.
- 52 Ibid.
- 53 PPTA (2003). Minutes of Executive meeting, 20–22 November 2003. PPTA files, MX03/15.
- 54 PPTA (2004). Minutes of Executive meeting, 29 April to 1 May 2004. PPTA files, MX04/09.
- 55 PPTA (2004). Letter to Chris Collins, Ministry of Education, from General Secretary Kevin Bunker, 4 May 2004. PPTA files, IPM 3/15.
- 56 PPTA (2004). General Secretary’s report to Executive, 14 July 2004. PPTA files, HX04/079.
- 57 Marion Norton (personal communication, 8 June 2022).
- 58 PPTA (2004). 04-09-16 Conference summary, for Annual Conference 21–23 September 2004. PPTA files, IPM3/15.
- 59 Marion Norton (personal communication, 8 June 2022).

- 60 PPTA (2004). 04-09-16 Conference summary, for Annual Conference 21–23 September 2004. PPTA files, IPM3/15.
- 61 Marion Norton (personal communication, 8 June 2022).
- 62 Ibid.
- 63 MOE, PPTA and STA (2006). Report on progress to date of the Secondary Longer Term Work Programme, December 2006. PPTA files, IPM31/9.
- 64 PPTA (2004). Plans for Cross-Tasman quality teaching forum firm up, 8 November 2004. PPTA files, HX04/140.
- 65 ACSA, PPTA and NZEI (2005). *Quality Teachers, Quality Teaching*. Final report, May 2005 Melbourne Forum. PPTA files, ER17/2005 ACSA/NZEI/PPTA Quality Teachers Forum.
- 66 PPTA (2005). Melbourne Forum follow-up meeting, 4 July 2005. PPTA files, HI05/108.
- 67 Judie Alison (author's recollection as a member of the PPTA team for the workstreams).
- 68 PPTA (2005). Minutes of Executive meeting, 24–26 November 2005. PPTA files, MX05/18.
- 69 PPTA (2005). General Secretary's report, 23 November 2005. PPTA files, HX05/139.
- 70 MOE, PPTA and STA (2006). Report on progress to date of the Secondary Longer Term Work Programme, December 2006, p. 7. PPTA files, IPM31/9.
- 71 Ibid., p. 24.
- 72 MOE, PPTA and STA (2005). Introduction of the Specialist Classroom Teacher (SCT) Scheme in Secondary Schools in 2006. PPTA files, IPM31/2/1.
- 73 PPTA (2006). Letters from PPTA President Debbie Te Whaiti to Deputy Secretary Rob McIntosh, 16 August 2006 and from SPC Chair Don McLeod to Minister Steve Maharey, 24 August 2006. PPTA files, IPM31/2/1.
- 74 Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, p. 21. PPTA files, IPM3/1/9.
- 75 Ibid., p. 28.
- 76 Judie Alison (author's recollection as a PPTA representative on the Career Pathways workstream).
- 77 Judie Alison (author's recollection as participant in these discussions).
- 78 PPTA (2005). Meeting with group of moderators, 24 June 2005. PPTA files, HX05/067.
- 79 PPTA (2005). Moderation Advisory Service, updated 18-08-05. PPTA files, EI2/12/6/2005.
- 80 MOE (2005). Memorandum to Steering Group from Career Pathways Workstream, 20-12-05. Draft only in files. IPM31/2/2.
- 81 PPTA (2006). Draft final proposal: senior subject advisor (SSA) pilot for 2007. PPTA files, HI06/056.
- 82 PPTA (2006). Senior Subject Advisers Meeting, 30 June 2006. PPTA files, HI06/106.

- 83** PPTA (2007). 2007 Speech Notes, Paid Union Meetings August 6th to 17th. PPTA files, IPM3/11/13/2007.
- 84** Judie Alison (author's recollection).
- 85** Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, p. 40. PPTA files, IPM3/1/9.
- 86** MOE, PPTA and STA (2006). Report of the exit provisions workstream, Part 1, 21 April 2006. PPTA files, IPM31/05.
- 87** The current five hours non-contact came in from 2006, as a consequence of the 2004 STCA settlement.
- 88** Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, pp. 42–4. PPTA files, IPM3/1/9.
- 89** Ingvarson et al. (2005). See also:  
<https://www.educationcounts.govt.nz/publications/schooling/11853>
- 90** MOE, PPTA and STA (2006). Report on progress to date of the Secondary Longer Term Work Programme, December 2006. PPTA files, IPM31/9.
- 91** MOE (2006). Report to the Minister of Education from the Secondary Longer Term Work Programme Steering Group, 5 May 2006. PPTA files, IPM31/09.
- 92** MOE, PPTA and STA (2006). Report on progress to date of the Secondary Longer Term Work Programme, December 2006, p. 16. PPTA files, IPM31/9.
- 93** PPTA (2006). Dealing with 'the MOB': Ongoing discussions about professional learning and quality teaching, 17 August 2006. PPTA files, HX06/165.
- 94** Ibid.
- 95** PPTA (2007). Meeting with providers of advanced qualifications, 22 May 2007. PPTA files, HX07/078.
- 96** PPTA (2007). *An advanced qualifications pathway for secondary teachers*. Paper presented to Annual Conference 2007. PPTA files, AA10/16.
- 97** MOE, PPTA and STA (2006). Report on progress to date of the Secondary Longer Term Work Programme, December 2006, p. 17. PPTA files, IPM31/9.
- 98** Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, p. 44. PPTA files, IPM3/1/9.
- 99** That is, staff rest rooms; student-free zones; lack of offices, desks or secure workspaces.
- 100** MOE, PPTA and NZSTA (2006). Report on progress to date of the Secondary Longer Term Work Programme, December 2006, p. 19. PPTA files, IPM31/9.
- 101** PPTA staff later managed to find some international research.
- 102** PPTA (2006). External meeting report 22 March 2006, Work Environment meeting. PPTA files, IPM31/06/06.
- 103** PPTA (2006). Letter from Bronwyn Cross, Deputy General Secretary, to Karen Sewell, ERO Chief Review Officer, 20 June 2006. PPTA files, IPM31/06/06.
- 104** Judie Alison (author's recollection of discussions with ERO about proposals for reports).
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### Area Schools Teachers' negotiations

#### Introduction

The coverage of the Area School Teachers' Collective Agreement (ASTCA) is described as 'teachers (excluding principals) employed in area schools and RTLB (Resource Teachers of Learning and Behaviour) referred to in clause 1.3.2(c)'.<sup>1</sup> The Ministry of Education's website explains that there are a number of school types in New Zealand, including both Area Schools and Composite Schools. The difference between the two is that, while an area school is a state school that offers primary, intermediate and secondary education in one school, a composite school offers 'some combination of primary, intermediate and secondary education at one school, and may be a state, state-integrated, or designated character school'. This means, for example, that a Year 7–10 junior high is deemed to be a 'restricted composite' school, whereas a Year 7–13 school would be deemed to be a secondary school. A Kura Kaupapa Māori school would be an example of a 'designated character school'.<sup>2</sup>

For most of the twenty years covered in this history, an individual teacher in an area school has been able to belong to either PPTA or NZEI, although usually teachers who have come from secondary schools retain their membership in PPTA, and teachers who have come from primary or intermediate schools stay with NZEI. The negotiating team for the ASTCA normally includes staff and members from both unions.

Over the years covered by this history, there have been times of frustration for PPTA's area school members because their negotiations have seemed like 'poor relations' to the negotiation of the STCA, coming after them and not necessarily achieving equivalent conditions. Aligning the terms and the pay and conditions of all three teachers' agreements, the STCA, the PTCA and the ASTCA, can be seen as one of the achievements of the 2019 negotiating round

## **Trouble with NZEI starts – ASTCA 2002–2004**

While the secondary teachers' agreement had expired in 2000 and PPTA was struggling to achieve an acceptable settlement of a new collective, the ASTCA expired later, in April 2001. This was a dangerous situation for area school members because the government was usually reluctant to settle the ASTCA before it was clear about the likely direction of both the primary and secondary teachers' collectives. By August 2001, primary teachers had settled their agreement, but secondary was still struggling to get a settlement. PPTA and NZEI were worried about area school teachers ending up on individual agreements while secondary battled it out with government. As a solution, a new short-term agreement (from 28 August to 28 October 2001) which was essentially a rollover of existing pay and conditions was negotiated in order to keep area school teachers under collective coverage until 28 October 2002 (because of the year's grace given under employment law).

In March 2002, President Jen McCutcheon wrote to PPTA's area school members telling them that whereas NZEI's Area Schools reference group wanted to urgently negotiate a new ASTCA, PPTA's own advisory committee, after consulting widely with area school members, 'would prefer to stand by their secondary colleagues and rejected the proposal'. She thanked members on behalf of their secondary colleagues for this show of support and assured them that Executive was determined that any non-contact guarantees won by secondary teachers must be replicated in area schools. She recognised they were overworked, and this was often compounded by the small size of the school.<sup>3</sup>

By the middle of 2002, a new ASTCA was settled, but this was prior to the agreement to set up an Alternative Disputes Resolution panel for secondary. The area school agreement ran from 28 June 2002 to 30 June 2004, expiring on the same date as the secondary agreement. Not all area school teachers were comfortable with being separated in this way from the fight for a new secondary agreement. DGS Bronwyn Cross wrote to them on 13 August acknowledging this 'unease', and their concern that recruitment and retention in area schools could be adversely affected if their conditions ended up poorer than for their secondary colleagues. She assured them: 'Once there is an outcome in the secondary negotiations we will

immediately begin work on expressing it as a variation appropriate for area schools.’<sup>4</sup>

The first variation was largely about salary and allowances, but it also introduced refreshment leave as in secondary, and this was ratified in March 2003.

Soon after that, efforts began on negotiating a second variation which would cover non-contact time, school timetable policies, extra non-contact time for Year 2 beginning teachers and for tutor teachers, and other matters.<sup>5</sup> However, things did not go smoothly, and by October 2003, Variation 2 was still not settled.

However, a more major issue then confronted PPTA area school members. NZEI, at its Annual Meeting, approved a policy paper on ‘A Unified Teaching Profession’, stating that NZEI would seek one collective agreement for all teachers. At a meeting between PPTA and NZEI on 29 September, at which the PPTA representatives had expected to be talking about future negotiations strategy, they were instead informed by NZEI staff member Peter Monteith that ‘they’d be pursuing one collective agreement for all teachers, including area schools – they wanted to develop a set of core conditions and have separate sections for different groups such as correspondence school and area schools. He put forward his (simplistic) view of unionism of “the more on one big agreement, the better”.’<sup>6</sup>

PPTA believed that NZEI had not consulted with area schools on the matter, but they ‘seemed to have a view that it wouldn’t be a problem in area schools to have staff divided and on two different agreements. Maybe, and strangely, they think that all area teachers would join into the NZEI agreement.’ The writer of the meeting report ended: ‘We left them with a few dire warnings about what a mess this would make of area schools – and otherwise fairly stunned/amused (!) at their announcement. We now have copies of their conference paper where it says “The PPTA’s lack of interest in a single education union and their isolation from other parts of the teaching profession is a barrier to a unified teaching profession.”’<sup>7</sup>

PPTA wrote to its area school members assuring them that PPTA had not changed its policy and would ‘continue to negotiate a separate Area Schools Collective Agreement that covers all teachers in area schools – alone if necessary’.<sup>8</sup> PPTA surveyed all area school teachers (including NZEI members, if they wished to participate) about what they wanted, and it

appears that this led to pressure on NZEI to change its approach, because by 30 January 2004, a joint NZEI and PPTA newsletter to all area school teachers notified them that Variation 2 had been settled, and a ratification process was to take place.<sup>9</sup>

## **Further trouble with NZEI – ASTCA 2004–2007**

While Variation 2 of the 2002–2004 agreement had finally been settled jointly, NZEI's intention to pull its members out of the ASTCA and negotiate to include them in a combined primary and area school collective had not gone away.

In November 2003, looking towards the expiry of the ASTCA in June 2004, PPTA began consulting with its area school members. The material included a background paper about changing Ministry policies in relation to area schools and about the issues with NZEI. The paper explained that whereas, in the past, it had been clearly understood that in order to recruit secondary specialist teachers into area schools, pay and conditions needed to be equivalent, in more recent times, the Ministry had tried to undermine conditions for area school teachers. The paper suggested three reasons for this. The first was that the entrenchment clause in the Primary Teacher agreement (which allowed NZEI to claim pass-on to their members of pay increases awarded to secondary) meant that the costs of secondary and area school settlements 'have to be multiplied up to three times in order to cover primary teachers. Secondary teachers have had to take extensive industrial action to force governments to pay for any increases. The result has been bargaining rounds that last anything up to two years with consequent delays in the area school negotiations.'<sup>10</sup>

The second reason given was that the increased cost of secondary settlements, with the pass-on to primary, meant the Ministry looked for savings that could be made elsewhere, including in the area school agreement. MOE was also cautious about agreeing to anything that 'might prompt a claim from NZEI for similar conditions in primary. An example of this is the non-contact provision which the Ministry is restricting to Year 9 and above in area schools because they are afraid that anything below that will invite a claim from primary schools.'<sup>11</sup> (Actually, after the date of this background paper, negotiators were able to get into Variation 2 non-contact

for teachers working across Years 7 to 13, not just Years 9 to 13 as the Ministry had initially been insisting on.)

The third reason given was that over recent years, new area schools had been created 'with little thought to the cost implications'. These included small integrated schools classified as area schools.

The background paper went on to discuss PPTA's approach to bargaining the agreement in 2004, given NZEI's unilateral decision to withdraw its members from the area school agreement:

PPTA's strategy then, is to make every effort to keep the area school agreement alive. We remain hopeful that, under pressure from its members, NZEI will reconsider its approach but failing that, we are still committed to bargaining an area school teachers' collective agreement for all area school teachers who are PPTA members.<sup>12</sup>

In February 2004, a fax had to be sent to PPTA Branch Chairs in area schools reassuring them that, despite what NZEI had claimed in its recent *Rourou* magazine, PPTA was continuing with the status quo and negotiating the ASTCA. The fax said: 'While NZEI can make a claim to cover area school teachers, they have to get Government agreement to do so, i.e. it is not automatic simply because they claim it.' It also included a note reminding teachers in area schools that they had the right to join either union should they choose, 'not just primary joining NZEI nor just secondary joining PPTA'.<sup>13</sup>

In March 2004, DGS Bronwyn Cross wrote to NZEI on a different matter. This was NZEI's attempt to make its version of the process following a school being closed, merged or changed in class prevail in secondary and area schools as well. She rejected this, and said that PPTA would be advising the Ministry that it was perfectly happy with the processes in its own agreement. She then went on to say:

We will be putting our process into the Area School Teachers' Agreement which we now negotiate alone; obviously what you put in the primary agreement for area schools is up to you but the problem is that while our process will work for both sectors, yours won't work for the secondary part of area schools so it might be more practical to use ours.<sup>14</sup>

This demonstrated clearly the practical difficulties of NZEI persisting with its position on the ASTCA.

In May 2004, PPTA General Secretary Kevin Bunker formally initiated bargaining of the ASTCA. In his letter to the Ministry, he wrote:

While we can only initiate bargaining on behalf of our own members, NZPPTA wishes to clarify that our preference in relation to the coverage of the ASTCA is for this Agreement to remain as it currently is, which includes both NZEI and PPTA as parties and which continues to cover all Area School Teachers who are members of the two unions. This status quo would mean that the Area School Teachers' Collective Agreement (ASTCA) is jointly bargained by both NZEI and PPTA.

We are confident, as a result of extensive consultation with teachers in area schools, that their preference is for a jointly-bargained agreement that reflects the unique needs of area schools. There is clear dissent about the NZEI decision to recast the area school documents.<sup>15</sup>

At the same time, he wrote to NZEI's National Secretary, Lynne Bruce, attaching a copy of the letter initiating bargaining. He advised her that if NZEI chose to return to joint bargaining, PPTA would be happy to consent to that. He also urged her 'to reconsider your decision to split the coverage of area school teachers. There is no doubt that this will cause division and dissension in area schools.'<sup>16</sup>

By September 2004, after surveying its members in area schools, NZEI had heard clearly that they wished to return to joint bargaining, so the two unions met to plan consolidation of their respective claims and begin negotiations with a view to having a settlement ratified and paid out before Christmas.<sup>17</sup>

Joint newsletters from both PPTA and NZEI resumed in Term 4, and on 20 October the second of these announced that after only six days of negotiations there was a settlement ready for ratification.<sup>18</sup>

Like the 2004 STCA and the PTCA, the ASTCA also contained reference to a Long Term Work Programme. Part of this was to be through the primary and secondary workstreams, but there was to also be a workstream specific to area schools, which was to 'examine the future of area schooling and its resourcing requirements. This will consider curriculum delivery, staffing issues and general resourcing, especially as it relates to remoteness.'<sup>19</sup>

It also contained most of the gains achieved in the 2004 STCA, except that the Ministry would not consider extending the pilot of Specialist Classroom Teachers in secondary to area schools. PPTA Advocate Marion Norton commented to Executive: 'All in all a very satisfying settlement for area teachers after the nonsense from NZEI. In remarkable hindsight their advocate acknowledged they went about it the wrong way!'<sup>20</sup>

The new ASTCA came into force on 20 October 2004, and expired at the same time as the STCA, on 30 June 2007.



However, the long-term work programme across primary, secondary and area schools produced very little for area schools, in the end. The area school-specific workstream had met only twice by May 2006. Work seemed to peter out and PPTA's focus shifted to seeking gains through what had been achieved in the secondary workstreams.<sup>21</sup>

In June 2006 a joint newsletter expressed optimism that four outcomes from the secondary workstreams had been funded and would be able to be included in the area schools' agreement. These were medical retirement for serious illness, the Beginning Teacher Time Allowance for Heads of Department, the Senior Subject Advisory Service, and Version 2 of the Diploma in Secondary Specialist Subjects.<sup>22</sup>

This optimism was misplaced, however. By 17 August, PPTA and NZEI were writing to Rob McIntosh, Deputy Secretary at the Ministry, complaining that work had stalled, and although they had been led to believe that the money for these variations to the ASTCA was available, there seemed to be inexplicable delays to three of them, although the Senior Subject Advisor positions had been advertised as available for area school teachers to apply.<sup>23</sup>

In the end, the only variation that was negotiated as a result of the workstreams was the extension of medical retirement for serious illness, and it took till March 2007 before a ratification process could be conducted in area schools for this variation, even though a trial of it had been in place from July 2006 in secondary schools. For area schools, a very short trial was negotiated, from 1 January to 1 June 2007. In the ratification material for members on this, PPTA expressed its frustration with the Ministry's reluctance to pass on benefits like this:

This provision was costed at the same time as it was developed by PPTA in the secondary teachers' long-term work plan in April last year. The Ministry chose to seek funding only for secondary teachers from the Minister. Subsequently last September both NZEI and PPTA asked that this provision be passed on to area school teachers and it has taken until now to get a positive response from the Ministry for this to happen.<sup>24</sup>

In the same material, PPTA members in area schools were told that NZEI and PPTA were working together on development of a new area schools claim, with the current agreement expiring at the end of June. The tone of the material suggests that the relationship between the unions had been restored, and there was no debate about joint negotiations this time.<sup>25</sup>

## **Harmony returns – ASTCA 2007–2010**

With the failure to achieve much through the area schools long-term workstream, PPTA's Area Schools Advisory Committee began, in June 2006, to turn its attention to possible area school-specific claims in the 2007 round. Two ideas emerged quickly.

The first was a 'distance-learning lead teacher', who would lead and coordinate the delivery of distance learning. At that stage, there were 36 mostly rural area schools involved in this online delivery, and the teachers doing the work were described as having 'patchy support' for it. This role would address a clear equity issue for students in these schools, by improving the quality of curriculum delivery.

The second idea was to address key barriers to area school teachers building their professional capacity: the challenges for working with other teachers in their curriculum areas and the high cost of trying to do this, especially when most teachers in area schools need to cover a number of curriculum specialisms. The proposal was that all area schools would have an SCT role, as already existed in secondary schools; there would be sabbaticals, a pool of money for course costs, and some designated study time for part-time study; each teacher would have PLD entitlement to cover the cost of travel and exchanges, visits to other schools, attendance at subject meetings, and the like; and lastly, each area school would have staffing to be able to hire a nominated relief teacher so that some continuity could be provided, as relief teachers for area schools were very difficult to find.<sup>26</sup>

Joint newsletters began again in April 2007. Newsletter 1 reported on a joint meeting of NZEI's and PPTA's advisory groups. Because of their frustration at the unproductive nature of the area school-specific workstream, discussion turned to the claim development process for the new round. The newsletter confronted the thorny issue of almost always following on the coat tails of the bigger primary and secondary collectives:

Both unions are making claims for negotiations this year that are likely to have a flow-on effect for area schools. Each union is making quite different claims, especially in the area of career pathways for teachers so it is important for area schools that an overview of the final settlement each union achieves is considered. This inevitably means that we must look to conclude the bargaining for both the Primary Teachers' and the Secondary Teachers' Collective Agreements before we get into the bargaining of the ASTCA.

The unions are both aware that area school members sometimes feel that they are at the back of the bargaining queue. However, we believe that, in this instance, we would be losing an excellent opportunity to achieve area school-specific solutions that build on the work the unions have done in the other bargaining forums if we were to try to commence ASTCA bargaining ahead of the other processes.<sup>27</sup>

The joint claim was presented on 27 November, and agreement reached on 17 December, with ratification at the beginning of 2008. There was a 96% approval across both unions' members. The final package, which ran from 19 December 2007 to 30 June 2010, was a mix of gains from the primary settlement and the secondary settlement, and some gains that were specific to area schools.

There were an additional 400 units to be delivered across the three years of the agreement, 200 to be allocated in 2009 and a further 200 in 2010. Area schools gained SCT-equivalent positions, called 'specialist teachers', and mentoring time for Heads of Department with beginning teachers. The lump sum payment, salary increases and allowances were equivalent to those for secondary, plus a slight extension of the Area School Priority Teacher Supply Allowance (ASPTSA), a recruitment payment for area schools. There were six sabbaticals and twelve study awards a year. The tutor teacher allowance was extended.

There were also three professional learning days per annum per school for the most remote schools 'for the purpose of enabling permanent and long-term relieving teachers to visit other schools for professional learning'. The agreement also provided access for trained teachers with He Tohu Mātauranga to higher steps on the scale.

Claims not achieved were in the staffing and workload area, such as non-contact for unit holders and part-time teachers, or a maximum average class size.

## **NZEI causes trouble again – ASTCA 2011–2013**

By the time claims development for the next ASTCA began, the government had changed from a Labour-led to a National-led coalition. As discussed in the previous chapter, the country had moved into recession in 2008 and spending in the public sector was expected to flat-line. Members knew they were facing a tough fight, and their focus shifted from making major gains to avoiding claw-backs.

In area schools, claims meetings took place at the start of Term 3 in 2010, by which time the ASTCA had already expired; however, this time NZEI and PPTA had agreed on a new process whereby area school negotiations would not wait until the other agreements had been settled. This was necessary because the government had expressed a wish to negotiate the ASTCA at the same time as the other teachers' agreements, and made it clear there would be no backdating. Also, the level of hostility expected, including claw-backs from the employer, made it very important that both unions present a united front. By the time the claims meetings for area schools were happening, both primary and secondary had already been presented with completely unsatisfactory offers for settlement. It was clear that progress across all agreements would be slow.<sup>28</sup>

The joint Advisory Group met and settled on recommended claims from the primary and secondary claims plus additional area school-specific claims.<sup>29</sup> However, things did not go at all well in the latter part of 2010 for any of the three agreements being negotiated. On 21 October, an offer on the area schools' agreement was received which was inferior to the state of play with the primary and secondary negotiations at that point. PPTA and NZEI agreed to call PUMs in November, and members agreed there to reject the Ministry offer and endorsed a plan of action which combined efforts to gain community support, lobbying, and a strike in Term 1 of 2011 if there was still insufficient progress. Negotiations ground to a halt, and industrial action in area schools began in early 2011, including a meeting ban similar to that in secondary from 21 March. A strike was to be called to coincide with the strike planned for secondary, but this had to be called off because of the February Christchurch earthquake.

After the earthquake, on 16 March 2011, PPTA suddenly managed to negotiate a settlement of the STCA, and this included a restructuring of the secondary pay scale that made NZEI's entrenchment clause 'inoperable'. This presented a significant challenge for finalising a new area school agreement. At the claims meetings the previous July, area school members of both unions had prioritised remuneration above everything else.<sup>30</sup> However, there was now a problem. After appealing to the Secretary for Education to intervene and get the Ministry to present a reasonable offer, the unions received an assurance from her that they would 'remove the claw-backs and negotiate a settlement of the ASTCA with terms commensurate with the PTCA and STCA settlements'. On the strength of

this, the unions called off the meetings ban and returned to bargaining on 25 March. The Ministry tabled an offer, but the pay increase it offered was a 2.75% increase on all rates for 20 months from the date of settlement. This was what had been agreed in the primary settlement. However, PPTA's agreement had been more nuanced than this, with different percentage increases at different steps of the salary scale, and carefully manipulated to ensure that the biggest increases went to the largest groups of members by virtue of the kinds of qualifications they had.<sup>31</sup>

Weeks of discussion between the two unions went by without agreement being reached. Options included having both scales in the agreement, or developing an area school-specific scale; however, the NZEI National Secretary eventually informed PPTA that NZEI would only negotiate on the basis of the primary scale. PPTA then conducted a straw poll of its area school members, and that confirmed that they would not consider the primary scale, and had a clear preference for the secondary scale, rather than an area school-specific scale. The impasse continued.<sup>32</sup>

In May, PPTA's advocate Jane Benefield described NZEI's behaviour in relation to the matter as 'somewhat incomprehensible'. She went on to say NZEI appeared 'to be in some disarray, possibly due to indecision over whether they wish to entrench against the secondary scale or not'. At the end of April, having up till then refused to consider bargaining an ASTCA with anything other than the primary scale:

... they did their first flip before Easter, saying they would agree to bargain one with both scales, on condition we agree to a clause entrenching the primary scale in the ASTCA against the primary scale in the PTCA. We categorically refused to entertain any such clause in any agreement we are party to. Then, on Monday, 2 May, NZEI flipped again, informing us they would withdraw seeking an entrenchment clause and wanted to return to bargaining for a joint ASTCA containing both salary scales. They explained this change of heart as being due to feedback they had had from their members. As we are also aware our members do value the solidarity and collegiality of one agreement, we re-entered negotiations with the Ministry last week on that basis.<sup>33</sup>

Then talks broke down again because of a dispute about the mechanism to determine who would be paid on which scale. PPTA's members all wanted the secondary scale on the basis of membership and regardless of the balance of class levels of their teaching load. NZEI would only consider the scale being determined by the classes predominantly taught by each teacher. The Ministry and NZSTA opposed NZEI's position because it would:

... impede schools' ability to timetable classes across the school due to teacher resistance to taking classes which would then determine their pay scale. It was therefore clearly an unworkable and unacceptable mechanism but NZEI, over two days, refused to budge from it or to entertain any of the options we proposed, i.e. union coverage or employee choice.<sup>34</sup>

Negotiations came to a halt yet again, pending an NZEI Executive meeting. This produced nothing, but then NZEI did another flip and told PPTA that it would support PPTA's option of employee choice of scale, regardless of what classes are taught and which union they belonged to. However, it wanted time to consult with its members again, causing further delays. Jane Benefield expressed a lack of confidence that by the time she next reported to Executive, NZEI would not have 'flipped' again and withdrawn from joint bargaining.<sup>35</sup>

Finally, on 31 May, Jane Benefield was able to report to Executive that a settlement had been achieved and ratified by members of both unions. The term was 31 May 2011 to 29 March 2013, ending slightly later than the STCA. It contained a single salary scale that contained 'the best of both' from the STCA and PTCA scales. This meant that rather than a flat 2.75% being applied across all steps, some steps were increased by more than that and some by less. It also provided 'the best of both' in conditions, such as an increase on the Tutor Teacher Allowance, an increase for teachers who taught in Māori as the language of instruction, 200 Middle Management Allowances, and an improvement in the salary cap for relievers. It was ratified by 88% of PPTA members.<sup>36</sup>

At the same time as summarising the settlement, Jane Benefield also wrote a confidential paper to Executive expressing her concerns about the entrenchment implications of the new ASTCA. She recommended Executive warn NZEI that if it entrenched the primary agreement against the new ASTCA, PPTA would withdraw from joint bargaining in future. She also recommended that the President and General Secretary seek a speaking slot at the next CTU National Affiliates Council meeting to explain to other unions 'the effects of entrenchment on our ability to bargain effectively for our members'.<sup>37</sup>

The danger she saw was that the refusal of the Ministry to agree to include two separate scales in the ASTCA had led to a specific scale with the best of both scales in it. This had made it more desirable to primary, and therefore they might seek to have it passed on to the PTCA via the entrenchment clause. During the ASTCA negotiations, one of the causes of

delay had been that NZEI was in a turmoil about whether to invoke its entrenchment clause in respect of the STCA settlement, even though it would have meant pay cuts for its members on some steps in the scale. There were only two such steps in the new ASTCA scale, so PPTA's negotiators had been aware that it might be more attractive to claim (although there was a possibility that the Secretary for Education would not agree to that, given that the PTCA had already been in operation for six months).<sup>38</sup>

At that time, the entrenchment clause in the NZEI's primary teacher collective read:

#### **Unified pay system**

**3.1.1** The purpose of this clause is to maintain a Unified Pay System in the state and state integrated compulsory education sector.

**3.1.2** The intention of this clause is to enable changes in the rates of the base salary scale and the value of units and payments made across-the-board, together with the attached conditions, in any collective agreement applicable to other teachers in the state and state integrated school sector to apply to teachers in the state and state integrated primary school sector.<sup>39</sup>

This meant it would not be impossible for NZEI to seek entrenchment of the area school pay scale. Executive supported Jane Benefield's two recommendations.<sup>40</sup> In relation to the decision to raise the matter at a CTU affiliates meeting, Kevin Bunker wrote:

I recall that the CTU President and Secretary weren't enthusiastic as, by then, entrenchment-like provisions were being seen as means by which relativity could be achieved/maintained, especially across professions in the health sector. Although not stated, I think they also thought that PPTA's prestige within the union movement could diminish from making such a complaint. This is not to say that a number of affiliates were not sympathetic to us in private conversations.<sup>41</sup>

## **Relationship restored – ASTCA 2013–2015**

The joint Area School Teachers Advisory Group began developing claims for the 2013 round in mid-February. At that point, the STCA had been settled but the PTCA had not. A newsletter acknowledged again the frustration that area school members experience when they have to wait for the two larger collectives to be settled, but asserted: 'There can be no doubt that the smaller membership of the ASTCA means it is not in area school members' best interests that the ASTCA should lead the bargaining round

and their eventual settlements over the years have always benefited from the conditions gained in PTCA or STCA bargaining.’<sup>42</sup>

The newsletter explained that PPTA members had settled the STCA with only small pay increases but none of the claw-backs that had originally been threatened. Primary had also faced ‘a raft of counter-claims’ and was still bargaining. The joint advisory group had decided to ask area school members whether they wished to start developing claims immediately or wait until the PTCA was settled to give a better steer on what might be achievable. At the same time, the survey would get initial feedback on some possible claims such as addressing issues like the cost of isolation, recruitment and retention of subject specialists and primary teachers, the restrictions in the current agreement on the allocation of Middle Management Allowances, and time to administer National Standards.<sup>43</sup>

The claim was signed off by members and negotiations began on Friday, 5 April, even though the PTCA was not settled by then.<sup>44</sup> However, by 16 April PPTA Advocate Jane Benefield reported that negotiations had begun then stalled. The unions had presented their claims, and the Ministry had presented its claims:

After the usual interminable preamble about Government and Ministry priorities, the fiscal climate, and the focus being on the learner (last we hear of this apocryphal learner for the next 5 pages, and s/he appears nowhere in the actual claims either) we finally got to hear their actual claims. No surprises here – an amalgamated raft of claw-backs trawled from either the PTCA or STCA negotiations ...<sup>45</sup>

The unions had advised the Ministry that members were clear they would not accept salary that was any less than comparable and equitable with primary and secondary, and would absolutely not accept any claw-backs. The Ministry’s response was that in that case, there would be no more money for conditions improvements. Because NZEI was still bargaining the PTCA, it was decided that there could be no more ASTCA bargaining until at least the first week of Term 2.<sup>46</sup>

However, unexpectedly, Terms of Settlement were able to be signed on 10 May, and an urgent ratification process initiated because the government was unwilling to agree to back pay. There were no new conditions, but there were also no claw-backs. The single salary scale continued, with the unions this time finding it relatively easy, it seemed, to agree on differential increases at different steps, but largely matching the rates in the settled



STCA. NZEI had still not settled the PTCA, but was comfortable with letting the ASTCA settle first.<sup>47</sup>

The agreement was ratified by 95% of all members who voted, and the new pay rates came into force from Monday, 20 May. The term was similar to that of the STCA, ending on 3 November 2015.<sup>48</sup>

## **Frustration again – ASTCA 2016–2019**

Preliminary discussions for this round began in August 2015. NZEI initially suggested rolling over the ASTCA for six months while each union got on with negotiating its major collective. PPTA's response was that members would not accept that and there was no rationale for it because the collective would still roll over for 12 months.<sup>49</sup>

PPTA assembled its own advisory committee on September 9. They reviewed developments in the STCA and PTCA bargaining and began to identify potential claims. A process to establish members' priorities needed to get under way, they decided.<sup>50</sup> However, it took till mid-December, after expiry, for a joint claim to be agreed and endorsed by members of both unions. There were delays caused by NZEI's industrial team being seriously under-staffed, with only one advocate for both the PTCA negotiations and the ASTCA claim development. However, finally a claim was ready for presentation.<sup>51</sup>

Then negotiations could not begin until 24–25 February 2016 because there were 'interminable delays getting any dates agreed by NZEI'. PPTA's advocate, Jane Benefield, wrote:

There has been considerable difficulty also in getting them to meet with us or do any preparatory work on the claim and it is only now at the final hour that we have achieved their agreement to the wording of the claim to present to the Ministry tomorrow. As their PTCA appears to have stalled – they have still not had an offer from the Ministry, yet have not broken down but rather are taking some weeks off to go out and talk to their members – it is a matter of concern as to whether they will be keen to really progress bargaining towards a settlement of the ASTCA before they have settled the PTCA.<sup>52</sup>

The claim was for a 2–3% increase on rates, to parallel the STCA settlement and PTCA claim. NZEI also sought central payment of Education Council practising certificate fees as had been won in the STCA; assessment release time for National Standards and NCEA assessment;

improvements in the Māori Immersion Teachers Allowance (MITA); more teacher sabbaticals and new sabbaticals for senior leaders; additional study leave awards; and introduction of the Senior Management Allowances that existed in secondary schools. There was also a claim to protect the right of teachers to make public comment about professional matters, which NZEI was claiming for the PTCA.<sup>53</sup>

It took till 8 April for Terms of Settlement to be agreed, as a result of delays which Jane Benefield described as arising because NZEI had still not settled the PTCA. Despite the delays, the pay was agreed to begin on the date of settlement rather than of ratification, and there was even a small amount of back pay, back to 2 March. It was a three-year agreement, from 8 April 2016 to 7 April 2019. The pay rates worked out ‘a bit above secondary but it’s hard to compare as the scales are now so different ...’, the number of sabbaticals was doubled, and there were significant increases to the second stage of the MITA.<sup>54</sup> The Education Council practising certificate fees claim was also won. Other claims, such as the speaking-out clause, assessment release time, Senior Management Allowances (SMAs), additional study awards and senior management sabbaticals got nowhere. Nevertheless, the negotiators reported to members: ‘However, overall we believe this is a good settlement in the current environment.’<sup>55</sup>

The members clearly agreed, 96% of them voting to ratify. However, reflecting on the – yet again – very frustrating experience of negotiating with NZEI, Jane Benefield wrote to Executive recommending that there be ‘an extensive programme of consultation with area school members, including regional paid union meetings be undertaken within the next year to give members the opportunity to consider, discuss and decide whether they wish to be covered by either the existing NZEI/PPTA ASTCA, or a single ASTCA for PPTA members, or to be brought into the coverage of the STCA.’<sup>56</sup> Executive supported this recommendation.

The consultation process got under way early in 2017. General Secretary Michael Stevenson wrote to NZEI National Secretary Paul Goulter on 16 February to advise him that the programme of consultation was beginning, ‘to give members the opportunity to discuss and consider issues around future bargaining of their collective agreement.’ He said that members’ concerns included ‘the serious delays to the settlements of the ASTCA in recent years which has left our area school members nearly six months

behind their secondary colleagues in terms of pay increases and improvements in conditions achieved in bargaining.<sup>57</sup>

Paul Goulter's reply expressed dismay at PPTA's action, suggesting that it would promote disunity between the unions. He would have preferred, he said, for the discussions to be at union leadership level. He did acknowledge the need to have a separate agreement for area schools that reflected their unique character, which was at least not a return to demands for a single agreement to cover all teachers.<sup>58</sup>

PPTA's consultation was through PUMs between March and May 2017. Twenty of these were face-to-face with PPTA staff in attendance, but others were conducted via video conference or Skype. The meetings, especially those that could be held face-to-face, were well received. The material presented covered issues such as a comparison between ASTCA and STCA conditions; delays in settling the ASTCA and the impact of this on pay; and the pros and cons of area school members seeking to be covered by the STCA.<sup>59</sup>

A poll of members was conducted using Survey Monkey, which PPTA was by then increasingly using for consultation purposes. The choices offered were to retain the ASTCA and negotiate it jointly, or to seek coverage under the STCA.<sup>60</sup> A strong majority across all responses preferred the option of seeking coverage under the STCA. However, the response rate was poor, and the pattern of preferences differed markedly according to the type of area school respondents were from. In Wharekura and in traditional rural area schools, views were almost evenly split. However, the numbers opting for STCA coverage from the five largest area schools and the special character schools, mostly urban, had a decisive impact on the overall count because they strongly supported STCA coverage.<sup>61</sup>

Presented with these results, both the Area Schools Advisory and Conditions Strategy committees felt there was insufficient mandate for a change. On the other hand, the consultation process had started the conversation about coverage, and could be used to prompt engagement with NZEI, NZSTA and the Ministry prior to ASTCA bargaining in 2019 about the need to reduce the pay gap that had been caused by delays.<sup>62</sup>

## **Joining the megastrike – ASTCA 2019–2022**

Preparations began in early 2018 for the 2019 round. An industrial strategy for all the teacher collectives had been agreed at Annual Conference 2017, focusing on workload and supply, using the extensive data that had been gathered by the two working groups established as part of the 2016 STCA settlement. (See Chapter 8 (in Volume Two).)

The STCA was to expire first, on 27 October 2018. But the ASTCA was not far behind, expiring on 7 April 2019, and in May 2018, AO Jen Dive advised Executive that the core claims for the ASTCA should mirror those for the STCA, but warned that the less predictable element was negotiating with NZEI:

There is much history to the relationship with NZEI and previous bargaining rounds have proven challenging. It is hoped that starting preliminary discussions with them early in the preparation phase will foster a greater willingness to work together for the benefit of all our members. The timing of bargaining and respective settlements, for both NZEI (Primary Teacher Collective Agreement) and us (STCA) will provide additional challenges in formulating the ASTCA claim and commencing bargaining. This provides extra impetus for us to be as prepared as possible.<sup>63</sup>

However, it appears that not much happened between May and September 2018, with a similar paper appearing at the August Executive meeting, this time from a different Advisory Officer.<sup>64</sup> Not long after that, a third paper was written, seeking to take into account the outcome of the coverage consultation with area school members conducted in 2017 (see above), with recommendations that the ASTCA claim include alignment of the expiry date to the STCA, and a one-off payment of \$3,000 ‘to redress inequities faced due to extended expiry dates of the ASTCA since 2011’.<sup>65</sup>

Meetings with PPTA members in September/October sought feedback on the PPTA claim. This covered the usual areas: salary, increases on units and allowances and a further attempt to get Senior Management Allowances into area schools, increases in non-contact time, continued payment of Education Council fees, and a new claim for Māori and Pasifika community liaison roles.<sup>66</sup>

NZEI was a few months ahead of PPTA in consulting its area school members, and in early June it told PPTA that it was holding PUMs for both the PTCA and the ASTCA because ‘... they wanted the campaign to be consistent and to give the Area School members the chance to participate’.<sup>67</sup> Junior Vice-President at the time, Melanie Webber, noted:

In 2018 we had pressure from area schools to be included in our PUMs, given that the NZEI members were included in theirs. Some were very upset about this, but National Office held the line that it wasn't their collective being discussed at the PUMs and so they could send a member as an 'observer' but could not participate.<sup>68</sup>

In December 2018, engagement with NZEI about joint claims development began, and a proposed timeline was discussed.<sup>69</sup> In February 2019, Executive gave approval for PPTA's advisory committee to meet with NZEI's equivalent to develop a joint claim, and for the holding of PUMs for members to vote on the claim and a plan of industrial action to support it.<sup>70</sup> The joint PUMs were scheduled for early April, but were cancelled after the 15 March terrorist attack in Christchurch, becoming branch-based claim endorsement meetings. These were, wherever possible, joint meetings with NZEI members, and they were well attended. There was strong support for the claim and for industrial action. Negotiations got under way on 1 and 2 March; however, rapid progress towards a settlement was not expected, given that both the STCA and PTCA negotiations were foundering. PPTA's negotiators advised that area school members were keen to participate in joint action with their NZEI colleagues, so Executive agreed in May that area school members be asked if they would like to join the May 29 'megastrike' being planned, and also to join PPTA's rolling strikes planned for June or industrial action being taken by NZEI.<sup>71</sup>

Soon after the strike, the leaders of PPTA and NZEI were invited to a meeting with the Secretary for Education on 6 June (see Chapter 5, 'Negotiating the STCA'). ASTCA Terms of Settlement were agreed on 13 June for a term running from 1 July 2019 to 30 June 2022. Area school members ratified it through an electronic ballot system, 92% for the settlement, and 95% for the Education Accord.<sup>72</sup>

## **Another long campaign – ASTCA 2023–2025**

The Education Accord, which was part of the settlements of both the STCA and the ASTCA, required the parties to engage in 'a joint pre-bargaining process ... which will begin four months before the expiry of the first collective agreement to discuss the UPS and any other matter relating to bargaining'. That meant that by the beginning of March 2022, four months

from the expiry of the ASTCA, a pre-bargaining process should be under way.

A team of Advisory Officers commented to Executive that it had ‘never been that clear what the purpose of these discussions would be and what the parties’ expectations of them were, aside from a wish of NZEI TRR and MOE to pin PPTA in a room and try to seek agreement to a unified pay scale.’<sup>73</sup> As discussed in Chapter 5, ‘Negotiating the STCA’, pre-bargaining discussions did take place in April and May 2022, but achieved little.

Bargaining for the ASTCA was initiated on 2 May, but a bargaining process agreement for the ASTCA was not signed till August. Prior to the commencement of bargaining, NZEI and PPTA shared their claims with each other, but it appears that there was no process of consolidating these into a joint claim, as had happened in previous rounds. The Ministry and the unions presented their respective claims on 23 August, then serious negotiating began on 14 and 15 September, with PPTA and NZEI presenting a wide range of claims between them.<sup>74</sup> In November, the unions began collating their claims into a single document.<sup>75</sup> An offer was received from the Ministry on 7 November, with a pay offer similar to the STCA one, and most of the conditions claims ignored. Area school members attended the PUMs at the end of November. In January 2023 staff reported that while there had been further negotiations planned for the ASTCA, the absence of a reasonable offer for the STCA since the PUMs meant they had been deferred to 2023 and no new dates could be set at that point.<sup>76</sup>

NZEI settled its primary teacher collective in early June 2023, but area school teachers fought on into August alongside their secondary colleagues. After the arbitrated settlement of the STCA, bargaining for the ASTCA resumed, and a new offer with many of the features of the new STCA was presented by the Ministry on 14 August. This was promptly taken to area school members for consideration through an electronic ballot between 16 and 18 August, and was ratified. 96% of PPTA area school members supported ratification, and NZEI members also ratified it. The ASTCA will expire on the same date as the STCA, 2 July 2025, as will the primary teachers collective.<sup>77</sup>

## **Final words**

Negotiating a settlement that is satisfactory to area school PPTA members has not been easy at any point in the two decades covered here. The complexities of jointly bargaining with NZEI have hung over the negotiations of nearly all the agreements discussed above. While NZEI may continue to be committed to what it variously calls ‘a unified teaching profession’ or ‘a unified pay scale’, this is not PPTA’s policy because it disadvantages its members in many ways, including in area schools. Whether this conflict can ever be resolved is far from clear.

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### The Novopay saga

## Introduction

Correct and timely payment of the education workforce in state and state-integrated schools is a fundamental responsibility of a government, and the Novopay saga, when the Ministry let the contract for the work to a new provider that was simply not up to the job, was a mighty ‘fail’ in that area. It demonstrates how privatisation of a state responsibility can go very wrong, with the government left to carry a very expensive can. Few teachers, principals, Executive Officers, Board members or parents don’t still get a chill down their spines when the name ‘Novopay’ comes up.

The campaign by PPTA Te Wehengarua to highlight the disaster and secure remedies for its members was a perfect example of the union’s approach to issues, combining member activism, detailed research, well-informed lobbying, and recourse to legal action when all else fails.

## Background

PPTA staff, especially its Field Officers and the Deputy General Secretary for that team, had over many years developed productive working relationships with Datacom, which had the contract to pay the education workforce. In the main, they found they were dealing with staff who understood the terms and conditions of the collective agreements, who were generally available by phone, and who were willing to fix problems when these were identified. While the system they were using was starting to creak and needed replacement, as a company Datacom had proven its capability to deliver.

However, in 2005 Cabinet gave the Ministry of Education permission to proceed with negotiating a new contract for delivery of the payroll system which was responsible for the fortnightly payment of over 100,000

employees, teachers and non-teachers, in the compulsory education system. The chosen vendor was finally announced in mid-2008, with the tender being awarded to an Australian company, Talent2. The implementation of the new payroll system, to be called Novopay, was to be staged over two years. Datacom, which had bid unsuccessfully to continue operating the payroll but with an upgraded system, was contracted to provide ongoing payroll during the transition.<sup>1</sup> It must have really grated on Datacom when the Ministry had to negotiate constant extensions of that service because Talent2 was experiencing ongoing technical problems.

## **Payroll Reference Group**

The Payroll Reference Group (PRG), which had existed for some years, was to function as a consultation mechanism for the project. It included representatives from NZSTA, SPANZ, SPC, NZPF, Schools Executive Officers' Association, PPTA, NZEI and a few others. However, Field Officer David Fowlie described the PRG's role as being largely one of listening to 'progress reports' from the Ministry and Talent2. In late 2008, the group was introduced to Talent2 staff, who appear to have done a fairly slick presentation designed to ease any worries.<sup>2</sup>

In June 2009, the PRG was updated on Novopay's progress, and no red flags appeared at that stage.

By February 2011, when David Fowlie was again reporting on a meeting of the PRG, only two members of the original group remained, and only one Ministry staff member from the payroll project team was still there. And, more worryingly, the 'go-live' date for the project had been extended a further year, to June 2011, with Datacom continuing to provide services during the transition.<sup>3</sup>

At that meeting, sector groups raised concerns about whether Talent2 had the capacity to deliver on its contractual obligations. Ministry official Fiona McTavish assured them that the Ministry 'continues to have confidence in the ability of Talent2 to deliver a modern, efficient and accurate payroll system'. She claimed that the Ministry 'would not compromise on quality' and that it was 'working very closely with Datacom to ensure the ongoing integrity of the current payroll system'. She also revealed that at the end of 2010 the Ministry had engaged Price Waterhouse Coopers to do an

independent audit of the project, and all its recommendations had been implemented.<sup>4</sup>

At a September 2011 PRG meeting, with the ‘go-live’ date having been extended by a further year to July 2012, the Ministry was celebrating because one of the project’s major milestones had been met, though the Field Officer reporting on the meeting was unsure which milestone this was! As the meeting progressed, more red flags appeared. One was about leave balances, where the Ministry was claiming that leave details ‘would need to be sorted between the employee and employer’, but a union representative challenged that, saying that employees’ records could go back years and be inaccurate, and the current employer would not be able to verify them. The PPTA Field Officer wrote:

I supported his position and gave the example of women in Taranaki and Hawke’s Bay whose records were lost at the transition of Payroll to Datacom, explained MOE archival searches invariably produced no results and suggested it would be timely to sort this issue.<sup>5</sup>

This issue, the correct recording and ongoing transfer from one position to the next of a teacher’s payment details – whether leave balances, union deductions, or other deductions such as to superannuation schemes – became one of the biggest problems in the transition.<sup>6</sup>

Field Officer Lynn Robson, commenting on a meeting she attended, wrote: ‘The report backs from MOE personnel in charge of specific areas are bland and do not reveal much detail.’<sup>7</sup>

At a meeting in February 2012, the issue of union staff access to payroll information to be able to support members reared its head, and there were no clear answers from the Ministry.<sup>8</sup> Writing to Executive in April 2012, Deputy General Secretary Colin Moore and Field Officer Sarah Dalton rang alarm bells about the industrial implications of this issue for members. They explained that the new system had been built on the expectation that schools as employers would have access to payroll information through the online portal, and most employee queries would be dealt with at the school level. This was a change from the current system, where if a member could not get the payroll answers they needed, or were in a difficult employment relationship, they could contact their PPTA Field Officer for advice. The Field Officer would fax payroll requesting the relevant information, and it would be received within a few days. Under Novopay, the Field Officer would have to engage with the school in the first instance, even if there

were employment relationship issues behind the query, and the school would get the information.<sup>9</sup>

If a member received a letter from Novopay, they could ask a Field Officer to respond on their behalf, but if there was no response from Novopay, PPTA would then have to go back to the school. Union Field Officers were being removed from direct involvement in member payroll queries, previously a significant part of their work for members.<sup>10</sup> Executive was very concerned about this change, and added to the original recommendation that branches identify for PPTA their authorised payroll users (so Field Officers knew whom to contact), and resolved that SPC be asked to give advice to principals on the risks associated with Novopay, and that National Office directly advise members of such risks.<sup>11</sup>

The much-deferred 'go-live' date was finalised as 14 August 2012, for Pay Period 12 on 4 September.

On 23 July 2012, there was a videoconference to explain the new payslips to Field Officers. This meeting had been requested by PPTA, and originally Talent2 staff were to front it but Ministry officials decided that they themselves were quite capable of doing so. However, when Field Officers asked questions, it transpired the officials themselves did not fully understand the payslips.<sup>12</sup>

The report on that videoconference raised the issue of leave balances again, with the Ministry only able to say that sick leave balances 'were likely to appear (on pay slips) although not at the go-live date' (which was then only a month away). This was enough of a red flag for the Field Officers to agree that PPTA should seek further clarification about this from the Ministry.<sup>13</sup>

Four days earlier, a joint letter from PPTA and NZEI had been sent to Secretary for Education Lesley Longstone. They were objecting to being 'consulted' very late in the piece about a document setting out a protocol for communication between their staff and Novopay staff about payroll issues and errors. The unions had been asking for months for there to be a single point of contact in the payroll office, but it seemed that this was still to be only for school payroll officers, not for union staff acting on behalf of members. There were also issues about procedures in the event of over-payments.<sup>14</sup>



**Lesley Longstone, briefly Secretary for Education from November 2011 to December 2012**

This letter prompted Group Manager Education Workforce Rebecca Elvy to invite PPTA and NZEI to a meeting on 31 July. It is not clear from PPTA's records whether this meeting actually took place, but subsequent events indicated that it was probably too late for it to have made a difference, anyway.

## **Novopay 'goes live'**

On 4 September, Pay Period 12, the education workforce began to be paid via the Novopay system, and chaos ensued. Two weeks later, on 18 September, Field Officer Sarah Dalton represented PPTA at a 20-minute meeting with Secretary for Education Lesley Longstone. Sarah commented: 'She seemed disappointed by the small attendance but didn't bother to introduce herself or say hello to those of us that had turned up.' She began the meeting by speculating (surely ironically) that the low attendance must mean that the sector was happy about Novopay, but Dalton responded that this was far from true, at which stage Ministry staff 'articulated the ongoing concerns and issues with the transition' and 'confessed to considerable

concerns about the service centre's underperformance and Talent2's ongoing inability to make it work, and also the difficulties that authorised users were experiencing (including significant workload increases)'. PPTA 'raised the spectre of personal grievances where staff stuck in the "retro payments" situation are not getting paid. Also mentioned were failure of annual increments to be actioned.' Dalton also commented: 'We know they are aware of the problems with sick leave, relievers and SUE reports' and 'concerns about whether the Novopay business rules correctly follow the STCA, e.g. maternity leave, paternity leave, discretionary leave'.<sup>15</sup>

In a report two days later, DGS Colin Moore reported that 'the transition to Novopay has been predictably bumpy, with a lot of rough edges affecting relievers and others on fixed-term agreements, members who had residual issues with Datacom, sick leave entitlements and a variety of other matters.' He recommended PPTA liaise with NZEI and NZSTA to ensure issues were resolved satisfactorily and promptly, members were correctly paid, and schools properly compensated through their operations grants for extra work required by the new system. He also recommended that PPTA implement a communications plan, both to provide advice and guidance to members about actions they should take around their pay concerns, and to escalate the issue into the public domain.<sup>16</sup>

By late November 2012, Novopay was being described in the media as 'a \$30m horror show'. Journalist Adam Dudding told the story for *Stuff*:

Novopay is a horror show. A \$30 million school payroll system due for completion in 2010 is finally rolled out in August 2012 with a price-tag closer to \$100m. Thousands of staff are underpaid, overpaid or not paid at all. Next, the company that built the flaw-ridden system insists it's 'rock solid' and blames klutzy school staff for entering data wrongly. Meanwhile, journalists uncover evidence that bad omens were ignored right up to the 'go-live' date, and small-scale trials were abandoned in the panic to meet deadlines.<sup>17</sup>

To illustrate the scale of the problems, in just the first pay period under the new system, pay period 12 (4 September 2012), 4,793 education staff were underpaid, 18 staff were not paid at all, and about 700 staff were overpaid. There were backlogs with the Novopay Service Centre (the single point of contact for enquiries). School administrative staff required to enter and update employee payroll information experienced difficulties with Novopay Online, the interface they were supposed to use. In pay period 19 on 11 December, 2,600 education staff were left without holiday pay in their final payment, and this had to be remedied later. PAYE, KiwiSaver,



student loan, superannuation and union deductions were done incorrectly. Problems continued, pay period after pay period, into 2013.<sup>18</sup>

## **Heads start to roll**

On 19 December 2012, it was announced that Lesley Longstone had resigned as Secretary for Education due to ‘a relationship breakdown with Minister Hekia Parata’ and would receive a payout, negotiated by the State Services Commission. Commissioner Iain Rennie was quoted as saying that ‘Ms Longstone’s relationships had been strained, not only with Ms Parata, but with sector groups outside the ministry.’<sup>19</sup> PPTA would certainly be counted among those sector groups. Peter Hughes was announced as Acting Secretary for Education, a choice that pleased PPTA because he appeared direct and willing to listen.<sup>20</sup>

On 22 January 2013, responsibility for Novopay was removed from Minister Hekia Parata, and the task given to the government’s ‘fixer’ Hon. Steven Joyce.<sup>21</sup> In response to a flood of Official Information Act requests from media, he ordered that all the documents around the contract be dumped onto the Ministry website for public scrutiny, and they appeared on 1 February. The *New Zealand Herald*, under a headline ‘Novopay errors revealed’, claimed that the Ministry of Education had been ‘locked in a two-year battle with Novopay creators Talent2 and nearly scrapped the flawed payroll system four months before it went live’, information gleaned from its first read of the hundreds of documents made public that day. The story claimed that the Ministry had, a few months earlier, been in talks with its previous provider Datacom, ‘but the plan never went ahead’. Nevertheless, Steven Joyce announced on 31 January that the government would again ‘work with Datacom as it tries to fix the “dog” of a system Talent2 has produced and which has failed to pay school staff properly for months’.<sup>22</sup>

*The Herald* also noted that Ministry of Education Chief Information Officer, Leanne Gibson, PPTA’s contact point for much of the time, had reported in June 2012 that there were 147 software defects and 6,000 errors prior to Novopay going live in August, and that four deadlines had not been met by Talent2, placing it in breach of its \$30 million contract. Talent2 had threatened legal action if served with a breach notice, ‘laying foundations

for an allegation that the ministry is in breach of its good faith obligation’ and suggesting that the Ministry was standing in the way of it doing its job.<sup>23</sup> Despite this background, the ‘go-live’ date had not been deferred.

In a report on two PRG meetings in early February 2013, Field Officer Sarah Dalton quoted a Talent2 staff member as having claimed that the Pay Period 23 data had ‘run smoothly over the weekend ... and there was at present no indication of any problems with the pay run’. She described this as ‘entirely at odds with all predictions and subsequent evidence’ ... and ‘startling to the point that no one even commented’. Her view was that:

His remarks typify Talent2’s lack of effective engagement with stakeholders and its ongoing determination to downplay significant system errors and problems. It is clear that SUE reports are still unreliable, MMAs are buggy – as were all fixed-term units for the PP23 run – banking staffing is still not really fixed, although there may be an end in sight here, and there continue to be numerous under- and over-payments, some seemingly random, that are taking ages to fix. Meanwhile the Novopay service response times (and quality of advice once people get through) are slow and unreliable, to the point the MOE have continued to run their own salary support service that was initially set up to cover the Xmas holiday period.<sup>24</sup>

The NZSTA representative no doubt articulated the views of all the sector groups when they spoke about ‘the erosion of trust and confidence amongst PRG members, given the obvious gulf between what the group has been told over a long period of time, compared with what the “Novodump” documents actually revealed’. They said that ‘The PRG was at best misled and possibly deliberately lied to about the state of the Novopay system both before and after go-live last August’, and that ‘Interestingly, many of the problems that have occurred were raised as potential issues by members of the PRG over the last year or so, and, it seems, largely dismissed by MOE and Talent2.’<sup>25</sup>

Dalton commented ‘It is obvious that MOE are fed up with Talent2 – possibly even more so than the stakeholders – but the ministry clearly bears responsibility for pressing on with this particular virtual voyage of the Titanic, in the face of compelling evidence that it might not be a good idea.’<sup>26</sup>

## **Ministerial Inquiry into Novopay**

On 5 February 2013, Steven Joyce announced a Ministerial Inquiry into Novopay, to be conducted by former Chief Executive of the Department of

the Prime Minister and Cabinet, Sir Maarten Wevers, and Chairman of Deloitte New Zealand, Murray Jack. It was projected to cost around \$0.5 million, to come out of Ministry baselines, which must have already been stretched by having to respond to the problems. This was one of a number of initiatives announced by the government, including a new ‘Remediation Plan’ for Novopay to speed up software stabilisation, a plan for Ministry re-engagement with schools, and investigation of ‘a revised Contingency Plan with the previous payroll supplier’ (Datacom).<sup>27</sup>

PPTA and SPC both submitted to the Ministerial Inquiry. PPTA’s submission contained evidence from a survey of members conducted between 25 February and 5 March, focusing on Pay Period 24. There were 4,659 responses, from 508 different schools, in the analysis. The results make grim reading: 4.3% had not been paid at all, 3.0% had been overpaid, and 29.4% had been underpaid; 7.2% had not even received a payslip so they could check why the pay in their bank account was not as expected. There was a high level of under-reporting of errors, with teachers admitting to being embarrassed to have to complain about their pay being incorrect, and with school pay staff not reporting errors to Novopay because it was such a frustrating process. This suggested that Novopay’s own calculations of error rates greatly understated the problem.<sup>28</sup>

Some of the personal stories in the survey report are very sad. One example should suffice as an illustration of the wide-ranging personal impacts of not being correctly paid:

As a beginner teacher, who started employment teaching last July, I have had possibly 2–3 correct payments of my salary/wages over a period of approximately 7 months. After finishing my teacher qualifications and living from week to week with the financial pressures of being a student, I have found working and trying to survive as an employed teacher more difficult with no consistent/regular income to pay for expenses like food, rent and keeping a vehicle roadworthy to get to work (so glad I don’t have a mortgage). Some weeks I have had less than what I received as a student and have incurred extra fees for not being able to pay off my credit card which I have had to use to survive. I still am unsure of exactly how much my salary is, as Novopay have given me no payslips this year that have been correct, I have no idea when I will be paid arrears for the last two underpaid amounts. I’m struggling ...<sup>29</sup>

SPC’s submission focused on how the system worked from the viewpoint of principals and other staff responsible for working with Novopay. In response to a question about technical support and assistance provided to principals and other staff in the pre- and post-go-live stages through the call centre, the submission responded:

This is the nub of the problem. As noted above, there seems to have been no consideration of the need for a 'plan B' so there was no capacity to respond effectively once problems emerged. Instead, the blame was sheeted home to school administrators and 'a snow job' was done claiming that everything was being fixed. It is difficult to know whether this was deliberate dishonesty or whether people in the ministry believed their own rhetoric. The combination of events meant disaster was unavoidable: inadequately trained people, all with very different skill levels (even before Novopay); a compulsory shift to online operation; inevitable errors, some of which the operators would not even have been unaware of, and a complete inability to make contact with anyone at Novopay.<sup>30</sup>

During the controversy, ministers and officials tried to exonerate themselves from blame for the debacle by claiming that the education payroll was unduly complex. Writing to Secretary for Education Peter Hughes in March 2013, President Angela Roberts asked for evidence of the claim being made that there were '10,000 combinations within the pay system'. She said this figure that had been used by both ministers and officials had never been explained, yet was used to suggest that the education payroll was unusually complex. She asked the Secretary to explain how the figure was arrived at, which combinations were specific to each of the collective agreements in operation, and what information the Ministry relied on to compare the education payroll with other large payrolls that were 'currently being managed without the problems Talent2 has had with the school payroll'.<sup>31</sup>

Minister Steven Joyce continued to make the claim, however, including in his release accompanying the report of the Ministerial Inquiry: 'The School payroll is overly complex due to an accumulation of historical changes.' However, this was supported by the report, which read:

There are 15 different national collective employment agreements in operation across the education sector (also known as awards), alongside individual employment agreements. Taking into account the variety of allowances, leave provisions and other employment conditions with impacts on pay that all of these employment agreements contain, the number of possible permutations for individual pays has been calculated as being as high as 10,000. There are more than 1,500 unique rates of pay possible across all agreements; under the secondary teachers' collective agreement alone there are more than 30 allowances for which an individual could be eligible. As described above, the Ministry does not in fact operate one single payroll, but 2,457 individual payrolls (i.e. one per school) involving a set of complex, interrelated business rules. Some of these rules are specific only to the education sector. More than 2,000 staff have jobs covered by two or more collective agreements. Some of the collective agreements include provisions affecting a small number of people. The current system of allowances and awards incorporates provisions negotiated progressively through different collective agreements over many years.<sup>32</sup>

This being so, it is clear that Ministry officials and Talent2 had grossly underestimated the scale of the project they had embarked on, and this was finally acknowledged in the Inquiry report, and in the Minister's covering statement on 4 June. He conceded that there were many lessons to be learned from the debacle. Weaknesses in project governance and leadership had led to it going live with risks that the Ministry and the vendor were over-confident about managing. The Novopay software had had to be extensively customised for this particular payroll, and there had been a failure to adequately consult with the users in order to understand their requirements. There was no overall accountability for Independent Quality Assurance. The project had to date cost \$23.9 million more than estimated. Reporting to Ministers had been inconsistent, unduly optimistic and had sometimes misrepresented the actual situation.<sup>33</sup>

The Secretary for Education accepted responsibility for the Novopay mess on behalf of the Ministry, and two senior staff members faced an employment investigation 'for errors of judgement and wrong decisions'. In a media statement, Secretary for Education Peter Hughes said that the Ministry team working on the payroll 'did not have the skills, processes and governance for a project of its scale and complexity', and he agreed with the report finding that Government ministers had not been served well by some of the advice and reporting from the Ministry. He apologised to Government, and to schools, who he admitted had been 'badly let down', saying 'I deeply regret that. They deserved much better.'<sup>34</sup>

## **PPTA legal action**

On 20 February 2013, PPTA's General Secretary had recommended to Executive that the union initiate a class action on behalf of members disadvantaged under the Novopay system. He wrote:

The debacle has long since passed boiling-point. Members, including senior manager and principal members, are becoming increasingly stressed by a 'payroll system' that is in a terminal state of disrepair. We are not just talking about pay, lost interest and bank penalties; but also, all the hurt, stress and emotional damage that comes from having to work with a system that fails on a daily basis. Members are having to work extra hours, often unpaid, and many report having serious health problems as a result of the Novoshambles.

While the Australian-based company Talent2 pockets tens of millions of New Zealand taxpayers' money for a system worth less than nothing, school staff, including many PPTA members, endure lost wages and unprecedented levels of stress as a result of the Novomare. If the

Government can continue to pay Talent2, PricewaterhouseCoopers and other private enterprises millions of dollars for the continuation of the Novopay train-wreck, shouldn't PPTA members at the coalface of the debacle be compensated for dealing with the mess?<sup>35</sup>

The class action that the General Secretary envisaged at that stage would be taken against the Secretary for Education under the personal grievance provisions of the Employment Relations Act 2000, so Boards of Trustees of participating members would have to be cited as second respondents, but they would be told that no compensation was expected from them as the Association believed firmly that the Ministry was responsible for the debacle.<sup>36</sup>

His recommendations were adopted by Executive, and they also approved a plan for political action about Novopay during Term 1, 2013, to be launched at the upcoming Issues and Organising Seminar. They also called for the resignation of all who signed off on Novopay, because they had no confidence in their ability to fix the problems. A 'check your pay slip and take action' campaign was initiated, to raise members' awareness that there might be problems in their pay or deductions that they had not noticed.<sup>37</sup> Material about how to do this was put online, but there was a substantial amount of detail that had to be provided to members, about how to read the new payslip; how to access their Inland Revenue, KiwiSaver, Student Loan, superannuation and Working for Families records to ensure payments had been made correctly; how to check that union deductions were correct; and how to ensure that sick leave was recorded correctly. This was a lot for busy teachers to have to do at the beginning of a new school year.<sup>38</sup>

In the week 18–22 March, National Office staff took on the job of reviewing and summarising for PPTA's lawyers all the documents released in the 'Novodump' that had taken place on 1 February. The task was huge. There were piles and piles of printed documents which were shared out among any staff who could set aside all other work for that time. The information was all bundled up and sent to the barristers.<sup>39</sup>

By April 2013, new DGS (Membership) Erin Polaczuk was reporting that around a third of new cases in Term 1 that year were around salary under-payments and over-payments, and there were also leave issues, such as members finding they had had sick leave miscalculated or removed

altogether. These errors were all attributable to Novopay. She talked about the difficulties in dealing with Novopay:

Field Officers have experienced frustration when trying to effectively deal with members' salary issues. They have no direct communication point with Novopay, so often the cases that come to the FO are ones that the school-based EO has been unable to progress or resolve. Those cases are raised directly with the Ministry of Education in Wellington, with mixed success. When issues are resolved through this method, the MOE does not always inform the FO that the case is resolved, which means that the FO is being cut out of communication at both the initial and end stages of a salary 'case'.<sup>40</sup>

Publicity about the class action, and an invitation to members to provide details of their pay issues to National Office, resulted in a flood of cases being reported. These had to be assessed as to whether they were best addressed by filing an individual Employment Relationship Problem, or by becoming part of PPTA's High Court proceedings (about a third of the cases).<sup>41</sup>

AO Michael Stevenson reported that an 0800 phone line proposed by PPTA and established by IRD had been helpful for members, 'many of whom have become increasingly concerned that their third-party contributions, including student loan payments, PAYE and superannuation monies were disappearing into thin air'.<sup>42</sup>

The Ministry of Education was also trying to sort the problems caused by Novopay, and on 11 March it had established a Payroll Backlog Clearance Unit. Finally, in late May, MOE gave access to this Unit for Field Officers to file wage arrears claims for members, which meant these could be resolved in two to forty-eight hours, far more quickly than having to file claims in the Authority. Even where claims had been filed in the Authority, the Ministry tended to settle these quickly, on the eve of mediation or filing.<sup>43</sup>

On 13 June, PPTA's lawyers filed proceedings in the High Court, not in the Employment Relations Authority as originally proposed. Besides compensation for the individual plaintiffs in the case, PPTA also sought a declaration that the Secretary for Education had breached his statutory duty under Sections 89 and 91c of the Education Act 'by failing to establish and maintain, within or on behalf of the Ministry, staff and facilities for, and sufficient for, servicing the payroll service'.<sup>44</sup>

For PPTA itself, as an organisation, there were financial impacts from the pay system chaos. In April 2013, PPTA's Financial Services Manager,

Margaret Kinsey, reported to the Management Committee that Novopay was having a significant negative effect on PPTA's finances. PPTA had long had an arrangement with the Ministry whereby PPTA subscriptions were deducted at source in return for the Ministry retaining 2.5% of subscription income. However, the Membership section had been experiencing problems, especially with getting new members added and retiring members removed. By the time of writing, 800 new member applications had not been processed by Novopay, and Novopay had taken four pay periods to implement an increase in the subscription amount, which should have happened at the same time as it implemented a pay increase.<sup>45</sup> The Ministry agreed to stop deducting the 2.5% fee while these problems remained unresolved, and this helped – but there was still a financial impact at the time.<sup>46</sup>

The matter of lost subscription income was very significant for PPTA. It appears that it was never revealed to the PRG, though Ministry officials must have known, that Novopay's system would create a new file for a teacher each time they moved schools. This meant that the kind of information that had previously been carried forward from position to position in the state teaching service, such as union deductions, superannuation deductions, student loan deductions, even Child Support deductions, had to be carried over from the previous file to the new file, and in the case of some of these deductions – including union deductions – Novopay refused to do so automatically. Although PPTA warned members this was happening, many of them found the Novopay payslips so incomprehensible that they did not realise union deductions were no longer happening and that they needed to fix this with their new school's pay officer. Some of the people who called on PPTA for help to fix pay issues found only at that point that their membership had lapsed many months or even years before. The union had to adopt policies about how to deal with these cases.<sup>47</sup>

PPTA's High Court claim lingered in the wings into 2014, failing to reach the priority level that would get a date for hearing. Meanwhile, discussions between the Ministry and PPTA inched towards settlement of the claim for lost subscription income. Secretary Peter Hughes had set a deadline of 30 May 2014 for this to be resolved, but officials struggled to meet this. At a meeting on 20 May with Ministry, Talent2 and PPTA representatives, PPTA and the Ministry compared notes on their differing calculations as to losses



incurred, with a view to agreeing on an amount that the Ministry would pay PPTA as a settlement, and also setting up a fortnightly process of checking teachers who started with a new employer against PPTA's membership lists to avoid the problem of disappearing members happening again. The meeting report commented that Ministry officials:

... seem to be committed to resolving the matter. Unfortunately, Talent2 staff that attended this meeting seem at best disinterested in this whole problem. I have no doubt they will do what they are told to, albeit reluctantly.<sup>48</sup>

However, by July 2014 the matter had still not been resolved, and PPTA's lawyer, writing to Crown Law in an attempt to speed up the case, advised that while the Ministry of Education had acknowledged that PPTA had suffered problems getting accurate subscription payments, and had agreed to 'make it right', this had not happened yet. However, if this could be effected, including making a payment to recognise the increase in workload for PPTA's membership team along with a contribution to PPTA's legal costs and settlement of the other plaintiffs' claims, this 'could well form a platform for settlement of the current proceedings'. The problem, the letter said, was that the Ministry had not come up with an amount it would pay, and unless this happened by the end of July, PPTA would have to move with urgency to get the matter in front of the court.<sup>49</sup>

With its usual brinksmanship, the Ministry invited PPTA to a meeting on 28 July to discuss its proposal for payment of compensation, and an offer was received in writing on 30 July. General Secretary Kevin Bunker summed up the offer as follows:

Basically, the Ministry agrees to pay us \$482,000 to cover our estimate of under-deductions plus \$126,000 worth of costs. In return, we agree to pay the unpaid commission and the commission we would have paid but for the under-deduction. This means a net \$252,100 will be paid to us. In addition, we have agreed that the future commission payable by us will reduce to 0.5% (as opposed to the current 2.5%). This will have an immediate effect and will be of fortnightly benefit to PPTA. This outcome is more than satisfactory.<sup>50</sup>

As an aside, the agreement by the Ministry to reduce the commission payable for subscription deduction was only fair. In a paper in 1999 to PPTA's 'What If?' group, which had a crisis preparedness role, AO Andrew Kear had explained that PPTA paid 2.5% commission to the Ministry, which then paid Datacom to do the deductions. He wrote: 'I gather that the Ministry makes a profit on this (\$40,000 is the sum I have heard

mentioned). To put this in perspective, we paid nearly \$134,000 for this service in the 1997/8 financial year.’<sup>51</sup> The figure would have been much larger by 2014, given that the number of members had increased by about 40%, and salaries had increased over that time, and subscription amounts along with that.

This saga of the legal action was still not over, however. Crown Law Office wrote what Barrister Paul Morten described as ‘a particularly silly letter’ to PPTA’s lawyers in September 2014, responding to the suggestion that the legal case be discontinued with the Secretary contributing \$35,000 towards PPTA’s costs, the other plaintiffs having agreed to withdraw their claims. The letter asserted that ‘the reconciliation was done independently of the High Court proceedings’, and that therefore the Ministry should not have to pay for PPTA’s legal costs for the High Court case. The lawyers advised of a risk that if PPTA filed for discontinuation of the proceedings, the Ministry might claim for its legal costs, but the Court would be unlikely to accede to that. They suggested an alternative path, to offer on a ‘without prejudice’ basis to discontinue the proceeding, on condition that the Secretary agreed not to seek costs. The General Secretary’s response was ‘We should withdraw with dignity. Off the record we will indicate to Peter Hughes how displeased we would be should the Crown file for costs.’<sup>52</sup> And so the case ended.

## **The government takes over payroll**

On 30 July 2014, Minister Steven Joyce announced that the government would take over the Novopay programme from Talent2, and bring payroll into a new government-owned company, Education Payroll Ltd, with Talent2 agreeing to license its software to that company and to discount fees for its support and maintenance as well as paying a cash settlement. The Ministry also gained full ownership of the customisations of the software that had had to be done.<sup>53</sup> At the time of the announcement, Talent2 valued these customisations at between \$15 million and \$18 million, but in a later announcement, in December 2014, these had been valued down to \$9.4 million, and the total cost of the settlement as paid by Talent2 to the Ministry was assessed as between \$29 million and \$32 million.<sup>54</sup>

## Final words

The right to be paid correctly and on time, and to know that deductions, including one's union membership fees, will be taken out and forwarded to the right party, is pretty fundamental. Workers including teachers should not have to worry about whether this is happening when they have so much more to be concerning themselves with. The Novopay debacle brought the Ministry of Education into disrepute and cost millions. On the other hand, PPTA came out in the end having been proven right about its suspicions that all was not well in the project, and with its financial losses remedied. That could not, however, make up for the enormous stress caused to members and to staff.

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## **Z**

Zoom *see* videoconferencing



# A UNION OF PROFESSIONALS

VOLUMES ONE & TWO



JUDIE ALISON

# A UNION OF PROFESSIONALS

PPTA Te Wehengarua across two decades of struggle for  
high-quality secondary education in New Zealand

JUDIE ALISON | **VOLUME TWO**



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# Abbreviations and acronyms

<b>A&amp;TSI</b>	Aboriginal and Torres Strait Islander
<b>ACARA</b>	Australian Curriculum, Assessment and Reporting Authority
<b>ACC</b>	Accident Compensation Corporation
<b>ACE</b>	Adult and Community Education
<b>ACECA</b>	Adult and Community Education Collective Agreement
<b>ACER</b>	Australian Council for Educational Research
<b>ACET</b>	Advanced Classroom Expertise Teacher
<b>ACSA</b>	Australian Curriculum Studies Association
<b>ADR</b>	Alternative Dispute Resolution
<b>AE</b>	alternative education
<b>AENB</b>	Alternative Education National Body
<b>AEU</b>	Australian Education Union
<b>AIMHI</b>	Achievement in multi-cultural high schools
<b>AITSL</b>	Australian Institute for Teaching and School Leadership
<b>AO</b>	Advisory Officer
<b>AP</b>	Assistant Principal
<b>ASPCA</b>	Area School Principals' Collective Agreement
<b>ASPTSA</b>	Area School Priority Teacher Supply Allowance
<b>ASTCA</b>	Area School Teachers' Collective Agreement

<b>ATSAG</b>	Auckland Teacher Support Action Group
<b>BERL</b>	Business and Economic Research Limited
<b>BES</b>	Best Evidence Synthesis
<b>BOT</b>	Board of Trustees
<b>CAC</b>	Curriculum Advisory Committee
<b>CAPL</b>	Centre for Assessment of Prior Learning
<b>CIAGE</b>	Career Information, Advice, Guidance and Education
<b>CLASS</b>	Community Learning Association through Schools
<b>CoL</b>	Community of Learning
<b>COPE</b>	Council of Pacific Education
<b>CoS</b>	Community of Schools
<b>CSC</b>	Conditions Strategy Committee
<b>CSD</b>	Curriculum Support Day
<b>CTU</b>	Council of Trade Unions
<b>CYF</b>	Child, Youth and Family
<b>DGS</b>	Deputy General Secretary
<b>DP</b>	Deputy Principal
<b>EAP</b>	Employee Assistance Programme
<b>EBOT</b>	Establishment Board of Trustees
<b>EBS</b>	Education Benevolent Society
<b>ECE</b>	early childhood education
<b>EDUCANZ</b>	Education Council of Aotearoa New Zealand
<b>EFTS</b>	Equivalent Full-time Student
<b>EHSS</b>	Extending High Standards in Schools



<b>EI</b>	Education International
<b>EO</b>	Executive Officer
<b>EPL</b>	Education Payroll Limited
<b>EQC</b>	Earthquake Commission
<b>ERA</b>	Employment Relations Act
<b>EREL</b>	Employment Relations Education Leave
<b>ERO</b>	Education Review Office
<b>EWAG</b>	Education Workforce Advisory Group
<b>EWSG</b>	Education Workforce Strategy Governance Group
<b>FO</b>	Field Officer
<b>FTTE</b>	Full-time Teacher Equivalent
<b>GETS</b>	Government Electronic Tendering Service
<b>GMFS</b>	guaranteed minimum formula staffing
<b>GSE</b>	Group Special Education
<b>HOD</b>	Head of Department
<b>HPTSA</b>	High Priority Teacher Supply Allowance
<b>ICT</b>	Information and Communication Technologies
<b>ICT PD</b>	Information and Communication Technologies Professional Development
<b>IEA</b>	Individual Employment Agreement
<b>IES/Kāhui Ako</b>	Investing in Educational Success
<b>INSTEP</b>	In-Service Teacher Education Practice
<b>ISEA</b>	Independent Schools Education Association
<b>ISTP</b>	International Summit on the Teaching Profession
<b>ITE</b>	Initial Teacher Education

<b>ITF</b>	Industry Training Federation
<b>ITO</b>	industry training organisation
<b>JVP</b>	Junior Vice-President
<b>LAT</b>	Limited Authority to Teach
<b>LGBTIQ</b>	Lesbian, Gay, Bisexual, Trans, Intersex and Queer
<b>LFQG</b>	Leaders' Forum Qualification Group
<b>LLN</b>	Leadership in Literacy and Numeracy
<b>LSC</b>	Learning Support Coordinator
<b>MCEEDYA</b> (previously <b>MCEETYA</b> )	Ministerial Council for Education, Early Childhood Development and Youth Affairs
<b>MEAC</b>	Multicultural Education Advisory Committee
<b>MET</b>	Māori Education Trust – Toitū Kaupapa Māori Mātauranga
<b>MITA</b>	Māori Immersion Teachers Allowance
<b>MMA</b>	Middle Management Allowance
<b>MNA</b>	Managing National Assessment
<b>MOA</b>	Memorandum of Agreement
<b>MOE</b>	Ministry of Education
<b>MP</b>	Member of Parliament
<b>MRG</b>	Ministerial Reference Group
<b>MSD</b>	Ministry of Social Development
<b>MTF</b>	Ministerial Taskforce
<b>NAG</b>	National Administration Guideline
<b>NASDAP</b>	National Association of Deputy and Assistant Principals
<b>NCAE</b>	National Council of Adult Education

<b>NCEA</b>	National Certificate of Educational Achievement
<b>NEA</b>	National Education Association (USA)
<b>NEET</b>	not engaged in employment, education or training
<b>NELP</b>	National Education Leadership Partnership
<b>NETs</b>	Network of Establishing Teachers
<b>NMK</b>	Ngā Manu Kōrero
<b>NZAC</b>	New Zealand Association of Counsellors
<b>NZACDITT</b>	New Zealand Association for Computing, Digital and Information Technology Teachers
<b>NZAIMS</b>	New Zealand Association of Intermediate and Middle Schooling
<b>NZASE</b>	New Zealand Association of Science Educators
<b>NZC</b>	New Zealand Curriculum
<b>NZCER</b>	New Zealand Council for Educational Research
<b>NZCF</b>	New Zealand Curriculum Framework
<b>NZEI (or NZEI TRR)</b>	New Zealand Educational Institute Te Riu Roa
<b>NZPF</b>	New Zealand Principals' Federation
<b>NZQA</b>	New Zealand Qualifications Authority
<b>NZSPC</b>	New Zealand Secondary Principals' Council
<b>NZSTA</b>	New Zealand School Trustees Association Te Whakarōputanga Kaitiaki Kura o Aotearoa
<b>NZTC</b>	New Zealand Teachers Council
<b>OAG</b>	Office of the Auditor-General
<b>OCR</b>	Official Cash Rate
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OHMT</b>	Out-of-Hours Music Teachers

<b>OOHMA</b>	Out-of-Hours Music and Arts Aotearoa
<b>ORRS</b>	Ongoing and Reviewable Resourcing Schemes
<b>ORS</b>	Ongoing Resourcing Scheme
<b>OTT</b>	Overseas-trained teacher
<b>PA</b>	Personal Assistant
<b>PAG</b>	Pathways Advisory Group
<b>PB4L</b>	Positive Behaviour For Learning
<b>PC</b>	Principals' Council
<b>PCT</b>	provisionally certified teacher
<b>PD</b>	Professional Development
<b>PFI</b>	Private Finance Initiative (UK)
<b>PGC</b>	Professional Growth Cycle
<b>PIAC</b>	Professional Issues Advisory Committee
<b>PISA</b>	Programme for International Student Assessment
<b>PLD</b>	Professional Learning and Development
<b>PM</b>	Prime Minister
<b>PPP</b>	Public-Private Partnerships
<b>PPTA</b>	Post Primary Teachers' Organisation
<b>PRG</b>	Payroll Reference Group
<b>PSPA</b>	Public Sector Pay Adjustment
<b>PTA</b>	Parent Teacher Association
<b>PTCA</b>	Primary Teachers' Collective Agreement
<b>PTE</b>	private training establishment
<b>PTSD</b>	post-traumatic stress disorder

<b>PUM</b>	Paid Union Meeting
<b>QPEC</b>	Quality Public Education Coalition
<b>RTLB</b>	Resource Teacher of Learning and Behaviour
<b>RTC</b>	Registered Teacher Criteria
<b>SAF</b>	Student Achievement Function
<b>SCG</b>	Schools Consultative Group
<b>SCT</b>	Specialist Classroom Teacher
<b>SEAC</b>	Sex Equality Advisory Committee
<b>SEG</b>	Special Education Grant
<b>SENCO</b>	special education coordinator
<b>SES</b>	Socio-economic Status
<b>SFC</b>	Sixth Form Certificate
<b>SLANZA</b>	School Library Association of New Zealand Aotearoa
<b>SMA</b>	Senior Management Allowance
<b>SOP</b>	Supplementary Order Paper
<b>SPAC</b>	Senior Positions Advisory Committee
<b>SPANZ</b>	Secondary Principals' Association of New Zealand
<b>SPC</b>	Secondary Principals' Council
<b>SPCA</b>	Secondary Principals' Collective Agreement
<b>SQAG</b>	Secondary Qualifications Advisory Group
<b>SRG</b>	Sector Reference Group
<b>SRG</b>	Staffing Review Group
<b>SSS</b>	School Support Services
<b>SSSG</b>	Secondary Schools Staffing Group

<b>STA</b>	School Trustees Association
<b>STCA</b>	Secondary Teachers' Collective Agreement
<b>STD</b>	Satisfactory Teaching Dimension
<b>STP</b>	Secondary-tertiary partnership
<b>SUE</b>	Staff Usage and Expenditure
<b>TALIS</b>	Teaching and Learning International Survey (OECD)
<b>TBS</b>	Top of Basic Scale
<b>TCANZ</b>	Teaching Council of Aotearoa New Zealand
<b>TDA</b>	Teacher Development Aotearoa
<b>TEC</b>	Tertiary Education Commission
<b>TEO</b>	Tertiary Education Organisation
<b>TER</b>	Teacher Education Refresh programme
<b>TEU</b>	Tertiary Education Union
<b>TFA</b>	Teach For America
<b>TiC</b>	Teachers in Charge (of subjects)
<b>TIMSS</b>	Trends in International Mathematics and Science Study
<b>TLIF</b>	Teacher-led Innovation Fund
<b>TOD</b>	Teacher-Only Day
<b>TRB</b>	Teacher Registration Board
<b>TRCC</b>	Teachers' Refresher Course Committee
<b>TRD</b>	Teacher Relief Day
<b>UFB</b>	Ultra-Fast Broadband
<b>UPS</b>	Unified Pay Scale
<b>US CDC report</b>	Centers for Disease Control and Prevention (United States)

<b>VUW</b>	Victoria University of Wellington
<b>WAC</b>	Women's Advisory Council
<b>WEA</b>	Workers' Educational Association
<b>WIPCE</b>	World Indigenous People's Conferences on Education
<b>WRAW</b>	Women's Rights at Work
<b>YANT</b>	Young and New Teachers' Network

### The struggle for time to do the job

#### Introduction

The struggle for adequate staffing so that teachers can do the best possible job is a perfect example of how the professional and industrial interests of teachers, and those of their union, merge. Having enough time to do the job means teachers have the headspace to focus on what their students need and how they can best meet those needs. It also enables them to keep up to date professionally, and to have a sense that their working lives are in their control. Who benefits from this? Teachers, of course, but even more so, students and their whānau – and the school community.

Staffing is a complex topic to cover in one chapter covering twenty years. This is because there are such close connections between the adequacy of the staffing entitlement of schools, teacher workload, class sizes, teacher supply, salary levels and government policies that may add to what schools are expected to do in the time available.

In addition, there are school-based factors that can increase or mitigate workload.<sup>1</sup> PPTA's work on staffing and workload over the two decades has included membership and branch education about ways to manage school-based workload pressures.

The two decades covered by this history saw significant improvements in staffing of secondary schools, but also significant increases in the teaching workload caused by curriculum and assessment change and by increased performativity and compliance requirements, which at times have more than used up the increased non-contact time. These workload pressures also have an impact on supply of teachers, negatively influencing both recruitment into the profession and retention of existing teachers. This can mean that, although staffing entitlement is improved, schools can struggle to fill positions.

#### Staffing Review Group (SRG)



Although the story here begins in 2000, it is only briefly mentioned in David Grant's history, where it is called the Secondary Schools Staffing Review.<sup>2</sup> In fact, the review involved the whole sector – primary, composite and secondary schools – and is generally known as the Staffing Review Group. The SRG was chaired by the Minister, Trevor Mallard, and included representatives from PPTA, NZEI, primary and secondary principals, Kura Kaupapa Māori, and the School Trustees' Association.

The report of the review, released by the Minister on 13 March 2001, recommended significant changes in school staffing. For the primary sector, this included reducing the primary school Maximum Average Class Size from 28 to 25, and a new staffing component in primary schools called Professional Leadership.<sup>3</sup> For secondary, changes to the staffing formula would generate 1,800 more teachers in ten steps. Smaller schools were to get proportionately more, in order to reverse the effect of a previous staffing review, the Ministerial Reference Group on staffing in 1995, which had cut 1,100 teachers from secondary, hitting small rural and area schools the worst.<sup>4</sup> Low-decile schools would also get proportionately more of the new staffing.<sup>5</sup>

The report also recommended the following for secondary schools: the introduction of management base staffing; an increase in curriculum base staffing to help meet the demand for greater curriculum breadth; the introduction of staffing for guidance and pastoral care with some weighting for decile; and the reduction of the teacher : student ratio in Kura Kaupapa Māori to 1 : 15. In releasing the report, the Minister was quick to emphasise that the implementation would be staged in the order agreed by the review group. However, he also made a link to collective agreement bargaining, saying:

I have put in a budget bid for extra funding for school staffing. The degree to which that funding is able to be put towards extra staffing as outlined in the staffing review report will depend on the results of the teacher bargaining rounds. There will obviously be a balance between the rate of salary increase and the number of extra staff.<sup>6</sup>

In 2002, curriculum staffing and management staffing improvements began to be implemented. In addition, in 2003, guidance staffing began to be implemented. In 2004 there were further improvements in those areas, so that by then, a number of steps had been implemented. These changes

amounted to about 2.5 teachers per school, independent of any staffing resulting from roll increases.<sup>7</sup>

At the end of the SRG process, the Minister had said that he aimed to introduce the extra staffing in ten steps, with at least one step per year and two in a good year. However, his resolve on this was apparently weakened by the size of the Alternative Dispute Resolution Panel's ruling on secondary teacher pay at the end of 2002 (see Chapter 5 (in Volume One)). In March 2003, President Phil Smith wrote to Regional and Branch Chairs under the heading 'Minister gets speed wobbles on additional staffing'. He explained that there was a danger of teachers' collective agreement entitlement to increased numbers of non-contact periods getting ahead of the staffing delivered to schools to enable this to happen. The inevitable result of that would be either for classes to get larger or for the curriculum to be narrowed in order to supply the staffing for the non-contacts. The letter made the comment: 'Clearly the Minister appears to be seeking to claw back some of the costs of the ADR settlement by slowing the implementation of the SRG staffing increases.'<sup>8</sup>

The collective agreement provided for a fourth non-contact hour in 2004, and the President said: 'PPTA will enforce the four hours guaranteed non-contact provisions in the collective agreement next year. Schools are obliged by the collective agreement to provide this.' He reminded members that the government had a healthy budget surplus and could well afford to keep its promises on staffing if it wished to. He also made the connection discussed in the introduction to this chapter between teacher supply, staffing and workload:

The Minister also argues that secondary teacher supply problems justify not increasing base staffing. We reject this argument for several reasons – not least of which is that the workload controls generated by the non-contact provisions (supported by the extra staffing) seem to be reducing the loss of secondary teachers which is a positive result in net supply terms. We should bear in mind too, that a secondary staffing shortage was not an unforeseen circumstance; it had been predicted for several years that excessive workload and poor pay would have just that effect.<sup>9</sup>

The timing of the letter was linked to the government's budgeting process. If the staffing improvements were to happen, they needed to be budgeted for, and there were only about two weeks left for PPTA to campaign for this. Branches were asked to publicise the issue, lobby the Prime Minister, the Minister of Education and other relevant MPs, organise

local media stories and encourage their Boards of Trustees to lobby on the issue.<sup>10</sup>

However, soon after the settlement of the STCA in August 2004, the Minister issued a press release celebrating that further staffing was going into secondary schools for 2005, and this would take the extra staffing for secondary from the SRG to a total of 1,265 teachers (out of the 1,800 teachers promised with full implementation of the SRG recommendations). The link to the STCA settlements was made very clear in his release: ‘The settlement of the Secondary Teachers’ Collective Agreement has given financial certainty on costs for the next three years, making this initiative possible.’<sup>11</sup>

On 23 May 2005, Minister Trevor Mallard wrote to PPTA indicating that he was considering making a change to the sequencing of the steps set out by the SRG, in relation to the remaining decile-linked steps. President Debbie Te Whaiti replied, giving six major reasons for rejecting the proposal, and said:

... I do not believe that my Executive or our members could be convinced that it would be in the best interest, or in accordance with the intentions of the SRG panel, to endorse a change to the delivery of next year’s staffing steps in the way you propose. We would have to oppose this proposal vigorously.<sup>12</sup>

She acknowledged that the Minister might be experiencing pressure from the principals of some larger, wealthy and high-decile schools, but pointed out that while his proposal would give one of the largest schools in the country, Rangitoto College, only 0.56 FTTE extra staffing on top of the 1.33 FTTE it would have gained anyway from the planned step, a low-decile school like Mangere College would certainly notice the difference between the 1.83 FTTE it was to gain under the planned step, and the 0.57 FTTE under Mallard’s proposal.<sup>13</sup>

The last of the first five staffing steps was implemented in the 2006 year, taking the total amount of extra staffing delivered as a result of the SRG to the promised 1,800 FTTE.<sup>14</sup>

It should not be assumed, from the reaction to Mallard’s proposal, that PPTA was unsympathetic to the staffing issues of large secondary schools. In a paper to the ill-fated staffing review in 2008 (see later in chapter), the union pointed out that while the SRG staffing improvements had been sufficient to resource the phased introduction of non-contact time in small

and medium-sized schools, they had not fully covered the additional staffing requirements of larger schools.<sup>15</sup> This was an issue that PPTA returned to during the next major review of staffing, the SSSG (see below).

However, by the end of 2006 not every SRG step had been implemented.<sup>16</sup> As the STCA campaign gathered momentum in April 2007, Advisory Officer Rob Willetts explained to Executive that the government had, in 2001, accepted the whole report, but Minister Mallard had committed funding only for the first phase of recommendations (numbers 1–5). The SRG had recommended that after the first phase had been completed, another 400 FTTE for staffing in management, curriculum and guidance improvements should be provided. However, the Minister (now Hon. Steve Maharey) had:

... since reneged on the Government's commitment to fully implement the final recommendation of the SRG. He has also blocked the possibility of recommendations from the curriculum staffing work stream that might propose improved staff. Rather bizarrely, he is also maintaining (with some smugness) that personalised learning<sup>17</sup> is unrelated to class size. This will certainly be the chant we will hear from the Ministry.<sup>18</sup>

## **Workload campaigning from 2002**

With the settlement of the STCA at the end of August 2002, PPTA's focus turned to ensuring that members actually received the workload improvements provided for in the agreement. In the 2002–2004 STCA, a new clause provided for consultation within each school about timetabling policy. This required school leadership to develop policy 'in consultation with its teaching staff' about the implementation of the new non-contact provisions and stated that school leadership 'shall provide for circumstances where, for genuine reason during timetabling or at short notice, it is not possible to provide the non-contact time described above (in the STCA)'. This clause, or a version of it, remains in the STCA today. The non-contact provisions were for three hours per week minimum guaranteed non-contact time in 2002 and 2003, rising to four hours per week in 2004, and for schools to 'endeavour to provide' five hours per week in 2005.

## **Branch organising**

Part of the solution to excessive teacher workload lies beyond collective agreement improvements, with good organising as a branch. Executive

member Allayne Ferguson wrote a paper, near the end of the 2001–2002 STCA campaign, about the workload relief that members had experienced through the various bans imposed by the union as industrial action: bans on relieving for absent colleagues; on meetings outside defined hours; and on extra-curricular activities. While it might be possible to implement such workload controls outside industrial action, this tended not to happen. She argued that after settlement of the agreement, branches should be educated on how to act collectively on school-based workload issues, such as excessive meetings.<sup>19</sup>



**Former Auckland Executive member Allayne Ferguson (right) receives Guy Allan award for long service to the Auckland Region, 2011**

She also argued that after settlement, branches would need support to ensure that any new staffing went into workload controls such as the new minimum non-contacts rather than into broadening the curriculum, new initiatives for particular groups of students, and the like. In her branch there had long been an agreement between the branch and management that teachers would not do ‘internal relief’ (i.e. covering for absent colleagues), and this could become more widespread. She wrote:

Branches need to be trained to develop policies for equitable allocation of non-contacts, and to establish priorities for the use of the new staffing delivered by implementation of the Staffing Review recommendations. We don’t want extra non-contacts at the expense of larger classes.

Discrepancies between schools in the allocation of the number of base rate non-contacts and the inequity of workload as measured by student contact hours and internal relief coverage have become apparent during this negotiation round. Training is needed to monitor and influence determinants of workload such as the timetable and the deployment of all staffing, whether funded by the Ministry of Education, Operations Grant or Foreign Fee-paying students.<sup>20</sup>

Soon after this, advice was sent to branches from National Office suggesting that although the industrial actions they had engaged in during the STCA campaign could not formally continue post-settlement, there were still opportunities for branches to negotiate around reductions in workload:

The default culture in schools has become one of work overload; it needs to be replaced with a climate which takes account of the stress teachers are subject to and does not presume on teachers' goodwill. In the future, under the health and safety legislation, employers are going to have to accept greater responsibilities for work place stress so it is an opportune time to review practices in this area.

The advice suggested that branches could ensure that their schools made use of their relief funding so that teachers did not lose non-contacts to cover for absent colleagues, that they could negotiate with senior leadership around excessive meetings, and that they could reject excessive demands for participation in extra-curricular activities.<sup>21</sup>

## **It's about Time**

Soon after settlement of the 2002 negotiations, PPTA issued advice, developed with the School Trustees Association, under the title *It's about Time: Guidelines on implementing the guaranteed non-contact time*. This document became familiar to members and was updated often over the next two decades.<sup>22</sup>

*It's about Time* was issued to branches on 11 September 2002, with a covering letter from Deputy General Secretary Bronwyn Cross. She wrote:

PPTA members have fought long and hard for contractual contact controls. You now have them in writing, but it is up to your branch to make them WORK!

She asked branches to meet as soon as possible to discuss the guidelines and select branch representatives to formally develop, in consultation with the principal, the school's timetable policy.<sup>23</sup>

However, just issuing a 22-page document to schools full of busy teachers is unlikely to ensure that all teachers will receive their entitlement.

There is an irony in campaigning about teacher workload, while at the same time asking at least some teachers to familiarise themselves with new information and negotiate with school leadership. Nevertheless, Rob Willetts told me:

There was a branch audit in 2003 to see if provisions were being implemented. We produced sample policies, and then collected and made available policies that had been developed in schools. The Guidelines were, and still are, regularly used as the basis for presentations at branch and regional meetings.<sup>24</sup>

## **How To Guides**

*It's About Time* was one of many guides issued to branches over the years in an effort to assist them to get the provisions of the STCA put into practice in their branches. There was a series on *How to Reduce Work Overload*, with guides on: *Guidelines for Teachers Engaged in Student Teacher Support* (2001), *Guidelines for Beginning Teachers* (2002), *Guidelines for Best Practice* (2004), *Guidelines for Identifying and Managing Secondary Teacher Stress and Fatigue* (2004), and *Guidelines for Effective Timetabling* (2006). More of the 'How to ...' series followed in 2011, on grounds and supervision duties, co- and extra-curricular activities, and meetings. These were initially paper documents issued to branches, but over the years since, the PPTA website has been developed into the place for branches and individual members to find advice on these kinds of matters.<sup>25</sup>



**PPTA staffing expert, Advisory Officer Rob Willetts**

### **Ministerial Taskforce and ACER study**

The 2003 Ministerial Taskforce (MTF) report contained a section titled ‘Workload within school organisation’. This discussed various issues that had been presented to the Taskforce: the fact that the guaranteed minimum non-contact time was not always being applied; the need for more non-contact time for middle leaders; the fact that some units were being allocated for tasks but no time to do them, and that some experienced teachers were choosing early retirement because of workload pressures. The Taskforce recommended that ‘a study be undertaken to consider how the work of a teacher, and particularly a middle manager, could be better structured, resourced and organised in order to support more effective classroom teaching.’ It urged that this study include a review of best practices in schools, and ‘consider with urgency the provision of additional non-contact time to middle managers’ and ‘ways in which the teaching task may be freed up through more effective use of ancillary support’. The MTF was also keen to see investigation of ‘possible mechanisms to allow reduced class contact time for teachers approaching the end of their teaching careers’.<sup>26</sup>



That investigation became the Australian Council for Educational Research (ACER) study into secondary teacher workload, briefly referred to under Workload in the Workstreams 2004–2007 section of Chapter 5 (in Volume One). The problem areas identified by the study – particularly paperwork, assessment requirements, compliance, performance appraisal and sheer lack of time to do everything – were themes that continued to be topics for discussion in workload exercises throughout the two decades covered here.<sup>27</sup>

Fieldwork began late in 2004, with a survey eliciting responses from 357 schools (1,150 teachers, 936 managers, and 235 principals). Later the researchers conducted face-to-face interviews in six case study schools, developing a new measure of manageability which they called ‘perceived manageability’. They found this was strongly associated with teacher satisfaction. Senior and middle managers were much less likely than classroom teachers to perceive their workloads as manageable. The data on the effect of excessive workload was disturbing: 63% of middle leaders did not have good work–life balance; 77% felt their workload was affecting the quality of their teaching; 40% felt they had little time to get to know students well, and 27% were thinking of leaving teaching.<sup>28</sup>

While they varied a little according to positions, significant stressors included insufficient non-contact time, paperwork, the level of resources, and new assessment procedures.<sup>29</sup> The report identified a number of areas for improvement at system, school and individual teacher level.<sup>30</sup>

At system level, ACER identified compliance requirements, curriculum and assessment requirements, performance management, the nature and pace of change, paperwork, and ‘rewarding effective teaching’<sup>31</sup> as areas for improvement.

At school level, ACER recommended better deployment of teachers’ time, improvements in student behaviour management, improvements in the working environment and access to resources, building a professional culture in schools and the use of ICT.

At the individual teacher level, there needed to be better recognition of what motivates teachers and avoiding unrealistic expectations and burnout.<sup>32</sup>

The Workload workstream was tasked with considering the findings of the ACER report on teacher workload, and to prioritise the 15

recommendations in the report. However, in the end, little progress was made in the workstreams, including the Workload one, so workload continued to be an issue to be pursued throughout the period covered in this history.

## **Campaigning on class size**

At the beginning of 2004, PPTA members, mostly in Auckland, expressed concerns to the union about large class sizes – an issue closely related to the wider one of workload. Because it was not clear at the time whether these class size concerns were localised to particular schools or areas or were more widespread, a survey of members was initiated in Term 2, with approximately 1 in 5 members – about 3,000 in total – receiving a questionnaire. Respondents were asked to identify the classes they taught by subject, year level and NCEA level, and to indicate the size of each class, whether it was individually taught or team-taught, and whether, in their professional opinion, the size of the class was appropriate. The response to the survey was good, with 1,030 responses. While the average class size across all those reported was 22.5, there was considerable variation.<sup>33</sup>

Annual Conference that year debated a paper from the Auckland Region on class size. The paper acknowledged that there had been staffing improvements through the SRG process, but it noted that this staffing was not ‘tagged’ or even specifically identified as such in schools’ staffing notices. Some schools appeared to have used the staffing for purposes other than to deliver the new mandated non-contact time. The paper identified a number of issues that were causing pressure on staffing. Not surprisingly, one of these was the implementation of the NCEA. The new flexibility of senior course design afforded by the NCEA seemed, to the writers of the paper, to have resulted in a ‘flowering of new courses’. In an effort to keep the senior curriculum broad, small classes were being retained causing other classes to be over-large. The region expressed hope that the Curriculum Staffing Workstream, one of the eight workstreams set up as a result of the STCA 2004–2007, would be able to resolve the question of what is required to deliver NCEA to students.<sup>34</sup>

The paper also identified as issues the pace of change coming from policy makers in Wellington, and New Zealand’s high level of devolution.

The latter had been accompanied by compliance requirements, administrivia, and community expectations for student support 'that have gone well beyond the pastoral care that schools are staffed for into intensive one-on-one counselling and psychological support'. It summed up the problem as being 'Schools are simply expected to do too much on too little.'<sup>35</sup>

Conference instructed Executive to set up a Class Size Taskforce, to consist of ten members from a range of school sizes and deciles, from rural and urban schools including those engaged in remote learning, and with a range of timetabling experience and subject areas. The Taskforce was required to report to the 2005 conference on the following ten matters:

- the nature and extent of staffing problems including regional variations;
- possible solutions including the advantages and disadvantages of stated class maxima and minima;
- the relationship between NCEA and curriculum range;
- the national staffing levels required to deliver to students in an NCEA framework;
- the relationship and implications of distance delivery and ICT for curriculum range;
- the relationship between teacher supply and secondary staffing;
- special needs students in classrooms;
- multi-level classes;
- the Ministry's Health and Safety Code of Practice, and
- any proposed changes to the staffing formula and cost.

This substantial list was an expansion of the original list of eight matters, caused by the addition of further items on the floor of conference.<sup>36</sup>

The Taskforce's 2005 conference paper and accompanying technical report recommended that PPTA set a goal of introducing class size limits, starting as a first step with all schools endeavouring to operate a maximum of 30 students per class.<sup>37</sup> The technical report accompanying the paper was significantly developed from what had been presented to Executive in 2004. It showed that while the overall average class size in 2004 was 22.25 students, this varied by year level, with 17.4 students per class at Year 13, but 25.2 students at Years 9 and 10. Actual class size averages were 4 to 5

students higher at each year level than the notional average class size generated by the curriculum staffing components of the staffing formula. This was most likely explained by a significant amount of curriculum staffing being used for management and pastoral care, and to deliver the non-contact entitlements in the STCA.<sup>38</sup> It was found that 9.25% of classes were larger than 30, with most of these being in the 31–35 range, but a few with even higher numbers.<sup>39</sup>

Conference asked for a further survey in 2006 to try to find out what additional staffing would be needed to implement different maximum class sizes, and another paper to include recommendations on optimum class size maxima, proposals for possible class size control mechanisms, and recommendations on an implementation strategy for these.<sup>40</sup>

The 2006 paper began to make the case that larger schools (those with more than about 1,000 students) found it harder to keep class sizes to a reasonable level. In schools with fewer than 1,000 students, the Base Curriculum Staffing<sup>41</sup> allowance of 6.0 FTTE was a significant element of the staffing, but this allowance did not increase with the size of a school. As a school got larger – and by this time some schools had become very large (with one having more than 3,000 students) – the Base Curriculum Staffing was a negligible portion of staffing. The paper contained detailed information about the factors that caused the variability in class sizes across schools, and said optimistically: ‘There is an opportunity for these issues to be considered properly by the Curriculum Staffing Workstream late in 2006. This may result in a change in the way that staffing is generated in schools.’<sup>42</sup>

However, as discussed above (see Chapter 5 (in Volume One), pp. 311–313), the Curriculum Staffing Workstream did not begin meeting until late 2006, and then produced nothing of any substance.



**Teacher with placard listing minutes spent doing what**

By April 2007, with STCA negotiations in full swing, Rob Willetts was telling Executive that they had a battle on their hands over class size reduction, about which members were becoming increasingly passionate. While the union had, in recent years, achieved mandated increases in non-contact time for secondary teachers, there was a real danger that Boards of Trustees and principals would oppose any further collective agreement workload provisions without the extra staffing to deliver such provisions. A further danger was that there might be a change of government the following year, with Labour at that stage in its third term and looking increasingly shaky. A new government might ‘choke off the staffing required to reduce class sizes’.<sup>43</sup>

Executive had agreed the previous year to commission research among parents of secondary students about their perceptions of secondary schools

and teachers.<sup>44</sup> This had been conducted by Windshift Communications early in 2007 as a mix of focus groups and a survey. The information gleaned from this was invaluable in developing key messages that would resonate during the campaign, including around class size and parents' hopes that teachers would have time to effectively connect with all of their students. One key learning from the research was that parents thought a class size of between 20 and 25 was about right, and were unhappy if their children were in classes larger than that.<sup>45</sup>

Then out of the blue, in the middle of 2007, during the STCA negotiations, Sue Watt of the Ministry's School Resourcing Policy division emailed PPTA seeking the nomination of two representatives for a School Staffing Review. The purpose of this review was explained as 'to gather sufficient relevant information to inform any future consideration of staffing'. PPTA's President, Robin Duff, replied saying that he could only conclude from this that it would be 'about determining possible future staffing adjustment', which was something of a surprise as the Ministry and the Minister had, on several occasions that year, assured PPTA that the review was to analyse the implementation of the first phase of the SRG recommendations. The timing of the request was also unfortunate because it came the same day that PPTA received the Ministry's response to its STCA claim, rejecting any discussion of staffing in bargaining. The President argued that the review appeared to be trying to cover ground that should have been addressed in the ill-fated Curriculum Staffing Workstream. He accused the Ministry of 'an absence of good faith in employment relationships', and declined the invitation to participate in the review, leaving open, though, the possibility of reviewing the lessons to be learned from the processes around the implementation of those parts of the SRG recommendations that had been honoured.<sup>46</sup> The Ministry appears to have deferred any action on this until the STCA was settled. AO Rob Willetts confirms that nothing eventuated from this overture, and says:

My suspicion is that the Minister/Ministry wanted to move the discussion out of the Curriculum Staffing Workstream into a bigger forum, or else the Minister just wanted some more advice around what was causing the problems. Whatever was planned was washed away by the 2008 election.<sup>47</sup>

Terms of Settlement for a further three-year STCA were eventually signed on 15 October 2007, and included new clauses that required schools

to ‘endeavour to provide’ a maximum average class size of 26 students per teacher. It also embedded the fifth non-contact hour for all teachers (removing the ‘endeavour to provide’ wording). For holders of more than three units, there was a new requirement that the employer endeavour to provide an additional hour of non-contact for each additional unit. There was also some guaranteed non-contact for part-time teachers whose loads were near full-time (0.72 FTTE or above).

In addition, the 2007 settlement extended the 2002 requirement for each employer to have a policy on timetabling, developed in consultation with its teaching staff. This was to cover the non-contact entitlements; class size matters in relation to the new ‘reasonable endeavour to achieve’ goal of a maximum average class size of 26; a process for where the employer was unable to meet the non-contact or class size provisions; and other matters such as duties outside of timetabled hours.<sup>48</sup>

However, the question of extra staffing to enable schools to deliver these improvements remained unresolved. Advisory Officer Rob Willetts, when I asked him about this, said that it was hard to calculate whether there was enough staffing. He wrote:

We worked out the staffing needed for the non-contact and the unit time in preparation for the SRG. We asked the principals how much extra staffing they would need to do it, and in general the indication was that an average of 5 per school would do the job for the non-contact. However, some principals indicated huge amounts needed – but they were in schools of similar type and size to others who indicated much smaller amounts so there was always a question of what some schools were doing beyond the norm.

Also we could not touch the year 7 and 8 component of the staffing formula or we would have siphoned off a lot of our staffing to primary, so year 7–13 schools were tighter (though they tend to be smaller and therefore covered by the base staffing increases). The two biggest issues were that we had a growing number of very large schools and the longer the implementation took, the less those schools were covered by the initial gains.

Lastly, because the staffing trickled in and the MOE refused to highlight in the staffing notices what was extra for SRG each year, principals were often not aware they were receiving the extra staffing in advance for the next move in the non-contacts, so they used it for other things then said they did not get staffing for the non-contact. We had to keep showing them the steps in the increases and how much extra they got. In terms of the maximum average class size, that was based on current class sizes and set at a level that schools could accommodate already – it was to avoid excessive loads on individuals.

The compensatory mechanisms were to deal with those few who could not (for genuine timetabling reasons) have an average of 26 or less – but compensatory mechanisms do not have to involve staffing. However, there are three instances where the provision does create pressure:

- Homeroom teachers in year 7–13 schools where the curriculum staffing gives large class sizes and they don’t automatically have other classes to balance the homeroom class.

- Junior highs – where there are no senior classes to balance out the high class sizes at junior level, and
- The very big schools where the average class size increases above 30 just because of the staffing formula impacts.

Sometimes it was just that the principal did not want to use the staffing that way or to change the way the school operated so they just said they didn't get the staffing.<sup>49</sup>

At the 2007 Annual Conference, just prior to the settlement, class size was yet again a significant area of discussion. A brief report on class size was presented. Angela Roberts (as the Executive representative on the Staffing Committee) presented this, accompanied by a Powerpoint presentation designed for members to use with boards, parents and other influential groups as part of an ongoing class-size campaign.<sup>50</sup>

The settlement of the STCA in 2007 by no means ended the class-size campaign; in fact, it may have given it further impetus. By the beginning of 2008, planning was well under way for regional seminars in Term 2 followed by one-on-one support for individual branches that required it. These would be largely run by PPTA staff or members of the union's Staffing Committee, and a wider pool of staffing specialists would be trained to provide advice to branches. At that stage in the campaign, they focused on helping branches to ensure that the requirement – that had been in the STCA since 2002 – for schools to have a timetabling policy negotiated with the branch was being honoured.<sup>51</sup>

At the same time, SPC, SPANZ and NZSTA were engaged in joint action to protest that the new STCA workload and class size improvements had not been accompanied by improvements to staffing. Arthur Graves, SPC Chair, told Executive in February that they had jointly written to the Minister,<sup>52</sup> but had not even received the courtesy of an answer until what he described as 'a short, sharp email' from the three groups had generated a response 'within an hour' and they had been offered a meeting.<sup>53</sup>





**Hon. Chris Carter, Minister of Education November 2007–November 2008**

In July, Minister Chris Carter spoke to Executive and acknowledged that the staffing formula disadvantaged large schools, so clearly the principals' groups and NZSTA had got that message across to him. Julia Davidson, Deputy Chair of SPC, made the same point to Executive, saying that schools had insufficient resources to staff the maximum average class size of 26.<sup>54</sup>

The campaign was widened in Term 3 that year, coinciding with the lead-up to the general election. President Robin Duff wrote to Regional Chairs saying:

The reduction of over-large classes will require additional staffing and almost certainly changes to the existing staffing formula, which seriously disadvantages large schools. While the focus of the campaign is smaller classes, for schools that already have few large classes additional teachers generated by changes to the staffing formula will mean a broader curriculum, greater student

support and more management / administration positions. In term 3 we will be expanding the national campaign with the aim of seeking political commitment to implementing staffing improvements to achieve our goals and to raise public awareness of the problems our schools face because of current under-resourcing in this area.

Regions were asked to set up campaign committees, promote the campaign locally, encourage branches and members to get on board, consider mounting local activities to highlight the messages of the campaign, and lobby local Members of Parliament. A petition to eliminate large classes had also been developed, and regions were asked to get signatures.<sup>55</sup>

## **2008 Staffing Review proves a non-event**

The 2007–2010 STCA settlement contained a lengthy Statement of the Parties. This included a reference to the ‘Shared Vision’ agreed between the parties in 2005 as continuing to ‘form the basis for the work ahead’, and referenced three aspects of that vision, one of which was on teacher supply:

The system ensures that there is a stable and sufficient supply of well-prepared high-quality teachers and leaders to meet the needs of all schools. Teaching attracts top graduates and people from other careers into initial teacher education and the number of applicants exceeds places available. High-quality teachers choose to remain in the system.<sup>56</sup>

In January 2008, AO Rob Willetts produced a typically comprehensive paper, outlining all the staffing issues of concern at that time, and providing detailed analysis of many of them. These included: class sizes; the continued absence of any kind of defined curriculum entitlement for every student; the fact that guidance and management needs continued to draw on staffing allocated for curriculum; the workload burden of NCEA assessment and reporting; the high quantum of additional staffing hired by schools that could afford it; the impending decline in rolls risking curriculum collapse in some schools; and problems specific to music education, special needs education, and e-learning.<sup>57</sup>

However, it was October 2008 before the Ministry was ready to discuss some proposed terms of reference for the group, and at that point, the trail appears to run dry, probably as a result of the election of a National-led Government in early November. During that election campaign, Executive approved a budget of up to \$200,000 for a nationwide advertising campaign on class size.<sup>58</sup>

## **Needs-based staffing – the first round**

A conference paper in 2008 was the first time – but not the last – that the union tackled the tricky issue of needs-based staffing. The 2007 conference had requested a paper ‘identifying and describing models for a needs-based staffing formula in secondary schools’. The 2008 paper explained that the current staffing formula was ‘fundamentally a rationing mechanism rather than a needs-based mechanism’, and that very little flexibility existed to recognise differences in need between schools of similar size. It explained that prior to 1994, schools were able to receive discretionary staffing if a local need was identified. ‘While this mechanism was open to some resource capture by principals who could mount “best case” arguments, it did allow schools with genuine differential needs to receive additional staffing which was not simply a reflection of their roll size.’ The paper identified a large number of problems with the current model, and then went on to discuss some overseas examples of different approaches to staffing schools.<sup>59</sup>

The paper proposed some principles to guide the development of a needs-based model. These principles included that such a model needed to be adequate to provide a broad curriculum with classes of no more than 20–25. Among other things, it also needed to protect and maintain small subjects, to provide for pastoral and guidance support for students and for interaction with external agencies in relation to such support, and to provide careers and education pathway guidance. The paper accepted that governments liked certainty about future costs of staffing schools, so therefore any future model was likely to be based on a formula of some kind. However:

The critical cause for concern ... is that the current staffing formula is not designed to approximate the actual needs of secondary schools in the 21st century. It is not that the mechanism is not needs-based just because it is a formula. The formula is not based on the needs of schools. For example, schools of similar size receive the same guidance and pastoral staffing component, but any needs-based formula would cater adequately for the number of pupils currently entering schools with serious pastoral and guidance support needs, and through an objective mechanism be able to apply staffing differentially for individual schools because such students are not evenly distributed across schools. In this example, it is likely that a needs-based model would include a new remedial social-factor index as one of its components.<sup>60</sup>

These words were highly prescient, in their reference to some kind of index to identify levels of student need. The idea of an index was revived in Minister Hekia Parata’s push for a funding review in 2016, and the

replacement for the decile system which took effect in 2023, uses that concept, but not in relation to staffing, only to equity funding. (See Global Budget, Chapter 4 (Volume One), pp. 258–266.)

### **Threats of staffing cuts**

The Labour Government lost the November 2008 election, and was replaced by a minority National Government under John Key, propped up by confidence-and-supply agreements with ACT, United Future, and the Māori Party. The new Education Minister was Hon. Anne Tolley.

Budget 2009 on 28 May appeared to signal a reduction of \$50 million per year from 2011 from teacher staffing. President Kate Gainsford wrote to Minister Tolley expressing significant concern about this. While the President accepted that the details of the proposal might still be being worked through, she asked for ‘a clearer understanding of what the government is proposing in order to be able to respond appropriately to the growing concern of my constituents’. She tried to establish whether the cut was to come from the teacher salary budget or from changes to the staffing orders, and what the government’s aims were in making such a cut.<sup>61</sup>

Minister Tolley’s reply on 2 July used the term ‘the teacher salaries budget’, and said that, at that stage, it was not clear how the saving would be achieved.<sup>62</sup>

The President responded that PPTA had now calculated that a saving of \$50 million per year from staffing would amount to the loss of 700 teachers across primary and secondary, and said that the prospect was ‘causing alarm in secondary schools’. She accused the government of ‘robbing Peter to pay Paul’, in that Treasury advice had been to not implement the 1 : 15 ratio for new entrants but government had chosen to ignore that advice, meaning that cuts had to be made elsewhere ‘to balance the books’. She said that while she supported reducing class sizes at all levels, ‘parents and teachers of secondary-age students will not accept that improvements in primary school ratios should be at the cost of the quality of education for students in secondary schools who are working towards national qualifications’. She also accused the government of misusing the word ‘savings’ when it was actually cuts that would happen if the staffing entitlement was reduced. She pointed out that schools with rising rolls might well be able to hold on to all their staff, but for schools not in that situation, ‘a cut in entitlement staffing

will mean real teachers lose their jobs'. As alternatives to cutting staffing, she suggested that the government could stop integrating private schools, and/or stop unfettered choice that required spending on popular schools and waste of infrastructure in less popular schools, and/or reduce spending on private schools unless they accepted staffing ratios similar to those of state schools.<sup>63</sup>

At a meeting with the Minister the next month, a PPTA delegation tried to pursue the topic of staffing cuts, but was told by the Minister that she was still 'awaiting a report from the MOE proposing areas for cuts'.<sup>64</sup> PPTA was never invited to discuss the Ministry's proposals, whatever they were.

PPTA called Paid Union Meetings (PUMs) in Term 3, 2009 to discuss the changed industrial context following the 2008 election and the Global Financial Crisis, and to consider the implications for collective agreement negotiations in 2010. These PUMs voted for Executive to 'take any non-industrial initiatives it believes appropriate to prevent the government's proposed secondary staffing cuts', and to present an industrial action plan to the membership 'should the Executive deem this essential to averting staffing cuts'. The speech said that the President had demanded answers on the details of these cuts, but Minister Tolley:

... seems to have little idea of how this might be done. It appears that the \$50 million was simply offered up without any thought about how to do it, or about what impact it would have in schools. The Executive is determined to resist staffing cuts in any form. The intention is to demonstrate to the Minister that the opposition by the Executive to the staff cuts is backed by the wider membership.<sup>65</sup>

In April 2010, Advisory Officer Rob Willetts expressed real concern to Executive that staffing cuts might yet be on the horizon in the May Budget. He reminded them that the aim of the non-industrial initiatives agreed to at the PUMs was to 'keep raising the spectre of the difficulty this would create for the government given that it would mean cuts to front line staffing, reduced options, larger classes and would be very unpopular'. The President had been stressing to the Secretary for Education and in the media that such cuts 'would be, effectively, a declaration of a long war'. They also seemed less likely and less justifiable, given that by that stage, the economic situation was on the mend. However, he concluded: 'This is fundamentally a National-*ACT* government and thoughtless brutality in respect of state education is not to be dismissed.'<sup>66</sup>

Ironically, it was the Ministry of Education that faced staffing cuts in the end, with the May 2010 Budget slashing \$25 million off Vote Education. Minister Tolley was quoted as saying that she had ‘no idea’ how many jobs would be cut, and that it would be up to the Secretary for Education, Karen Sewell, to decide where the cuts would be made, although the Minister’s wish was for the Ministry to ‘redirect more of its resources to the “front line” of education’.<sup>67</sup> Clearly the messages about the likely reaction to cuts to school staffing had been heard.

## **Secondary Schools Staffing Group (SSSG) 2011–2012**

The Terms of Settlement of the STCA in March 2011 included, under the heading ‘Class Size’, a working group on secondary school staffing. The group comprised Ministry, PPTA, SPC, SPANZ and NZSTA. PPTA’s General Secretary (or his nominee) and a Ministry Deputy Secretary (or their nominee) were to jointly chair the Group. The Terms of Reference defined its objectives as: to ensure staffing was most appropriately delivered to schools; to maintain flexibility of class sizes in secondary schools; to consider the impacts of class size; to develop solutions for classes that were too large, and to consider progress made since 2008 towards the Maximum Average Class Size of 26 agreed (as an ‘endeavour to provide’ clause) in the 2007–2010 STCA.

Unfortunately, the Terms of Reference also made it very clear that there was no commitment by the Ministry to fund any of the Group’s recommendations:

There is no additional funding allocated for any potential outcomes from the work of the SSSG. If any additional resourcing is found to be required to implement any advice/recommendations from the group within the immediate future then the cost will need to be found within Vote Education baselines. This does not preclude advice to the Secretary which might require an increase in Vote Education baselines if implemented immediately or in the longer term.<sup>68</sup>

The timeline for the group was tight, with the first meeting to take place on 31 May 2011 and the final report to be with the Secretary for Education, Lesley Longstone, by 14 October 2011.<sup>69</sup>

While the SSSG was still working, another annual conference paper on class size was presented. The paper explained that while the 2007–2010 clause requiring schools to ‘endeavour to provide’ a Maximum Average Class Size per teacher had been continued in the 2011–13 settlement, the

government had refused to move further on this. The reasons given were the cost of the additional teachers required if the clause was tightened; a philosophical opposition to mandating such provisions in the STCA; opposition to engaging in what the government saw as ‘professional discussions’ in bargaining, and a belief that staffing was a matter for government policy and not up for discussion with teachers. The Ministry negotiators also put up what was to become a familiar argument, that ‘research’ showed that class size did not matter.<sup>70</sup>

The paper also explained the difficulties of reaching agreed outcomes, given the disparate interests of the parties represented on the SSSG:

It has representatives from SPANZ, focused primarily on increasing resourcing to secondary schools, NZSTA, concerned primarily with preventing any outcomes that might reduce the ‘flexibility’ of local schools, the Ministry, concerned with not producing results that might create an expectation that further resourcing will be made available to schools, and from NZSPC and PPTA, seeking to address the issues that large class sizes create in our schools.<sup>71</sup>

Members were also told about further research on parents’ perceptions of class size done for PPTA by MMR Research Ltd earlier in 2011. This research had revealed, through focus groups and a survey, that parents were very concerned about the size of classes in secondary schools. Thirty-nine per cent of parents were dissatisfied or very dissatisfied with the ability of teachers to manage difficult student behaviour in the classroom, and 29% about the ability of teachers to respond to their child’s individual needs. More generally, 23% were concerned about the number of students in their child’s class. Thinking about secondary schools in general, issues that parents were concerned or very concerned about were bullying by students (75%), troublemakers in classes making it hard for other students to learn (72%), teachers being overworked (52%), and classes being too large (50%). The paper pointed out that all of these factors were related to class size, because research showed that reducing class sizes led to positive impacts on student behaviour, improvements in safety for students, improved individual attention and feedback to students, and reduced teacher workload and stress.<sup>72</sup>

Meanwhile, the SSSG ground on. It was not able to meet its original requirement to report on 14 October 2011, and the final report was actually presented to Lesley Longstone on 9 February 2012.<sup>73</sup> President Angela

Roberts' report on what the group hoped was to be its penultimate meeting on 20 December 2011 provides some explanation for the late report:

There was considerable frustration expressed on our part about the inability of the ministry to attend all of the planned subgroup meetings and complete tasks set by the SSSG in a timely manner. The Ministry were not comfortable with our efforts to continue to progress work on our own in the resulting vacuum. By the end of the meeting, it was felt that we had very clearly determined the work that was expected to be done and how the progress was to be reported to the chairs before the next meeting on January 24th.<sup>74</sup>

In an earlier report on the group, Senior Vice-President Kate Gainsford had explained the four strands of work. Strand 1, Baseline Data, used existing data from Ministry payroll and resourcing and PPTA data to look at 'facts' about secondary school staffing. Strand 2 involved case studies conducted by MartinJenkins in a sample of secondary schools to look at practices with respect to timetabling and class sizes, and the decision making and constraints that underpin those class sizes. Strand 3 was a review of academic research on class size, which had proven difficult because, while there is a lot of research on 'class size', some of this was highly contestable. Strand 4 was to develop a short paper on the range of responses there had been, or could be, to large class sizes.<sup>75</sup>

Angela Roberts' report explained that the plan had been for all the parties to propose draft recommendations for a joint report, but that the Ministry had put a spanner in the works by presenting to the group a position paper 'with a raft of contentious recommendations'. PPTA, of course, responded with a different set of recommendations. In the end the Ministry's position paper was taken off the table in an attempt to arrive at an agreed set of data and recommendations.

The final report was only 19 pages long and included just nine recommendations. These included a recommendation to review the staffing formula in relation to larger schools and to junior high schools. Another recommendation was to work on an agreed understanding of what a needs-based resourcing model might be, and how it might be used to improve the delivery of staffing, including gaining a better understanding of the use of guidance and management time and the use of operational and locally raised funds for additional staffing. The parties also recommended that the Ministry work to identify and implement a suitable mechanism to collect data on actual class sizes, in the absence of good data on this. They also 'encouraged' New Zealand-based research into the relative impact of



factors including class size ‘on the ability of teachers to use pedagogies and student focus envisaged in the New Zealand Curriculum, and the effect of each factor on student outcomes’.<sup>76</sup>

There were no agreed recommendations on solutions for classes that are too large, or on decision making around class size. While the slim list of agreed recommendations might have conveyed an impression of unity in the group, there were actually separate sections setting out the positions of the different parties: the Ministry’s position, a joint position of PPTA, SPC and SPANZ, and a NZSTA position.<sup>77</sup>

At the meeting with Lesley Longstone on 9 February 2012, PPTA and the principals’ representatives tried to emphasise to the Secretary the urgency of addressing the staffing issues of large schools and junior high schools. Her response on the large schools was to reiterate that there was no funding allocated for implementing the recommendations, so did we therefore expect her to take staffing away from small schools in order to deliver that? At that point, I think most of us realised that despite all our efforts, little would be achieved.<sup>78</sup>

The day before the presentation of the report, AO Rob Willetts wrote a paper for Executive on how to make progress on the large school and junior high class size problem despite what he rightly expected would be an insipid response from the Secretary for Education. He described the problem as that the staffing formula essentially forced large schools and junior highs to have large classes; ‘large’ schools being defined as those with rolls of 1,000 plus. The disadvantage built with roll size rather than appearing at a particular size. For these schools, the only option to avoid large classes was to buy teachers from Operations Grants, international student fees, or locally raised funds.<sup>79</sup>

Willetts recommended a political campaign to promote staffing improvements as recommended in the SSSG report. Strategies included PPTA working with the two secondary principals’ organisations (which had been part of the SSSG) to disseminate the findings about how the staffing formula impacted on large schools and junior high schools, including individualised letters and information packs for principals of affected schools, presentations to their boards and material for PPTA branches. He also recommended working with the education spokespeople of the opposition parties.<sup>80</sup>

His paper was perhaps a little optimistic, especially as he was aware that Treasury, and Finance Minister Bill English, were putting out signals of yet another attack on school staffing at the same time as the SSSG was doing its work. He wrote that Treasury's advice to government, including asserting that class size was not important, had led to a surge in media interest in the issue. The government's austerity drive presaged cuts in staffing and attempts to remove the non-contact and average class size provisions of the STCA. Nevertheless, the Ministry had to be aware that the secondary sector had high expectations from the SSSG exercise. He predicted that the Secretary would probably seek authorisation for a further investigation of the staffing of large schools, and would try to engage sector groups 'in a long-term exercise to analyse needs, use, allocation mechanisms etc and eventually to look for trade-offs in improvements against salary claims etc'; in other words, to stall.<sup>81</sup>

### **The short-lived 2012 staffing cuts**

However, events rapidly moved beyond mere stalling by the Secretary. Even while the SSSG was still mulling over its final report, Treasury was beginning to pressure the Minister of Finance about actually increasing class sizes to save the government money.

This began with Treasury's 2011 post-election Briefing to the incoming Minister of Finance, Bill English. It included two particular recommendations relating to the education system: that the government should 'Reform the education system to improve educational attainment at a lower cost', and 'Implement initiatives to improve school teacher quality, funded by the consolidation of the school network<sup>82</sup> and increasing student/teacher ratios'.<sup>83</sup>

Treasury head Gabriel Makhlouf told a group of business leaders in Wellington that lifting class sizes by two or three students and using the savings for improving teacher quality would be a beneficial policy for government.<sup>84</sup> The same day, Treasury released a paper on lifting student achievement which advocated increasing student : teacher ratios in order to free up funding to support initiatives to enhance the quality of teaching, 'such as more systemic use of value-add data and a more professionalised

workforce'. Smaller class sizes had a positive impact, he admitted, but this was minor compared with raising the quality of teachers.<sup>85</sup>

On 30 May, DGS Bronwyn Cross wrote to Makhoulf asking him to send references for the 16 pieces of research Treasury was reported as relying on 'to bolster its campaign for raising class sizes in New Zealand schools'. She referred him to a much larger body of work carried on PPTA's website, and one in particular. PPTA's files do not appear to contain a reply from him.

There was another hint of what was to come in the Budget at the first-ever meeting<sup>86</sup> between PPTA and the new Secretary for Education, on 26 April. Bronwyn Cross noted:

Lesley (Longstone) talked enthusiastically about the Grattan report and noted that countries that had made real progress did so by focussing on teachers and PD not class sizes. (But do they have the high level of internal assessment we have?) She acknowledged that we might not agree on class sizes but she was a great advocate for giving principals all the resources. I think she looked a little anxious when I said cuts to teacher numbers would embitter members and make it difficult to take a collaborative approach.<sup>87</sup>

The response at the time from the new Education Minister, Hon. Hekia Parata, was equivocal. She said that Makhoulf's comments were not government policy, but she was 'keen to sharpen the focus on teacher performance'.<sup>88</sup> This response was in March 2012, during the finalisation of the 2012 government Budget, so it is likely she already knew what was coming.

The Budget was released on 22 May 2012, but Parata had been allowed to make a pre-Budget announcement to a business breakfast on 16 May that gave the first clear signal that staffing cuts were in the Budget. The speech notes are titled 'Raising achievement for all in Budget 2012'. The speech was quite long, and largely focused on her plans for education to 'get five out of five'.<sup>89</sup> She began to hint at the staffing cuts by using phrases such as 'making good choices with the money we have'. And then it came, with quite a lot of detail:

We will fund the improvement in teaching quality by making a small change to teacher:student ratios. These changes will free up just over \$43 million, on average, in each year over the next four years.

We will continue to emphasise the most critical transition years of new entrants and senior secondary school. The way we will do this is by maintaining or lowering the ratios at new entrant year 1 and years 11–13, and making a small adjustment to achieve consistency of teacher : student ratios in the mid-years of schooling. Ratios will remain as they are for new entrant year one at 1 : 15, and for students sitting NCEA in years 11–13 will be standardised at 1 : 17.3. In the middle

years 2–10 there is currently a wide range of ratios, ranging from 1 : 23 to 1 : 29. To give schools consistency and certainty about how they manage their resources, we will standardise this ratio at 1 : 27.5.

What this means is that 90 per cent of schools will either gain, or have a net loss of less than one Full-time Teacher Equivalent (FTTEs) as a result of the combined effect of the ratio changes and projected roll growth. These changes will take effect over the next five years.<sup>90</sup>

The cuts were confirmed in one sentence in the Budget speech on 22 May: ‘To increase investment in raising student achievement, and to manage the costs of increased primary-school-age children over the next four years, we are making small changes to current school funding ratios.’<sup>91</sup>

PPTA’s Executive met that evening, and called urgently for PUMs about the staffing cuts, to be held between 12 and 14 June.<sup>92</sup> There was a very short timeframe to organise these. A flurry of correspondence with the Ministry ensued after PPTA notified the Secretary of the meetings, including the Industrial Relations unit demanding to know how the union was going to meet its collective agreement requirements regarding schools being able to remain open during Paid Union Meetings.<sup>93</sup> Invitations went to other sector groups to send representatives to the meetings, and the speech that was prepared began by thanking the Minister of Education for so successfully bringing together in common cause ‘teachers, principals, NZEI, PPTA, Secondary Principals’ Council, SPANZ, Principals’ Federation, the Intermediate and Middle Schools’ Association, the School Trustees Association, PTAs, parents and a fair swag of the media’.<sup>94</sup>

While Radio New Zealand had carried a report on the pre-budget announcement, including interviews with Minister Parata and NZPF’s Paul Drummond on *Checkpoint* that evening, the response from the media appears to have been relatively quiet until a Budget Briefing meeting Parata held the following Thursday, on 24 May.<sup>95</sup> By that time, journalists had had a chance to study the Budget detail and talk with the education sector. Radio New Zealand pointed out that the change would save the government nothing in the 2012–2013 financial year, \$29 million in the 2013–2014 financial year, and more than \$71 million in the next two years. The savings would be more in primary schools (\$65 million) than in secondary schools.<sup>96</sup>

General Secretary Kevin Bunker attended the Budget Briefing, reporting:

The hui began with the Minister presenting us with the press kits and the accompanying one-liners. ‘It’s all about better results for kids.’ ‘Five-fold increase in teacher numbers relative to

student growth, no corresponding increase in student achievement.’ ‘Achievement improvement has plateaued at best.’ ‘The system is failing kids.’ ‘Time to invest in quality, not quantity.’

At that point, exchanges became heated, but it would appear from the General Secretary’s summary that they went nowhere.<sup>97</sup> After the Budget Briefing, though, debate became more public and angrier. On 25 May, PPTA President Robin Duff wrote to the Minister, ostensibly to thank her for her attendance at the May Executive meeting, but really to express the union’s anger at the staffing cuts, and the links made to her claim that one in five students was failing because of poor teaching. He wrote:

We are somewhat disappointed that in spite of your expressed commitment to collaboration at that meeting, your recent comments on staff cuts and teacher quality seem to be deliberately provocative. Linking staff cuts and the increased workload of larger classes to ‘quality teaching’ in a way that suggests they are directly contradictory is a false construct designed, we suspect, for political reasons not educational ones. The fact that the schools that have the highest number of Māori and Pasifika students have been particularly singled out for cuts does tend to confirm this viewpoint.

We were also surprised to learn that the technology staffing for years 7 and 8 has been savaged to the extent that it will be quite difficult to offer coherent programmes for students in that age group. It seems counter-productive to pump in rescue funding for students to develop trade skills once they have left school while undermining specialist technology programmes in years 7 and 8.

We will struggle to explain to PPTA members that there is some possibility of working with the Ministry in a collaborative way to develop a national appraisal system that supports teachers with feedback and professional learning when it has been announced in such a hostile context. Moreover, multiple requests to the Ministry that they share with us the work that they are supposedly doing on teacher appraisal have been fobbed off. This seems to us to be neither collaborative nor transparent.

The idea that teacher quality can be improved by a public campaign that implies that teachers are ineffectual and lazy and will not do their jobs with commitment and integrity unless they are subject to constant surveillance and a carrot-and-stick reward system is misguided and destructive. The goal of lifting achievement, which we all share, cannot be done with a profession that is demoralised and bitter.

Regrettably, the main effect of this announcement (and the media circus that has followed) has been to distract and irritate teachers. I accept this might not have been the intention but [it] is certainly the effect. I am disappointed that our best efforts to develop a process that might have facilitated positive and managed change appear to have been derailed so early in proceedings.<sup>98</sup>

The pressure on the Minister continued, to the extent that on 30 May, she rushed out a press release trying to reassure schools that none of them would ‘lose more than two full-time teachers (FTTEs) as a result of the Budget changes’, as if that would mollify the angry sector.<sup>99</sup>

However, the lobbying, the media coverage and the email traffic – and perhaps focus group feedback to the government – must have been

intensely negative, because on 7 June, only two weeks and two days after the Budget, the Minister backed down. In her press release, she announced that ‘the Government has decided not to make any change to teacher : student funding ratios.’ She said:

We have heard the concerns of parents and are reversing this part of our education plan. We are firmly focused on raising student achievement and getting five out of five of our kids succeeding and we continue to believe that investing in quality teaching and professional leadership is the best way to do this. We had thought that some modest changes to teacher : student funding ratios in Budget 2012 would help us fund this investment but over the past week, it has become apparent that these minor adjustments have caused a disproportionate amount of anxiety for parents, and that was never our intention.<sup>100</sup>

The significance of the backdown being linked to reactions from parents was not lost on PPTA. It would be much more comfortable for an education minister of whatever political complexion to attribute such a humiliating backdown to parents’ reactions than to the anger expressed by teacher unions or other education sector groups. At the same time, PPTA was aware, from the research it had done into parents’ perceptions of secondary schools and their opinions about class size, that parents would have reacted pretty negatively too.

The following day, PPTA’s Paid Union Meetings were cancelled.

Ironically, the sector groups under the title of The G7 (NZEI, PPTA, SPC, SPANZ, NZPF, NZAIMS and NZSTA) had managed, after much frustration, to organise a meeting with the Minister. They had met on 5 June to see whether they could adopt a common position on the staffing cuts and run a joint political campaign. They were able to reach a consensus on that, but decided that their first course of action should be to put it to the government that it should reverse the cuts and, instead, enter into discussion with the group about how to ‘continually improve the quality of teaching and the achievement of students’. The initial reaction from the Minister:

... was to say no, remain staunch and to refuse to meet with the Group. The Minister fronted this response with vigour and was assisted by periodic interventions from the Prime Minister who was in London helping the Queen celebrate her Diamond Jubilee.<sup>101</sup>

The Minister had also set up separate meetings with individual organisations, both from the G7 group and others, presumably based on a divide-and-rule approach – PPTA, NZEI and SPC did not receive such invitations. These meetings were all scheduled for 8 June, the day after she ended up announcing her backdown.

Reports from those groups invited to the meetings the day after the backdown described them as ‘somewhat anti-climactic’, and the comment was made that ‘although still bruised, the Minister appeared anxious to repair bridges and re-engage’. The members of the G7 group who had been invited to meetings encouraged her to meet with the whole G7 group, and finally, on 13 June, that happened. Kevin Bunker, reporting on the meeting, noted that ‘the Minister acknowledged that the government accepted that its proposed “quality versus quantity” trade off had been rejected by the community.’ He described her response as ‘as close to political contrition as one can get. Adverbs like “constructively”, “collaboratively” and the term “co-construction” were used more than once.’ The Minister told the group that as part of working collaboratively with the sector, she planned to form a ministerial group, chaired by herself, to which the G7 parties and others would be invited.<sup>102</sup>

That group became the Ministerial Cross-Sector Forum, discussed on pp. 268–274 of Volume One. The Minister had already announced it in a press release on 12 June, although the G7 group may not have been aware of that. In their discussion after the meeting with the Minister, they were all feeling cautious about the group pending actually receiving invitations and seeing the Terms of Reference. That caution turned out to be appropriate, given the composition and processes of the Forum, which were largely around the Minister engineering consent for her education plan, which remained intact apart from the backdown on staffing.<sup>103</sup>

### **The part-time non-contact case**

An outcome of the 2010 STCA round was the establishment, in 2011, of a working group to ‘consider possible mechanisms (and the implications of those mechanisms) for implementing equitable non-contact time for part-time teachers’. The group was to consider previous information from the 2004–2007 workstream and the Pay and Employment Equity review for the compulsory schooling sector. It was to report within nine months of the settlement.

In June 2011 PPTA decided to form a reference group to advise its representatives on the working group.<sup>104</sup> Terms of reference were drafted and submitted to the Ministry, proposing that the group be chaired by an independent person. A survey of part-time members was ready to be issued.

However, at the beginning of September the Ministry was still dragging the chain, and had not even agreed to the draft terms of reference, and PPTA resorted to organising Department of Labour mediation to try to move things forward.<sup>105</sup> By December, two facilitated meetings with the Ministry and NZSTA had been held, but it appeared the Ministry was just going through the motions.<sup>106</sup> The Ministry objected to aspects of a *PPTA News* article, accusing PPTA of not being committed to finding a resolution.<sup>107</sup>

No progress was made, so the matter ended up as a claim for the 2012 negotiations. However, this claim was withdrawn along with a number of others in favour of a quick settlement on pay alone. The union tried again in the 2015 STCA round, having described it in the 2014 Industrial Strategy conference paper as ‘an iconic claim ... in terms of equity’ which ‘could also be met at little or no cost to the employer’. That paper envisaged a quid pro quo of removal of the 11% loading, a significant issue in the court case that eventually ensued.<sup>108</sup> Consultation with members in 2015 showed that there was a strong consensus for this claim, and it was approved by Executive, with the quid pro quo.<sup>109</sup> But once again, it could not be achieved as part of the settlement, and at the ratification meetings, the members endorsed executive immediately instigating ‘an equal pay case on behalf of our part-time members’.<sup>110</sup>

Finally, after trying to achieve it through three successive bargaining rounds, PPTA initiated legal proceedings. By late 2015, work on the claim had commenced. By this stage, there appears to have been a change of policy on conceding the 11% pay loading part-timers received, on the grounds that this ‘preceded the non-contact provisions and has a different purpose, i.e. is to recognise non-timetabled duties, i.e. staff or parent meetings’. There was a lot of preparatory work done including Official Information requests to gather evidence, and in April 2017 a legal opinion was sought on the likelihood of success. This came back saying that the union had ‘a strong case’.<sup>111</sup> The decision was made to proceed in the Employment Relations Authority, which meant that mediation would be the first step.<sup>112</sup> The Secretary for Education and the boards of the teachers who had agreed to be the affected members for the case were notified.<sup>113</sup>

The case was filed with the Authority and an application made for mediation on 3 July 2017.<sup>114</sup> Mediation took place a month later but failed to resolve anything. By June 2018, the case had been moved to the



Employment Court, and in a Minute following a Directions Conference at the end of June, Judge Christina Inglis concluded there was no point in directing further mediation, set out timelines for disclosure and other matters, and signalled a hearing by the full Court could occur by the end of that year or in early 2019.<sup>115</sup>



**Equal Pay claimants head to court Sept/Oct 2017 – L to R Debra Eno, Lisa Hargreaves, Pamela Foyle, Leanne Donovan**

The case was finally heard over 15 days in May and June 2019, but at the end of those hearings, the Ministry put forward an objection on technical grounds that meant that a further hearing had to take place in March 2020 following exchanges of written submissions. The objection was dismissed, but the Ministry was then given more time to present further evidence which it subsequently failed to produce, wasting considerable time. The Court's final judgement was released on 22 June 2021 – two whole years after the initial hearings.<sup>116</sup>

Unfortunately, PPTA lost the case, and substantial costs were awarded against the union. However, as a result of PPTA moving to appeal the case, the Ministry offered to reduce costs to a quarter of the original amount subject to PPTA's withdrawing its appeal. The union agreed.<sup>117</sup> The upshot

of the case was that the 11% loading remained for part-time teachers, but only those on 0.72 FTTE loads had pro rata non-contact time provided for in the STCA. The rest were left to rely on the goodwill of their schools.

However, a further claim for pro rata non-contact time for all part-timers was submitted in the 2022 STCA round, and this claim was ultimately successful, to be implemented from January 2025. The 11% loading for part-time teachers will be removed at that time, but in return, part-time teachers will receive paid non-contact time to the value of a further 20% of their salary, undoubtedly a win but one that took many years of persistence to achieve.

### **Workload and class size campaigning continues**

PPTA intended to make class size one of its campaigning priorities in the lead-up to the election in 2014.<sup>118</sup> However, the government's announcement in January 2014 of its Investing in Educational Success policy diverted the union's attention from this.

Nevertheless, some progress on addressing workload continued to be made over the following years. One win for PPTA was to transfer some of the pay offered for the positions in schools joining Kāhui Ako (Communities of Learning) from 2015 into time allowances to actually carry out the roles. This also went some way to addressing a potential relativity issue between these roles and other middle-leadership roles in schools.

However, the more nebulous workload stressors – such as compliance requirements, paperwork, performance appraisal, the pace of change, and assessment requirements – were harder to solve because they did not lend themselves to negotiated clauses in the STCA (and ASTCA).

These became major topics during workload discussions in PPTA's Workload Taskforce in 2015, and then with the Ministry in 2016 in the Workload Working Group set up as a result of the 2015–2018 STCA settlement.

### **PPTA Education Change Management Toolkit**

One of the tools that PPTA produced to assist branches in their discussions with school leadership about workload was the Education Change

Management Toolkit.<sup>119</sup>

This toolkit emerged from discussion in April 2012 in the Curriculum Advisory Committee (CAC) in response to an instruction from Executive that the committee ‘Continue its work on how the delivery of the curriculum is changing and could change in secondary schools including the increasing use of technology, Ultra-Fast Broadband, new school building designs, collaboration between schools and tertiary institutions and the formation of special programmes (including academies)’ and also to a request from the Conditions Strategy Committee that CAC consider ‘what thoughtful and coherent change might mean in terms of ... what constitutes the work of a teacher’.<sup>120</sup>

CAC recommended that, at the 2012 Annual Conference, a change management toolkit be launched along with a paper on the changing role of the secondary teacher, and that the toolkit should include a sample change management protocol for branches and Boards of Trustees to sign up to. Executive agreed.<sup>121</sup>

The toolkit came to be a well-respected document even among government agencies. I recall an Education Review Office staff member telling PPTA in one of the meetings of the Workload Working Group (see below) that their reviewers had been known to recommend its use in schools. This was quite a compliment, coming from ERO.<sup>122</sup>

The toolkit began by reminding schools that while change was inevitable, improvement as a result of it was not. It suggested two questions that should be asked before schools launched into change: ‘Does the evidence justify this change as likely to cause improvement?’ and ‘Is an appropriate implementation process in place to manage this change?’ It asserted that ‘thoughtful and coherent change’ would be welcomed by teachers, but not random and ill-considered change. The process outlined in the toolkit had five stages: clarifying the proposal, assessing the proposal, doing an environmental scan, identifying and preparing, and then providing a clear written plan, with timeline, milestones, expectations and a decision date.

Some branches had great success in persuading their boards of trustees to sign the protocol, and in achieving processes for change in their schools that met the principles outlined. The document is still available on PPTA’s website, having been updated in 2016.

## **PPTA Workload Taskforce 2015**

In September 2014, President Angela Roberts recommended that Executive establish a short-term taskforce on workload. She provided compelling evidence that despite the achievement of increased non-contact time, PPTA's membership education work, the publication (and adoption in some schools) of the Change Management Toolkit, excessive workload was still a concern for members. NZCER's most recent survey of secondary schools had shown a drop in teacher morale from 70% in 2009 to 57% in 2012. Thirty-seven per cent of respondents thought that their workload was so high they could not do justice to the students they taught, and only half thought their workload was manageable or fair. Top of the list for what secondary teachers would change were 'having more time to reflect, plan and share ideas, and to work with individual students, and reduction of their administration and paperwork, and of their assessment workload'.<sup>123</sup>

The President argued: 'Without knowing what the drivers of intensification are we risk developing responses which do not fix the problem, or worse, developing a series of competing claims from different groups of members which cannot be met.' She gave examples of various new demands from the centre, but also blamed individual schools for some of it:

There are also the 'good ideas' that seem to spread haphazardly between schools. Sadly, it is far too easy to find examples of these littered across the system. There is the increased internalisation of PLD (often in the form of Professional Learning Groups (PLGs)) and the introduction of Academic Counselling ... If school leadership were considering teacher time like cash then we may see greater consideration of the evidence to justify a new initiative as well as the opportunity cost, and disciplined evaluation. It is rare to see teacher time treated as a limited resource. It isn't just poorly implemented initiatives but the sheer quantity that can have adverse effects on teachers and schools.<sup>124</sup>

The Taskforce would 'consult widely and be empowered to invite presentations and/or submissions from branches and from any appropriate education body, academics and political parties.' It would recommend how outside agencies could help to reduce workload intensification and what additional PPTA resources and activities could assist branch organising around workload. It would consider the resourcing of schools and collective agreement provisions, and try to identify best practice by individual schools and teachers in managing workload. It was to meet from Term 4, 2014 to Term 2, 2015, which turned out to be ideal timing because the October 2015

STCA settlement included two working parties, one on Workload into which the findings of the Taskforce could be injected, and one on Supply (see below).<sup>125</sup>

The Taskforce conducted a mixed-method investigation. Groups within PPTA, such as regional and branch teams and other committees, were invited to make submissions. Invitations were sent to all the government agencies that might have information on or be contributing to secondary teacher workload: the Ministry, the Education Review Office, NZQA, the Teachers Council, plus NZCER and the School Trustees' Association.<sup>126</sup> A survey of members was conducted during Term 2, 2015, and focus groups held in eight representative secondary schools.

There was not much that was new about the findings. In fact, the final report in April 2016 noted that most of the issues had been discussed by various working parties and research projects since 2003, but there was evidence that some of these issues were intensifying. The main areas causing workload pressure were curriculum and assessment practices; a lack of time to meet the demands of existing work; new initiatives (both external and school-driven); administration and compliance; lack of ancillary staff to carry some of the load; appraisal, attestation and registration requirements; inadequate school management practices; over-large classes; inadequate provision of suitable professional development; problems with information technology;<sup>127</sup> and pressure to undertake extracurricular activities.<sup>128</sup>

The report made no bones about the fact that responses to its findings 'must include additional staffing resources for reducing class sizes and increasing time allocations for middle leadership plus additional ancillary staffing'.<sup>129</sup>

## **Secondary Teacher Workload Working Group 2016**

This group, arising out of the October 2015 STCA settlement, did not begin work until late August 2016, and was to report in December the same year. There was an overarching Working Group, consisting of representatives from the Ministry, Education Review Office, Education Council, NZQA, the School Trustees' Association, PPTA, and a shared representative from SPC and SPANZ. It was serviced by a technical group who investigated and assembled information for the working group. The role of the Working

Group was: to identify the key contributors to teacher workload in secondary schools; to review existing evidence to identify what components of workload had a negative impact on effective teaching and learning and recruitment and retention; to consider differences in workload for different roles and across schools of different size, rurality and decile; and to review the expectations and requirements of external agencies on effective teaching and school management.<sup>130</sup>

The work done previously by PPTA's Workload Taskforce contributed significantly to the direction taken by the Working Group. The final report acknowledges that the group had agreed to focus on six key areas of workload identified by the Taskforce, namely NCEA; School management; Compliance and administration; Performance management, appraisal and certification; New initiatives; and People and resourcing, but that as the work progressed, it was recognised that there also needed to be a focus on the particular workload issues of Māori and Pasifika teachers and how to address these.<sup>131</sup>

A clear consensus emerged that excessive workload was preventing secondary teachers from doing their best for their students, and that it was a significant cause of supply pressures through its impact on recruitment and retention of teachers. (This had been reinforced by the Secondary Teacher Supply Working Group, also established under the 2015–2018 STCA, which had reported in July the same year – see below.)<sup>132</sup>

Evidence gathering by the technical group included visits to five schools: a co-educational integrated school in a provincial city; a co-ed school in a different provincial city; a girls' school in a third provincial city; a large co-educational school in a main centre; and a small Māori boarding school. These visits were all-day affairs, and included meetings with the principal and with separate groups of senior leaders, middle leaders, and classroom teachers, with facilitation and recording shared between the Ministry and PPTA. The process was unusually democratic, and in the inevitable downtime, Ministry and PPTA staff shared observations and began to develop ideas for recommendations.<sup>133</sup>





### **Teacher work overload**

A total of 48 recommendations were agreed by the whole Working Group, and PPTA insisted that another eighteen be put into the report as its own recommendations, three of which actually had STA agreement as well. By far the greatest number of recommendations were on NCEA – twelve from the Working Group and another six from PPTA. This was because it had been abundantly clear from all the evidence gathering that the national qualification was a big contributor to teacher workload.<sup>134</sup>

Some progress can be credited to this Working Group. There was a level of specificity in the recommendations which made it possible to monitor them; for example:

That the parties to this Report actively discourage excessive NCEA assessment and moderation practices. This should include using Managing National Assessment (MNA) reports to clearly indicate where schools are over-engineering.

This recommendation was taken up energetically by the NZQA official who led the team doing MNA reports, and she was delighted to share with the author examples of where her team had given advice about this to schools.<sup>135</sup> ('Over-engineering' was explained in the report as in relation to 'how schools operate their assessment and moderation practices which has added to the workload burden'.)<sup>136</sup>

Another reason, perhaps, that a number of the recommendations were able to have an impact was that they did not all require extra staffing. It was clear to the Working Group that some government policies and requirements were having negative impacts on schools. An example was the Education Council's expectation that as part of appraisal, teachers would inquire into their practice, which had resulted, in some schools, in teachers being expected to do multiple or very substantial inquiries solely for that purpose. Recommendation 5.4 agreed that the Education Council, NZSTA, and PPTA would provide joint guidance that any inquiries 'should be relevant to teacher's individual developmental needs and resourced in terms of time, guidance, and access to further learning'. This advice was provided.<sup>137</sup>

However, Rob Willetts concluded that the government did not spend any actual money as a result of this Workload Working Group. He commented: 'A lot of the items were things the MOE were already planning to do anyway.'<sup>138</sup>

## **Secondary Teacher Supply Working Group**

Progress on improving the staffing formula for schools and addressing teacher workload and class sizes cannot be made, or cannot be made equitably across all schools, when there are problems with the actual supply of teachers. Also, teacher supply is not just about supply of warm bodies to occupy classrooms; it is about supply of appropriately trained and qualified and competent teachers who can be matched to the vacancies that exist. For



example, it is not helpful if initial teacher education institutions fill places with an over-supply of Social Studies students because they are struggling to recruit Physics or Technology teachers, nor is it good for students or teachers when schools ask teachers to teach 'out-of-field' (in subjects for which they are not trained or qualified) because they can't fill vacancies appropriately.

It appears that over the last twenty years at least, the Ministry of Education has understood most of that, and has tried to boost teacher supply. However, what it has not always wanted to recognise are the close links between supply and teacher salaries, teacher workload, class sizes, the status of teaching, and the cost of an initial teacher education year on top of the three or more years spent gaining an undergraduate or higher subject qualification.

PPTA has gathered information on schools' supply issues annually since 1996 through a survey that goes out around March, asking about resignations, positions advertised, filled, filled but unsatisfactorily, size of the relief pool, and so on. This provides an invaluable longitudinal resource on secondary teacher supply.

Of the two groups established under the 2015 STCA settlement, it was decided that the Supply group would start first so that its findings could be factored into the Workload group. In fact, one of the Supply group recommendations made an explicit link between the two, asking that the report be forwarded to the other group 'for them to consider how workload impacts on recruitment and retention of secondary teachers'.<sup>139</sup>

Like the Workload group, the Supply Group included representatives from the Ministry, PPTA, NZSTA, SPANZ, SPC and the Education Council. It was jointly chaired by Angela Roberts as PPTA President and Deputy Secretary (Early Learning and Student Achievement) Lisa Rodgers for the Ministry. Its role was to identify the factors that influenced secondary teacher supply and what was already being done about the issues. It was also to consider current and medium-term supply issues, as well as recruitment and retention pressures for particular groups of teachers – namely full- and part-time classroom teachers, middle and senior leaders, teachers from 'minority populations' – and issues for subject specialisms, small and rural schools, and low-decile and Māori-medium schools. The group looked at available data and research, received submissions from various individuals and groups, and held meetings in mid-May with groups

of principals in five diverse regions. There were also meetings with the SPC, New Zealand Universities, secondary teacher education providers, subject association representatives, the NZCER and the Christchurch Graduate School.<sup>140</sup>

**Angela Roberts**    President 2013 to 2016



Angela joined Executive as a young teacher from Taranaki in 2002, serving three years and then taking 2005 out for the birth of her first child, returning to Executive in 2006. She was the first to serve four years consecutively as President, by virtue of a 2014 constitutional amendment which changed the rules to allow a president to serve up to four years consecutively. Angela sees a highlight of her presidency as being her seizing the opportunity offered by Secretary Peter Hughes in late 2013 to recommend that a 'bucket of money' that had become available for lifting teacher quality be used for building teachers' collaborative practice. This became IES/Kāhui Ako, which she feels still has big potential, although there may be opportunities being missed. She valued the fact that PPTA had strong policy positions on which she could confidently stand when making the proposal. She also recalls the fight against charter schools, and how PPTA managed to discredit them so successfully in the eyes of the public that the incoming Labour Government could readily abolish them. In 2020, Angela went from being Senior Vice-President and a middle leader at Stratford High to a Labour List MP, a role which used many of the skills she learned through PPTA.

The report contained extensive data and a comprehensive list of references. It tried to summarise what it conceded was, in fact, a highly complex area because of the close interrelationships between supply and remuneration (for different career stages and roles), conditions of work, perceptions of teaching, competition in the labour market for graduates in

particular subject areas, decisions by schools that may mask shortages, cost and attractiveness of initial teacher education, the quality of induction within schools, appointment decisions by schools such as failing to offer beginning teachers permanent positions, the age demographics of secondary teachers, workload impacts on recruitment and retention, and career pathways.<sup>141</sup>

Not surprisingly, there were 41 joint recommendations, plus a further 13 from PPTA that had not received Ministry endorsement, plus a further two comments from PPTA, SPC and SPANZ noting that the joint recommendations ‘are necessary but not sufficient steps to address the underlying causes of the secondary teacher supply problems’, and that addressing these will ‘require recognising the underlying problems of high work pressure, declining relative salaries and the spreading pressures generated by the housing supply crisis in Auckland and other centres’.<sup>142</sup>

### **Monitoring progress (or its absence) by spreadsheet**

After the final reports of the two groups had been received, a large spreadsheet was developed by the Ministry to monitor progress on each of the recommendations, and updates were shared between the organisations as changes were made. The last update of this spreadsheet appears to have been done on 28 September 2018, although some initiatives by individual agencies may have continued since then.

At that time, quite a few of the NCEA-related resolutions from the Workload Working Group had either become part of the NCEA Review or had been completed, but not a lot seemed to be happening in terms of compliance and school management.

However, one area in which significant progress was later made was the requirements for performance appraisal, with an outcome of the 2019 STCA settlement being that the government abolished the legal requirements for teacher performance appraisal and for 10% of recommendations for practising certificates to be audited. (Chapter 5 (Volume One) pp. 356–358.)

A Joint Taskforce on Compliance was established by the Ministry in March 2018 as an outcome from the Workload Working Group. This was headed by Graeme Cosslett, Director of NZCER, and consisted of a group of primary and secondary principals, with Rob Willetts representing PPTA,

as well as having two Ministry people attached to it. In September 2018, Rob wrote:

The MOE has a taskforce running at the moment looking to identify unnecessarily burdensome compliance and trying to find ways to eliminate it. It is largely focussed on compliance falling on principals and is not about reducing the compliance there is, just making it less onerous to comply. There will be some useful outcomes that may make some aspects less frustrating to deal with and streamline some things, but it is unlikely to significantly impact on the overall compliance requirements or on the workload of the ordinary classroom teacher. They will potentially be able to make changes to what/how the MOE requires/operates but they will have to negotiate any changes which are in the ambit of any other organisation.<sup>143</sup>

In the end, the group did identify some areas where unnecessary compliance pressures could be removed, or where there was misunderstanding about what was needed.<sup>144</sup> The group did a lot of work around attestation and appraisal, including clarifying with the Education Council what was actually required. It identified a priority list of about fourteen items, but most of these affected principals rather than teachers. The Taskforce developed a plan to take out to regions the methodology it had used, and teach schools how to use it to identify what was unnecessary compliance and how to address that. However, with the signing of the Accord in mid-2019, the group ceased to operate, partly because the Ministry appeared reluctant to be seen to be telling principals what to do, but also because of a difference of opinion within the advisory team at PPTA about its value.<sup>145</sup>

In March 2018, Melanie Webber, as Junior Vice-President and Auckland-based, had been nominated to be part of an Auckland Teacher Support Action Group (ATSAG), building on her experience as a member of the Supply Working Group. This group had been established by Auckland primary and secondary principals' groups, who were really concerned about increasing difficulties in staffing their schools. The Ministry and the Teaching Council attended, and Melanie's perception was that after Richard Dykes<sup>146</sup> stepped away, the Ministry took responsibility for the agenda, but that there was little consistency of participation from the officials, and those who attended appeared to have little understanding of teacher supply. Melanie wrote 'One of my party tricks was asking anyone who joined the group from the Ministry if they had read the joint report from the 2016 Supply Working Group. Spoiler: they never had.'<sup>147</sup>

Melanie told me that in February 2020, she wrote to PPTA General Secretary Michael Stevenson as follows:

It's one of the more frustrating and ineffective meetings I attend. There was a particularly unpleasant one last year where John McKeefry (Associate Deputy Secretary Education Workforce) tried to justify the lack of follow-up on the recommendations of the Supply Working Group, as I took him through it line by line. This was after I got sick of people suggesting we do things, and me pointing out they were already in the recommendations in the Supply report.<sup>148</sup>

It appears that by 2020, staff changes meant the Ministry had simply forgotten that the group existed. A meeting had been scheduled for February 2020, but when no agenda was received, Melanie contacted the official supposedly taking over responsibility for the group, who claimed to know nothing about the meeting even though she'd been at the previous one that had scheduled it. Melanie's words to the General Secretary were, 'It is a Ministry-driven meeting. I am ropable.' The General Secretary made contact with Secretary for Education Iona Holsted, who ensured that the meetings started again. The Ministry called for agenda items, and Melanie supplied a comprehensive list of questions about progress on a range of matters. However, Covid-19 intervened very soon after this, and many of her questions remained unanswered. She believes that the group has now disappeared entirely.<sup>149</sup>

## **Education Workforce Strategy Group 2018**

By the end of 2017, the government had changed again, to a Labour-led Government, once Hon. Winston Peters announced, on 19 October, his decision to go into coalition with Labour. In July 2018, President Jack Boyle told Executive that a new group had 'largely subsumed' the Supply and Workload working groups. There seem to be two explanations for this group's origins. Boyle described it as being a result of discussions in the Wellbeing Working Group that had been set up by the New Zealand delegation to the 2017 International Summit of the Teaching Profession (ISTP)<sup>150</sup> whereas DGS Tom Haig described it as 'a Ministry of Education-led group formed to advance the government's goal of developing a long-term strategy for the education workforce, one of the Labour Party's manifesto commitments that made it into government policy' as part of the Education Conversation/Kōrero Mātauranga.<sup>151</sup>

This new group was not specific to secondary teaching but covered early childhood and primary as well. There were two strands to the work: the Workforce Strategy for English-medium settings, and the Rāngai Māori strategy for the Māori Medium sector. The governance group included representatives of 22 organisations: the Ministry, both unions, principals' groups, Māori Medium groups, proprietors of early childhood centres and integrated schools, School Trustees' Association, and others. Originally, PPTA was allowed to have only the President at the meetings, but later Deputy Secretary Tom Haig was allowed to attend as staff support for the President.<sup>152</sup>

In November 2018, President Jack Boyle expressed concern about the directions of the group to Secretary for Education Iona Holsted, and absented himself from the November meeting in favour of attending PUMs for the unsettled STCA. He complained that there were still no agreed terms of reference, and that the Ministry appeared to be working to a pre-determined framework for the discussions for which the theoretical underpinnings and evidential basis had never been made explicit. He also complained that although the Ministry had excluded discussion of employment conditions, it had, in fact, circulated background documents that contained proposals about standards by which employers could judge teacher effectiveness and about setting up recognition and reward systems linked to improved student learning, both of which were clearly employment conditions and would be anathema to PPTA.<sup>153</sup>

Soon afterwards, Deputy General Secretary Tom Haig wrote a paper for Executive expressing some reservations about the direction of the group. By then, Terms of Reference had been agreed, after some wrangling, and he conceded that when members of the group had raised serious concerns, these had been acted on, including allowing members to note dissent. However, there were aspects of the strategy as developed so far that might have negative implications for PPTA members, such as clarification and narrowing of the teaching role, creation and standardisation of new functions and roles performed by non-teachers, and roles having a standardised and systemic advancement track. He proposed that PPTA continue participating in the group in order to promote PPTA's viewpoint, but that endorsement of any final report be subject to Executive approval.<sup>154</sup>

In October 2019, PPTA submitted on the draft strategy arguing that it was undeveloped, lacked supporting information, and required further consultation ‘to inform a strategy and work plan which are fit for purpose and can take us – credibly – through to 2032’.<sup>155</sup>

With the signing of the Education Accord as part of the STCA and PTCA settlements in June 2019, a new avenue for discussion of the education workforce strategy opened up. At one of the earliest meetings of the Accord, in August 2019, it was agreed that the Accord could participate with the Ministry in co-development of the workforce plan and its implementation, which were being developed for submission to Cabinet in September. From then on, progress on the Education Workforce Strategy became a standing item for the Accord group.<sup>156</sup>

In July 2020, the Minister decided that with the pre-election period nearing, it was inappropriate to take the strategy out for further consultation. However, on 28 October 2020, with the election over and a clear win for Labour, the Accord partners were told that the Ministry was preparing for that consultation. The Ministry circulated an action plan that was divided into three categories, the first of which included actions that were funded and would ‘have a high likelihood of delivery over the next 18 months’.<sup>157</sup>

However, Advisory Officer Rob Willetts told me that instead:

It all stopped as far as everyone outside the Ministry is concerned. Just died. It struck difficulties with the Minister and with the Māori immersion/Kura Kaupapa Māori sector. But I have heard the Ministry say that work is still being done on it internally, and PPTA has asked for a briefing before the STCA 2022 negotiations start.<sup>158</sup> (This did not happen.)<sup>159</sup>

## **Needs-based staffing – collaborating with principals**

At a governance meeting of the Education Accord on 29 July 2020, the following question was presented to the meeting: ‘To what extent is entitlement staffing meeting the needs of schools and kura of different sizes and contexts?’ This appears to have been a flow-on from the Education Workforce Strategy discussions in the Accord. Details of this project continued to be discussed during Accord meetings in August and October. The Governance Group agreed to establish an expert group, with nominations from each of the Accord partners.<sup>160</sup>

However, in October AO Rob Willetts raised alarm bells about the establishment of such a group, in a paper to Executive titled 'Risks in the discussion of entitlement staffing'. He argued that the project was wanted by NZEI and the Ministry rather than by PPTA, and he was suspicious that their aim was to 'provide equal (not equitable) staffing for primary schools'. He warned:

We are currently facing a period of spending constraints that will stretch beyond the next government. The Secretary for Education has made clear that she sees no additional resourcing for this.

Given that Willetts had worked on staffing issues for PPTA for as long as he had, it was not surprising that he took the opportunity to remind Executive that last time PPTA and NZEI and the Ministry had worked together on staffing changes, in the Ministerial Reference Group on Staffing in 1994, also in a 'cost-neutral environment', 1,100 teaching positions were stripped from secondary and transferred to primary. (PPTA refused to sign the MRG report, but the changes to the formula happened despite that.)<sup>161</sup>

He recommended that PPTA not engage in Accord discussion on staffing across primary and secondary 'without an explicit guarantee that additional new resourcing will be provided', and 'without an explicit guarantee that an outcome will be that no secondary school would lose staffing'. He listed a number of staffing needs that must be provided for in any discussion of staffing entitlement in secondary, most of which had origins in earlier staffing exercises over the preceding twenty years. He also proposed that in Term 1, 2021, PPTA do a survey on secondary school entitlement staffing needs, to inform any subsequent discussions of staffing entitlement.<sup>162</sup> Executive endorsed all his recommendations.<sup>163</sup>

At the 1 December 2020 meeting of the Accord governance group, PPTA tabled a paper with its views on the proposed expert group on entitlement staffing. The paper noted that it had been a surprise agenda item at the 29 July meeting, and the genesis of the issue had been in the Tomorrow's Schools Review, which had claimed that there was 'an "unfair" lack of relativity in management staffing for primary schools compared with secondary'. PPTA expressed reluctance to 'engage in a piece of work that might result in these identified issues being positioned against other overriding concerns, particularly where staffing reductions for secondary



schools may occur'. The paper went on to set out all the concerns that had been highlighted in Willett's paper to Executive.<sup>164</sup>

The decision of the Accord was noted as 'Work not being progressed by the Accord'.<sup>165</sup>

Having fended off that threat, Rob Willetts then returned to the ongoing secondary school need for more staffing, and an approach he had floated before, to develop a needs-based staffing model (see section above). An SPC meeting in March 2021 proposed that the Council organise a Staffing Summit for principals in July that year to highlight previously identified unmet needs, such as pastoral care staffing, management staffing, and curriculum staffing for large schools. It was suggested that data gathering include a survey of schools in Term 2.<sup>166</sup>

Executive approved funding for the Summit, and by that time, the data gathering was expanded to include what was described as 'a more detailed review of staffing use, resourcing and needs of a representative sample of schools', to be completed by an independent researcher. PPTA member principals were to be fully funded to attend the two-day Summit.<sup>167</sup>

The programme for the Summit was very full, with presentations from the two research projects (quantitative and qualitative), an analysis of government spending on education by economist Peter Robertson of Business and Economic Research Limited (BERL), and a keynote speech by Emeritus Professor Peter Blatchford, University College London Institute of Education, on how class size affects teaching and teachers.<sup>168</sup>

One of SPC's goals for the Summit was to develop a more nuanced picture of what a needs-based staffing model would comprise, and work on this was the focus of the second day. The model developed there was further refined, and in September 2021, a comprehensive report of the Summit and the needs-based staffing model that eventuated from it was circulated to all schools.<sup>169</sup> The model was formally endorsed by Executive in February 2022, as 'the basis for progressing improvements in secondary staffing'.<sup>170</sup>



**Principals at Staffing Summit 2021**

The issue then became how to make progress with government on introducing such a level of change. Rob Willetts told me in May 2022 that the STCA claim would include a claim for one part of the needs-based model, in the form of pastoral care and guidance time allowances that would be the equivalent of the 1 : 400 plus 0.5 FTTE per school. Principals were also looking at their claim, which could include two components of the model, the pastoral care and the management staffing elements.<sup>171</sup>

A paper went to the 2022 Annual Conference to get membership-wide endorsement of the model and create some media interest in the issues. Conference endorsed its recommendations, including SPC's model for needs-based staffing which proposed using the new Equity Index to upwardly weight certain elements of staffing to recognise levels of need. Conference also endorsed the recommendations of a separate but related paper about the Equity Index, which also used the term 'needs-based' but in relation to resourcing, or specifically equity resourcing. That paper proposed using the Equity Index not only to calculate equity resourcing, but also to upwardly weight operational funding and entitlement staffing to better reflect the different needs of schools.<sup>172</sup>

## **Workload Provisions Taskforce**

During the 2019 STCA negotiations, the Ministry proposed a working party to review the operation of the workload control provisions in the STCA, but this did not eventuate because it was read by PPTA as a claw-back, in the absence of any agreement to review the level of resourcing needed to support the current provisions.

However, PPTA had its own reasons for wanting to know whether the provisions that currently existed were the most appropriate, given changes in education such as increasing moves to modern learning environments and online teaching (which became even more common during the pandemic). The provisions were the Maximum Average Class Size, non-contact time allowances, and requirements for a timetabling policy. There were also two joint recommendations from the Secondary Teacher Workload Working Group Report in 2016 which had never been actioned, about reviewing the wording of the STCA ‘to provide greater clarity to school managers on its correct implementation’, and reviewing ‘the employment framework, including collective agreements, to assess its ability to be responsive to innovation, while noting the primary importance of providing balance and reasonable protections for employees’. The Secretary for Education had also asked whether the teacher collective agreements were compliant with the Employment Relations Act because they contained no provision for maximum hours, and this needed to be considered.

In November 2019, DGS Yvonne Oldfield and AO Rob Willetts proposed that a PPTA taskforce work in the first part of 2020 reviewing the provisions in terms of coherence and clarity of wording, currency for members, operational manageability, and resourcing. It seemed likely that the Ministry would have another try to discuss the provisions during the next STCA negotiations, so getting ahead of that appealed: ‘What this paper suggests is a pre-emptive strike: a review under our control to ensure that the provisions deliver the best possible workload control for members in schools.’<sup>173</sup> Executive agreed.

The Taskforce began meeting in February 2020, and met three times. It included principals, senior leaders, school timetablers, a middle leader, a classroom teacher, Te Huarahi representation, and Executive members.

In its initial evidence gathering, the Taskforce focused first on the absence of hours of work clauses to get a sense of what members thought might be appropriate parameters for such clauses. A survey was emailed to

a random sample of members, achieving a 36% response rate with a good balance of senior and middle leaders and classroom teachers. There was wide support for teachers being expected to work the equivalent of a standard work year of 48 weeks at 40 hours per week, less 11 statutory holidays, totalling 1,832 hours. This became one of the recommendations of the Taskforce.<sup>174</sup>

There were also recommendations on existing provisions that should be reworded for clarity, on new provisions for workload controls for online teachers and teachers in innovative learning environments, and for a requirement to consider total workload when allocating duties. The Taskforce recommended that PPTA provide further guidance for branches and school leaders on how to comply with the workload provisions, as well as active enforcement. It also made recommendations about resourcing, beginning with a statement of principle that the main constraints to the operation of the workload provisions were resourcing factors rather than the clauses themselves. Many of these resourcing issues were familiar from previous investigations: curriculum staffing in larger schools and junior highs and more generally, staffing pastoral care and guidance, and staffing for middle and senior leadership. Others raised were PLD release time, staffing to meet health and safety requirements, and non-contact time for attached units and for those required to fill in for people occupying Kāhui Ako roles. The Taskforce also recommended further research on the wellbeing and workload of teachers in innovative learning environments, and on appropriate class size limits to manage teacher workload and wellbeing.<sup>175</sup>

These recommendations were adopted by Executive in July 2020, along with a decision that they should form the basis for engagement with the Ministry in a joint review of workload provisions in the STCA.

In September 2020, at a regular meeting with the Secretary for Education, PPTA alerted the Secretary to the newly published report, and asked for an initial meeting to scope next steps in relation to the hours of work and workload. PPTA made it clear that it would prefer the discussions to be outside the Accord context. The Secretary agreed to that in principle, but was not willing to proceed until two matters that were before the courts were resolved: a case about call-back days involving Rodney College, and PPTA's part-time non-contact case.<sup>176</sup>

The union prepared a claim for hours of work and plain-language changes to Part 5 of the STCA. The hours of work proposal had been discussed in branch-based meetings in 2019 and 2020, and the feedback was to endorse the proposed claim at that stage. The Ministry has had a copy of the proposal since 2021; however, how it will fare in the 2022–23 negotiations is yet to be seen.<sup>177</sup> As at mid-March 2023, the claims are still categorised as ‘Claims in progress’.<sup>178</sup>

## **Workforce needs of Māori teachers**

The excessive workloads of Māori teachers in mainstream schools and kura has been a concern for some years. Some data was collected from case-study schools visited by the Workload Working Group in 2016. A group of Māori teachers in one of the English Medium schools spoke forcefully to me and a Ministry official about the extra demands placed upon them.<sup>179</sup> There was also one Māori boarding school among the case studies, but not a Kura Kaupapa Māori. However, there was insufficient evidence collected to make its way through the processes into the recommendations.

During the STCA negotiations in 2019, PPTA lodged a claim for staffing and time for schools to recognise the responsibilities of Māori Kaiako (teachers). The Ministry was uninterested in exploring this further, saying that it wanted to ‘do more work on the education workforce strategy to have a better understanding of the workforce needs before committing to certain models of recognition’. PPTA pursued the matter in 2020, with the Āpiha Māori and another Advisory Officer meeting with the Ministry to discuss the data needed about the Te Reo Māori, Māori Medium and Māori education workforces. Staff explained what they found:

At that time, the Ministry had very limited data and had identified that they needed a significant work programme looking at the following broad areas:

- Identify the size of key workforce groups;
- Understand teacher demand and supply in Māori medium education;
- Use of te reo Māori in the classroom;
- The wider workforce beyond teachers;
- Teacher capability;
- Wellbeing and workload of Māori medium teachers.

There was agreement in principle between MOE and PPTA for a research proposal; however, no one within the Ministry picked up the leadership of this and it stalled. Executive were advised in July 2021 that the industrial team was commissioning research to support a claim for the 2022 negotiations.<sup>180</sup> That commission did not eventuate, but in November 2021 a small group of about twenty Kaiako Māori were surveyed about their roles and the issues they faced, including their experience of supply, workload and recognition.<sup>181</sup> Kaihautū Māori Angela O'Donnell-King told me that as a development from that survey, a staff team would be conducting Kaupapa Māori research later in 2022 to gather data on the workload of teachers who are not eligible for the Māori Immersion Teachers Allowance but who are proficient in te reo and tikanga and teach in English-medium schools, and also engage with teachers in Kura Kaupapa Māori schools about their particular issues.<sup>182</sup>

## **Final words**

PPTA has done an enormous amount of work on staffing issues over the last twenty years, and it is very possible that the union has greater knowledge and technical expertise on secondary school staffing than the MOE has.

There have been gains made, but it seems that as soon as more time is injected into the system, new demands are piled onto schools, and these require even more teacher time.

As just one example, the NCEA could never have been implemented between 2002 and 2004 without the increases in guaranteed non-contact time introduced over the same period. However, the workload for NCEA assessment has not remained static since then. Curriculum, assessment, moderation and ICT changes introduced since 2004 have generally increased the associated workload rather than decreased it. The current NCEA Review – even though one of its major goals is to reduce the burden of assessment on students and teachers – needs teachers to grapple with major change: new standards, new forms of assessment, and new rules such as the literacy and numeracy requirements. All of these changes demand extra time to implement.

And this is only one of many areas of change over the last twenty years.

- 1 A few examples are: policies about viable class sizes, change-management processes, expectations about the role of teachers, the ratio of experienced to inexperienced teachers on the staff, and the level of challenging behaviours.
- 2 Grant, D. (2003), p. 303.
- 3 Mallard, Hon. Trevor (2001, March 13). Release of staffing review report. Available at: <https://www.beehive.govt.nz/release/release-staffing-review-report>
- 4 PPTA had been represented on that Ministerial Reference Group but had refused to sign the report.
- 5 PPTA (2001). The Schools' Staffing Review Group – More Teachers Now! Powerpoint presentation 8 May 2001. PPTA files, IPM14/26.
- 6 Mallard, Hon. Trevor (2001, March 13). Release of staffing review report. Available at: <https://www.beehive.govt.nz/release/release-staffing-review-report>
- 7 PPTA (2004). Letter from President Phil Smith to Jocelyn Gilby, Secretary, Lytton High School Board of Trustees, 20 August 2004. PPTA files, IPM14/26.
- 8 PPTA (2003). Minister gets speed wobbles on additional staffing: Urgent response required. Letter to Regional and Branch Chairs, 12 March 2003. PPTA files, IPM14/26/1.
- 9 Ibid.
- 10 Ibid.
- 11 Mallard, Hon. Trevor (2004, 23 September).
- 12 PPTA (2005). Letter from President Debbie Te Whaiti to Hon. Trevor Mallard, 24 June 2005. PPTA files, IPM14/26.
- 13 Ibid.
- 14 PPTA (2006). Letter from Advisory Officer Rob Willetts to Hugh Richards, Rosmini College, 15 February 2006. PPTA files, IPM14/26.
- 15 PPTA (2008). Staffing issues of concern to PPTA, January 2008. Paper to Staffing Review 2008. PPTA files, IPM14/31.
- 16 PPTA (2012). Strand 1: An Analysis of Baseline Data Available to the Parties on Current Staffing Delivery and Patterns of Class Size Distribution. Subgroup report to the Secondary Schools' Staffing Group, 9 February 2012. PPTA files, IPM14/28/2.
- 17 'Personalised learning' was something of a campaign by Minister Maharey, although it never seemed to get far beyond a glitzy launch, some pamphlets and internet material. (Judie Alison, author's recollection.)
- 18 PPTA (2007). STCA and Class Size Campaign, 11 April 2007. PPTA files, HX07/027.
- 19 PPTA (2002). Maintaining and building on the experience of workload relief, 22 July 2002. PPTA files, HX02/112.
- 20 Ibid.
- 21 PPTA (2002). Controlling workload in secondary schools, 3 September 2002. PPTA files, IPM14/19/09.
- 22 PPTA (2002). It's about Time. Guidelines on implementing the guaranteed non-contact time, September 2002. PPTA files, IPM14/19/01.
- 23 PPTA (2002). Covering letter from Deputy General Secretary Bronwyn Cross to PPTA branches, 11 September 2002. PPTA files, IPM14/19/01.

- 24 Rob Willetts (personal communication, 30 May 2022).
- 25 PPTA website: Workload (hours of work). Available at:  
<https://www.ppta.org.nz/advice-and-issues/teacher-workload/>
- 26 Ministerial Taskforce (2003). Report of the Ministerial Taskforce on Secondary Teacher Remuneration, November 2003, p. 44. PPTA files, IPM3/1/9.
- 27 Ingvarson et al. (2005).
- 28 Ibid.
- 29 Ibid. Note that 2004 was the final year of NCEA implementation, the first at which all three levels of qualifications assessment were happening.
- 30 Many of these continued to be themes for PPTA's efforts on workload over the years following.
- 31 This was linked to career pathways work, because ACER felt that there was little for teachers to strive for when promotion only meant even higher workloads.
- 32 Ingvarson et al. (2005).
- 33 PPTA (2005). Class sizes in New Zealand secondary schools: Changes between 2002 and 2004, 3 May 2005. PPTA files, HI05/083.
- 34 PPTA (2004). *Class sizes and the classroom teacher*. Auckland Region. Paper presented to Annual Conference, 21–23 September 2004. PPTA files, AA2/10/11.
- 35 Ibid.
- 36 PPTA (2004). Minutes of Annual Conference, 21–23 September 2004. PPTA files, MX04/20, C04/20/19-21.
- 37 PPTA (2005). *Class Size Taskforce, Educational Performance, and Teacher Workload*. Paper to Annual Conference, 27–29 September 2005. PPTA files, AA2/10/13/2005.
- 38 There is no requirement on a school to use any particular component of its staffing in any particular way, so it is perfectly entitled to 'rob Peter to pay Paul'.
- 39 PPTA (2005). Class sizes in New Zealand secondary schools in 2004. A report by NZPPTA, April 2005. Attachment to the class size paper. PPTA files, AA2/10/13/2005.
- 40 PPTA (2005). Minutes of Annual Conference, 27–29 September 2005. PPTA files, HC05/065/17.
- 41 This was intended to ensure adequate curriculum breadth could be offered even in the smallest secondary school.
- 42 PPTA (2006). *Controlling Class Size*. Paper to Annual Conference, 26–28 September 2006. PPTA files, AA2/10/14/2006.
- 43 PPTA (2007). STCA and Class Size Campaign, 11 April 2007. PPTA files, HX07/027.
- 44 PPTA (2006). Minutes of Executive meeting, 23–26 November 2006. PPTA files, MX06/16/07.
- 45 PPTA (2007). Communications around the STCA: Some early thoughts, 11 April 2007. PPTA files, HX07/028.
- 46 PPTA (2007). Letter from President Robin Duff to Sue Watt, MOE School Resourcing Policy, 17 July 2007. PPTA files, IPM14/26.
- 47 Rob Willetts, AO (personal communication, 30 May 2022).



- 48 PPTA and MOE (2007). Secondary Teachers' Collective Agreement 2007–2010, Part Two: Statement of the Parties. PPTA files, IPM3/17/3.
- 49 Rob Willetts, AO (personal communication, 30 May 2022).
- 50 PPTA (2007). Angela Roberts' Class Size report presentation for Annual Conference. PPTA files, IPM14/28/2007.
- 51 PPTA (2008). Letter from Advisory Officer Rob Willetts to PPTA Surplus Staffing Specialists, 31 January 2008. PPTA files, IPM14/28/2008.
- 52 The Hon. Chris Carter, who replaced Steve Maharey in November 2007.
- 53 PPTA (2008). Arthur Graves, Secondary Principals' Council Chairperson, Minutes of the Executive meeting held at the Portland Hotel, Hawkestone Street, Wellington, Thursday 14 February to Saturday 16 February 2008. PPTA files, MX08/01.
- 54 PPTA (2008). Minutes of Executive meeting 31 July to 2 August 2008. PPTA files, MX06/18/14.
- 55 PPTA (2008). Letter from President Robin Duff to PPTA Regional Chairs, 16 July 2008. PPTA files, IPM14/28/2008.
- 56 MOE and PPTA (2007). Secondary Teachers' Collective Agreement 2004–2007.
- 57 PPTA (2008). Staffing issues of concern to NZPPTA, January 2008. PPTA files, IPM14/31.
- 58 PPTA (2008). Minutes of Executive meeting, 28 September 2008. PPTA files, MX08/019.
- 59 PPTA (2008). *Needs-based staffing for secondary schools*. Paper to Annual Conference, 30 September to 2 October 2008. PPTA files, AA2/10/18/2008.
- 60 Ibid.
- 61 PPTA (2009). Letter from PPTA President Kate Gainsford to Minister Anne Tolley, 5 June 2009. PPTA files, ER6/1.
- 62 Minister of Education (2009). Letter from Minister Anne Tolley to PPTA President Kate Gainsford, 2 July 2009. PPTA files, ER6/1.
- 63 PPTA (2009). Letter from PPTA President Kate Gainsford to Minister Anne Tolley, 27 July 2009. PPTA files, ER6/1.
- 64 PPTA (2009). Meeting with Minister Anne Tolley, external meeting report 20 August 2009. PPTA files, ER6/1.
- 65 PPTA (2009). Speech to Paid Union Meetings Term 3 2009, 6 August 2009. PPTA files, IPM3/11/15/2009.
- 66 PPTA (2010). Preparing a battle plan for staffing cuts, 20 April 2010. PPTA files, HX10/033.
- 67 Hartevelt, J. (2010, 11 March).
- 68 SSSG (2011). Secondary School Staffing Group – Terms of Reference, 9 June 2011. PPTA files, IPM14/28/2.
- 69 Ibid.
- 70 PPTA (2011). *Class Size – the Struggle Continues*. Paper to Annual Conference 18–20 October 2011. PPTA files, AA2/10/25.
- 71 Ibid.
- 72 Ibid.

- 73** SSSG (2012). Report of the Secondary School Staffing Group, 10 February 2012. PPTA files, IPM14/28/2.
- 74** PPTA (2012). SSSG meeting 20 December 2011. PPTA files, HX12/005.
- 75** PPTA (2011). The Secondary School Staffing Group (SSSG), 15 November 2011. PPTA files, HX11/112.
- 76** SSSG (2012). Report of the Secondary School Staffing Group, 10 February 2012. PPTA files, IPM14/28/2.
- 77** Ibid.
- 78** Judie Alison (author's recollection).
- 79** PPTA (2012). Progressing the outcomes of the Secondary Schools Staffing Group – a political campaign, 8 February 2012. PPTA files, HX12/016.
- 80** Ibid.
- 81** Ibid.
- 82** It was not clear what this consolidation of the school network meant, but it may have been about closure of small schools.
- 83** Briefing to the incoming Minister of Finance: Increasing Economic Growth and Resilience. Cited in Treasury's Briefing, 3 February 2012. PPTA files, HI12/009.
- 84** Makhlouf also argued that assessing teachers in order to 'develop, support and reward them' would be a useful approach, reintroducing the concept of a 'master teacher' category.
- 85** Hartevelt, J. (2012, 20 March).
- 86** Although the Secretary for Education had spoken at the February 2012 Executive meeting.
- 87** PPTA (2012). Meeting with Lesley Longstone, external meeting report, 26 April 2012. PPTA files, ER7/1.
- 88** Ibid.
- 89** This referred to her repeated claims that only four out of five students were achieving to their optimum and that this needed to improve.
- 90** Parata, Hon. Hekia (2012). Speech notes: Raising achievement for all in Budget 2012.
- 91** English, Hon. Bill (2012, 22 May). Budget speech to Parliament.
- 92** PPTA (2012). Minutes of special executive meeting held by teleconference, 22 May 2012. PPTA files, MX12/008.
- 93** PPTA (2012). Various documents in PPTA files, IPM3/11/18/2012.
- 94** PPTA (2012). Speech to paid union meetings June 2012. PPTA files, IPM3/18/2012.
- 95** Radio New Zealand (2012, 16 May). Govt says education spend about quality not quantity.
- 96** Radio New Zealand (2012, 24 May). Teaching jobs to be cut.
- 97** PPTA (2012). Post-Budget briefing, external meeting report, 24 May 2012. PPTA files, ER6/1/2012.
- 98** PPTA (2012). Letter from PPTA President Robin Duff to Minister of Education Hon. Hekia Parata, 25 May 2012. PPTA files, ER6/1.

- 99** Parata, Hon. Hekia (2012, 30 May). Minister provides assurances to schools.
- 100** Parata, Hon. Hekia (2012, 8 June). Teacher funding ratios to remain the same.
- 101** PPTA (2012). Hekia meets the G7, 15 June 2012. PPTA files, HX12/050.
- 102** Ibid.
- 103** Parata, Hon. Hekia (2012, 12 June). Quality teaching remains the focus.
- 104** PPTA (2011). Minutes of a special executive meeting held by email correspondence, 20–23 June 2011. PPTA files, MX11/23.
- 105** PPTA (2011). Update on Part-time Working Group, 6 September 2011. PPTA files, HX11/121.
- 106** PPTA (2011). 'Part-time non-contact inequities need resolution'. *PPTA News* December 2011, p. 7.
- 107** MOE (2012). Letter from Manager Industrial Relations to Bronwyn Cross, PPTA Deputy General Secretary, 17 January 2012. PPTA files, IPM8/8/3/2012.
- 108** PPTA (2014). *PPTA industrial strategy 2015*. Paper to Annual Conference, 30 September to 2 October 2014. PPTA files, AA2/10/30.
- 109** PPTA (2015). Minutes of Executive meeting, 1–2 May 2015. PPTA files, MX15/08/25.
- 110** PPTA (2015). Powerpoint for PUM speech, 1 October 2015. PPTA files, IPM3/24/07/PUM materials.
- 111** PPTA (2017). Legal strategy for the pro-rata non-contact time case for part-time secondary teachers, 4 May 2017. PPTA files, HX17/036.
- 112** PPTA (2017). Minutes of Executive meeting, 11–13 May 2017. PPTA files, MX17/07/34.
- 113** PPTA (2017). Letter to Secretary for Education and boards of Havelock North High, Thames High, Taita College and Tauranga Girls' College, 29 June 2017. PPTA files, EI3/14/1/Mediation.
- 114** PPTA (2017). Update on our Equal Pay (pro-rata non-contact case) for part-time secondary teachers, 7 July 2017. PPTA files, HI17/070.
- 115** Employment Court (2018). Minute to the parties of Chief Judge Christina Inglis following Directions Conference, 29 June 2018. PPTA files, EI3/14/01/Meetings.
- 116** Employment Court (2021). Judgment of the Full Court in the matter of a proceeding under the Employment Relations Act 2000, the Equal Pay Act 1972 and the Government Service Equal Pay Act 1960.
- 117** Michael Stevenson, General Secretary (personal communication, 4 March 2022).
- 118** PPTA (2014). PPTA Priorities and Election Strategy for 2014, 10 February 2014. PPTA files, HX14/005.
- 119** PPTA (2012). Education Change Management Toolkit, September 2012 (initial version). <https://www.ppta.org.nz/publication-library/education-change-management-toolkit/>
- 120** PPTA (2012). The changing role of a secondary teacher, 24 April 2012. PPTA files, HX12/031.
- 121** PPTA (2012). Minutes of Executive meeting, 3–5 May 2012. PPTA files, MX12/05/13.
- 122** Judie Alison (author's recollection).

- 123** PPTA (2014). Workload Taskforce, 25 September 2014. PPTA files, HX14/082.
- 124** Ibid.
- 125** Ibid.
- 126** Of these, only NZQA produced any response, in the form of a letter in which it discussed the initiatives it had taken as an organisation.
- 127** The need for stable infrastructure, skilled support staff, and ICT professional development.
- 128** PPTA (2016). PPTA Workload Taskforce Report. Report of the 2015 investigation into issues of workload intensification for secondary school teachers in New Zealand, April 2016. <https://www.ppta.org.nz/advice-and-issues/teacher-workload/document/133>
- 129** Ibid.
- 130** PPTA, MOE, EC, NZQA, ERO, NZSTA, NZSPC, SPANZ (2016, December).
- 131** PPTA (2016). PPTA Workload Taskforce Report. Report of the 2015 investigation into issues of workload intensification for secondary school teachers in New Zealand, April 2016. <https://www.ppta.org.nz/advice-and-issues/teacher-workload/document/133>
- 132** PPTA, MOE, EC, NZQA, ERO, NZSTA, NZSPC, SPANZ (2016, December).
- 133** Judie Alison (author's recollection as a member of the technical group).
- 134** PPTA, MOE, EC, NZQA, ERO, NZSTA, NZSPC, SPANZ (2016, December).
- 135** Judie Alison (author's recollection).
- 136** PPTA, MOE, EC, NZQA, ERO, NZSTA, NZSPC, SPANZ (2016, December).
- 137** Judie Alison (author's recollection).
- 138** Rob Willetts, AO (personal communication, 30 May 2022).
- 139** MOE, PPTA, NZSTA, SPANZ, SPC and Education Council (2016, July).
- 140** Ibid.
- 141** Ibid.
- 142** Ibid.
- 143** PPTA (2018). Email from Advisory Officer Rob Willetts to Junior Vice-President Melanie Webber, 28 September 2018. Supplied to author by Melanie Webber, 27 May 2022.
- 144** Such misunderstanding could potentially lead to over-engineering of processes.
- 145** Author conversation with PPTA Advisory Officer Rob Willetts, 25 July 2022.
- 146** Glendowie College principal and initial driving force for the group.
- 147** Melanie Webber (personal communication, 27 May 2022).
- 148** Ibid.
- 149** Ibid.
- 150** See Chapter 15.
- 151** PPTA (2018). Education Workforce Strategy Group, 12 July 2018. PPTA files, HI18/064 and PPTA (2019). PPTA ongoing engagement with the Workforce Strategy Group, 7 February 2019. PPTA files, HX19/014.
- 152** Ibid.

- 153** PPTA (2018). Letter from PPTA President Jack Boyle to Secretary for Education Iona Holsted, 5 November 2018. PPTA files, IPM18/34/2.
- 154** PPTA (2019). PPTA ongoing engagement with the Workforce Strategy Group, 7 February 2019. PPTA files, HX19/014.
- 155** PPTA (2019). Draft Education Workforce Strategy: Preliminary feedback from PPTA Te Wehengarua, 18 October 2019. PPTA files, IPM18/34/02.
- 156** The much larger reference group for the strategy appears to have ceased operating at that stage.
- 157** MOE (2020). Memo from Deborah Kent, Associate Deputy Secretary Education Workforce to Accord Governance Group, 28 October 2020. PPTA files, Representing/Advocacy/Accord/WFS.
- 158** Rob Willetts, AO (personal communication, 30 May 2022).
- 159** Rob Willetts, AO (personal communication, 2 March 2023).
- 160** MOE (2020). Accord meeting notes 29 July, 24 August, 8 October. PPTA files, Representing/Advocacy/Accord/Governance Group meeting collateral.
- 161** PPTA (2020). Risks in the discussion of entitlement staffing, 19 October 2020. PPTA files, HX20/080.
- 162** Ibid.
- 163** PPTA (2020). Minutes of Executive meeting, 12–14 November 2020. PPTA files, Governance/Executive/Circulars/MX/2020.
- 164** PPTA (2020). Staffing entitlement discussions, 23 November 2020. PPTA paper presented to Accord meeting 1 December 2020. PPTA files, Representing/Advocacy/Accord.
- 165** PPTA (2020). Minutes of Accord meeting, 1 December 2020. PPTA files, attachment to HI20/071.
- 166** PPTA (2021). Minutes of Secondary Principals' Council meeting, 15–16 March 2021. PPTA files, HC21/24.
- 167** PPTA (2021). Minutes of a special executive meeting held by Zoom, 19 April 2021. PPTA files, MX21/004.
- 168** SPC (2021a).
- 169** SPC (2021b).
- 170** PPTA (2022). Minutes of Executive meeting, 18–19 February 2022. PPTA files, MX22/02.
- 171** Rob Willetts, AO (personal communication, 30 May 2022).
- 172** PPTA (2022). Minutes of Annual Conference 4–6 October 2022. PPTA files, HC22/74/02 and HC22/74/13.
- 173** PPTA (2019). Taskforce to review workload provisions of the STCA, 13 November 2019. PPTA files, HX19/097.
- 174** PPTA (2020). PPTA Workload Provisions Taskforce, Report to Executive 27 July 2020. <https://www.ppta.org.nz/advice-and-issues/teacher-workload/document/1395>
- 175** Ibid.
- 176** PPTA (2020). Regular meeting with Secretary for Education, 22 September 2020, external meeting report. PPTA files, Representing/Advocacy/Ministry of Education/Sec for Ed mtgs.

- 177** Rob Willetts, AO (personal communication, 30 May 2022).
- 178** PPTA (2023). Representing/Collective Agreements/STCA/STCA2022/Claims/In progress.
- 179** Judie Alison (author's recollection as member of Workload Working Group secretariat).
- 180** PPTA (2021). Request for research proposal – experiences of Māori Kaiako in mainstream secondary schools, 28 July 2021. PPTA files, HX21/067.
- 181** PPTA (2022). Rangahau – Kaiako matatau ki te reo me ōna tikanga, 8 February 2022. PPTA files, HX22/007.
- 182** Series of emails to author from PPTA Kaihautū Māori Angela O'Donnell-King, 27 July 2022.

### Principals and PPTA

#### Introduction

Principals have been valued members of PPTA since the union in its current form began in 1952, and they have had an advisory committee since 1963. Until the 1990 State Sector Act and the introduction of the Tomorrow's Schools reforms, principals were often members of Executive, including Presidents. Members of Executive often went on into senior positions. However, this began to change. Under Tomorrow's Schools, the role of the principal changed to one of being a de facto employer in a much more devolved system. Being part of a union dominated by non-principals became less attractive to some principals, and in late 1988 a breakaway group, the Secondary Principals' Association of New Zealand (SPANZ), formed. In response, in 1994, PPTA transformed its Principals' Advisory Committee into a Principals' Council (PC) that was a much larger and regionally elected body. In 2005, this was renamed the Secondary Principals' Council (SPC) as part of a rebranding exercise. The relationship with SPANZ was difficult then, and continues today to be difficult at times.<sup>1</sup>

The current chair of SPC, Kate Gainsford, is a former PPTA President. In 2009, when SPANZ was moving to becoming a union, she wrote a paper for SPC and Executive about why it was important for principals and teachers to continue to be represented in the same union. The paper looked at four provincial unions in Canada. In Alberta in 2003, principals had faced a government threat to take them out of the Alberta Teachers' Association, but principals were strongly (91%) opposed to this and the union saw it as 'a hill to die on'. The union made some structural reforms, and won the day. In Ontario, principals had been legislated out of the union, and in British Columbia they had been pushed out by the members. In both the latter provinces, principals' job security and pay were poor because they lacked negotiating power. In Manitoba, principals were included in the union and occasionally members of the executive. Kate's conclusion was that

principals were always likely to be better off in the union rather than outside it.<sup>2</sup>

This chapter continues the history of SPC and its relationships with the PPTA executive and membership and with SPANZ. It also covers the highs and lows of negotiation of principals' collective agreements, both for secondary and area schools.<sup>3</sup> It looks at how PPTA, and SPC itself, have worked over the two decades to meet the changing needs of principals.

### **SPC meetings**

Over the twenty years covered here, SPC met regularly, for two days at a time, four times a year, almost always in PPTA National Office. A scan of the minutes of these meetings reveals a parade of visitors from government agencies and other interest groups and private companies wanting the Council's attention, to the extent that at one meeting, a member of the Council, tired of being 'talked at' by Ministry officials, commented that they would like fewer visitors and more time to reflect on what they had been told and consider further steps they might take, such as how to promote or resist an issue or initiative.<sup>4</sup>





**Arthur Graves, principal of Greymouth High and Chair of SPC 2006–part 2008, speaking to the 2006 Annual Conference**

There were visits from many parts of the Ministry of Education, including all Secretaries of Education over the period. The New Zealand Qualifications Authority, the Education Review Office and the various iterations of the Teachers Council also attended from time to time. Occasional visitors over the years were the Audit Office, Career Services, and Treasury. Opposition education spokespeople would appear when elections were looming, but usually if the Council wished to speak with an incumbent Minister, it assembled a small group to go to the Beehive.

Yet, despite this apparent enthusiasm of government agencies to speak with the Council, it was not unusual for SPC to have to push to be represented on various consultative forums alongside or instead of SPANZ.<sup>5</sup>

A number of issues recurred frequently at SPC meetings – in particular, resourcing of schools, staffing and supply, special education, property, professional learning and development, and zoning.

The principal holds primary responsibility for a school's budget, so issues of funding and resourcing are of particular interest to them. SPC had many discussions about the funding issues of the day: the reliance on international students to supplement government funding; the unpredictable nature of

increases to the Operations Grant and its sheer inadequacy; the failure of successive governments and officials to keep up with the evolving financial demands on schools; and the problems of contestable funding pools. SPC representatives were key members of the various funding review groups set up by government. In particular, SPC Chair Allan Vester, from Edgewater College in Auckland, made very well-informed contributions to the funding review set up under National in 2016, which was somewhat derailed by the Minister's attempt to impose a new form of bulk funding, titled 'Global Budget' (see Chapter 4 (Volume One) pp. 258–266). Once that had been removed from the table, the group went on to work with the Ministry to develop a replacement to the decile system in the form of an Equity Index, which, from January 2023 determines a school's level of equity funding.<sup>6</sup> In his 'retirement', Vester is continuing to make a contribution to this work by leading the Ministry's Sector Reference Group for the project.<sup>7</sup>

Throughout the period, SPC has had representatives on many Ministry groups. Perhaps the most long-lasting of these were the Leaders' Forum for NCEA, NZQA's various NCEA advisory groups, the Vice-Chancellors' Subcommittee on University Entrance, regional property groups, the Payroll Reference Group, the Police and Education partnership group, the Vocational Pathways Advisory Group, and the School Statistics Monitoring Committee.

PPTA's Policy and Advocacy staff were always happy to speak to the Council about issues in their portfolios that were of interest to principals, and to seek principals' viewpoints about policies they were working on. There were also regular visits from the Field Office team, and for much of the period a Field Officer had the task of attending Council meetings alongside the Advisory Officer who served as the Council's Secretary.

## **Relationships between SPC and PPTA**

Establishing a degree of independence for SPC became much more important with the rise of SPANZ, which marketed itself as being independent of teachers. Three years before the period covered here, in 1999, this had come to a head somewhat, and SPC sought Executive endorsement of a 'statement of functions' it had developed. Introducing the statement, AO Trevor Bleakley explained:

A key purpose of the statement is to establish the credentials of Principals' Council as an independent entity under the aegis of PPTA. This is of critical importance in ensuring the credible presentation of Principals' Council views to other stakeholders in education and to the wider community.<sup>8</sup>

He reminded Executive of the benefits of 'a judicious distance between the Executive and the Council' because it meant the Council could 'speak with some authority on behalf of principals and, to a lesser extent, the boards they are employed by, without having the validity of their opinions diminished by being seen as rubber-stamping or parroting the union line'. In practice, he said, the Council tended to support PPTA positions on the great majority of educational matters, and worked through any differences sensibly without disadvantaging either party. But an expression of independence was particularly needed at that time to counter the threat from SPANZ. The statement itself was a fairly simple outline of the Council's functions of advocacy, representation and support for principals.<sup>9</sup>

Sometimes that relationship was strained by decisions of Executive, nevertheless. In May 2002, during a particularly difficult industrial round, SPC, having agreed 'That the current PPTA claim is reasonable and sensible and should not be compromised', also resolved 'That Principals' Council expresses the view to the PPTA Executive that an NCEA ban is not an appropriate weapon for use in resolving the industrial dispute'. The minutes do, however, record that 'The Council does support other forms of industrial action.'<sup>10</sup> The protocol between the Council and the Executive would have meant that this disagreement did not go public at the time, though.

In a 2012 discussion on a different issue, SPC considered how much its views could diverge from PPTA positions. The Council's view was summarised as:



**Janice Campbell, principal of Wellington East Girls' College for many years, and a former Chair of SPC, speaking at 2006 Annual Conference**

It was recognised that while on the big issues (like support of fully-funded public education for everyone) there would be little or no difference, on matters affecting principals, SPC may occasionally need to reflect the views of the PPTA principal members they represent.<sup>11</sup>

The issue came up again in 2014, and the minutes record:

From PPTA's perspective, SPC makes a very valuable contribution in giving a perspective to policy that might not otherwise be there, providing leadership in schools that takes principled account of collective values, and acting as a clearing house for decisions by enabling central agencies to consult with a nationally-representative group of principals. In order to do the job well SPC members need better connections with the members they represent in regions. There was discussion about how that might be better done. It is quite difficult when the regions are so extensive.<sup>12</sup>

Over that year, SPC developed a set of core beliefs, some general principles, and a list of items that it saw as its role. The role ranged from advocacy – including working with PPTA staff and Executive to share a principal's perspective, and acting as a voice for principals in national forums and debates – to one of keeping principals informed of developments and providing collegial support, and developing and sustaining 'harmonious and collegial relationships with secondary teachers through shared membership of PPTA'. SPC asked Executive to endorse this statement of its role. Proposing that Executive give this, DGS Bronwyn Cross provided some historical context:

The education unions are unusual in that they have traditionally included employers in their coverage, probably because everyone in schools is, in one sense, an employee of the government.

When Tomorrow's Schools first came in there was a determined attempt to peel principals off from the rest of the teaching force which gave rise to SPANZ and the New Zealand Principals' Federation. Most principals, however, chose (in the words of Bruce Murray who was the chair of the PPTA principals' group throughout these fractious times) to 'stand with their teachers'. If they hadn't done that, we may have been unable to stop the evolution to generic managers with a business rather than a teaching background running schools. That's what happened in health and although they are now trying to move practitioners back into administration and management roles in hospitals, the rot may have gone too far. This is one of several reasons why PPTA would want to retain a strong principal presence.<sup>13</sup>

She went on to list reasons why PPTA needed to support principals – the small size of the union, the influence of principals and of their collective agreement negotiations on the rest of the sector, the positive relations such support engendered – and concluded:

It is much better and more effective politically to have principals and teachers working together for the good of secondary education via PPTA structures than to be operating separately. PPTA would be a lesser organisation without principals and secondary schools and teachers would be worse off. For that reason, it is incumbent on both parties to work together as best we can, focussing on what unites us rather than our differences.<sup>14</sup>

An example of the different perspectives arose in 2017, when SPC, discussing the IES/Kāhui Ako collective agreement provisions, took the view that none of the roles should be permanent. DGS Tom Haig wrote: 'We responded that PPTA would be very unlikely to support that. We explained that there is always a balance between the "flexibility" needs of employers and the certainty that employees want to be able to plan their lives.'<sup>15</sup>

During a recent period of industrial action, in 2019, SPC shared perspectives on how PPTA member principals should manage the situation. One principal commented: 'STA gives the legal view (to principals), but schools need to handle the relationships.' SPC agreed that its role was to give pragmatic advice, and that the Council should share examples of how people are wording messages to parents about strike action, for example, ensuring they are clear about the difference between Paid Union Meetings, which are an entitlement, and strike action. One principal suggested that such advice could be a selling point to principals as to why it was useful to be a member of PPTA.<sup>16</sup>

An interesting recent example of PPTA and SPC working together on a policy issue was the conference paper in 2022 recommending that streaming of students be abolished. The origin of this paper was a

suggestion from Virginia Crawford, principal of Fraser High School in Hamilton, that SPC hear from Tokona Te Raki (Māori Futures Collective), a group set up by Ngai Tahu, part think-tank and part do-tank, which had been conducting research around issues for Māori rangatahi. Convenor of Tokona Te Raki, Piripi Prendergast, spoke to SPC in June 2021. He convinced its members that streaming had negative impacts on Māori student achievement, and needed to be abolished. SPC decided to recommend to Executive that PPTA develop a policy on streaming.<sup>17</sup> Kate Gainsford, as Chair of SPC, co-wrote a paper on the matter to Executive that same month, describing the research basis for the campaign by Tokona Te Raki, and calling on Executive to develop policy on the matter, while indicating that SPC intended to work with the sector to get it abolished.<sup>18</sup>

Executive agreed, and a paper on the subject was presented at the 2022 Annual Conference and supported by members. The paper acknowledged the harm caused to rangatahi Māori through streaming and advocated the removal of streaming in secondary schools by 2030, with resourcing including quality professional learning to support this move.<sup>19</sup>

From time to time, the union will seek specific input from principals for a broader campaign. In 2015, AO Rob Willetts briefed SPC on the findings so far of PPTA's Workload Taskforce and asked it to provide a summary of principals' workload issues for inclusion in the final report. In the end, this was collected through a brainstorm of the issues at the following meeting.<sup>20</sup>



**Member Daniel Hapuku speaking to Annual Conference 2022 about the negative effects of streaming on his family**

In 2016, Willetts provided SPC members with a Powerpoint presentation on issues of teacher supply for them to use at regional principals' meetings, the aim being that all principals would get the chance to understand the deeper issues underpinning supply and be able to contribute to the work of the Supply Working Party.<sup>21</sup>

In 2020, PPTA and SPC embarked on developing a Principal and Senior Leader Organising Plan, as a response to declining coverage of principals. Introducing the plan to Executive, a team of staff and Executive members wrote:

Many principals are teachers and members of PPTA for a significant period of time before they become principals. Their loyalty and connection are to the union that they have always been a member of. Our voice as a union on education sector issues is stronger and more persuasive when we are speaking on behalf of both teachers and principals in the secondary sector. Principals' perspectives on education and industrial issues also deepen our ability to develop policy perspectives and industrial mechanisms that will work well ... Experience from overseas shows that principals do better industrially if they are 'with' the teachers' union in some way (there are varying models), rather than being separated out in a different union. There are some basic realities here: principals benefit from the infrastructure that the larger group of teachers can fund, and there's also political protection that being connected to a well unionised larger group of teachers can bring.<sup>22</sup>

A major outcome from the plan was the development of a legal advice service for principals (see next section), but there was also focus on improving support for senior leaders as potential future principals, improving accessibility to SPC spokespeople, and increasing the profile of PPTA among principals and senior leaders.<sup>23</sup> Despite the distraction for principals of managing their schools during a pandemic, work still continued on the plan during 2020. This included mapping of membership among senior leaders, which turned out to be at a high level. This indicated that the loss occurred once members became principals, at which time SPANZ was available as an alternative, and it was marketing itself as offering a better range of services than PPTA.<sup>24</sup> An advisory officer proposed to SPC a number of actions: discussions with senior leaders who were not PPTA members to identify their reasons for not joining the union; creation of a separate legal entity (see below); piloting of a supervision/mentoring service; convening a PPTA/SPC conference for senior leaders; engagement with principals' and senior leaders' wellbeing survey, and scoping further leadership initiatives.<sup>25</sup>

The conference for senior leaders, titled a Leadership Summit, eventually took place on 13–15 July in Ōtautahi/Christchurch. It was a great success, with a wide range of high-profile speakers.<sup>26</sup> One participant simply wrote in their evaluation 'My kete is full'.<sup>27</sup>

## **Advice and support for principals**

Being a principal can be a lonely experience, especially when there is conflict among the staff or between the principal and the Board. Once principals became positioned legally as employers under Tomorrow's Schools, the services of PPTA Field Officers were less available to them when conflict arose in their schools, as it was likely that the Field Officer had been called on for help by the teacher(s).

In 1994, on the recommendation of the Principals' Council, PPTA had set up a Principals' Advisory Service to offer advice and support. This consisted of a group of retired principals, 'men and women who had the respect of their colleagues and were prepared to work voluntarily on principals' behalf on such issues as personal stress, relations with teaching and non-teaching staff and boards of trustees, and professional concerns



such as curricula and assessment changes.’ They worked most often with newly appointed principals.<sup>28</sup>

However, after the stresses of the 2001–2002 Collective Agreement round had waned, PPTA began a process of strategic review of many areas of its operation, including its work with principals. In a strategic planning paper to Executive in February 2003, AO Trevor Bleakley, who had the responsibility of working with the Principals’ Council, set out the context. At that time, Principals’ Council represented 217 secondary and 29 area school principals, which was about 70% and 42% coverage respectively. Most principals were also members of SPANZ, helped often by their boards paying the SPANZ subscription. Bleakley argued that PPTA needed to look after principals better, because of the fear that a right-wing government might use a separate principals’ organisation ‘to drive through an agenda of local entrepreneurial managerialism underpinned by compulsory bulk funding’. SPANZ might decide to register as a union, and ‘thereby muddy the negotiating process, which right now we control the principal side of’. He said that during the protracted 2001–2002 negotiations, ‘many principals thought they were being neglected’, but proactive work by staff had dispelled that notion. Bleakley commented: ‘Membership levels tend to be higher and the PPTA tends to have less trouble in schools where the principal is a member of the Association’, something that was borne out by research by Gay Simpkin in Auckland schools commissioned by PPTA later in that decade (see Chapter 1 (Volume One) p. 18–20).<sup>29</sup>

Bleakley recommended a budget increase for work with principals, involving them more in the union’s policy work, but also reviewing the Principals’ Advisory Service. While Executive changed these recommendations somewhat, the review of the Advisory Service was supported, with a report requested to the May Executive meeting.

By 2003 only three principal advisors were operating, and they were serving only about a third of the country. Bleakley commented, ‘There is a perception that we should either upgrade the service or deliver it some other way.’ A major problem was the lack of funding for the service. Retired principals were being asked to do what was essentially a voluntary job, receiving only an honorarium of \$200 net per term, expenses, and funding to attend the annual principals’ conference. PPTA was spending about \$2,000 per adviser annually. The question was whether the service was still needed, given easier contact between principals via email, mentoring

processes being developed by the Ministry, and an increase in professional development availability.<sup>30</sup>

In April, representatives from Principals' Council, Executive, a Principals' Advisor, and relevant staff met to review the service. They were able to list the advantages of the service, but also a number of problems: it was a big job and should therefore be paid at professional rate for the level of expertise the advisors contributed; it was hard to find suitable ex-principals to do the work; there was not national coverage; there was little support when things went awry; the speed of change meant that retired principals could become out of touch quite quickly, and problems of demarcation between advisors and PPTA field officers could arise. The group recommended that the Advisory Service be disestablished after principals' conference in May that year, but that PPTA 'seek to establish a partnership with the Ministry of Education in terms of an extension of current Ministry provision through School Support of a mentoring service for principals who need support'. At the same time, the group recommended an increase in support for the Principals' Council chairperson, both financially and in terms of media training and advice.<sup>31</sup> Principals' Council appeared to be supportive of the recommendations, which were carried by Executive.<sup>32</sup>

However, the issue of support and advice for principals continued to be an issue throughout the period covered by this history. In 2005, in a wide-ranging Principals' Council report, Chair Don McLeod (Mt Hutt College) raised the issue, suggesting members of Executive ask themselves 'Are we doing enough for principals?' He proposed a Field Officer for principals. Perhaps as a result of that, General Secretary Kevin Bunker attended the June SPC meeting to talk about the complexities of coverage for principals needing advice. He explained that if a principal required advice while acting as an employer, that was the job of NZSTA and if it was a significant case, the board's insurance company would be involved. The local Field Office might be able to provide advice in some situations, but if another member was involved the principal would have to be advised by a different Field Officer. SPC understood that, but argued that thought should nonetheless be given to having a specific field officer to specialise in principals' issues.<sup>33</sup>

Earlier that year, PPTA had successfully applied, with NZSTA, for Department of Labour funding to develop and trial a new employment relations education course for secondary principals and senior leaders. Work on this, involving PPTA National and Field Office staff, SPC, NZSTA National and Field Office staff and the Department of Labour's mediation service, began in March 2006. The course was offered in four locations that year: Hamilton, Palmerston North, Christchurch and Dunedin, with 10 to 15 participants at each, and evaluations were very positive.<sup>34</sup> It continued into 2007 and 2008.

In late 2008, Principals' Council had a visit from DGS Colin Moore and one of his Field Officer team, Derek Morris, to talk about how the course was going. By then, 128 principals and deputy principals had participated.

On the more general issue of what PPTA offered to principals, Colin Moore explained – as Kevin Bunker had in 2005 – that PPTA represented principals in their role as an employee, when they were in conflict with their board or the Ministry, but did not represent them in their employer role, which was the province of NZSTA, largely. But principals said that they still had a need for access to prompt and authoritative legal advice in difficult situations, such as when dealing with the Education Review Office or the media. This service was available from SPANZ, but not from PPTA.<sup>35</sup>

When this was revisited in 2009, DGS Colin Moore expanded on the issue by saying that the protocol was that the first person involving PPTA had the services of the local field officer, and the second person had the service of a field officer from a different office, in order to put some distance between them. On further discussion, SPC was unanimously in support of a proposal that an 0800 number for principals should be set up, to provide support and advice when principals needed to consult. This would be a national service run through National Office, which would take the issue out of the local context.<sup>36</sup>

By August 2011, Colin Moore was able to report to SPC that the 0800 number had been set up and was exclusively available to principals needing advice in their capacity as an employee of the board. He argued that 'there has been an escalation in PPTA provision of service to principals over the last four years', but this still did not satisfy SPC, which was conscious that SPANZ offered a similar service to the 0800 number. It was decided that

awareness of SPC had to be promoted among principals, with all contact details given in the regular newsletters, and by, among other measure, contributing articles to *PPTA News*, improving accessibility of the SPC website, and offering the services of Colin Moore to regional principal groups.<sup>37</sup>

The Employment Relations course for principals which was first offered in 2006 had fallen into abeyance by late 2011, presumably for lack of enrolments. Field Officer Derek Morris proposed to Principals' Council that it work with him to refresh the course, and SPC was very supportive, suggesting that the course could also be offered to deputy principals who may deputise for the principal.<sup>38</sup>

At the same meeting, though, SPC returned to its issues about Field Officer support. One of its members made the comment that it was all very well to say that principals had support from NZSTA when they were acting as an employer; however, NZSTA's advice was less valuable than PPTA's because it was simply not as reliable, and in his experience, NZSTA field officers did not regard principals who were also board members as deserving of the same level of service as other board members. With NZSTA now working more closely with insurers, this also made its advice even less satisfactory. SPC members said that what they needed from PPTA was help with problem solving. They did not need representation – they needed advice on process, not strategy; however, Deputy General Secretary Colin Moore told them he saw intractable problems in providing advice separate from strategy, and the Field Service risked jeopardising the PPTA legal position further down the track. Other ways of helping principals were considered, such as providing a range of booklets on processes and more employment relations courses, having experienced principals available to counsel colleagues, and SPC input into programmes for aspiring and first-time principals.<sup>39</sup>

The revised Employment Relations course was under way again by 2013 running in Christchurch and Auckland in April and May that year, in cooperation with the School Trustees Association.

While principals continued to express concern that they could not get the support they wanted when they had issues as an employer, there was never any question about PPTA's support for them as employees. Colin Moore talked to a meeting in 2015 about the number of disputes between

principals and their boards. At that time, PPTA had 13 cases in progress. One case, which PPTA had recently won, was that of a principal who was found by the court to have been unjustifiably dismissed by a Ministry-appointed Limited Statutory Manager. This case had become very public, and Moore talked about how hard it was on schools when the relationship between the board and the principal broke down, and about the need to be alert to signs that the relationship was under strain. Schools were often left picking up the cost of legal action by the board, and this harmed students by squeezing resourcing, sometimes for years.<sup>40</sup>

In August the same year, SPC came back to the same concern about a lack of support for principals in their employer role. One of its members described a situation where PPTA was supporting a teacher over an issue, and the board, with the support of NZSTA, had decided to support the teacher as well, leaving the principal unable to get support from either PPTA or NZSTA, and thus forced into the hands of SPANZ. The Field Officer at the meeting, Roger Tobin, explained that PPTA, when supporting a teacher, does not necessarily condone what a member has done but is there to ensure due process. Again, principals expressed a lack of confidence in NZSTA, arguing that it seemed to encourage boards to be suspicious of principals.<sup>41</sup>

Over the ensuing years, discussion kept coming back to the tricky boundary between what PPTA could do for principals and what it couldn't. Finally, in November 2020, as part of a strategic review of PPTA's work with principals, there was a proposal to set up a legal advisory service. This service was in place by the end of 2021, under the title Principals' Legal Service of Aotearoa, working with McBride Davenport James, a Wellington law firm that specialised in employment matters. An annual school membership of the service can be shared by up to three of the principal and senior leadership team, who must be members of PPTA, SPANZ Union, or NZEI (in the case of principals of area/composite schools). They must also be in a public or integrated school. There is an Advisory Services Trust that oversees the service.<sup>42</sup>

## **Principals' wellbeing**

In 2018, attention turned to principals' wellbeing. SPC had learned that NZEI had been running, for primary and area school principals, an annual

survey of principals' wellbeing, and asked PPTA to fund participation for its members. The survey was run in Australia and Ireland as well as New Zealand. The survey had been well received by NZEI principals and had received some media coverage in New Zealand. Principals' Council felt that the data from the survey would 'be useful for getting support for principals in their complex and demanding roles'.<sup>43</sup> PPTA agreed to budget for it in the 2019 year.

Various factors meant it didn't happen as planned; however, the issue did not go away and in 2020, as part of the development of the principals' organising plan discussed above, the proposal was revived. Advisory staff explained that the union's industrial strategy paper highlighted wellbeing as continuing to be a priority area of work in the lead-up to the 2020 negotiations round, and 'having robust, recent and independent data would help inform this work for senior leaders'. Staff also rang the alarm bell about dropping membership density among principals, and said it was important 'to take a tangible step to claim the wellbeing space for senior leaders and make some meaningful change in this area'.<sup>44</sup> The proposals were supported by Executive.

In June 2020, SPC talked with the team from Deakin University who would run the wellbeing survey, which it offered in Australia, Ireland, England and New Zealand. The plan was to run it in Week 2 of Term 3.<sup>45</sup> By SPC's August meeting, the survey had been run, and principals had reported that it was very long and repetitive (which apparently was due to the need to benchmark principals against the mean population and to stop participant bias). It was a longitudinal study, so the same survey would be conducted in the subsequent two years, and there would be a significant effort made to ensure that those who did the survey in the first year also completed it in subsequent years.<sup>46</sup>

The results from the first year of the survey, 2020, found that the largest sources of stress were the sheer quantity of work and lack of time to focus on teaching and learning. School leaders relied heavily on their families for support, and experienced high levels of conflict between their commitments to work and to their home lives. On the positive side, they found their work very meaningful and felt strongly committed to their role, and showed, compared with the ordinary population, higher levels of self-efficacy, organisational justice and social inclusiveness at work.<sup>47</sup> Principals were

able to join the survey in its second year, 2021, if they hadn't participated in the first year.

## **Principals' conferences**

Conference organisation occupied quite significant amounts of Principals' Council meeting time in the first decade covered here, not helped by the challenges of working with SPANZ. At the beginning of the two decades, in 2002, SPC was on track to run a joint conference with SPANZ in Christchurch in May 2003, and at its August meeting discussed who would be on the conference planning committee.<sup>48</sup>

That conference went smoothly, and by August 2003 SPC was beginning to think about the next conferences, to be held in Rotorua in 2004, and in Wellington in 2005.<sup>49</sup> However, immediately prior to the 2005 conference, Don McLeod reported that he had just returned from opening the session for new principals, being run the day before the main conference, where he had been told by Paul Ferris, the SPANZ President, that the SPANZ executive had decided not to work with Principals' Council to organise a joint conference in 2006. The minutes record that Principals' Council 'speculated on the various reasons for SPANZ dissatisfaction, including big school unease with the current situation, dissatisfaction with conference organising committee processes, financial difficulties', and it was agreed that the issue needed to be raised directly with principals.<sup>50</sup>

McLeod told Executive that he believed that although pulling out was against most members' wishes, SPANZ were doing so nonetheless. One of the reasons he had heard was that 'Principals' Council was too close to PPTA, and PPTA were too close to the Ministry and the government', which was a new variant on the previous SPANZ line that SPC was too close to PPTA.<sup>51</sup> McLeod suggested that this SPANZ positioning was because it expected a change of government later that year (which did not, in fact, happen). He supported PPTA being involved in the workstreams: PPTA '... should not be tender about being involved in working groups, we had fought long and hard to get there and we should not be paranoid about trying to retain it'.<sup>52</sup>

The Council held a special meeting the following month, devoted largely to the question of future conferences. In the meantime, National Office

surveyed principals about the issue, and it was clear to the group that they should carry on alone organising a 2006 conference, but not in Queenstown as originally planned, because of the costs involved, but in Christchurch. To relieve local principals of the minutiae of conference organising, it was decided to hire an event organiser. The Council also started to consider holding a conference in Australia in the future. Members agreed to try to have twice-yearly meetings with SPANZ to keep communications open, but they were aware that the relationship with SPANZ was fragile. In addition to the tensions caused by SPANZ choosing to walk away from the 2006 joint conference, there had been talk of SPANZ wanting to participate in negotiation of the Secondary Principals' Collective Agreement.<sup>53</sup>

During the rest of 2005, SPC continued to try to work with SPANZ, and to re-involve it in conference organising. At the same time, it was determined that the 2006 conference would go ahead, with or without SPANZ. At the end of 2005, in his final report to Executive as SPC Chair, Don McLeod was harsher about SPANZ than he had been previously. He said that in withdrawing from the joint principals' conference, it 'had acted dishonestly and dishonourably and we have had significant pieces to pick up because of that'. In terms of the overall relationship, he said SPANZ had conveyed a view that it should do the professional things and SPC should do the industrial role for principals. SPC rejected that, seeing itself as 'an advisory body to PPTA ... inextricably linked'. It was working on an Advice and Guidance manual for principals, which was quite a big exercise, and it was grateful for National Office support in this work.<sup>54</sup>

Planning went ahead for the Christchurch SPC conference, and in August 2006 the Council heard that about 90 principals had attended and evaluations had been very positive. However, SPC decided not to hold a 2007 conference because there was an international principals' conference, organised by the New Zealand Principals' Federation, that year, preceded by a two-day SPANZ conference, and it seemed unwise to try to run an SPC conference as well, or to try to involve itself in the SPANZ event. The Council decided to survey principal members about what they would like instead, canvassing options such as a seminar in Wellington in September, a travelling roadshow of visiting experts, a group participating in the Thinking conference being held in Sweden in July, or other overseas study tour possibilities.<sup>55</sup>



In December, after looking at the survey data collected, the Council decided to go with the roadshow idea in Term 3, 2007, and to consult widely about a speaker who would be appealing to principals.<sup>56</sup>

In February 2007, all seemed about to change. SPC Chair Arthur Graves reported on a meeting he and Theresa Shaughnessy had had with Peter Gall of SPANZ. The two parties had agreed that there were advantages to having two organisations for secondary principals, but that SPANZ wanted input into industrial negotiations and SPC wanted no diminution of its professional role. At that stage, most principals were members of both organisations, and most wanted only one conference to be offered, so it had been decided that they would return to organising a joint conference, with equal representation in planning, a professional conference organiser appointed, equal 'seed' money contributed, mutually agreed sponsors, equal share of profits. This agreement was to be reviewed after five years.<sup>57</sup>

However, by the July SPC meeting, there had been an 'excessively curt' response from SPANZ to a friendly SPC letter following up the discussion with Peter Gall, and it appeared that SPANZ was going ahead with its own conference early the following year after all. SPC turned to the idea of offering a conference in an international venue, combined with visits to local schools.<sup>58</sup> This idea was firmed up at the November meeting, with a decision to hold an SPC conference in Brisbane in July 2008. A venue had been booked, and a conference fee of \$600 was set. An overarching theme, 'pathways to success', was agreed, with three sub-themes to be explored. It was decided to call the event 'Brisbane Study Tour', to distinguish it from traditional conferences.<sup>59</sup>



**Principals' Study Tour Auckland 2009, visiting a primary school**

The feedback from the Brisbane Study Tour was very positive, and SPC decided to consider an international venue in 2010 but to hold an Auckland-based 'study tour' in April 2009 with the theme of transitions into and out of high school.<sup>60</sup>

The study-tour model worked well in Auckland, but because of competing international conferences, SPC decided to hold the 2010 study tour in Wellington, in July.<sup>61</sup> That also went well, but it was decided not to try to compete with other conferences in 2011, and to try again to get SPANZ to agree to work together on a joint conference in alternative years, alternating with overseas conferences of various types.<sup>62</sup> SPANZ appears to have not been receptive to that idea, so by the middle of 2011, SPC was starting to think about what to offer in 2012. The study-tour model still appealed, and a number of possibilities in New Zealand or Australia were considered.<sup>63</sup> Hamilton in June became the preferred option, with a catchy title 'What's worth fighting for?'<sup>64</sup>

However, although the Hamilton conference was generally a success, attendance was 'disappointing'. SPC considered why this might be: the conference might have been too long, more advance notice was needed, and overseas venues were more attractive. SPC scoped a range of possibilities

for the future, but yet again returned to the idea of working with SPANZ, deciding that unofficial approaches to various individuals on the SPANZ executive would be tried, presumably because direct official approaches had got nowhere.<sup>65</sup>

By February 2013, approaching SPANZ Executive members appears to have produced no results, and there was a general discussion about other ways to offer professional learning to principals, such as bringing a visiting speaker to New Zealand and offering them to regional principals' groups; joining and promoting an Australian conference; or encouraging principals to support other conferences.<sup>66</sup> By the end of that year, discussion had turned to whether there were any Australian conferences that could be publicised to member principals, and also whether to promote or even form a group to attend the International Confederation of Principals conference in Helsinki in August 2015. The idea of organising an SPC conference seems to have died by that point.<sup>67</sup>

Two members of SPC did attend the conference in Helsinki, and they reported very favourably on the experience. They were impressed by the collaborative work that Finland had done to determine the future of education in their country. The focus was on equity and had led to a lift in achievement, whereas New Zealand seemed to do the reverse. They also noted that people in Finland sent their children to their local school.<sup>68</sup>

There were no further conference discussions until 2017, when the subject was raised at a meeting between two members of the SPANZ Executive and three SPC members. The notes from that meeting recorded that SPANZ was happy with the format of its current conferences, and was clearly not open to joint conferences, so the matter rested.<sup>69</sup>

At its first meeting in 2018, SPC discussed the possibility of having some kind of 'conference or hui' that year, and settled on the idea of a one-day forum in June focusing on the NCEA Review, which was gathering steam at that time and was a critical issue for secondary schools.<sup>70</sup> An organising committee was set up, and funding was applied for and granted at the May Executive meeting. At its next meeting, SPC decided that key outcomes from the forum would be that attendees would be better placed to go back to their schools and lead the discussion on the change proposals, and it would also help with developing SPC's submission on the review.<sup>71</sup> Members of SPC were asked to invite two other principals from their area,

whose attendance would be funded, and after that there could be room for other principals. However, attendance at the forum was perhaps disappointing – 37 principals including the members of SPC – when maximum registrations had been set at 70. Nevertheless, the discussions at the forum helped SPC develop its submission on the review. Deputy General Secretary Tom Haig sent the submission to all participants, thanked them for their help, and commented that ‘While this submission won’t necessarily reflect everyone in the room’s views, we hope that it captures the main themes, and recognises the diverse perspectives of secondary principals.’<sup>72</sup>

By the beginning of 2021, despite repeated lockdowns as a result of Covid-19, plans were being developed for a Staffing Summit in 2021, and a Leadership Summit in 2022, for principals and senior leaders.<sup>73</sup> The SPC Staffing Summit in July 2021 was designed to highlight inadequacies in the staffing entitlement of schools through research presentations, and to develop the details of a needs-based staffing approach to be presented at PPTA’s annual conference that year.<sup>74</sup> As reported above, the Leadership Summit took place in July 2022 in Ōtautahi/Christchurch.

## **Negotiating collective agreements for principals**

There are two collective agreements for principals: the Secondary Principals’ Collective Agreement, which has been negotiated over the years either separately by PPTA or more latterly in conjunction with SPANZ Union, and the Area School Principals’ Agreement, which is negotiated with NZEI. Negotiations are led by one of the industrial team in PPTA National Office.

### **Secondary Principals’ Collective Agreement (SPCA)**

The two decades began with a settled but short-term agreement for the SPCA, to run from 28 June 2002 to 30 April 2003. This was earlier but shorter than the secondary teachers’ agreement, whose term was from 21 August 2002 to 30 June 2004. The settlement was ratified by 82%, which was a comfortable majority.<sup>75</sup>

However, clearly this had been a hard-won and not very satisfactory agreement, because by its October meeting that year, SPC was discussing

with General Secretary Kevin Bunker and Advocate Marion Norton how it could make better progress next time. Bunker said the secondary teacher settlement had raised serious relativity issues, there were recruitment and retention problems for principal positions, and there was a need to develop some way of representing managerial complexity to support increased salary. However, above all, principals needed to be engaged in their own salary campaign at the local political level. SPANZ had done a job-scoping exercise, but PPTA queried its usefulness. SPC Chair Russell Trethewey was gathering data from case studies of principals which could be useful in supporting the next claim, and Kevin Bunker and Marion Norton were meeting with local principals' groups.<sup>76</sup>

Reflecting on these meetings, Marion Norton says she saw them as beginning a period of much greater engagement with principals in developing their claims, consultation with principals to reach settlement, and working with the Ministry and NZSTA on a working party leading to the next industrial round. 'Rather than protracted bargaining, I travelled extensively to regional principals' meetings all over the country,' she commented.<sup>77</sup>

She continued:

In my travels to regional principals' meetings, I found they were hugely welcoming and collegial towards one another. I really enjoyed meeting with and hearing from say 5–6 principals in Timaru, the West Coast, Napier or the Far North. Wellington principals, led then by Roger Moses (Wellington College), were also welcoming and positive meetings. The atmosphere, however, was very different in Auckland where there always seemed to be a big divide amongst principals based on size of school, decile and SPANZ membership. At one particular meeting called by SPANZ to which I was invited (which must have been once we were bargaining with them or a preamble to that), a couple of SPANZ principals sounded off about what PPTA had done and how useless we were. The current President of SPANZ, Peter Gall (Papatoetoe High) spoke up and put the record straight, saying they were basically wrong.<sup>78</sup>

The working party included in the 2002 settlement was 'to examine the structure of the salary scale and to make recommendations to the Minister of Education by November 2002'. PPTA was to be consulted on the terms of reference for this working party. By early 2003, Marion Norton was able to report progress, and particularly that the introduction of a staffing component to the remuneration formula would be 'a significant achievement'.<sup>79</sup> This was because secondary principal bargaining was affected, like that of the other collectives, by NZEI's 'entrenchment clause', which meant that pay rises to secondary principals could be required to be

passed on to primary principals. With only about 300 secondary principals and 2,000 primary principals, the entrenchment clause was holding down increases for the secondary sector. With part of the remuneration linked to staffing, and secondary schools having higher staffing ratios than primary schools, there was a small salary advantage to the principal of a secondary school of the same size as a primary school. However, 90% of salary continued to be based on roll size.<sup>80</sup>

The matter of the salary scale was also important, because of the loss of relativity after the STCA settlement, and after discussion, a claim consultation process was initiated. It was also decided to offer SPANZ an opportunity to comment on the draft claim.<sup>81</sup>

The 2003 SPCA came into force on 9 July 2003 and was another short-term agreement, running till 30 April 2004. It included the staffing component plus a component targeted at schools with recruitment and retention challenges, and provision for another working party, this time on recognition of professional growth and experience of secondary principals. This working party recommended that all secondary principals should have access, over time, to sabbatical leave, and that there should be a salary step (or steps) to recognise principals' professional growth.<sup>82</sup>

The 2004 bargaining introduced five-yearly sabbaticals in return for foregoing a \$2,000 salary step that went to primary and area school principals. It was a three-year settlement, and was approved by 96.5% of principals who voted, a very high ratification level. One of the debates had been around whether the sabbaticals would be contestable or not. In the end, the criteria were five years' service as a principal, and Board of Trustees approval of the leave and the subject of the inquiry to be conducted during the sabbatical. An inquiry report was required. There would be a ranking by length of service and time since the last sabbatical, should they be over-subscribed, and the award of the sabbaticals was by a committee made up of the Ministry, STA and Principals' Council.<sup>83</sup>

While this should have led to a settled period of three years, it did not. During this period SPANZ began moves towards jointly bargaining the SPCA, rather than simply being consulted by SPC. This first emerged at a special SPC meeting called because SPANZ suddenly withdrew from jointly organising the 2006 principals' conference. Principals had been hearing murmurs of dissatisfaction from some principals about the recent

pay settlements, and suggestions that if SPANZ was part of the bargaining they would do better. The minutes note:

Their need to legally become a credible union to be able to participate in bargaining under current industrial law and the lack of the reality in their expectations when it comes to industrial negotiations were pointed out. It was agreed that the Council will continue to operate in its current way for the foreseeable future, acting on behalf of the members of PPTA that it represents and is accountable to.<sup>84</sup>

A year later, in August 2006, with development of the claim getting under way for negotiations the following year, SPC discussed a request from SPANZ for 'observer status' at the negotiations.<sup>85</sup> SPC Chair Arthur Graves and member Theresa Shaughnessy and SPANZ Executive members Graham Young and Peter Gall met and it seemed to be agreed that SPC would continue to handle negotiations.<sup>86</sup>

However, in February 2007, SPC received a discussion document from SPANZ that made it clear that it did want a part in the negotiations, so SPC decided to offer SPANZ observer status at the negotiations that year, noting that 'this would reveal to SPANZ the grim reality of negotiations with the government as nothing else would'.<sup>87</sup> SPC Chair Arthur Graves wrote to the SPANZ Executive:

It is our responsibility to negotiate the secondary principals' collective agreement. However, we can see distinct benefits in the SPANZ suggestion regarding 'observer status'. We agree that SPANZ should have one executive member present at negotiations with 'observer status'. This person will be consulted during the negotiation process but when 'at the table' will not have speaking rights. The negotiation meetings must be on a confidential basis.<sup>88</sup>

However, the SPANZ response was 'excessively curt', and negotiations proceeded without a SPANZ observer.<sup>89</sup>

A new three-year agreement to 30 June 2010 was negotiated. Once again, the threat of entrenchment hung over the bargaining. To further separate themselves from primary, secondary principals wanted to increase the staffing component to 20% of base salary from the previous 10%; to have two extra salary steps to recognise professional growth and experience, and a new salary component to recognise the requirements associated with being accredited to deliver national qualifications. However, only one new salary step was offered and no increase in the staffing component. On the other hand, a new 'Realising youth potential' payment was agreed to, recognising the leadership role of principals in the senior years of

schooling, which the Ministry said would ‘give secondary principals the edge’. It was a substantial increase, averaging 15.3% increase on base rates by July 2009.<sup>90</sup> Principals ratified it, only to see primary principals, a few weeks later, receive all the same components as the secondary settlement and an equivalent of the Realising Youth Potential payment in the form of a ‘Leadership in Literacy and Numeracy’ (LLN) payment.<sup>91</sup> Worse still, the LLN payment gave more to primary principals than to secondary principals in equivalent-sized schools. For example, in a school with 301–500 students, a primary principal would receive between \$4,200 and \$4,400 for the LLN, whereas a secondary principal would receive only \$2,580. Secondary principals rightly felt duped, and the impacts of this were a concern:

The significant numbers of secondary principals indicating they will be leaving within a short time frame and not only to retire, fields of applicants that are frequently small and the unacceptable number of secondary principal positions that are being re-advertised, are indeed worrying.<sup>92</sup>

Meanwhile, Kevin Bunker revealed that SPANZ appeared to be in the early stages of seeking registration as a union under the Employment Relations Act. The rules changes it had proposed to its members would establish a division within SPANZ whereby full members of SPANZ could also seek membership of the SPANZ Union by completing a form and paying a separate fee, which would be set annually by SPANZ members, not by SPANZ Union. This suggested that the SPANZ Union would be a wholly-owned subsidiary of SPANZ Inc., with a separate membership register but otherwise governed by the parent body. Kevin Bunker described this approach and structure as ‘quite foreign to that of the traditional (or modern) New Zealand union’. If SPANZ secured a two-thirds majority endorsement of the amendments at a general meeting, and gained registration as a union through the Registrar of Unions, its next task would be to secure bargaining rights within the requirements of the State Sector Act in order to represent principals in state and integrated schools. It would then have to persuade the Secretary for Education to negotiate with it. Bunker’s assessment was that SPANZ faced ‘an uphill battle’ to be able to operate as a union.<sup>93</sup>

In May 2008, SPC Chair Arthur Graves reported on his attendance at a SPANZ symposium, where ‘fewer than 80 principals’ supported the move to form a union. They appeared to be motivated by their dislike of the



recent settlement of the STCA (not the SPCA), and the ongoing tension about PPTA's role in supporting teachers in disputes. SPC decided that it needed to communicate better with its members, by giving principals a higher profile in *PPTA News*, by writing to all principals about the need for unity at a time of possibly great change in the upper secondary school and by informing them about the range of legal, professional and industrial support available from PPTA, and by copying to the local SPC member the welcoming letter and information pack routinely sent to new principals so they could make direct contact.<sup>94</sup>

By May 2009, with the expiry of the SPCA only about a year away, the SPANZ Union was becoming a reality. Marion Norton reported that at the regional principals' meetings she attended, she was hearing false claims from SPANZ members that principals' salaries were falling behind. SPANZ had asked for a meeting to discuss negotiation of the SPCA, and Kevin Bunker talked to SPC about the implications of consolidating bargaining with SPANZ. Marion Norton explained 'the practical challenge of knowing how the good faith requirements would operate' in the SPANZ organisation, and that a bargaining process agreement first had to be negotiated, and only members could vote on the finalising of a claim and the ratification of a settlement. SPC agreed to meet with SPANZ to discuss ground rules, the good faith requirements of the ERA, how SPANZ planned to engage with its members, an estimate of costs of the process, and the need for there to be one negotiator on both unions' behalf.<sup>95</sup>

This meeting appears to have gone well, with those who attended describing it as 'civilised'. SPANZ seemed to want to 'work amicably in collaboration with SPC'. SPC Chair Graeme Macann had challenged SPANZ about what it could actually bring to the negotiations in terms of expertise, experience and resource, and Kevin Bunker had queried it about how its processes would work in practice.<sup>96</sup>

Following this, little progress seemed to have been made at the SPANZ end by the November SPC meeting. Marion Norton circulated a paper on principles for joint bargaining. She argued there was little reason for PPTA to give ground at this stage, and that it should instead assert its position as the current negotiator of the collective agreement. SPC agreed that the basic objective was to maintain a national collective agreement and keep principals in PPTA, and that SPANZ could participate within what would

essentially be a PPTA-managed process. At the forthcoming meeting with SPANZ, SPC representatives would express their doubts about why they should give up the current position, and hand over an outline of what their key priorities and principles would be. If discussions did not go well, SPC would publish a statement about it to all PPTA member principals.<sup>97</sup>

However, ultimately there was little choice but to agree to joint bargaining. As Marion Norton explained:

We had to look to the Employment Relations Act (ERA) for guidance when a new union appears in an area where there is already union coverage. In essence it said that if two unions initiated bargaining for the same group of workers with the same employer (in our case the MOE, delegated under authority from the State Services Commission) then the employer could invite those unions to consolidate bargaining. If one did not agree to do that the employer would regard that initiation of bargaining to have lapsed and commence bargaining with the other first. This meant that we did need to work out how to bargain jointly with SPANZ.<sup>98</sup>

By February 2010, the two organisations were close to agreement on a draft protocol. Marion Norton explained that SPANZ had asked for two changes: it wanted a reference to the connection with the teachers' agreement to be removed, and it wanted joint leadership of negotiations to be shared between herself and Richard Harrison, SPANZ's lawyer. At a recent meeting, those changes had been provisionally agreed to, but SPC decided to insist that the joint bargaining must be led by Marion Norton, while Richard Harrison could head the SPANZ Union representation. It was also decided that where there was no consensus, the team's composition and decision making must reflect the relative membership of each union.<sup>99</sup> Other important parameters of bargaining in the protocol were about agreed joint communications with each union's members and that, once bargaining was initiated, both unions committed to reaching a settlement for a new collective agreement.<sup>100</sup>

In April, Marion Norton asked Executive to endorse the joint bargaining protocol, while explaining that the process was not going to be without its difficulties, given their different cultures:

SPC's misgivings are largely around the way in which SPANZ will actually be 'free-loading' on us, i.e. relying on and using PPTA's expertise, and could well be very quick to blame PPTA afterwards should there not be a satisfactory settlement – mind you we could say the reverse! Moreover their key representation is by lawyer Richard Harrison who has been quite open about not seeing any problem with individual contracts – and has already made noises about fixing some sorts of loopholes they perceive whereby staff can gang-up on the principal! Others, Patrick

Walsh, current President of SPANZ included, have, however, reiterated that they do see that a collective agreement is in principals' best interests.<sup>101</sup>

By May 2010, SPANZ was claiming to represent 63 principals, and PPTA had 314 principal members. However, some of these were on both lists, so that needed sorting out, since a principal could have only one union representing them in bargaining.<sup>102</sup>

Negotiations got under way, and in August were still going reasonably well, although an issue that epitomised the two groups' different cultures had arisen, in that SPANZ had initiated a claim about concurrence. This is a process whereby a Board has to apply to the Ministry for permission to seek permission to provide additional remuneration above the current levels. Because SPANZ principals tended to be found in the more advantaged schools (larger and higher decile, often with more locally raised funds because of ability to recruit international students), this was an issue for them but one that was not favoured by SPC because of equity issues. The SPANZ argument for it included the words 'This could be subject to the Board signing off on a higher threshold depending on the school's ability to pay and providing a clear link to the school's strategic goals and the principal's role in achieving those goals', which highlighted the inequitable nature of the claim. SPANZ also wanted principals to be able to claim 'employment related expenses' without the Board having to refer to 'outside agencies'.<sup>103</sup> This claim was allowed to proceed, but the Ministry refused to countenance it.<sup>104</sup>

The SPCA was still not settled by November that year, but to some extent this appears to have been deliberate – SPC expressed a concern that settling while secondary teachers were still in negotiation might put more pressure on the teachers' situation, which was not going well at that stage.<sup>105</sup>

The first jointly bargained collective agreement was finally settled and ratified, with its term running from 11 February 2011 to 29 March 2013. Marion Norton reported that for the first time in over 15 years, PPTA had succeeded in some form of break-out from the unified pay system with primary, by negotiating a different remuneration system for secondary principals. Primary principals had negotiated an increase of 2.75% on their pay scales. Secondary principals, on the other hand, had stayed at their current rates but achieved improved remuneration through increasing the 'Realising Youth Potential' payment to \$3,500 and introducing a three-stage

career structure<sup>106</sup> in order to receive an extra \$3,500, then \$7,000 then \$10,500 at the successive steps – and there was a lump sum of \$2,000 to be paid to principals with less than 6 years of service, so they didn't have to wait to reach the next career stage.<sup>107</sup>

Marion Norton commented on how joint bargaining had gone:

Overall it turned out to be a positive experience and this was ... due to very careful planning and a very carefully worded joint protocol of how NZSPC and SPANZ would work together. You may recall that initially SPANZ wanted to be able to withdraw from the process at any point!<sup>108</sup>

The two parties independently provided advice to their members about performance appraisal processes and professional learning and development now required. Tom Robson, an ex-principal and one of their negotiators, was appointed to work with SPANZ members on this. Marion Norton commented that he was the person who, 'after two long days drafting wording with the MOE and NZSTA shook his head several times saying "never again, never again"'. SPC commissioned Bruce Murray, the former principal who had been a member of the Ministerial Taskforce on Secondary Teachers' Remuneration, to write guidelines for PPTA members.<sup>109</sup>

The jointly bargained 2013 to 2016 SPCA was settled much faster than the previous one. At its November 2012 meeting, SPC considered membership of the negotiating team, and by May 2013, Marion Norton was reporting on the settlement to 31 March 2016. There had been only three days of face-to-face engagement with the MOE and STA, one to exchange claims, and the other two to bargain, and all other work was done by teleconference, email and phone calls. Both SPC and SPANZ clearly placed a lot of faith in Marion Norton. She commented: 'SPANZ advocate, Patrick Walsh, and the whole team were comfortable with me carrying on the work to get to a settlement without their presence.'<sup>110</sup>

The break-out of the unified pay system achieved in the previous settlement had been lost by the time of these negotiations, because the Ministry had settled a new Primary Principals' agreement which gave them roughly the same career structure as had been bargained for secondary principals in the previous round. Marion Norton commented:

Trouble is that no matter what we try, the MOE always allocate exactly the same money (percentage-wise) to each different group for bargaining so you can never really get ahead of primary!<sup>111</sup>

At their May 2013 meeting, SPC resolved to write to the SPANZ executive ‘inviting them to contribute a koha to the cost of the SPCA settlement’.<sup>112</sup> Kevin Bunker wrote:

PPTA has been reflecting on the experience of joint bargaining with SPANZ and although we agreed that it has been a positive process with pleasing results, we are somewhat concerned about the unequal nature of the costs. The cost of negotiating and settling a collective agreement is substantially more than travel and accommodation for the representatives, which is the part SPANZ pays for. I’m sure you agree that the process would have taken much longer and been much less satisfactory without the services of a highly skilled and experienced advocate like Marion Norton. The experience and backing from PPTA is very significant as it would be prohibitively expensive to use a lawyer and have to bring him or her up to speed with the complexities of managing a bargaining relationship with the Ministry of Education. Also as you would have seen the Ministry does not necessarily work at pace and need to be constantly chivvied. In addition to the staff costs involved, PPTA picked up all the administration costs, such as venue, food, photocopying and internet use.

We are happy to continue this arrangement because working in partnership is likely to deliver the best results for principals. However, we need SPANZ to pick up a fairer share of the cost. We believe a payment of \$5000 as koha for the work done in this office would be reasonable. It would certainly be less than an itemised account for 50% of all costs and time spent.<sup>113</sup>

No record exists of SPANZ contributing such a koha then; however, at the end of 2014, after joint bargaining of a variation of the SPCA for the Kāhui Ako Lead Principal position, Principal Recruitment Allowance and other related matters of the outcome, ‘a donation’ of \$500 was received from SPANZ. Reporting on this to SPC and Executive, Deputy General Secretary Bronwyn Cross was uncharacteristically circumspect, writing only: ‘SPANZ has made a contribution of \$500 to the cost of bargaining the SPCA variation.’<sup>114</sup>

By mid-2015, however, the relationship was able to sustain a fairly direct conversation about the matter of sharing costs. At a meeting between three SPANZ people, the SPC Chair Allan Vester, and Michael Stevenson and Bronwyn Cross from PPTA, Patrick Walsh, President of SPANZ Union, spoke very positively:

Patrick began by noting how SPANZ has enjoyed the collaborative process; he reminded us of our past successes and observed that they had enjoyed a positive working relationship with PPTA staff. He reiterated that they want to pay their share.

General Secretary Michael Stevenson showed calculations of what SPANZ’s contribution to the use of PPTA’s negotiating expertise should be, these arriving at around \$5,500 plus GST. He argued that without SPANZ making that contribution, teachers were effectively cross-subsidising the

real cost of bargaining the SPCA. Patrick Walsh said that SPANZ was about to appoint someone to help with gathering the claims and supporting its member principals, not an advocate but likely to attend bargaining. The meeting report commented:

They do seem to think they are making a real contribution to bargaining when really they are just providing ballast. They also think that their lawyer, Richard Harrison, was useful the time they employed him to come to bargaining. This is not a view shared by our advocates ... So the ball is in their court now.<sup>115</sup>

In the end, a contribution of \$3,000 was offered by SPANZ and accepted.<sup>116</sup>

By November 2015, SPC was beginning discussions about claims for the next round, with the collective expiring at the end of March 2016. One of the biggest issues was sabbaticals, as they were often not fully subscribed – should the number be reduced to free up funding for associated costs? In the end, SPC decided against that, but the final claim included \$500,000 per annum for ‘professional and career development’. There was also a claim for \$1,500 per year for a principal to access professional supervision, in recognition of the complex and lonely nature of the job.<sup>117</sup>

At the first 2016 SPC meeting, new SPCA advocate Jane Benefield was able to report that things were going well, apart from the usual complications of joint bargaining. She commented about SPANZ: ‘They are not experienced and are inclined to take up unrealistic positions and have to be talked down from the ledge.’ On the other hand, the Ministry advocates had so far been ‘very positive and responsive in the round’, so she was optimistic about a quick settlement.<sup>118</sup>

By the May meeting, the agreement had been settled; however, grumbling about SPANZ continued, with Jane Benefield reporting that its representatives had caused delays by bringing up a new item after the claim had been approved, putting up unrealistic claims without any understanding or strategy, not being available when needed, and insisting on having their own ‘advocate’ who had no real experience. Despite this, they had been heard to claim in meetings afterwards that they had won the settlement, not SPC/PPTA. SPC decided it needed to take action to mitigate the impact of SPANZ, by ensuring that SPC representatives got to the Auckland principals’ meetings, which were a hotbed of SPANZ members. It was also important to meet with SPANZ to debrief on the negotiations.<sup>119</sup>

Nevertheless, it had been a very successful round. Jane Benefield reported to SPC and Executive:

For the first time ever we got the pay increases extended to all five of the components for principals' remuneration and we got the cost of the increases of the 3 years to actually exceed our claim. We also got a number of improvements to conditions with no claw-backs and the ratification results clearly indicate principal members' satisfaction with the settlement.<sup>120</sup>

The new fund gave principals up to \$5,000 per sabbatical for associated costs (but the number of sabbaticals was reduced from 50 to 45 to fund this). There was a new provision allowing boards to grant paid or unpaid leave for a principal to improve their knowledge and skill in Te Reo and/or Tikanga Māori. A working group on secondary principal remuneration was set up, to make recommendations within the term of the agreement. The collective had a term of three years, expiring on 11 May 2019.<sup>121</sup>

At its meeting in November 2018, SPC firmed up the questions it wanted to ask principals about the 2019 claim, with these to be agreed with SPANZ so all principals were presented with the same material. Ideas included pay amount and relativity to teachers' rates, conditions changes that would improve principal workload, provisions about wellbeing and mentoring, greater flexibility around the Kāhui Ako leadership role, and funding for professional development.<sup>122</sup>

The advocate told SPC that her goal was to have a claim agreed with SPANZ by the end of April, with bargaining to begin in May.<sup>123</sup>

However, by the June SPC meeting, the Ministry had still not lodged a claim, and the SPCA had expired on 11 May. SPC worried about moving too fast in case a settlement of the STCA put their relativities out of kilter. The joint claim had many elements: a two-year term with a large pay increase (10% plus a further 5% in the second year); new long-service leave; a wellbeing allowance; professional supervision; an increase in the annual leave entitlement to six weeks; relocation grants becoming available for all school moves, including to a smaller school; Kāhui Ako leadership flexibility; an increase to the employer superannuation contribution; a small increase in staffing for small schools; payment of practising certificate fees, and an increase in the professional development fund.<sup>124</sup>

Movement eventually happened, and by the end of July the STCA had been settled with a substantial pay increase, and there had been two days of SPCA negotiations. On the second day, the Ministry indicated it was

considering a pay offer well below the joint claim, 3% per annum for three years. This would cause a major problem for relativity with secondary teachers and had already been rejected by primary principals. There was talk of industrial action, such as withdrawing from all engagement with the Ministry, as primary was doing.<sup>125</sup>

By the August SPC meeting, settlement had been achieved, and staff were happy to report that SPANZ and PPTA/SPC had been ‘well aligned’, and ‘happy to take industrial action’. It was agreed that SPANZ Union would be able to participate in the work of the Accord,<sup>126</sup> not by membership in the governance group but in relevant working groups. There were quite a few unresolved issues, such as principal workload, but it was agreed that these would be addressed through the Accord. The Ministry’s position about pay had been that relativities needed to reduce between the highest and the lowest paid on the scale, but some members of SPC were unhappy that the pay settlement meant they lost some of their margin from deputy principals.<sup>127</sup>

The pay settlement averaged 14.5% over the three years 2019–2022, but with a bigger increase for principals of the very smallest schools by combining the two lowest U-grades. Annual leave for principals was increased from five to six weeks.<sup>128</sup>

With that agreement due to expire on 1 September 2022, bargaining was initiated at the end of June and negotiations began in August. The Ministry’s first offer, in November, was modelled on the Public Sector Pay Adjustment rates offered for the STCA. SPC rejected that offer and agreed to recommend to members that they do so too. Unfortunately, PPTA’s negotiating team appear to have made the assumption that SPANZ Union would understand the need for the two unions to work collaboratively, and had not developed a written protocol prior to the start of negotiations. On receipt of the offer, SPANZ Union took the Ministry at its word that it was ‘first offer, best offer’ and put the offer out to their members, 65% of whom agreed to ratify. Before PPTA member principals had finished voting on ratification, SPANZ Union advised the Ministry that it was willing to settle, which led to the Ministry trying to argue that, in the absence of a ratification result from PPTA, this constituted settlement. PPTA disagreed vigorously, arguing that it had not concluded negotiations. Learning that PPTA principal members were likely to vote against ratification, SPANZ



then put a further proposal to the Ministry, that they negotiate a separate agreement, but including an entrenchment clause in case PPTA principals fought on and achieved a better result than the PSPA rates SPANZ had settled for. This was outrageous to PPTA.<sup>129</sup>

Eighty-two per cent of PPTA member principals voted to reject the Ministry offer. On 1 December PPTA, SPANZ and the Ministry met to try to find a way through the impasse. The Ministry made it clear it did not want to agree to an entrenchment clause, but it also did not want secondary principals on different pay and conditions.<sup>130</sup>

At a further meeting of the three parties on 6 December, the Ministry put forward, without prejudice, some improvements to the previous offer that SPANZ members had accepted on the advice that nothing better was available. This rattled the SPANZ representatives somewhat.<sup>131</sup>

The following week, negotiations resumed in earnest, with SPANZ returning to the table. An improved two-year agreement was arrived at, with some movement on pay, better professional growth cycle provisions, and various other conditions improvements. The deal included elements from the first offer, including a working party on concurrence (a SPANZ claim that the Ministry had dismissed in the 2010–11 negotiations). Because of PSPA constraints, it was not possible to negotiate a differential lump sum for PPTA members; however, the Ministry instead offered, and PPTA accepted, a contribution of \$100,000 towards funding the Ending Streaming Summit PPTA was planning for 2023, which would help to support principals to attend, and was acknowledgement by the Ministry of PPTA's leadership in this policy area.<sup>132</sup> The two unions conducted their ratification ballots separately in Term 1, 2023, but this time the parties notified the Ministry jointly that they were willing to settle.<sup>133</sup>

### **Area School Principals' Collective Agreement (ASPCA)**

Negotiating the ASPCA presents a different sort of challenge from the SPCA. SPANZ has no interest in the ASPCA, but negotiating with NZEI has had its problems from time to time. Also, area/composite schools have their particular issues, as discussed in Chapter 6 (in Volume One).

The twenty-year period began with a series of short-term agreements, with the last of these expiring at the end of April 2003. These were largely a

result of the long delays in settling the secondary teachers' collective, and negotiating short-term agreements avoided the danger of area school members ending up on individual agreements because of the length of time since their agreements expired.

At its February 2003 meeting, SPC discussed the particular resourcing problems of area schools, and agreed to support the establishment of a Ministry taskforce to review the curriculum, staffing and resourcing of area schools.<sup>134</sup>

Although the ASPCA had expired in April, it still wasn't settled in October 2003, when AO Marion Norton advised SPC about NZEI's conference decision to aim for one collective agreement for all primary and area school teachers and principals.<sup>135</sup> This had come somewhat out of the blue, and there had been little consultation with teachers or principals in area schools, causing 'great dissatisfaction'.<sup>136</sup>

PPTA set up an expanded Area Schools Advisory Committee to include some area school principals, and also held a conference call with a group of area school principals to brief them on developments.<sup>137</sup> However, joint negotiations resumed, and by 19 November Marion Norton was able to report that there was just one outstanding issue, the Māori Immersion Teaching Allowance, which the government was failing to offer to area school principals for all three levels of immersion (and many Wharekura are area/composite schools).<sup>138</sup> It took till December to settle a new ASPCA, and again it was just a short-term agreement, to the end of April 2004.<sup>139</sup>

Surprisingly, up to then Principals' Council had had no position set aside for an area school principal. The issues around the ASPCA, and also perhaps a growing awareness that area schools had their particular resourcing problems, plus an email from an area school principal raising the issue, led the Council to set in motion, in February 2004, the process needed to add an area school principal to its group. Recommending the change to Executive, Advisory Officer Trevor Bleakley commented:

The matter of area school representation on Principals' Council has in the past been taken care of by virtue of the fact that we always seemed to have someone from an area school elected by the ordinary processes ... But there is no permanent representation and area school principals are concerned that this be rectified. It is clear that the Council would benefit by being able to speak credibly for all principal members, both secondary and area. This is especially so now that PPTA

aspires to represent all area school principals, in response to recently revealed NZEI ambitions to have a giant collective agreement for Uncle Tom Cobley and all.<sup>140</sup>

Executive agreed and the change was made.

Bargaining for a new collective did not start until 27 October 2004, but there was just one day of bargaining, and Heads of Agreement were signed that same day. At least, this time, it was a longer agreement – until 30 June 2007 – providing a period of stability.

At SPC's February 2008 meeting, Advisory Officer Marion Norton was able to report on settlement of a new area school principals' agreement, agreed on 19 February. From 2007, secondary and primary principals had started to receive a new element in their pay, a component based on experience after the first three years of service, and an equivalent of this went into the ASPCA agreement. There was also a formula developed to parallel the Realising Youth Potential and Leadership in Literacy and Numeracy payments to secondary and primary principals.<sup>141</sup> Combining all the different aspects of the remuneration package, pay would increase by between 17.1% and 22.6% by July 2009.<sup>142</sup> The agreement was to expire on 30 June 2010.

However, there were delays in the next set of negotiations, with a new agreement not settled until April 2011. This was partly to avoid getting ahead of the secondary teachers' negotiations, as with the secondary principals' agreement. It ran till 1 September 2013, and included a new payment, the Area School Principals' Payment, described as 'acknowledgement of the complex role of the Area School Principal as educational and professional leader across all years of the curriculum'. This was calculated as a base rate of \$3,500 per year plus a component related to the staffing numbers in the school, at \$45 per FTTE.<sup>143</sup>

Next time, a new agreement began the day after the previous one expired and ran for almost three years, from 2 September 2013 to 1 June 2016. It provided small pay increases, 2.75% across the components, and an additional four sabbaticals (from three to seven per year).<sup>144</sup>

In May 2016 the ASPCA was varied to add in clauses for Kāhui Ako positions. The clauses regarding the leadership role were an amalgam of the secondary and primary clauses, so an area school principal could be paid \$30,000 to hold the leadership role on their own, or \$25,000 if they shared it with two other support people. Immediately after this, a new collective

was agreed, for a full three years this time, to 29 June 2019. It was a good settlement, with annual pay increases of 2% each year on each of the five salary components, except that the base rate of the principals' payment would increase by 6% each year. There were also improvements in a number of conditions: the Māori Immersion Teacher Allowance, sabbaticals (increased to ten this time) plus reimbursement of associated costs, and payment of Education Council practising certificate fees. There was a commitment to review area school principal remuneration during the term of the agreement.<sup>145</sup>

However, this review of remuneration appears not to have occurred between 2016 and 2019, and on 12 September 2019 the Industrial Team announced that the ASPCA (and the SPCA) had been settled for a further three-year period, with average pay increases of 14.5% over the term. In the Terms of Settlement, the only restructuring of the remuneration package was combining of the two smallest roll size groups, resulting in a larger increase in roll-based pay for the principals of the very smallest schools. There was also a new category of leave, called Te Rau Titoki leave, introduced as part of the sabbatical leave scheme, whereby a principal could take time from their role to 'focus on undertaking the community responsibilities, outside of leading their school, that are integral to their principal role'. There were also another three sabbaticals added, taking the total to 13.<sup>146</sup>

The ASPCA expired on 5 September 2022 and negotiations began soon afterwards. An offer, based on the Public Sector Pay Adjustment, was received on 9 November, and as with the initial secondary principals offer, SPC voted to reject it. NZEI members were also not of a mind to accept this initial offer. On 15 December, in the light of the revised SPCA offer, the Ministry sent a new offer for the ASPCA. This included small improvements on pay, five additional sabbaticals and an increase in the Māori Immersion Teachers Allowance for teaching principals. Other than that, the offer was similar to the previous one, and did not include all the elements of the SPCA. Members were invited to provide feedback online.<sup>147</sup> Settlement of a two-year agreement was finally achieved in July 2023, to expire on 2 July 2025, six months later than the Secondary Principals' Collective.

## Final words

The relationship between the Secondary Principals' Council and Te Wehengarua continues to be strong, and it no doubt helps that once again, its Chair, Kate Gainsford, is a former President who has a deep understanding of the whole organisation.<sup>148</sup> The Council's policy work in 2021 around staffing, which culminated in a well received 2022 conference paper on a needs-based staffing model, gives the two parts of the union a shared position on a crucial issue.

Negotiation of the two collective agreements continues to be complex, with both currently bargained jointly. This has from time to time proved difficult, including in the most recent SPCA negotiations.

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- 13 PPTA (2014). PPTA and principals, 12 November 2014. PPTA files, HX14/092.
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- 33 PPTA (2005). Minutes of special Principals' Council meeting, 28 June 2005. PPTA files, HC05/031.
- 34 PPTA (2006). Employment relations in state secondary and area schools: A course for principals, 15 November 2006. PPTA files, HX06/145.
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- 142** PPTA (2008). Letter from General Secretary Kevin Bunker to PPTA member area school principals, 20 June 2008. PPTA files, IPM4/21.
- 143** PPTA, NZEI & MOE (2011). Area School Principals' Collective Agreement, 11 April 2011 to 1 September 2013. PPTA files, IPM4/25/23.
- 144** PPTA (2013). ASPCA settled – out to area school principals for ratification, 23 August 2013. PPTA files, HI13/114.
- 145** PPTA (2016). Letter from General Secretary Michael Stevenson to PPTA member area school principals, 17 August 2016. PPTA files, IPM4/28.
- 146** PPTA (2019). Principals' agreements settled, 12 September 2019. PPTA files, HI19/042.
- 147** PPTA online feedback on the ASPCA offer. Available at:  
<https://www.ppta.org.nz/Security/login?BackURL=%2Fmembers%2Fgovernments-offer-on-the-aspca%2F>
- 148** Graeme Macann, President in 1999 to 2000, was also Chair of Principals' Council in 2008 and 2009.

### Responding to crises

The two decades covered here included two major crises affecting PPTA members: the Christchurch earthquakes between 2010 and 2012, and the pandemic from 2020. This chapter discusses the union's response to these.

#### **The Christchurch earthquakes**

There were 14,000 earthquakes in Christchurch between September 2010 and June 2012. Many of these were relatively mild aftershocks, but still capable of engendering fear. Some were almost imperceptible. However, 56 quakes were stronger than 5.0 on the Richter scale, and the four strongest quakes occurred on 4 September 2010 (7.1), 22 February 2011 (6.3 but the most damaging, killing 185 people), 13 June 2011 (6.3), and 23 December 2011 (5.8).<sup>1</sup> The intensity, frequency and duration of this series of earthquakes in Christchurch caused enormous physical damage, including to schools, major public facilities and infrastructure, but also to the homes of PPTA members and their students. The psychological impact of these events – including the stress of dislocation from homes and schools, the endless struggles to get insurance claims settled, and the sense of continuing danger from aftershocks – should not be underestimated.

The 4 September 2010 quake, although the largest of them all, occurred in the early hours of the morning (at 4.35 a.m.) and was centred 40 km west of Christchurch at a depth of 11 km. Although widespread damage occurred, there was no loss of life except for a person who ran out of their house in fright and suffered a fatal heart attack. Nevertheless, schools were not able to open until they had been checked for damage, and Christchurch people were advised to stay at home until the authorities and individual employers advised that their place of work had been assessed as safe. PPTA Executive met urgently and decided to exempt Christchurch members from the national strike on 15 September.<sup>2</sup>

The damage to some schools – such as Kaiapoi High School (which the President described as 'in bad shape') and Avonside Girls' High, with its

older buildings – was severe. In late September, President Kate Gainsford wrote about how the Christchurch situation became part of the discussions at strike-day meetings in the rest of the country:

I want to thank the Canterbury executive members for the leadership they showed in holding two meetings with Canterbury members in the days following the first quake, to determine members' preferences for support and to call for the action to go ahead in the rest of the country. A statement from the Canterbury region to members assembled at rallies and marches helped assuage the anxiety that colleagues shared about the events in Christchurch. Many branches and regions worked to engage communities in active fundraising for Christchurch on the back of their strike day. In true Kiwi fashion Northland region fell back on the ubiquitous cake stall to raise funds for education and colleagues in Canterbury.

Branches across the country were asking what they could do to help schools in Christchurch. A benevolent fund was urgently set up by the General Secretary and Financial Manager to channel funds donated by branches, and funds started flowing into this.<sup>3</sup>

The February 2011 quake was a rather different matter. Although it measured 'only' 6.3 on the Richter scale, it was centred 10 km south-east of Christchurch at a depth of only 5 km and occurred at 12.51 p.m. when people were out and about in the city streets or inside buildings that collapsed. PPTA members were gathering at the Christchurch Town Hall for an afternoon PUM (see Chapter 5 (in Volume One)). This time 185 people in total were killed.<sup>4</sup> The effect on people's sense of safety was profound. Jacinta Grice, a Christchurch Executive member, described returning to Christchurch after speaking at the PUM in Kaikoura that afternoon. She said the staff at Kaikoura had been worried for a group of students on a field trip to Christchurch, and whether there might have been damage to the Waimakariri River Bridge that would prevent them getting to their respective homes.

We did a quick PUM and then I went back to Christchurch not knowing if I would be able to get home. I ended up talking to my sister in Wellington and she watched it on TV and talked to me the whole way home telling me what was being broadcast. I couldn't contact my husband, or Robin Duff, or Jonathan Handley-Packham (the other Christchurch Executive member).<sup>5</sup>

Dick Edmundson, at the time principal of Hornby High School in the west of Christchurch, described the February quake:

Because of the strong riverbed that the school was built on, we felt the quake as a big one, but we were so used to quakes by then, we checked everyone was all right and then continued teaching for about ten to fifteen seconds, literally, and then everybody's phones started going, and they went for about ten to fifteen seconds, and then the phones stopped as the network went down, and

then we realised something was going on ... Then it became distinctly scary because of the information vacuum ... Then very alarmed families started arriving, and they could have been coming from all over the city, so what they had experienced in the earthquake, and liquefaction, and sinkholes opening up, they might have been thinking that was happening for us too, in Hornby. And then of course, the standard rule that people are supposed to sign out, and children don't go with other families, and those rules just had to be abandoned and when a kid said 'My friend's mum has said my friend is to come home with my mum' you just said 'yes' and hoped like heck ...

Not as many houses in our area were damaged as in the east of the city, but what happened later was rents were put up by the landlords because now everyone wanted to shift west, so these vulnerable families couldn't afford the rent and they had to go to pretty scummy houses in the area ... Some people moved out of Christchurch altogether.<sup>6</sup>

PPTA's response to the crisis was multi-faceted. As discussed in Chapter 5, the industrial strategy had to change, with industrial action cancelled and negotiations brought to what was, surprisingly, quite a successful conclusion only a month later. More importantly, the union worked with the Ministry and other unions providing advice about schools reopening, including arrangements where schools could not reopen on their own site, and communicating with teaching staff. Arrangements had to be made urgently for a new base for the Christchurch Field Office, whose services were needed more than ever.<sup>7</sup>

PPTA's President at the time, Robin Duff, was a Christchurch member whose much-loved home in the Avon Loop was declared uninhabitable after the February earthquake. His personal experience enabled him to speak with understanding about how the quake affected members there. He called on Executive in May 2011 to 'develop a timeline and strategy urgently to ensure that members (in Christchurch) are not disadvantaged in this unique situation and that they are given all the support we can secure.' At that stage, support had been largely through the efforts of the Christchurch Field Office, the regional committee and Executive members, and had been 'largely reactive and reflective with lashings of consultations'. However, the President argued that much more needed to be done:

We need to be more active and far sighted with our approach. We must work with the region, but we also need to move quickly to establish a group who will develop a plan, establish policies and procedures and ensure that the Ministry and government do not 'forget' the area and its issues. With an election approaching they need to clearly have the government reminded of their obligation and to err on the side of generosity dealing with after-effects for staff and students in those badly affected schools.<sup>8</sup>

That meeting established the Earthquake Recovery Taskforce ‘to develop and coordinate services to support members affected by the recent earthquakes’. The Taskforce comprised four Executive members, of whom one was a surplus staffing specialist (to advise on any surplus staffing processes instigated because of losses of students from schools in the area), a representative of the regional committee, plus relevant staff, and had power to co-opt additional members for their expertise.<sup>9</sup> The Taskforce continued meeting until the end of 2017, expanding its brief to support members affected by the Kaikoura earthquake in November 2016.

The Taskforce got under way quickly, meeting for the first time on 27 May 2011. Christchurch Executive member Jacinta Grice became Chair. The regional representative was Brigid Raymond, Branch Chair at Avonside Girls’ High. All but one of the Executive members on the Taskforce were from Christchurch or the adjoining region Aoraki.<sup>10</sup> Penney Dunckley, from Southland, was the other member.<sup>11</sup>

Topics covered at the first meeting included future surplus staffing issues (arising from loss of students dislocated by the earthquakes), site-sharing, teacher stress levels, and how to boost the funds in the benevolent fund set up after the September 2010 quake. These continued to be major issues over the life of the Taskforce.



**Jacinta Grice, Chair of Earthquake Recovery Taskforce from 2011 to 2017**

### **Site-sharing**

Brigid Raymond, the regional representative on the Taskforce, became an expert on site-sharing because she was from Avonside Girls’ High. It had been damaged in the September 2010 quake but had still been habitable,

then it was severely damaged in February 2011. It became one of the six secondary schools to experience the new phenomenon of ‘site-sharing’, where two schools were ‘co-located’, with one running classes in the morning, and one in the afternoon. The Avonside Girls’ students were bussed daily to Burnside High School for classes that ran from 1 p.m. to 5.25 p.m. and were then bussed back again.<sup>12</sup> At the first meeting of the Taskforce, Brigid discussed reports she had received from the other ‘double-bunking’ schools. She said that common issues included short teaching periods, limited time to set up and clean up, managers trying to present this as ‘normal’ or ‘business as usual’ when it clearly wasn’t, health concerns including stress, significant pastoral issues with students, and technology issues such as no power supply and computer networks failing.<sup>13</sup>

At around the same time, Warwick Maguire, Christchurch’s Secondary Principals’ Council representative and principal of Burnside High School, one of the ‘host schools’ for site-sharing, told SPC that ‘The morning schools are more or less okay, but the afternoon schools are not working so well, with students now going home in the dark.’<sup>14</sup>

On 1 July 2011, the Taskforce met with a group of Ministry officials, something which became a feature of many of its meetings over its six and a half years of operation. Nick Pole (Deputy Secretary/Earthquake and Special Education) said that the Ministry’s efforts to provide site-sharing schools with some certainty about their futures had been unravelled by the further major quake on 13 June. He said decisions about building safety and land use kept changing because of the repeated earthquakes. The Ministry had set a deadline, stating that if a school could not return to its original site by February 2012, it would be temporarily relocated to a new standalone site.

The Taskforce met with the Minister, Hon. Anne Tolley, at its August meeting. She gave various assurances about future arrangements for schools that had been damaged, though this was early days in that story.<sup>15</sup>

On 7 September 2011, John Laursen, Principal of Shirley Boys’ High School, came to talk with the Taskforce. His school had been site-sharing with Papanui High School, one of the more successful partnerships in his opinion, but was due to return to its original site the following day, because the site had been deemed to be safe to occupy, despite the damage to some



buildings. He commented, however, that the Ministry was not good at releasing information including Geotech reports on the condition of land. He was concerned about stabilising the school's roll and therefore teachers' jobs, which was difficult in times of such uncertainty.<sup>16</sup>

In February 2012, Avonside Girls' moved back to its original site, but into a set of prefabricated buildings, not the damaged original buildings which had, by then, been demolished. These prefabs, a mix of old and new, provided single-storey buildings that would have felt much safer.<sup>17</sup> Branch Chair, Brigid Raymond, told the Taskforce that the move had gone 'remarkably well' and that the site and buildings were 'excellent', and the staff were very happy to be back, even though the move had required a full week of unpacking before school started. However, they had, at that stage, only a two-year promise about the future of the school, with ideas still floating around such as merging with Christchurch Girls' High or Shirley Boys' High – or closure.<sup>18</sup>

## **Ministry announcements**

At a large meeting on 10 May 2012, the Minister, now Hon. Hekia Parata, launched with great fanfare the government's 'renewal recovery plan' with its five key themes of making lifelong learning a reality, ensuring education in the area has a distinct advantage, giving the Crown value for money, wellbeing of communities, and innovation and sustainability. She took no questions, and left the audience to read the document, which the PPTA staff member reporting on the meeting described as 'mainly aspirational', not mentioning any specific schools, and giving only a three-week time frame for responses. The report went on:

After the period of silent reading, (Secretary for Education Lesley) Longstone could sense the crowd was angry and attempted to calm things down by talking about how exciting the opportunities will be for education in greater Christchurch. She said communities should work together to build a seamless education system. Someone asked a cheeky question about where 'John Banks' charter schools were in the plan?' The ministry official in charge of questions promptly removed the microphone and laughed the man's question off. Around afternoon tea time participants slowly drifted out of the meeting.

The PPTA observers felt that attendees had come wanting answers about their individual schools and were frustrated by the lack of detail in the document.<sup>19</sup> Nevertheless, schools and organisations, including PPTA, put in submissions within the tight timeframe. PPTA's submission provided

detailed responses to the various questions asked in the consultation document, and concluded with a number of recommendations. These included that any advisory group established needed to be made up of people with proven expertise and a long-term interest in education and who were able to provide reliable evidence-based policy advice; that education in Christchurch not be undermined by privatisation in its various guises (a reference to the threat of charter schools – see below); and that education be as seamless as possible and not disrupted by new structures such as middle schools or junior or senior high schools.

Three months later, in September 2012, the government announced a number of decisions (later reframed as ‘proposals’) about the future of Christchurch schools at another big event, held at the Lincoln Events Centre. The most significant announcements for PPTA were that from 2016, Aranui High School would be merged with three primary schools and one intermediate into an area school; Linwood College would move to a new site; and Unlimited, previously located in the city centre, would merge with its partner primary school Discovery into a Year 1 to 13 school. The staff reporting on this meeting commented that the Minister’s speech and announcement were ‘very unpopular. She was constantly booed and a Māori man stood up and yelled at her in Te Reo.’<sup>20</sup> The way the meeting was organised did not help. Lisa Van Vuuren, in her PhD History thesis about Aranui High School, wrote that the attendees had been given colour-coded name badges which they were soon to discover corresponded to their school’s fate – closure or merger (or in luckier cases, continuation and repair or rebuild). She quotes one of her informants:

The meeting at Lincoln was vile, starting with some principals and BOTs getting a phone call 24 hours before the meeting to advise them to be there, and then having a meeting prior to the main meeting where one’s fate was shared. This began a cycle of anxiety and helplessness for many. It was a time of winners and losers. Then the ludicrous coloured card system at the meeting added to the farce.<sup>21</sup>

Dick Edmundson, then principal at Hornby High, remembers that meeting too. He had no idea what the colour coding meant, as he hadn’t had a prior phone call since Hornby High was remaining as it was, but he soon found himself in the ‘good news group’. He remembered seeing John Rohs, principal of Aranui High, ‘looking ashen’ after the meeting, as a result of being told his school was to close.<sup>22</sup>

*School News* published in full a blog post by Advisory Officer Michael Stevenson giving his vivid and doubtless partisan observations on the process.<sup>23</sup>

The Ombudsman released a report in June 2017 criticising the Ministry's handling of the mergers and closures, and its engagement with school communities, and recommended it work with the sector to develop a process for closing or merging schools in future. The report commented that while the Ministry had seen the earthquakes as providing an opportunity to make changes to the network that were already needed, the impact on the schools of the announcements in June 2012 was very different:



**Aranui High School in 2015, one of the less damaged schools but closed and demolished to create an area school**

The school community, on the other hand, was rocked by what it considered a severe breach of trust, and felt totally blindsided by the announcements, when their expectation had been for further engagement before specific plans entered the consultation phase.<sup>24</sup>

The Ministry had to apologise to Christchurch schools for its process.

The Earthquake Recovery Taskforce convened an emergency meeting following the Lincoln meeting, in response to members' 'outrage' over the Ministry and Minister's announcements, specifically 'the method and platform used by the Ministry and Minister to make the announcements'. Ministry official Coralanne Child attended the meeting, and began by

apologising for the ‘debacle’ of the announcement. She admitted that the Ministry had got things wrong with the way the announcements were made, and was ‘at pains to point out that the Minister had said these are proposals and not predetermined plans’.<sup>25</sup> In the months following, final decisions were made about individual schools.

By February 2013, it was becoming clear that in cases where intermediate schools were being closed, their students would largely be moving to Year 7 to 13 secondary schools rather than to Year 1 to 8 primary schools.<sup>26</sup> This was in accordance with PPTA’s research-based policy that students would benefit from the number of school transitions being reduced, and having access to specialist teachers, particularly in Maths and Science, in Year 7 and Year 8. The recruitment of former Secretary for Education and respected educator, Dame Karen Sewell, as a Special Advisor to the Minister role in Christchurch was no small factor in these decisions about school structures.<sup>27</sup>

A whole year after the controversial October 2012 announcements, Minister Parata announced that no secondary schools in Christchurch would be closed, but that Avonside Girls’ and Shirley Boys’, because of the serious damage to their sites and because of their proximity to the Red Zone, would be relocated to a new shared site in Christchurch East.<sup>28</sup> The Minister’s press release thanked all Christchurch secondary principals for the way they had ‘worked together to develop a vision for secondary education in greater Christchurch’, and she also referred to feedback from 120 students who had participated in a forum in March.<sup>29</sup>

At the November 2013 Taskforce meeting, FO Blair O’Brien talked about the October meeting at which the Minister had announced these latest decisions. He said it was:

... held at late notice near the 18<sup>th</sup> green of an upmarket golf club. At the announcement, the Minister promised an ‘open cheque book’ for schools in Christchurch and stated no secondary schools other than Aranui High would be closed as a result of the education renewal process. Later, the minister qualified her open cheque book statement by saying, ‘It was an open cheque book for principals and board chairs to visit new schools outside of Christchurch for new ideas’.

The audience must have been rather disappointed by her later clarification about the ‘open cheque book’!<sup>30</sup>

Dick Edmundson was willing to give Minister Parata some credit, including for the decision to not move Linwood High after all but to fund a

complete rebuild on the existing site.<sup>31</sup> On the other hand, he described the Aranui High School closure as ‘a disaster’.<sup>32</sup>

### **Effects on school rolls**

Over the years following the February 2011 earthquake, many Christchurch teachers faced uncertainty about their positions because of the significant numbers of students moving between schools or out of the area altogether. The Ministry officials who came to the Taskforce’s second meeting had talked about their processes at that stage. They were identifying schools that had 20 or more students sourced from the ‘residential red zones’.<sup>33</sup> This process showed up schools at which the Ministry believed staffing reductions were inevitable. Case managers were being allocated to these schools, and the Taskforce set up an arrangement whereby, in the case of secondary schools, the case managers would work with PPTA surplus staffing specialists to ensure good processes according to the collective agreement.

The effect on secondary school rolls began to be evident by the end of 2011. As an example, Linwood College had started the school year with 998 students, but was expecting 250 fewer students in 2012. This translated into the loss of 14 full-time teaching positions, and reductions in funding for support staff as well. Its Board of Trustees had been removed by the Minister in March and replaced with a Commissioner, on the grounds that the BOT was ‘taking too long to move the school to Cashmere High School after the quake’. The school was repaired to some extent, though a two-storey block was demolished to save money on repairs, and the reduction in numbers was deemed to mean the school didn’t need the classrooms.<sup>34</sup> The school has since been completely rebuilt on the same site, opening in May 2022 and renamed Te Aratai College. It was one of the schools that became a Year 7 to 13 school as a result of the closure of intermediate schools in its area. The rebuild was designed for a maximum roll of 850 students, which was still 150 students fewer than at the start of 2011, even with the addition of the Year 7 and 8 students.<sup>35</sup>

The Taskforce, when it met with Minister Tolley in August 2011, had expressed concerns about the potential loss of skilled teachers from Christchurch if the uncertainty of positions continued, and President Robin Duff had been having similar conversations with the Minister. Taskforce

minutes record her as saying ‘I am keen to find the middle-ground’ and ‘there is more than one way to skin a cat when it comes to keeping trained and qualified teachers in Canterbury’. However, she also said it was too early then to make major decisions about the future school network.<sup>36</sup>

PPTA began negotiating extra surplus staffing options for members in Christchurch, and these were agreed so easily that General Secretary Kevin Bunker was moved to write in a letter to the Ministry Industrial Relations Manager ‘It has been refreshing to work with the Ministry and NZSTA on developing these options, and I hope this interest-based approach to industrial relations can continue to the benefit of teaching and learning in earthquake devastated Christchurch’.<sup>37</sup> The extra options for teachers made redundant were: continue working at their existing school but be part of a relief pool to work at short notice in another school; be redeployed or seconded to another education organisation (not a school); receive costs to retrain in a shortage subject area (including special education and guidance counselling); or receive the severance payment as a voluntary option. These all came with 30–40 weeks continued pay. These extra options, on top of the four already existing in the STCA, must have softened the blow for those teachers made redundant during the 2011 and 2012 surplus staffing rounds. Similar options were negotiated for affected area school teachers.<sup>38</sup>

The movement of students continued into 2012 and beyond. At a Ministry event in May 2012, Coralanne Child, the Ministry’s new programme manager for earthquake recovery, told the audience of Christchurch educators that some 5,000 students were yet to return to greater Christchurch, and the area now had over 10,000 vacant places across Years 1 to 13.<sup>39</sup>

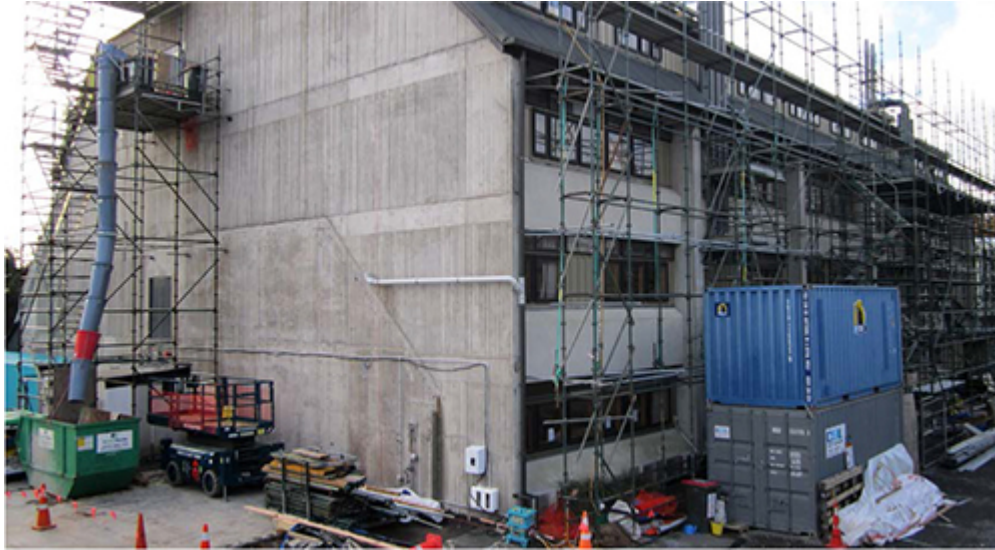
The surplus staffing round in 2012 was major, with Hagley High School the most affected, having to lose 11.7 Full-time Teacher Equivalents. However, Field Officer Ian Hamill told the Taskforce at its November 2012 meeting that the round had run ‘more smoothly than expected’. There were issues around how the surplus staffing arrangements applied under a merger versus under a closure, especially in relation to what was happening for Aranui High and for Unlimited, both to become part of area schools.<sup>40</sup> There were also uncertainties caused by some primary and intermediate schools still fighting to remain open. While Manning Intermediate seemed to have accepted a merger with Hillmorton High School to form a Year 7 to

13 school, Branston Intermediate was trying to stop being closed and its students moved to Hornby High as another Year 7 to 13 school. The Taskforce also noted that some intermediate schools were trying to persuade authorities to let them become Year 7 to 10 ‘middle schools’, which would be a threat to secondary school rolls, and they decided that this must be a key thread in their Taskforce submission on the government’s proposals.<sup>41</sup>

The earthquakes also led to high rates of transience for families in the worst-affected area, Christchurch East. While there were regular meetings of principals from all Christchurch schools, and promises were made by the less-affected schools not to poach students from the worse-affected, the reality was that many families were displaced by their houses being located in the Red Zone or damaged beyond being habitable. Christchurch East secondary school principals also met to discuss common issues. At one of these meetings, in August 2015, allegations were made of ‘poaching’ of higher-achieving Christchurch East students by schools in other parts of Christchurch, and also of ‘dumping’ of students with behaviour and learning issues at Aranui High.<sup>42</sup>

Dick Edmundson said assertions by some principals that there had been no poaching of students were false and there was predatory behaviour by some schools, at a cost to schools like Hornby. The Ministry claimed it didn’t have the power to stop it happening. However, it was positive that some principals did start talking about having a moral imperative towards other schools. He remembered hearing Linda Tame (Lincoln High principal) ask Anne Brokenshire (Hillmorton High principal) what was needed for them to be more collaborative, and Anne’s reply: ‘Lincoln could stop nicking our kids.’ The three of them went on to champion meetings of principals that led to a memorandum of understanding about taking only in-zone enrolments, apart from some exceptions for those wanting single-sex education, and this was still holding in Christchurch:





### **The continued aftermath of the earthquakes – block at Christchurch Girls’ undergoing earthquake repairs in 2018**

Auckland schools can’t believe that it’s worked, with their ultra-competitiveness, but it has, but the sad thing is, I don’t think it would have worked without the earthquake. That gave us the real kick in the pants to say, we’ve got to do things differently.<sup>43</sup>

The demographics of Christchurch have changed since the quakes, with new housing areas like Rolleston growing fast, to the extent that Rolleston High will have a second campus in the next few years.<sup>44</sup>

### **Charter school threat**

During 2012, there were rumours that one or more charter schools might be established in Christchurch East, where the most damage and disruption to schooling had been sustained.

At its August meeting, the Taskforce discussed arrangements for a two-day visit to Christchurch by Karran Harper Royal, a very passionate parent from New Orleans whom PPTA was bringing out to New Zealand to talk to Annual Conference and meetings and media calls around the country about why charter schools would be a disaster.

Earlier in the day, Associate Minister of Education John Banks and Catherine Isaac had met secretly with principals from the Eastern Christchurch area to discuss charter schools. The meeting had been closed to the public and media. It was potentially a stormy meeting, but Isaac’s telling the principals that a charter school in their area was now unlikely, as



no organisation had applied to open one or demonstrated interest in the concept, had taken a lot of heat away.

Ministry official Coralanne Child visited the Taskforce that afternoon, and commented that ‘the principals’ knowledge of the Education Act around existing school flexibility was impressive, as they combated questions from Isaac and Banks about how inflexible the New Zealand education system was.’<sup>45</sup>

Later that month, there was also a very fiery meeting at Shirley Intermediate, chaired by Hon. Jim Anderton, with the anti-charter school camp represented on the panel by Professor John O’Neill from Massey University and speakers from NZEI and NZPF, and the pro-camp represented by Hana O’Regan, who was a member of the Working Group.<sup>46</sup> Michael Stevenson commented: ‘Like the Otahuhu meeting a month or two earlier, the Christchurch meeting descended into chaos.’<sup>47</sup>

## **Stress**

In May 2011, Brigid Raymond reported on a survey about stress levels that she had undertaken among Avonside Girls’ staff. The issues they were dealing with at that stage that were causing high stress levels were constant earthquakes, personal turmoil, and working on a shared site. She said that what members needed most was certainty. There was a lot of false information spreading around Christchurch which further increased stress levels for everyone.<sup>48</sup>

PPTA was able to organise special access to the Employee Assistance Programme for PPTA members in the earthquake-affected area. This programme offered assistance and support, with a set number of free sessions. This was put in place only two days after the 22 February quake, with President Robin Duff writing to branch chairs and saying that looking after each other was now a priority, and that:

As one contribution towards that, PPTA has made arrangements with EAP Services Limited (Employee Assistance Programme) for them to provide counselling and trauma management services for PPTA members. All you have to do is phone 0800 327 669 (24 hours) and identify yourself as a PPTA member. They have a team of qualified and professional counsellors available.

He asked that they share his letter with every member in their school.<sup>49</sup>

In September 2014, former President Robin Duff and Christchurch Executive members Jacinta Grice and Jonathan Handley-Packham reflected on the Christchurch experience for Executive. Among the issues were the mental health effects of the earthquakes on teachers and on students. They cited research by Dr Kathleen Liberty, Associate Professor of Health Sciences at Canterbury University. She had found that one in five children in her study showed signs of post-traumatic stress disorder (PTSD), and that those aged 2 to 8 at the time of the quakes were at particular risk because of a lack of understanding of the events at the time. Those students were in Years 7 and 8 then, and would be entering secondary schools soon. Co-researcher Dr Sonja Macfarlane described effects of PTSD on behaviour, (these included more fighting, aggression and anger), and on development of social skills, language and coping skills.

The paper noted that guidance counsellor members were reporting big increases in demand for their services, especially in the Year 7 to 13 schools, and this was replicated in the adult population with increased demands for community counselling services. There had also been a 100% increase in the number of police safety orders taken out in Christchurch and a similar increase in calls to refuges because of family violence.<sup>50</sup>

Dick Edmundson saw one of the long-term effects of the Christchurch earthquakes as being an unofficial redefining of the teacher's role, happening without any formal discussion, but requiring them to have social worker skills. A teacher was now expected to engage with 'trauma-informed practice' to enable their trauma-affected students to learn. 'It's no doubt a good thing, but those skills aren't traditionally teaching skills ...'<sup>51</sup>

## **Kaikoura earthquake**

The Earthquake Recovery Taskforce was approaching winding up as things in Christchurch began to settle, when, at two minutes after midnight on 14 November 2016, a massive 7.8 earthquake struck the Kaikoura/North Canterbury area. Ruptures occurred on multiple faults, starting 15 kilometres north-east of Culverden in North Canterbury and 60 kilometres south-west of Kaikoura. It has been described as 'the most complex earthquake ever studied'. There were two deaths, one in Kaikoura and one in Mount Lyford. The tsunami that followed reached a peak height of about

7 metres.<sup>52</sup> The quake was felt widely, and several buildings in Wellington were severely damaged.<sup>53</sup>

The secondary and area schools in the area (Kaikoura High, and North Canterbury area schools Cheviot and Amuri) sustained relatively little damage, but the bigger problem was infrastructure. Kaikoura was completely cut off, with Highway One and the main trunk railway line north and south of the town sustaining massive damage, and the Inland Kaikoura Road left unusable. Yet, despite crews having to clear 50 landslips on that inland road, it was reopened to all traffic on 19 December. It was, however, a very long and circuitous route to Christchurch, let alone to go north.<sup>54</sup>

Some Kaikoura High students moved temporarily to Christchurch to finish the school year, but the high school in Kaikoura reopened despite the closeness of the end of the year on the grounds that this would restore some normality for the students. NCEA candidates were eligible for a Derived Grade for all of their standards, but some turned up and sat exams despite that, in hopes of getting a higher grade. Extra relief teaching support was being provided so that teachers could take time to address personal issues.

Jo Fissenden, a Kaikoura High member, told the Taskforce in March 2017 how things were at the school. The same kinds of issues as had occurred in Christchurch were appearing there: student anxiety and inability to access appropriate mental health services; the effects of aftershocks; the various impacts of isolation (with only the Inland Route available); the stress of working with their insurers and EQC about repairs to houses; access to EAP support being only by phone; extra costs for accessing professional learning out of the area because it required an overnight stay which was not funded; and the significant economic impact on the community with tourism gone. She said: 'The town feels stressful ... Four students are stuck in town and cannot get back home because of road closures.' There were rumours that the schools would all be merged to become an area school, and people were feeling anxious about that. They did feel 'very supported by PPTA', and had appreciated a visit by the President and General Secretary.<sup>55</sup>

By November the same year, a further report on Kaikoura High by Jo Fissenden sounded much more negative. Nine new staff had arrived (out of a total of 28) and there were issues about bringing the old and new staff

together. Furthermore, four or five new staff members were due the following year. There was an extreme shortage of accommodation with competition for rentals from construction workers, so some staff were accommodated in sleep-outs. They had constant noise disruption from helicopters landing near the school. More businesses had collapsed, so economic stresses were increasing. There was a construction workers' camp above the school, and workers were getting drunk at the weekend and leaving bodily fluids on the school grounds that they used as a short-cut back to the camp. It had turned out that the damage to the school was worse than realised at first, so teachers were having to work while repairs happened. The difficulties included using tank water and portaloos, and keeping students away from the asbestos removal happening on parts of the site.<sup>56</sup>

The November 2017 meeting appears to have been the final Taskforce meeting. It had served a number of useful purposes over its life: it had kept Executive and the Canterbury region informed about issues as they arose; kept communication channels with the Ministry, especially its Christchurch staff open; ensured that members affected by the earthquakes felt heard; and helped coordinate the union's response to the crisis. Jacinta Grice, the Christchurch Executive member who chaired the Taskforce throughout its existence, told me that she felt the Taskforce had done useful work, mentioning in particular supporting teachers at the most disrupted schools, organising counselling for teachers through EAP, ensuring that surplus staffing processes were done fairly, and meeting regularly with Ministry officials.<sup>57</sup>

## **The Covid-19 Pandemic 2020–2022**

### **Pandemic planning**

PPTA was not completely caught short when the Covid-19 pandemic hit New Zealand in early 2020. In December 2005, Advisory Officer Jane Benefield had attended a meeting of sector representatives called by the Ministry to update them on progress it was making in developing materials for schools to support their planning for a pandemic. This was presumably a response to the outbreak of SARS-CoV-1 that had occurred in Asia between 2002 and 2004, and the Avian Influenza Virus H5N1 of 2004, both of which New Zealand managed to avoid almost entirely. Nevertheless, these

outbreaks abroad had doubtless heightened awareness of the dangers of an influenza pandemic. Pandemic planning appears to have become a whole-of-government initiative, because action plans started appearing in 2006 from a number of departments.

With some prescience, education officials shared with sector representatives a colour-coded outline of stages of response to a pandemic. White or yellow meant plan for it/standby (cluster outbreak abroad); red had three stages: keep it out (borders closed), stamp it out, and manage it; then green, meaning recovery from it. The officials said that in Code Red, clusters of schools and/or all schools would close, as would other workplaces, for an estimated time of around eight weeks. The issues raised by sector representatives were the need to ensure access to information on students, the need to identify teachers willing to volunteer in welfare and health roles while schools were closed, the use of school premises, and the welfare of international students. Jane Benefield pressed them on the matter of teachers continuing to be paid through a pandemic, but could not get a straight answer: 'Treasury is expected to announce its take on this shortly' was the response. Modelling based on the 1918 flu epidemic had estimated that around 800 children could be orphaned and many more might need temporary care while their parents were sick, and might not have access to relatives if a particular area was closed off (or locked down, as we came to know it).<sup>58</sup>

General Secretary Kevin Bunker was very concerned about the issue of pay for teachers while schools were closed. He had attended a CTU affiliates meeting with a number of government departments represented, and the same issue had been raised there, but little clarity provided. Treasury was absent, but the Department of Labour person suggested that 'good faith and good sense should act as guides', and tossed the ball to the States Services Commission person, who seemed to find herself unable to commit to whether the State was a good and sensible employer. The General Secretary suggested that PPTA members would be safer in a pandemic if there were clauses in the collective agreements that guaranteed continued pay, leave, and security of employment.<sup>59</sup> At their first meeting the following year, Executive took his advice, and resolved that PPTA 'seek variations to the Collective Agreements to ensure that salary continues for teachers in the event of directed school closures because of pandemic or widespread epidemic'.<sup>60</sup>

There were some early discussions on this claim, but it appears to have got lost in negotiations for the 2007 STCA. However, the actual pandemic of 2020–2022 did not present any issues around continuance of pay, because greatly improved technologies meant that teachers continued to work, but online, whenever the pandemic meant that students could not be physically at school.

### **Covid-19 arrives**

In December 2019, news started emerging from China that a new coronavirus was spreading rapidly in the Wuhan area in Central China. It could not be contained there, and began to spread to the rest of China, and then to other parts of the world. New Zealand's first case was announced on 28 February, and on 14 March the government declared that all incoming travellers must isolate for 14 days. On 11 March 2020, the World Health Organisation declared the outbreak to be a pandemic. On 19 March, our borders were closed to all but New Zealand citizens and permanent residents, and two days later a four-tier alert system was announced.

A group of principals plus NZEI and PPTA was brought together by the Ministry on 19 March, to help prepare communications with schools and early learning centres, beginning with a communiqué the following day about arrangements should schools be closed. This was just one of several strands of work going on at the same time. In the afternoon, a secondary group met with two NZQA officials to talk about arrangements for NCEA assessment. The officials said they were making use of experience from the Christchurch earthquakes to guide them. The secondary group was worried about the exact definition of 'closure', because of the requirements about schools being open for instruction for a set number of days. There were also issues of equity with home-based learning, whether all of this would affect timelines for all the reforms that were happening, and other questions.<sup>61</sup>

The same day, the Secretary for Education called the first of a series of teleconferences with leaders of sector organisations to try to remedy some misinformation that was circulating and to keep them informed. Queries raised by the group were what might trigger school closures, what planning had been done for staff members particularly vulnerable to the virus due to age or underlying health concerns, and what planning was being done for distance learning?<sup>62</sup>

On 22 March, Executive held an urgent meeting by Zoom to discuss a paper from the General Secretary and DGS (Policy) titled 'Association response to Covid-19'. The paper conveyed a strong sense of the crisis about to hit New Zealand, and what it was going to mean for the union. They wrote:

We are learning, all of a sudden, what a global pandemic requires of us and this is difficult for everyone – difficult for students, difficult for parents and difficult for teachers, emotionally, practically and financially. We worry about each other, our friends, our comrades, our loved ones and ourselves. We do not know yet what all the global risks will be. As a union, we must commit to working in the spirit of solidarity and cooperation, joining with members across the motu to fight this global health emergency.<sup>63</sup>

PPTA events were already being postponed, cancelled, or converted to Zoom events. A Zoom meeting with Regional Chairs had heard their needs, which were obtaining regular, trustworthy information; reassurance that teachers' leave and pay entitlements remained safe; advice about the role of schools' health and safety representatives in the pandemic, and advice about supporting student learning in the various situations that would present themselves. The Ministry was holding regular meetings with the sector, but staff attending were finding these meetings frustrating, with Ministry silos in evidence. Advice for staff in National Office and the Field Offices had been prepared, covering matters such as travel (optional because of increased risk), taking laptops home each evening in case of a sudden lockdown of offices, cancelling or reorganising meetings, and remote working. Executive members were asked to moderate and calm members on PPTA social media sites, and make sure any misinformation was corrected.<sup>64</sup>

Executive resolved that the union lobby the government to immediately close schools, and that PPTA publicly call for parents who were able to keep their children at home to do so, and to highlight the issues for schools now operating with reduced staffing.<sup>65</sup>

A letter went to the Prime Minister the same day, urging her to direct schools to shift to home-based teaching and learning immediately, on the grounds of the Health and Safety at Work Act.<sup>66</sup> Three days later, at 11.59 p.m. on 25 March, New Zealand went into its first nationwide lockdown and a state of national emergency was declared. Schools, along with all businesses deemed 'non-essential', closed. A month later, schools reopened

for the children of essential workers, but they didn't fully reopen until 13 May.<sup>67</sup>



**Music teacher Jane Egan's set-up for teaching from home during lockdown**

One of the big issues for PPTA was student access to digital devices and households that were not connected to the internet. The Ministry was trying to find out which households these were so they could be helped, but this was not easy.<sup>68</sup>

The advisory staff responsible for professional policy recommended in May that Executive establish a Covid-19 Professional Issues Taskforce 'to give advice in response to proposals by NZQA, the Ministry and the tertiary qualification boards in relation to teaching, learning and, in particular, assessment in response to disrupted learning programmes as a result of the Covid-19 crisis'. The Taskforce would consist of members of Executive's Curriculum and Professional Issues Advisory Committees, Te Huarahi, Secondary Principals' Council, the President, and a guidance counsellor. Executive supported this proposal. At that time, concerns included teacher and student workloads not becoming excessive whenever the return to school occurred through teachers being burdened with evidence gathering and making up for missed assessments at the expense of teaching and



learning, and about timelines for the Curriculum Refresh and NCEA Review needing to be revised so as to not add to teacher stress and workload.<sup>69</sup>

The Taskforce's first meeting took place just after students returned to school for the first time, and it noted issues around attendance, student and staff wellbeing, and assessment challenges.<sup>70</sup> It met again in June, when members noted high levels of stress among teachers and students, with everyone looking forward to the term break coming up.<sup>71</sup>

By June 2020, it appeared that the outbreak had been stamped out, and the country returned to Level 1, but that respite lasted only two months. On 11 August, four new cases were announced. Auckland students moved back to learning at home till the end of that month. From then on, the country, or specific parts of it, went through periods of lockdown with schools closed, right up until the end of 2021.<sup>72</sup>

During one of those lockdowns, in October 2021, there was a sudden announcement that schools in Level 3 areas would reopen for senior students from 26 October. PPTA had not been consulted on this particular decision, and protested vigorously to the Minister and the Ministry. AO Rob Willetts wrote:

PPTA has been following the policy of supporting the decisions of the Ministry of Health which are supported by sound medical science. At this point we cannot be confident that the decision was based on the science. It looks contradictory.

The paper asked what kind of advice had been given to Cabinet to lead to a previous focus on health and safety being shifted to examinations.<sup>73</sup> Executive strongly condemned the move and asked that PPTA's disapproval be conveyed publicly. It also asked that members be advised not to go on site unless an updated Level 3 preparedness plan had been agreed with the PPTA health and safety representative on site, and that seniors be on site only if they needed special support for their exams or for practical internal assessments. Executive also called on the Secretary for Education to include the union in all further consultation on such matters.<sup>74</sup>

The response from the Secretary for Education was that the Ministry had taken advice from the Ministry of Health, which had been that it was safe for the seniors to return: schools had not been sites of significant spread, given precautions such as mask-wearing and distancing; Year 11 to 13

students and teachers could all be vaccinated and there was a high rate of uptake; staff would need to be tested before returning to site.<sup>75</sup>

Probably to everyone's relief, in January 2022 the Prime Minister announced that there would be no more lockdowns, although when the Omicron variant of Covid-19 arrived, the whole country would shift to the Red Alert<sup>76</sup> setting.<sup>77</sup>

## **Vaccination mandates**

During 2020, enormous efforts internationally went into producing vaccines against the new virus. By the end of that year, such vaccines began to be available overseas, and the first batch arrived in New Zealand on 15 February 2021.<sup>78</sup> Four days before that, three Ministers – Chris Hipkins (Covid Response and Education), Michael Wood (Workplace Relations and Safety) and Andrew Little (Minister of Health) – called a meeting of union representatives to discuss with them their plans for the Covid-19 vaccination programme. Director General of Health Ashley Bloomfield was in attendance.

DGS Yvonne Oldfield and AO Doug Clark attended the meeting, and they reported that Minister Little had 'got straight to the point in opening the meeting by telling us that its purpose was to seek the support of the union movement, as community leaders, for the Government's planned vaccination campaign'. The campaign's goal was to immunise at least 85% of the population. The government was aware of the need to reassure the 'vaccine hesitant', and to overcome any issues with access in particular parts of the country. At that stage, the vaccines were approved only for use by people over the age of 16, which meant that most secondary school students would, at least in the early months, not be able to be vaccinated. The government was training a vaccination workforce of 12,000 people to be ready to go soon. Border and health care workers were the first target, but the goal was to vaccinate the rest of the population from July. Minister Wood, especially, was keen to stress that they needed union support in reinforcing the key messages of workplace and community safety, including ensuring safe working conditions for those unable to be vaccinated, such as the immune compromised.<sup>79</sup>

At that stage, the unions were being asked to help encourage members to get vaccinated. Later in the year, vaccinations became mandated for

teachers, through the Covid-19 Public Health Response (Vaccinations) Amendment Order (No. 3) 2021, which came into force on 25 October. This required a teacher or other education worker, contractor or volunteer who might come into contact with children to have a first dose by 15 November 2021 and a second dose by 1 January 2022 to be able to work on a school site. Schools had no choice in the matter, and it was also an offence for them to prevent an employee from getting vaccinated during work hours. From 16 November, anyone covered by the order who could not show that they had received at least a first dose of vaccine had to be excluded from the school site. If working offsite was not a possibility, then processes needed to begin to terminate employment.<sup>80</sup>

Executive had already made a decision to support a vaccine mandate for teachers. Austen Pageau, an Executive member from Auckland, had written a well-researched paper titled ‘The science behind the need for vaccine mandates’ in late September 2021. He wrote:

There is no real scientific debate around the efficacy and importance of vaccines for controlling the spread of Covid-19. There is a consensus that vaccines reduce transmission, lowering the R-eff, the reproductive rate of the virus. PPTA has already publicly accepted this scientific position, urging our members to get vaccinated.

## **Melanie Webber** President 2021 to 2023



Melanie was an Executive member representing the Western Ward in Auckland for only one year before she became Junior Vice-President in 2017, and the first in that position to serve four years, before becoming President in 2021. Although she began a third year as President in 2023, she soon after had to take leave to deal with a health issue. Melanie faced some big challenges as President. The first was the

Covid-19 vaccination mandate for education personnel. Executive resolved to support the mandate but she was subjected to high levels of vitriol from some members. She believes that work by Field Officers on behalf of individual members affected, and high-quality guidelines for members on requirements regarding leave, isolation and the like, kept the union strong. As a President whose home was normally Auckland, she found it hard not being with her colleagues there as they endured one lockdown after another, while the rest of the country got off relatively lightly. Another challenge was the ongoing work on NCEA and the curriculum, where the changes being introduced are really critical, but there are concerns about sequencing and speed of the work and the implementation processes. As at November 2023, JVP Chris Abercrombie was still Acting President. He had been elected to take up the Presidency in 2024.

The risk posed by unvaccinated teachers has recently been illustrated by a US Centers for Disease Control and Prevention report on a cluster centred on an unvaccinated teacher in a California elementary school (Years 1–9).<sup>81</sup> The school had a mask mandate for teachers and students which was well adhered to. All but two teachers were vaccinated. But the index case was one of those two who were unvaccinated. She taught for two days while experiencing minor symptoms, occasionally removing her mask to read. Despite all students masking and the classroom being socially distanced, 50% of the students were infected, 12 out of 24, with 100% of students in the first row and 60% of those in the second row infected. They then infected students in other classrooms and family members. The cluster reached 27 cases.

While PPTA members mostly teach in secondary schools where many students will have been vaccinated, we also have members in intermediate schools, middle schools and area schools where they will be dealing with students under 12, who cannot yet be vaccinated. The government is also likely to make any ruling on a mandate apply across the whole state sector.

Even in secondary schools, student vaccination is not yet compulsory, and we know that vaccination rates are lowest in our most vulnerable communities: Māori, Pasifika, rural and low socio-economic. It is critical that Covid is kept out of these communities, which also suffer from worse health outcomes across the board. A single unvaccinated teacher could have a devastating effect on a school community in one of these vulnerable areas.<sup>82</sup>

Executive endorsed his recommendation ‘That the Association would support a public health decision to mandate Covid-19 vaccination for teachers’.<sup>83</sup>

In a Field Service report in November 2021, DGS Adele Towgood reported that the Field Officer team was handling ‘a reasonable volume of calls and emails’ about the mandate. Some members were expressing general discontent at the mandate, despite themselves being vaccinated, and several members were saying they were firmly resolved not to get vaccinated and therefore would require advice and guidance on the school employment process that would ensue. FOs were also seeing ‘a large amount of misinformation circulating amongst members who are vaccine hesitant’, and where possible, were directing members to the PPTA website

and other reputable sites. Protocols had been developed for FOs dealing with these cases, including that all conversations with unvaccinated members would be online or by phone, and that in the event of any abusive conduct from members, FOs reserved the right to end representation. At that time, the Field Service was aware of ten members who had resigned from the union because of its position of support for the mandate.<sup>84</sup>



**Auckland Executive member Austen Pageau wrote a well-argued paper about why PPTA should support vaccination mandates for teachers**

By February 2022, the Field Service had opened 201 cases to do with Covid-19. Examples of cases included employment being terminated due to vaccine status, given Leave Without Pay for all or part of 2022, concerns about a booster mandate, organising working off site, and concerns about the mask mandate.<sup>85</sup>

The vaccine mandate for education was not in place for very long, however, ending as from 5 April 2022. Unvaccinated staff who had been working off site could then return to work, and those on leave could return to normal duties at the end of that leave or earlier by agreement; however, those whose employment had been terminated had no automatic right to return to their previous positions, which by then might have been filled anyway. They were, however, free to apply for new positions at the same or a different school.

## **Conference papers**

There were annual conference papers on Covid-19 in both 2021 and 2022, each reflecting the issues of the time.

The 2021 paper, titled ‘Covid-19: What have we learnt?’, focused on equity issues that had been highlighted by the pandemic. These included the digital divide:

Obvious examples were that students did not have access to suitable devices. This may have been because there was no device, the device was a phone, the device had to be shared with a number of siblings, or with parents who were working from home. Less obvious were the connectivity issues: poor internet connections or no internet connections at all. Some had devices and connectivity but nowhere to work. Others had the device and connectivity but not access to the software that they needed to further their studies. For others they had the device and connectivity but not the parental support, the social connections, the key competencies, or were just plain anxious.<sup>86</sup>

The paper also discussed wellbeing, and the continued need for more guidance counsellors so students could have access to support when they needed it, and not have to wait for weeks to be seen. In addition, it argued that the pandemic had:

... [shown] the resourcefulness, diligence and ingenuity of teachers and principals. With lightning speed schools transformed themselves into distance providers. This didn't happen painlessly: teachers worked long hours, they reworked their lessons, they made videos, they learnt new technology, they contacted their students through email, Facebook, messenger, TikTok and Zoom ... Some schools even continued to provide for whānau: 23 per cent of schools in a poll during Alert Level 3 reported distributing food and clothing packages to whānau in their community.<sup>87</sup>



**President, General Secretary, and Dep Gen Sec at online AGM 2021 [REBECCA MCMILLAN PHOTOGRAPHY]**



**Technical team behind the scenes at the 2021 online AGM [REBECCA MCMILLAN PHOTOGRAPHY]**





**National Office set-up for online AGM 2021 [REBECCA MCMILLAN PHOTOGRAPHY]**

The paper was never debated by members, because Conference 2021 had to be replaced with an online AGM.

The 2022 conference paper has a more negative tone to it, perhaps reflecting the weariness of a sector into its third year of Covid-19 disruption. It discusses similar issues to the previous paper but new issues also appear: increasing teacher shortages, the problems when decision making on matters like mask use is left to the school rather than having clear government rules, and the ongoing stress and rapid response times required by the various consultative groups the union was participating in.<sup>88</sup>

## **Final words**

This chapter has highlighted just two major crises to which PPTA developed a comprehensive response in these two decades. While there are others that could have been covered, such as the terrorist attack on two mosques in Christchurch on 15 March 2019, the earthquakes and the pandemic are useful because they show two different kinds of response. In the earthquake case, apart from the national decision to change the industrial strategy, the response was largely regional, supported from the National Office but led by regional PPTA activists and their Field Office. In the pandemic, the response was more centralised because the union's voice



needed to be heard in all the central government forums where decisions were being made, but also involved many arms of the union: Executive, SPC, advisory groups, Māori and Pasifika networks, regional chairs, and others.

In both cases, the union showed its capacity to support its members, but also its commitment to the best educational outcomes for students.

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- 5 Jacinta Grice (personal communication, 26 July 2022).
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- 27 Judie Alison (author's recollection of conversation with Karen Sewell).
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- 31 Dick Edmundson is now principal of that new school, renamed 'Te Aratai' by mana whenua, meaning 'pathway to the sea', because it sits between inner Christchurch and the Heathcote River estuary, a food-gathering area.
- 32 Dick Edmundson (Zoom interview, 19 August 2022).
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- 38 MOE (2011). Letters from Sarah Borrell, Industrial Relations Manager, to General Secretary Kevin Bunker, 20 October 2011 and 2 November 2011. PPTA files, IPM7/42/18.
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### A strategic approach to professional issues

PPTA's origins are reflected in the union's name as a teachers' association for post-primary schools, whose remit began largely around what continues to be the first objective in the Constitution: 'To advance the cause of education generally and of all phases of secondary and technical education in particular.'<sup>1</sup>

PPTA has always been expected by its members to advocate for sound government policies across the full breadth of professional matters: the content of the curriculum, processes of assessment including for qualifications, the quality of initial teacher education, and many more areas.

In early 2002, a vacancy materialised in the Advisory Officer team when Andrew Kear, whose role had been a mix of industrial and professional areas, resigned to take up a job at NZQA. Management Committee decided to advertise the position with the words 'Applicants with current, in-depth knowledge of secondary curriculum, assessment and qualification issues are particularly invited to apply.'<sup>2</sup> This enabled a reshaping of the Advisory Officer team to better support policy development and advocacy on professional matters. The professional policy areas had been substantially dispersed among the members of the team, and it seemed advantageous to bring them back together.

Over the years of National Government (1990–1999), the union's view on matters professional had been largely unwelcome, on the neo-liberal pretext that any advice the union might give would be entirely driven by teacher self-interest.<sup>3</sup> By early 2002, however, a Labour Government had been in power for over a year, and PPTA was instead in danger of 'death by consultation'. In April I was informed that I had won the reshaped position, and I began work at National Office on 27 May 2002.

A good deal of that first year, 2002, was occupied, for me, with handling members' queries, complaints and demands about the various NCEA-related industrial actions being taken around the first year of the qualification (see later in this chapter). However, by the end of the year,

with the STCA finally settled, the President, Jen McCutcheon, instigated a strategic planning process. She reminded Management Committee that, two years before, the union had begun such a process, but the group responsible for it had met only twice, and then the union was 'overtaken by industrial matters'. Now that the industrial struggle was over, it needed to be reactivated.<sup>4</sup>

In December 2002, DGS Bronwyn Cross reported on a strategic planning exercise undertaken by a joint meeting of Management Committee and the staff management team. A series of papers were to be produced by staff for the February 2003 Executive meeting. These ranged from structures and processes to principals, professional leadership, relations with other unions, coverage, Te Tiriti o Waitangi, and moving from reactivism to activism.<sup>5</sup>

In all, there were ten strategic planning papers, including one from me on professional leadership. That paper was, in retrospect, highly ambitious, setting five major goals 'as the basis for action to strengthen PPTA's professional leadership role'. These goals were: building networks of members to enhance the union's capacity to provide advice on professional issues; growing links with other parts of the educational community such as researchers, teacher educators and the like; developing the union's own research capability; holding regular professional conferences; and growing the PPTA website as a source of information for members and the research community and as a communication and organising tool.

The paper argued that organising around professional issues would often have industrial benefits:

One of the benefits of being a relatively niche union is that it is easier to engender unity and solidarity around professional issues, especially those which have a clear impact on the working lives of our members, as has been demonstrated in the NCEA campaign. By exercising leadership on professional issues, we can involve members who might not be our most active on industrial issues but who have a lot to say about professional issues. We must ensure that we are highly responsive to issues for secondary education as they develop. We need to have our ears to the ground with our membership and to be 'ahead of the game', not reacting after events have gathered their own impetus without us. By increasing our credibility professionally, we build up credit in the bank with the public and the educational agencies which can be drawn on in times of industrial conflict. We need to re-establish ourselves as the experts on secondary education. 'Think secondary, think PPTA' is how it should be.<sup>6</sup>

Some of these ideas had origins in several papers written the previous year by Senior Vice-President Graeme Macann. In April 2002, while the collective agreement remained unsettled, he wrote a paper titled

‘Revitalising our capacity to provide professional leadership’, arguing that the union needed to ‘nurture its capacity to provide leadership on professional issues’ as well as waging industrial campaigns. To fail to do that was to risk becoming irrelevant in debates about issues that were crucial to teachers’ working lives. In his view, the three main issues the union should be concerning itself with were the ongoing design and implementation issues for the NCEA, positioning itself regarding the Teachers Council, and identifying the risks and opportunities provided by the Curriculum Stocktake that had recently begun. This was highly prescient; he was laying out the major components of the union’s professional work for the next two decades.<sup>7</sup>



**Graeme Macann, President 1999–2000**

In a further paper later that year, Graeme Macann pushed for the union to encourage professional discussions within the membership at occasions that up to then tended to focus on industrial issues. These included the annual regional activist seminar in early March and regional meetings. He affirmed the inclusion in the 2002 annual conference programme of academic

Howard Lee on the history of assessment and qualifications issues, and suggested that this should be a regular occurrence at Annual Conferences (which it duly became – see below).<sup>8</sup>

In October 2003, reviewing progress on the strategic planning process, Deputy General Secretary Bronwyn Cross reported on the professional goals, among others. She commented the union still had ‘some way to go before we are seen as the professional voice of secondary teachers rather than just the industrial voice’. As examples, she referenced recent articles on NCEA and the crowded curriculum in *North and South* and the *Listener* that had contained no reference to PPTA. ‘We will know we have succeeded when they come to us first,’ she wrote. On the other hand, planning was well under way for the first of the professional conferences (see later in this chapter), and the establishment of closer relationships with other groups such as NZCER, teacher educators and academics was progressing well. In addition, she reported that the union had also commissioned research and contributed papers to a number of conferences, ‘all with the intention of reinforcing our position as the experts on secondary education’.<sup>9</sup>

This chapter seeks to provide an overview of the two biggest professional policy areas that the union has sought to influence in the last twenty years: curriculum and school qualifications. It also discusses the efforts to promote more professional discussion and debate within the union membership.

## **Reviewing the curriculum**

### **The Curriculum Stocktake 2000–2002**

Annual Report 2001 may have provided the first indications to the wider PPTA membership that a major review of the New Zealand Curriculum Framework (NZCF) was in its initial stages. The NZCF was made up of separate documents for each learning area, published successively over about a decade, plus a further document which set out the Essential Skills (which tended to be ignored in secondary schools), and the National Education Goals and National Administration Guidelines which laid out a range of requirements that schools had to meet. The 2001 Annual Report commented that while the Arts curriculum was still being finalised, the Ministry had accepted advice from many quarters ‘including from PPTA’ that the entire NZCF should be revisited ‘in both concept and detail’. That process became known as the Curriculum Stocktake, and a large and



broadly representative advisory committee had been established as a reference group for the project.

Research investigating curriculum implementation in a sample of schools was commissioned. It noted different perceptions about the NZCF between primary and secondary. While primary representatives tended to be most interested in the framework's philosophies, subject descriptors and the essential skills, secondary tended to concentrate on 'the complexities of curricular implementation'. These tensions were in evidence throughout the curriculum review that was to follow.<sup>10</sup>

President Jen McCutcheon and Advisory Officer Andrew Kear had represented PPTA at the first meeting of this group, on 29 and 30 November 2000. Andrew commented to Executive that there were 13 'stakeholder' groups at the meeting, each with their own wishlist for change. With what turned out to be false optimism, he wrote that 'the project is not expected to strike at the core of the NZCF'. The group shared the issues they had with the current curriculum, and commonalities were its overcrowded nature, a lack of understanding about what constituted a core, supporting resources being too little too late, and the arbitrary nature of the eight levels.<sup>11</sup> PPTA continued to participate in later meetings of the Stocktake group.

On my second day at National Office, I attended the final meeting of the Stocktake group. We were told that \$8.4 million had been budgeted for work over the next four years on reviewing the curriculum, which suggested quite a major project. Reporting on the meeting, I noted some interesting issues that the Stocktake research had thrown up. These included: the lack of evidence of any improvements in student achievement as a result of shifting to an outcomes-based curriculum from 1993;<sup>12</sup> the fact that inequity of outcomes had not been reduced by the change; the lack of impact on social outcomes from the introduction of the Essential Skills and the Attitudes and Values laid out in the 1993 Framework document, with New Zealand continuing to show relatively high levels of absenteeism, verbal intimidation, physical violence and suicide compared with other countries.<sup>13</sup>

Later in 2002, PPTA was asked by Associate Minister Marian Hobbs, who had taken over responsibility for curriculum matters earlier that year, to provide her with a confidential comment on the final Stocktake report, which she had sent to us and NZEI under embargo. In our letter, we

expressed concern about how teachers would receive what looked to be ‘a wholesale curriculum revision ... when schools are only just adapting to the introduction of the final national curriculum statement, in the Arts’. The union reminded the Minister that ‘continually piling extra tasks on to teachers does not help them to perform at their optimum level, and ... new tasks should not be added unless something else is taken away.’ On the other hand, we endorsed the report’s ‘refusal to take a more technocratic path of increasing prescriptiveness, but rather to recognise that the three aspects, curriculum, pedagogy and assessment, need to be developed alongside each other through extensive high-quality professional development’.

We expressed support for the introduction of an eighth learning area, Learning Languages, but warned of the challenges with regard to teacher supply and the logistics of providing continuity of language availability between primary and secondary.<sup>14</sup> This issue was to raise its head again later, when Associate Minister Hobbs asked PPTA for advice about the gazetting of requirements with respect to the Languages Learning Area, and our advice continued to be that implementation issues should deter her from making the eighth curriculum area obligatory on schools.<sup>15, 16</sup>

## **New Zealand Curriculum Project 2003–2007**

By the middle of 2003, the revision of the curriculum began in earnest, and a Curriculum Project Reference Group was established, comprising much the same range of organisations as the Stocktake Group. It included a strong group of academics who, over the course of the next few years, made useful contributions. They were Lester Flockton (Otago University), Ian Christiansen (Massey University), Margaret Carr, Russell Bishop, Paul Keown and Clive McGee (Waikato University), and Graeme Aitken (Auckland University).<sup>17</sup>

We were each asked to introduce ourselves and talk about our various responses to the Stocktake Report. On behalf of PPTA, I made a number of points:

- One of the most important messages of the Stocktake had been that rewriting curriculum documents doesn’t necessarily change much about what happens in classrooms. Perhaps the focus has been in the wrong place.

- The key to quality education was teachers, and professional development in its widest sense was fundamental. We needed to look at how to support the collaboration and reflection which are known to be so essential for professional growth, and this raised big issues about teachers' conditions of work and the management of change, and was at the interface between the professional and the industrial.
- Curriculum reformers needed to look at what makes teaching and learning manageable for both teachers and students. The huge number of achievement objectives had led teachers to go for breadth rather than depth, and this was antithetical to sound teaching and learning.
- The profession was change-weary, so the Project needed to hasten slowly.<sup>18</sup>

At that stage, the proposal was to gazette a document that would set out the revised Curriculum Framework, with amended principles, purposes, essential skills, attitudes and values, and other generic material, plus a page summarising the 'essence' of each learning area and the revised achievement objectives of all the learning areas, and this structure barely changed over time. The separate curriculum documents, which had been useful to subject specialist teachers, perhaps more than to primary generalist teachers, were to be revised and produced as support material containing ideas on pedagogy and assessment. (This did not happen.)<sup>19</sup>

At the next meeting, we were briefed by the team reviewing Te Marautanga o Aotearoa, the curriculum used in Māori Medium. Up to that point, their curriculum was essentially a Māori translation of the English curriculum, but we heard that the Māori Medium sector had 'moved a long way since it was written' and that there were 'indications of a wish to develop their own document based on Māori values and aspirations'.<sup>20</sup>

We also heard that some subject groups had started reviewing their achievement objectives, but were assured that 'The whole process is going to be very slow and careful, and the goal is not to make radical change'. However, at that point in the meeting, there was a presentation by academic Jane Gilbert who was at that stage starting to share her thinking that led to her 2005 book *Catching the Knowledge Wave*. Jane set the group 'absolutely buzzing with the implications for the Curriculum Project', with ideas emerging about reducing compliance, having looser outcomes, building in more freedom, going for a slim-line curriculum which left space

for knowledge creation, engaging students in real-life problem solving, and the like. The trouble with this, for a union representative, was that many of the ideas seemed great, but what would their implications for the workload of an already over-stretched secondary teaching workforce be?<sup>21</sup>

By the end of 2004, the project was beginning to look enormously complex. I described it in one paper as feeling like ‘an unwieldy project which has the real danger of lumbering out of control’.<sup>22</sup>

Significant implications for PPTA were emerging. The Ministry set up groups in all the learning areas, for both English-medium and Māori-medium, and there were also groups to consider the values, the key competencies, cross-curricular programmes, and more. Consistent with the NCEA standards development process, they invited PPTA to nominate a representative for every group. In early 2004, in the context of seeking funding to bring together PPTA’s representatives, I warned Executive of the risks associated with all this:

... this is a vast and somewhat amorphous project involving a lot of Ministry effort, and there is a real danger that changes which come out of it will be more dramatic and therefore have more workload impacts on our members than we have been advocating, especially if the subject groups get excitable and start proposing major changes to the curriculum statements. Of concern also is the fact that members are not all very aware of the Project and its possible implications; in fact I have had an email exchange with one member who was outraged at seeing in his local paper a statement about it by Mary Chamberlain who heads the Project for the Ministry, because he believed she was telling the public before teachers had been told. He had asked other HODs at his school and claimed that none of them had heard of the Project either. The fact that there had been notices in the Gazette and a newsletter to all schools appeared to have passed the HODs, and possibly the senior management, in his school by!<sup>23</sup>

PPTA’s representatives were asked to report regularly on how things were going in their learning areas, but this proved difficult for various reasons. It did appear that the amount of change would depend somewhat on how long the curriculum had been in existence; so, for example, the Arts curriculum had been the most recently developed and looked likely to be subject to the least change. The Māori-medium groups had not yet begun work, and there was concern about how far behind the English-medium timeline they were falling. The representatives expressed similar concerns to mine, namely that teachers were the ones who would have to make the change happen. Workload was a big concern, and big dollars would be needed for professional learning once the new curriculum was introduced.<sup>24</sup>

The writing of the one-page ‘essence statements’ proved to be much more difficult than at first thought. At a meeting on 1 December 2004, academics Lester Flockton and Clive McGee took apart the statements that had been written by the learning area groups, and the conclusion was ‘that they should go back to Square One, with clearer guidance from the Ministry’. None of the groups appeared to know what an essence statement actually was. Lester Flockton suggested it was the intrinsic nature of a learning area, ‘what it must have for it not to be something else’. They gave the example of the Technology draft statement, which could have been any other learning area if you took the word ‘technology’ out. None of the drafts contained satisfactory rationales for the area’s existence, and they were predominantly skill-based – where was knowledge? Graeme Aitken commented that the Social Sciences draft reflected at least six different philosophical positions, and one would have to be settled upon.<sup>25 26</sup>

An issue that dogged curriculum and NCEA developments over the twenty years covered here had started to rear its head by 2005. As subject groups started revising the achievement objectives at the upper levels of the curriculum, the possibility that such revision might force significant changes in NCEA standards became a worry, especially considering that the standards were relatively new. 2005 was supposed to be the first year of ‘stability’ in the NCEA, but this did not seem likely to last long. The Ministry informed us that ‘the subject groups have been asked to report on this’, but there was no evidence of guidance about minimising change.<sup>27</sup>

Another issue that was to plague PPTA and its members for some years ahead was in relation to the Key Competencies. These were to replace the ‘essential skills’ of the old curriculum, and there had been strong support from consultations with teachers, although this came more from primary teachers than from secondary, who showed relatively little interest. A Ministry presenter on the competencies at the May 2005 meeting started talking about ways of assessing the Key Competencies, and I noted that ‘it sounded as if it would be in isolation rather than within the context of the Achievement Objectives of the curriculum’. The reference group discussion then shifted to what became another ongoing issue, namely that no way had yet been found to weave together what became known as ‘the front end’ of the curriculum: the Key Competencies, the Principles, the Vision and the Values. The group told the Ministry to sort this fast, or the draft curriculum

would 'look like a whole lot of extra work to people'; however, this was never satisfactorily addressed.<sup>28</sup>

In May 2005, I had a chance to raise issues around the senior curriculum. Discussions at the Subject Association Forum convened by PPTA that year, as well as my own research on NCEA, contributed to a paper I wrote for the reference group. I described the response from Ministry officials in the senior secondary team as 'very warm', and they said privately that they had been raising the same issues for 18 months, and had only recently felt that anyone was listening. In my report, I noted that 'Much of what I said seemed to be news to a group which is dominated by primary and early childhood'.<sup>29</sup> A separate group was set up following this discussion, to consider aspects of senior curriculum, but this seemed to go nowhere – see below.

A draft curriculum was presented at a meeting of the reference group in October 2005, and publication of the final draft was planned for the first half of 2006.<sup>30</sup> In the end, it was November 2006 when PPTA's submission on the draft was presented. PPTA affirmed the many opportunities for teachers to be involved in its development, but noted that the contribution of secondary teachers had been 'less than optimum'. This was attributed to the competing workloads of NCEA implementation and over-dependence by the Ministry on online communication, and also to the fact that only two half-days had been provided for teachers to 'wrestle with the big questions raised by the document' which 'had left many teachers with more questions than answers and no time to explore further'.<sup>31</sup>

The submission cited Professor Guy Claxton of Bristol University, who had warned, at a recent NZCER seminar, that policy makers often seemed to believe that 'writing a curriculum document is about 70% of what is needed to achieve change in the classroom, whereas it is in fact only about 3% of what is needed'. The Ministry, at that stage, was silent on plans to assist schools to turn the 'fine words' of the curriculum into a reality in every classroom. The submission warned: 'The fact that the draft was developed in consultation with some members of the profession does not ensure that it will be readily adopted by the whole profession.'<sup>32</sup>

PPTA raised concerns that the flexibility that the curriculum purported to accord schools was 'not universally endorsed by our members'. One member was quoted as saying:

There doesn't seem to be enough direction to inform any school. Schools will pick and choose and do what they want to do, rather than following a consistent and directed path. This will leave big opportunities for inconsistency throughout New Zealand.

The submission argued that teachers would need reassurance:

... that their schools cannot go off onto wild tangents that abandon whole learning areas by, for example, choosing not to offer the Health and Physical Education, or the Arts, or the Technology curricula at all, focusing instead on a very narrow, traditionally academic curriculum. Schools are most comfortable with flexibility within broad national parameters ... Teachers need quality guidance about appropriate curriculum for their learning area(s), particularly when there is a range of initial teacher education approaches, many new teachers coming from overseas, and many subject specialists in isolated circumstances in small schools.<sup>33</sup>

In March 2007, the Reference Group was asked to review the enormous amount of feedback received through the consultation process. Neither the reference group, nor the sector, was satisfied that the draft had 'hit the spot'. Academics Lester Flockton and Graeme Aitken both commented that while the curriculum should not be a 'how to do it' document, it still needed to be absolutely clear what it meant. Aitken said: 'The design should do as much of the difficult work as possible to help teachers understand its intentions and expectations.' He said it was clear that schools 'wanted freedom/autonomy within prescription/constraint'. He also noted big differences between the responses of secondary and primary teachers, with secondary teachers less satisfied with the draft.<sup>34</sup>

Our largely secondary subgroup at the meeting had a long list of concerns, such as: the Ministry's continued failure to sort the senior curriculum area; the need to show teachers how the Key Competencies could be woven through the learning areas and to clarify that they were not intended to be assessed in isolation; the need to re-look at the mandating of the Learning Languages area; the rewrites needed for a lot of the sections in the 'front end'; the need to build in sustainability through more than just passing references to the environment; and the hardy old implementation issues such as timeframe and support.<sup>35</sup>

The reference group met for the last time in June 2007. Major changes had been made to the 'front end', especially the 'Designing a school curriculum' section. There was a report from Ministry official Kiritina Johnstone about the work on Te Marautanga o Aotearoa, and it appeared they were making good progress towards having a final document to launch in the second half of 2008, a year after the English-medium document.<sup>36</sup>

Soon after this meeting, the issue of teacher release for curriculum implementation was raised with Minister Maharey. PPTA argued in a paper to him that there would be greater teacher goodwill – making the implementation of the new curriculum smoother and more complete – if the government were to authorise schools to close for four half days per year between 2008 and 2010 (by which year curriculum implementation was to be complete). The paper proposed that the time could be used flexibly by schools for a mix of professional development sessions, planning, resource development and other activities.<sup>37</sup> The Minister assured PPTA that the union would be consulted further about this.<sup>38</sup>

The final curriculum was circulated under embargo until 6 November to members of the Curriculum Project Reference Group. Unfortunately I was unable to attend the launch, but President Robin Duff attended, and commented that at the meeting of the reference group immediately prior to the launch, he gained an impression ‘that the Ministry officials were going to some effort to “massage the messages”, so they must have been concerned that there would be negative reactions from the sector’. On the other hand, I commented that the final document was noticeably improved compared with the last version the Reference Group had seen.<sup>39</sup> The official implementation year for the new curriculum was 2010.

### **Navel-gazing about the senior curriculum**

By 2005, there had begun to be rumblings from secondary school representatives on the Curriculum Project Reference Group about the need to provide some guidance about the senior curriculum. Without something of that kind, it was felt that schools would simply design their curriculum around the available achievement and unit standards; in other words, an assessment-first curriculum would result. There had also been a recommendation in the Curriculum Stocktake report, ‘That further policy on the senior secondary school curriculum is undertaken.’<sup>40</sup> This was to be ‘after the full implementation of the NCEA’, but as will be seen in the next section, the constant ‘refinement’ of the NCEA meant that there was really no obvious point at which it could be seen as ‘fully implemented’.

The first attempt by the Ministry to do something was led by officials Steve Benson and John Laurenson (a former PPTA Executive member). They produced a draft consultation document which scoped the issues and



asked a series of questions. The paper contained a lot of history of the subjects covered by achievement and unit standards, and made the point that all the standards provide is a description of what is required to be demonstrated to achieve the standard, but little or nothing about the learning that would be required. This risked the learning experiences for students being atomised, with neither the students nor the teachers recognising the integration between topics within a subject, or between subject areas. Research into student motivation with regard to the NCEA had shown that for a large body of students, a 'just enough' approach was evident. The report noted: 'By keeping the focus on the individual standards and the obtainable credits, students, and some teachers, are losing sight of the overall goals of education in the senior secondary section of schooling.'<sup>41</sup>

PPTA was keen to see this paper refined before wider consultation was undertaken. However, nothing happened for about a year, until, in December 2007, the Ministry convened a small meeting of some secondary people to discuss developing a 'companion document' to the New Zealand Curriculum, that would be about the senior secondary school. There was enthusiasm from the secondary representatives, and lots of ideas for content of the document were tabled, such as how to apply the 'front end' of the curriculum right up to the end of Year 13, within the disciplines; how to reduce the quantum of assessment and go for depth within the disciplines; effective pedagogy at senior level in the different disciplines; and pathways guidance and pastoral care at the senior level. The Ministry's timeframe was to have a document draft by the end of the following year, 2008.<sup>42</sup>

In March 2008, Executive member and Curriculum Advisory Committee (CAC) member Hazel McIntosh attended a meeting on the planned document, which by this time was just to be a web-based resource. She described the meeting as 'just a talkfest really' and wrote: 'In reality there are some very serious systemic problems for implementation in the senior secondary that make all this somewhat tinkering.' She was pessimistic about the likelihood of anything eventuating:



**Northland Executive member Hazel McIntosh represented PPTA on several groups about curriculum and the NCEA**

We ranged all over the place because there was no mandate to talk about the glaring problems that exist in trying to implement the ‘key competencies’ in the senior secondary, and that was what we all wanted to talk about. I am not sure that this group will meet again. I think Schools Plus<sup>43</sup> is growing exponentially and will engulf all in its path.<sup>44</sup>

Then in June, Hazel and I attended another meeting which this time purported to be about ‘creating innovative secondary school environments’. At this stage it was a little clearer what the curriculum support material might consist of. However, the group told the Ministry that its timeframe was ‘outrageously late in the piece’.<sup>45</sup>

The working party never met again, and although an area about the senior curriculum was eventually created on the Ministry’s Te Kete Ipurangi site, and subject guides were also eventually produced, it was clear that the Ministry had no funding for any kind of professional support beyond web materials.

## **Curriculum Support Days**

PPTA, on the other hand, stepped up to support secondary schools and teachers with the implementation of the New Zealand Curriculum, especially in terms of providing guidance about how to design a

curriculum-led, rather than an assessment-led, curriculum in individual subjects. This took the form of what became known as the Curriculum Support Days.

As was so often the case, the government had failed to properly resource the implementation of the new curriculum. There was a short-lived Curriculum Implementation Reference Group, which had met in April and May 2007. At the May meeting, Ministry officials revealed that they did not anticipate that the Minister would agree to granting schools extra Teacher-Only Days to work on implementation. Sector representatives agreed they would have to step up lobbying about this. I made a speech about ‘the unfortunate consequences to implementation of the near-coinciding of the expiry of the STCA, the recent changes to NCEA needing implementation, and the announcement of a new curriculum without any allowance for extra teacher workload’, and a woman sitting next to me, who was supposed to be managing the public relations for the Curriculum Project, muttered ‘A PR nightmare, if you ask me!’<sup>46</sup> In the end, two half days were allowed in 2008.

In June, the Ministry produced a small document titled ‘Giving effect to the New Zealand Curriculum 2007–2011’. While it stated that the implementation project would ‘support schools as they give effect to the New Zealand Curriculum (NZC)’, the document was very light on how this support would be provided. The bulk of it seemed to be about the Ministry contracting various researchers to monitor the implementation by schools, a good example of the Ministry’s tendency to weigh, rather than fatten, the pig.<sup>47</sup>

A Ministry official suggested in July 2008 to NZEI and PPTA that there could be a ‘roadshow’ in early 2009, funded jointly by PPTA, NZEI and the Ministry to provide a professional learning opportunity for people from primary, area and secondary schools. CAC recommended to Executive that this idea be rejected outright, because it was too ‘broad brush’ to meet secondary teachers’ needs, which would be more around subject-specific support and could provoke quite negative reactions from members. Instead, CAC wanted pressure to be put on the Ministry to make progress with subject guides for the new curriculum, and suggested PPTA work with subject advisors and subject associations on how secondary could be supported. The Committee had in mind something that would capitalise on the NCEA seminars PPTA had held earlier that year, perhaps by providing

or supporting others to share the sort of resources they felt secondary teachers needed and which the Ministry seemed incapable of producing.<sup>48</sup>

At a further meeting in September, CAC came up with a highly ambitious plan to offer ‘a nationwide series of regional “jumbo days” from Term 2, 2009’. The term ‘jumbo day’ was used because it was familiar to secondary teachers from the early years of NCEA, and referred to all schools in an area holding a common Teacher-Only Day (TOD) and working together in subject groups to prepare for implementation – this time of the new curriculum. CAC made 12 recommendations, ranging from bringing together subject experts for two days to prepare resources to finding and training subject specialists in local areas to facilitate the workshops, contracting Dr Rosemary Hipkins from NZCER to provide expertise to the project, publication of the resources on the PPTA website, asking the Ministry for funds to help run the project, and persuading the Minister to provide two Teacher-Only Days in 2009, one of which would be used for the jumbo day and the other for in-school follow-up.<sup>49</sup>

By the time the recommendations got to the Executive table two weeks later, the Ministry had offered \$60,000 to PPTA to support the project. It was anticipated that PPTA would need to find a similar amount. Executive approved the project, and the planning began.<sup>50</sup>

At the Annual Conference that followed straight after this decision, Prime Minister Helen Clark, having been briefed that PPTA was putting its own money into the project, announced two full Teacher-Only Days for 2009, so that overcame one potential obstacle to teachers being able to attend.<sup>51</sup>

It was fortunate that by the time this project began, there were two Advisory Officers specialising in professional issues, because without the second person, AO Sarah Dalton, it simply could not have been done. Even so, it was an enormous task to take on, with a relatively tight timeframe.<sup>52</sup>

There were the predictable hiccups. I sent an email to all principals on 21 October giving them advance notice and asking them to use one of their Teacher-Only Days for their teachers to attend their region’s Curriculum Jumbo Day, and explaining what would happen on the day. I also informed them of an Executive decision in September that non-members of PPTA would be required to pay \$250 for the day, which principals might choose to fund or might leave teachers to fund themselves.<sup>53</sup> There was a flurry of protest about this, including from the Ministry who threatened withdrawal

of its contribution. A further email was sent to principals, promising that Executive would be reviewing the non-member fee at its meeting at the end of November. It explained that the decision to charge had been made prior to the Ministry's offer of funding, but that this would now be revisited.<sup>54</sup> When Principals' Council met on 5 and 6 November, there was a degree of grumpiness from them; however, they were mollified after President-elect Kate Gainsford and I shared more information and consulted them on a first draft of the schedule.<sup>55</sup>

CAC had already met by teleconference on 30 October and agreed to recommend that the decision to charge non-members \$250 be rescinded.<sup>56</sup> This was agreed to by Executive in late November, along with another long list of recommendations from CAC's meeting on 14 November.

That meeting had been called as a result of negative publicity about the project, including in the *Listener* and in *Education Review*, and there was a need to decide whether to go ahead in the face of this. The *Listener* article, for example, had extensively quoted Peter Gall, the President of SPANZ, and David Hodge, Rangitoto Principal, also a member of SPANZ. The proposed fee for non-members had angered them, but they also perceived PPTA as being an inappropriate organisation to provide professional learning, and saw a potential conflict of interest because the curriculum changes would require extra work by teachers. They were also annoyed by the Ministry's part-funding of the project; Mary Chamberlain, for the Ministry, defended that decision, saying that the Ministry had 'a range of training and professional development initiatives as part of implementing the new curriculum' and was 'being supported in that work' by PPTA and NZEI.<sup>57</sup>

By the time CAC met, staff were able to report that 'while there had been a few principals, largely in Auckland, who had responded negatively, there had also been a good spread of principals across the country who had offered their schools as venues, staff as local facilitators, etc. and who obviously didn't consider the proposal controversial'. CAC felt that most schools would buy into the project because it was not a 'one size fits all' model, it had Ministry funding, and teachers needed support. Although there had been a change of government since the funding was offered, it seemed unlikely that the new government would dump on the project.<sup>58</sup>

CAC recommended that the name of the days be changed from 'Curriculum Jumbo Days' to 'Curriculum Support Days' (CSDs), because Principals' Council had suggested that there were some negative connotations of the 'jumbo day' name, and it preferred the new name. The lack of funding for travel for isolated schools had also bothered Principals' Council, but no solution had been found to this problem, although the Ministry had agreed to 'investigate possibilities'. There was also an issue of how to support branches to be able to attend. An earlier recommendation, endorsed by Executive, had been 'That PPTA branches be instructed to advise their principal that they wish to attend their regional jumbo day and request that the school declare the day as a Teacher-Only Day', but with the controversy that had developed, this seemed likely to simply antagonise ambivalent principals, so that was rescinded, and a new recommendation made, 'That PPTA branches be encouraged to advocate strongly to their principal the right to attend a curriculum support day'. It was also recommended that from then on, all communications to principals and regular newsletters about the project be co-signed by the President and the Chair of Principals' Council.<sup>59</sup> Executive supported all these recommendations. A logo was also prepared which had both PPTA's and Principals' Council's names at the bottom.

When Principals' Council met in February 2009, most of its reservations appeared to have faded, although it asked to have the design of the day distributed as soon as possible 'so that schools could decide whether they should be going'. Staff advised the Council that even private schools were now being made welcome – in fact, at least one of these was delighted to be a host school in its region.<sup>60</sup>



**Subject experts preparing materials for Curriculum Support Days 2009**



**Dr Rosemary Hipkins working with a subject group at Curriculum Support Days Experts Forum**

The two-day Experts Forum with the subject specialists who were to develop materials at junior and senior level for teachers to work with on their Curriculum Support Days was held on 6–7 April 2009. Eighty-seven people attended: subject experts nominated by subject associations and other sources; Dr Rosemary Hipkins as a consultant; ten advisors from

School Support Services to be a resource and to develop a package for training local facilitators; plus PPTA and Ministry staff. All curriculum-related subjects taught in the senior secondary school were covered. There were also five ‘special interest groups’ – Careers, ESOL, special education, guidance counselling, and leadership of the curriculum across the school – so that there would be a ‘home’ for everybody on the day, and because the new curriculum had implications for all roles. For most subjects or special interest groups, there were two people so they had someone to bounce ideas against. The Forum was led by Rosemary Hipkins, who began by running a series of sessions on ‘weaving’ the front end of the curriculum into subject-specific units of work, and then worked with individuals on any challenges they were confronting.

At the end of the two days, approximately 90 separate resources had been prepared, and these then had to be edited and formatted for consistency. In a Milestone Report to the Ministry, PPTA wrote:

PPTA believes that the resources are at a very high-quality level. They will focus teachers on a process for adapting their own resources, rather than delivering units of work that they can download and use without in-depth thought.

The materials were all published in a dedicated section of the PPTA website, but were also printed in hard copy for teachers attending the Support Days. The feedback on the Forum from subject experts was overwhelmingly positive.<sup>61</sup>

A final schedule had been published at the end of the previous year, and from then on it was a matter of filling in gaps in terms of venues, local facilitators, and registrations, communicating (repeatedly) through newsletters and the website, information about what teachers should take, where they should go, what they would be doing for the day, and whom to contact if they still had questions.<sup>62</sup>





**Technology teachers working together at St Bedes, Christchurch Curriculum Support Day 24 May 2009**

Between 18 May and 28 August, 24 separate Curriculum Support Days were held, with most in Term 2 and just five in Term 3. In an evaluation of the project written in September 2009, Sarah Dalton and I were pleased to report that ‘Nearly every state school, and many independent schools, participated in the CSDs. A small number of schools decided to have their own Teacher-Only Day (TOD) on the designated day, and a few sent selected departments or staff’, and ‘A small number of large schools in some centres did not participate’. In total, 14,075 teachers had been registered.<sup>63</sup>

We were pleased that PPTA’s professional role had been acknowledged. We commented:

While a number of teachers took the opportunity, when meeting PPTA staff on the day, to comment on the Ministry of Education’s failure to properly resource curriculum implementation, and some queried use of PPTA money to fill the perceived gap left by the Ministry, many were pleased that the union was offering some curriculum leadership. By and large, school leaders believed that by working in partnership with PPTA, a productive day would eventuate. The marketing of the Curriculum Support Days as a partnership between SPC and PPTA helped build confidence about this.<sup>64</sup>

We believed that PPTA’s relationship with subject associations and School Support Services had been strengthened by working with them on the project. Initial teacher educators had also been grateful for our willingness to include their students in the days.



**AO Sarah Dalton with a pile of CSD materials for sending out to schools**

The logistics had been huge. While in some smaller areas, one school had been able to host all the subjects, in most areas this had to be shared across up to ten host schools. PPTA had to provide signage and advice on how to organise things, including catering.<sup>65</sup> We had also had to find host schools for sessions where we trained the facilitators, usually late afternoon the day before, and there was catering for this. PPTA staff delivered a box of chocolates to every host school, in itself a major undertaking!<sup>66</sup>

The model had been presented to teachers as professional development ‘by teachers, for teachers’. This was appreciated by most participants, with one head of department commenting:

Thanks for letting us facilitate it ourselves, for not shoving an ‘expert’ academic in front of us and telling us how to do things. What we needed was time to ‘get on with it’ and we did.

There were the inevitable problems to resolve. At times, it felt as if we were walking a tightrope, trying to keep the project on track. In our conclusion, Sarah Dalton and I suggested that perhaps CAC had not spent enough time considering the risks of the project, although we had managed to avert most of these in the end. We concluded that ‘Overall, the benefits of the CSDs have outweighed the risks – but at times this seemed like a close-run thing.’<sup>67</sup>

In addition, there was a significant budget overrun on the project. Printing costs were more than twice what had been anticipated, partly

because some had to be contracted out, and partly because we had not anticipated the scale of the courier costs. In addition, the Ministry demanded that PPTA fund the accommodation costs of the nine School Support Services advisers who attended the Experts Forum, on the grounds that we had added to their role as observers by accepting their offer to develop the facilitator training package. Reporting this to Management Committee, I wrote:

This was churlish in the extreme of the Ministry, but happened at a stage when it was too late to change anything. Ministry officials claimed that they had never agreed to fund the full costs of these people anyway, and unfortunately there had been only a verbal undertaking.

I recommended to Management Committee that PPTA ‘invite’ the Ministry to make a further \$17,000 contribution to ‘cover the cost overrun on the Experts Forum’. I suggested this on the grounds that the Experts Forum was the part of the original budget that the Ministry’s \$60,000 was planned to largely cover.<sup>68</sup>

Management Committee, however, decided to go further, and resolved to ‘invite the Ministry of Education to contribute a further \$30,000 to cover the cost overrun of the Curriculum Support Days exercise’.<sup>69</sup> In the end, the Ministry contributed a further \$20,000.<sup>70</sup>

## **Curriculum Refresh**

The *NZ Curriculum* became mandatory for schools from 2010, and a period of some curriculum stability ensued for most of the second decade covered here. But secondary teachers had to grapple with revised achievement standards as a result of aligning them to the new curriculum. These standards were introduced progressively over the next few years.

However, in March 2021, following on from the three years of ‘education conversations’ during the Labour-led Government’s 2017–2020 term, Cabinet approved an education work programme for the next three years which included the intention to ‘Refresh the national curriculum’ (which includes both the *NZ Curriculum* and *Te Marautanga o Aotearoa*).<sup>71</sup> This had been preceded in February by an announcement from Associate Ministers Jan Tinetti and Kelvin Davis that the refreshment would be a phased approach over five years ‘so it remains fit for purpose and is clearer about what our tamariki need to learn at school and kura’.<sup>72</sup>

In May, CAC and PIAC met jointly to begin to consider the implications of some of the changes announced in the work programme.<sup>73</sup> This led to a conference paper which described the origins and rationale for the Refresh, and the likely process. The paper expressed concerns about the Ministry's processes for filling positions on its various consultative groups for the Refresh. The union had struggled with demands for PPTA to produce names within short timeframes, and some of these had then been rejected by the Ministry. There had been a concern that the main Ministry consultative mechanism, the Curriculum Advisory Group, lacked representation from secondary school practitioners. This had been raised with the Minister and the Secretary for Education by President Melanie Webber and SPC Chair Kate Gainsford, resulting in a joint SPC/SPANZ representative being added. The paper also expressed concerns about: the Refresh being more of a rewrite and an overhaul, the changes being likely to require 'significant pedagogical shifts and changes to teaching and learning programmes'; the changes and their timing not being properly aligned with the NCEA changes: and the likely impact on middle leaders 'as they seek to make sense of them for the subjects they lead'.<sup>74</sup>



**Louise Ryan, Tamaki Makaurau Executive member, represents PPTA on several curriculum and NCEA groups**

Covid-19 has had an effect on the timeline for the Refresh, with the Minister announcing in November 2021 some deferment of implementation dates, including for the government's flagship Aotearoa New Zealand's histories (Te Takanga o Te Wā). This content was released in March 2022, and schools are welcome to implement it from then on.<sup>75</sup>

A further paper was presented to Conference 2022. This focused largely on the NCEA Change Package, and seemed reasonably happy with the direction and speed of the Curriculum Refresh, although reiterating the concern that this was more than a simple 'refresh' of the curriculum.<sup>76</sup>

## **Continuous refinement of the NCEA**

The National Certificate of Educational Achievement (NCEA), New Zealand's school qualification system, owes much to advice and advocacy by PPTA over many decades prior to its commencement in 2002.<sup>77</sup> The two decades covered in this history begin as the NCEA began to be implemented, but that first year of implementation, 2002, also saw possibly the worst industrial conflict that PPTA had ever experienced. Despite that, and despite the fact that some of the industrial action targeted the NCEA itself, the first year of assessment was completed and Year 11 students received their first NCEA credits. That was something of a miracle.

In a February 2002 paper reflecting on the latest membership rejection of a settlement package that had been recommended by Executive, Senior Vice-President Graeme Macann considered the part that poor NCEA implementation was playing in the industrial unrest. He recalled that in his final presidential report to Executive in November 2000, he had noted that 'If the government wants successful implementation ... then it must resource the secondary sector appropriately and take secondary teachers' concerns seriously.' He said that the comment had reflected his 'growing sense of dismay' that PPTA had worked collaboratively with the Ministry on NCEA developments, 'yet there was no appreciation on their part that getting such an innovation accepted in the sector would require sweeteners'. He described the Ministry's policy development processes as 'hand-to-mouth and naïve', and 'of little use as we approached the hard part of putting the NCEA in place within a somewhat browbeaten workforce who had not much enthusiasm for it'. Of concern also was the evidence that

teachers ‘had very little knowledge of, or ownership of, our own policy positions on qualifications, and that was deeply concerning’.<sup>78</sup>

## **Industrial action on NCEA**

Up to that point, Executive had been reluctant to call on industrial actions related to the NCEA, despite the evidence that members would not be opposed to this. In fact, Advisory Officer Andrew Kear, at the same time as advising Executive of the risks in such action, admitted that more than half of the membership was ‘clamouring for NCEA action’.<sup>79</sup> By February 2002, there seemed little option, but at that stage there was just a ‘mark and keep’ action called on, which involved teachers not putting results into the school’s system nor sending samples of work away for moderation. It was hoped that this might avoid huge opposition from students, family and the public. Executive did have in its back pocket further NCEA actions to be called on as needed: ceasing all assessment, then refusing to be involved with exam processes, then withdrawing from involvement with Levels 2 and 3.<sup>80</sup>

After another non-ratification in May, there seemed no choice but to ramp up the industrial action, including around the NCEA. As well as reinstating the initial ‘mark and keep’ action, Executive decided to announce that members would not prepare for implementation of NCEA Levels 2 and 3, subject to a ballot of members.<sup>81</sup> As the year ground on, though, support for the initial NCEA ban started to be hard to maintain, with an industrial action ballot in June showing it had dropped below 50%. The longer the ban was left in place, the worse the workload would be when it finally was lifted. However, there was greater support for refusing to prepare for Levels 2 and 3, in the hope they would be deferred. I recommended to Executive that the ban on submitting results be lifted by 1 August, while the ban on submitting material for moderation continue in the meantime. The idea of deferring Level 2 to 2004 and Level 3 to 2006 was popular at this stage, and PPTA knew that it could be done.<sup>82</sup>

At the end of July, PPTA and the government agreed to enter arbitration. Executive decided to lift the Level 1 bans as a gesture of goodwill, but to seek the deferment of Levels 2 and 3 through the ADR panel process, and to instruct members ‘not to participate in any activities that would enable the implementation of NCEA Level 2 before 2004 or Level 3 before 2006’.



They also called on the government to convene an NCEA Summit, ‘to review and advise on implementation issues’.<sup>83</sup>

### **Struggles over the implementation timeline**

The matter of whether Level 2 should go ahead in 2003 was still worrying the Minister at the end of August, although by then the ADR’s recommended pay settlement had been ratified. Senior Vice-President Graeme Macann was invited (as an individual, not as a PPTA representative) to a meeting with the Minister, several principals, and Ministry and NZQA officials on 30 August, at which the issue was the focus. The Minister said he had been getting mixed feedback about feasibility, which conflicted with his wish to have the qualification completely in place by 2004. The group was aware that PPTA’s annual conference paper ‘The NCEA – Result: Not Yet Achieved’ recommended instructing members not to implement Level 2 in 2003 or Level 3 in 2004, and Graeme said the focus of discussion became ‘How could we make those bans go away?’ Although Graeme was not there as a PPTA representative, things clearly became quite heated as the meeting progressed, and he reported:

Towards the end of the meeting the Minister noted the potential for a mighty clash with PPTA, on legal and other fronts, and said that if it came to it, it would make the last 18 months look like a ‘Sunday School picnic’. He also made the gratuitous remark that he didn’t think the union should continue to exist, a reference to his belief that we should be hitched to NZEI. How he can believe that is remotely possible given the wildly different pay rounds recently is beyond me. When he referred again to trying to get a consensus among PC, SPANZ and STA, I told the meeting and him that firstly, STA had no status in the sector, were treated with derision by my own Board, and that he ought to talk to PPTA.<sup>84</sup>

In the end, a supplementary conference paper was produced, titled ‘Seeking consensus’. The paper explained that while the union was maintaining its position about Level 2 and 3 implementation, and Level 2 training had been postponed indefinitely, the consensus on this was fraying, and some principals were claiming that their schools were ready to implement Level 2 in 2003. In late August, the Minister had announced an intention to make implementation in 2003 optional, with Sixth Form Certificate (SFC) available for those schools or individual departments that chose not to opt in. There were bigger issues, though, about whether Level 3 could be optional in 2004. The paper predicted that ‘most schools and

departments would choose to defer implementing Level 2 until 2004, if the alternative of SFC was available, and Level 3 until 2005 if the alternative of Bursary was available.’<sup>85</sup> The paper recommended that full implementation of Level 2 be deferred till 2004, and of Level 3 till 2005, but allowed ‘limited monitored implementation’ on the original timeframe, as long as there were secret ballots in departments about whether to proceed or not.<sup>86</sup>

These recommendations had a fraught passage through Conference, with a group of members succeeding with a detailed amendment that greatly tightened the conditions on how schools and departments could make a decision to proceed with Level 2 in 2003.<sup>87</sup> The conditions imposed by the conference amendment required the union to produce guidelines for decision making, including that any branch where the whole school or department(s) were considering doing Level 2 was to convene a meeting that had to be attended by an executive member or regional representative ‘to ensure that members are not subjected to undue pressure from any quarter’. The union also had to put in place a monitoring process for those schools that chose to proceed with NCEA Level 2 in 2003. Guidance on all this was duly produced.<sup>88</sup>

However, by December 2002 it was clear that the horse had bolted, and NCEA Level 2 was proceeding in most schools, despite the inconvenience, no doubt, to NZQA of having to produce a ‘Transitional Sixth Form Certificate’ for 2003 and an array of rules to accompany it. The picture was unclear though. PPTA and NZQA were able to agree that, at that point, about 10% of schools were sticking entirely with SFC. What the rest were doing was a different matter. NZQA claimed that the other 90% were ‘doing NCEA Level 2’, but its small print admitted that this was actually ‘all or mostly Level 2’. PPTA separated the two groups out, and that showed that about 25% were doing a mix of the two. There were also some that hadn’t decided yet. Still, that left at least two-thirds of schools going ahead with Level 2.<sup>89</sup>

On the other hand, in a report to Annual Conference 2003, I felt able to claim that ‘in almost all cases these decisions to implement Level 2 were made by consensus’, but I was forced to admit that the monitoring system had essentially collapsed under its own weight and I concluded: ‘It would appear that a monitoring system of this kind does not meet the needs of members and branches.’<sup>90</sup> This had been apparent by April 2003, and it



became necessary to decide how to deal with the 2002 conference resolution that had demanded that in 2004, Level 3 implementation be optional and Bursary continue to be offered as an alternative. NZQA had always insisted that it simply could not offer the two qualifications in tandem, and this had been conveyed to conference delegates in the supplementary conference paper. Nevertheless, delegates had still adopted the following resolution: ‘That full implementation of Level 2 NCEA be deferred until 2004 and Level 3 NCEA until 2006.’

Executive resolved in May 2003 that members be balloted on rescinding that resolution.<sup>91</sup> This was done by a referendum in branches, and the rescinding squeaked through, with a 53% majority and with only 200 out of a possible 317 branches voting. Comments accompanying the branch results were pretty grumpy in some cases, suggesting that teachers were still very unhappy about the pace of change, and the inadequate resourcing of that change:

A critical mass of angry members obviously does not exist out there to change the government’s mind about the non-availability of Bursary in 2004 and 2005. The degree of apathy about the referendum as shown in the low poll, and the numbers voting No, do not suggest a membership who would swing into action with a ban on working on Level 3 or similar.

Rescinding of the conference resolution ... does not mean that the Association will ease up on the strength of its representations to government about the resourcing required for successful implementation of Level 3 and Scholarship next year. I do not believe that the agencies would interpret rescinding the resolution as an indication that we think all is now well. It is clearly not, and we will continue to tell them so.<sup>92</sup>

From that point on, schools largely focused on implementing the first iterations of the standards. Over subsequent years, tweaks (or more) were made to individual standards because of issues that developed with them. However, the next big phase of change was as a result of the new curriculum – see later in this chapter.

### **The Leaders’ Forum and its subgroup**

After the fracas over the timing of implementation of each level, things went a little quieter for a short time. The Secretary for Education, Howard Fancy, saw sense and reconvened the Leaders’ Forum, which he had unwisely wound up at the end of 2001 on the grounds that the qualification was moving to the implementation stage so the Forum wouldn’t be needed. This group had had many names over the years. In September 1999, when a

small principals' group was augmented by adding six PPTA representatives, it was titled 'The Principals' Consultative Forum'. By November 1999, it had become 'The Leaders' Forum' or alternatively 'The Secondary Schools Sector Forum'. When it reconvened in 2003, it was titled 'The Secondary Principals' and Leaders' Forum'. The issue about the name of the group arose because it had started as a small group of carefully selected principals who enjoyed their status, but when the Secretary decided to add six PPTA representatives, including even some practising teachers, plus representatives of a range of other groups, the select nature of the group was diminished. I have very vivid memories of John Morris, at that stage still principal of Auckland Grammar, saying ferociously (in my presence, but not to me), 'This is not a leaders' forum! It's got PPTA on it!' As far as PPTA was concerned, 'The Leaders' Forum' was enough as a name.<sup>93</sup>

The industrial conflict in 2002 had meant that reconvening the forum, while it might have been helpful, was probably not seen as politically viable. However, as things started to settle by May 2003, the Secretary for Education felt able to bring the Forum together again. Including Principals' Council's three members, PPTA had nine members of the Forum – half of its complement – with the other nine being from STA, Kura Kaupapa, SPANZ, and the independent schools. We were somewhat annoyed by Secretary Howard Fancy's opening remarks, in which he claimed that 'it was as much our Forum as theirs' and that the previous Forum had 'voluntarily wound up', which I described in my report as 'wildly inaccurate statements'. However, we swallowed our annoyance for the greater good.<sup>94</sup>

PPTA had been invited to front a presentation on our issues, and this focused on resourcing, including the variability of provision between subjects; manageability, including time spent on assessment being at the expense of teaching time, extra- and co-curricular activities, and teachers' personal time; complexity of course design; the burden of fees on families and on schools; software problems; communications; disparities between credit values for achievement and unit standards leading to credibility issues; and uncertainty about Scholarship.<sup>95</sup>



**Secretary of Education Howard Fancy and President Debbie Te Whaiti socialising at conference dinner, 2006**

These were typical of the kind of issues brought to the Forum over the years by PPTA activists. At least five of PPTA's representatives were always practising teachers who were living the day-to-day realities of trying to make the NCEA work for their students. They were also Executive members, so they had an accountability to PPTA members that few other members of the Forum ever had, especially as the Ministry kept adding various other sector groups to its membership, reducing PPTA's representation proportionately, but not its influence. The PPTA representatives always came to Wellington the evening before and had a dinner meeting where the team prepared its positions and strategy for the next day. Executive members who served the longest on the Forum were Jill Gray (Hawke's Bay, a Maths specialist), Penney Dunckley (Southland, a Graphics and Technology specialist), Hazel McIntosh (Northland, a Science specialist), and Kate Gainsford (Wellington, senior leader, President 2009 and 2010).<sup>96</sup>

The Forum continued to meet about three times a year until June 2012 inclusive, a history lasting 13 years, possibly a record for Ministry consultative groups. At the February 2012 meeting, Secretary for Education Lesley Longstone appeared for part of the day and told us that she was

‘reviewing all the consultative groups, and would get back to us about whether this one would continue’. We heard nothing, then – to our astonishment – another meeting of the Forum happened in June, while she was overseas. Both of these meetings appeared to have been cobbled together by the Ministry at the last minute. A meeting was scheduled for October 2012, but on 15 October, only a few days before the scheduled date, members of the Forum were notified of its demise. PPTA’s representatives had an informal discussion about writing to Lesley Longstone to protest at her decision to abolish it, however, this didn’t actually happen, and I commented to Executive early the next year that

Now that she has become the Dear Departed Lesley Longstone, it really seems rather purposeless! It does seem frustrating, however, not to have some kind of burial ceremony or at least a wake for a group with such an important history.<sup>97</sup>

In many ways, though, the Forum could only look at big-picture issues because of its size and infrequency of meeting. Increasingly, the Ministry tried to steer it in the direction of more general secondary schooling issues rather than NCEA specifically. This was justifiable in some ways, because in March 2005 the Leaders’ Forum had recommended that a subgroup be established to address technical issues in more depth, to provide advice and support in the ongoing implementation of the NCEA, and to engage directly with the Ministry and NZQA on issues as they arose. The group was to report regularly to the Forum on issues and progress, and its title, the Leaders’ Forum Qualification Group (LFQG), clearly indicated its nature as a subgroup of the Forum.

This decision was taken in a context where there was a sense of crisis building about the challenges of making the NCEA work. PPTA had just launched its focus group research on schools’ experiences of implementing the qualification, which had indicated major issues for schools and teachers.<sup>98</sup> The Forum meeting began with Secretary for Education Howard Fancy reading a letter from the new Minister, David Benson-Pope, which highlighted the need for action about variation in results, moderation, support for and communication with schools, teachers, students and parents, and professional development. The Scholarship Review Group (see below) had briefed the Forum on its discussions to date, and significant change was clearly required in that area. Even the Ministry-developed communiqué to schools from the Forum did not pull any punches:

Although the first cohort of students has gone through all levels, the Forum still sees much to be done in terms of completing implementation including the addressing of current issues. There was, therefore, a very sharp focus at this Forum meeting on what schools saw as the most critical areas needing attention and the immediate priority that needed to be given to them. The forum affirmed that the focus of this effort should be on both raising student achievement and ensuring that any disadvantage to individual students was minimised during this transition.<sup>99</sup>

The membership of LFQG, the subgroup, suited PPTA well. There was a Principals' Council member, a PPTA Executive member, and a PPTA staff member, out of a group with fewer than ten members in all (and sometimes the number of Ministry and NZQA staff totalled more than the representatives). The subgroup met for the first time on 26 April 2005. A decision was made that, in the main, there would be a presumption of openness, but that specific items could be kept confidential, either to our Executives only, or when absolutely necessary to members of the group only. The idea of this was to free up officials to consult on early planning or float 'blue sky' ideas without prejudice, and PPTA readily agreed in the hopes that our advice could forestall bad ideas being implemented because no one had talked to the union, as the experts on what would and wouldn't work in secondary schools. The group also floated the idea of occasionally meeting with critics of NCEA to hear their views, which I described as being received by NZQA officials 'smiling through gritted teeth'. Despite that, the first meeting decided to discuss this further at the next meeting.<sup>100</sup>

The first critic invited to LFQG was Professor Terry Crooks, from Otago University. Terry was an expert on the technical aspects of assessment, and he shared a wide-ranging paper including statistical work on variability, which was the issue of the day at that time because of inter-year and inter-subject variability in NCEA, and in Scholarship. By 2005, he was able to analyse three years of Level 1 results by standard and by averaging across whole subjects, and there were definitely problems, more in some subjects than others. It was clear, for example, that the year in which a student attempted a standard influenced the result they might achieve. Counter to popular views, though, this was more of a problem for externally assessed standards than for internals. He estimated that a maximum of 5% of teachers needed extra guidance and support to apply the internal standards correctly, which PPTA saw as quite a vote of support for teachers. On the externals, he said that it was simply impossible for one examiner and some checkers to set a 35–40 minute assessment that would be consistent from one year to the next, because there were too many unpredictable elements.

As an assessment technician, Terry's solution was to trial, somehow, the items to be used, perhaps with a group of students in a previous year or overseas. He also suggested choosing a year to use as a baseline for each standard, and recommended choosing one in which the results spread was approximately 5% Excellence, 20% Merit and 45% Achieved. He asserted that New Zealand had 'stumbled into a standards-based system without having any clear idea of how to make it work', and that we actually did not have a standards-based system because we were not applying a standard consistently. The standard was not the words, he said – it was the assessment task and marking that defined a standard. He also made a suggestion that was too politically fraught to be seriously discussed for some years, namely that schools should be encouraged to negotiate with their communities that they would not start assessment till Year 12, and use the level of assessment most appropriate for the student.<sup>101</sup>

The next critic up, in September 2005, was Professor Cedric Hall from Victoria University. He agreed with Terry Crooks that some kind of pre-testing of questions for the externals was required, because 'you are very unlikely to produce exactly similar assessments from year to year'. He also said variations should never be blamed on cohort differences (which officials had tried to do to explain them away) unless you can prove such differences, and he stated that variations were much more likely to be the result of assessment error. He also agreed with Crooks that the difficulties were with the externals, not the internals. Hall went on to present something that was a version of what is now being moved towards in the NCEA Review: he argued that there should be at most four standards in a subject, with one purely internal and the rest having a mix of internal and external assessment. He said 'What you would have then would be the benefits of the reliability of teacher assessment and a benchmark for looking at comparability.' He also argued that the bigger the standard, the better the opportunity to assess the integrative skills that were important, and the more manageable assessment was. I suggested to Hall that his idea of larger standards would take away the flexibility NCEA was supposed to provide, but his answer was that New Zealand had moved too far away from a concept of what constituted an appropriate curriculum for a subject, and that there should be national courses with specified assessment.<sup>102</sup>

There were no more visits from critics, but it is significant that over the years, both Terry Crooks and Cedric Hall were recruited by NZQA to serve

on its various technical advisory groups, so their expertise was not lost. It may well be that the officials felt that the group already included permanent critics, in the shape of the PPTA representatives.<sup>103</sup>

When the Leaders' Forum was wound up, it was decided to maintain an equivalent of LFQG, and a new name for it had to be found: Secondary Qualifications Advisory Group (SQAG). This began meeting in February 2013, and, ten years later, it continues to meet regularly.

### **PPTA steps up to gather the data**

In order to advocate for its members, the union has often needed to establish the facts itself to ensure its advice is well-informed. This included gathering facts around the NCEA.

Near the end of 2004, negativity about the NCEA was reaching an all-time high among members and in the public domain. There had been the scandal of Cambridge High School that had been claiming a 100% NCEA success rate – but this was discovered to be the result of assessment rorts committed with the support of senior staff.<sup>104</sup> There was anecdotal evidence that this sort of 'credit-farming' was not limited to Cambridge High, and was the result of the competitive pressures weighing on schools. Conservative schools were diving into Cambridge International exams and bypassing the NCEA, claiming it lacked credibility. I put the case for PPTA to gather data to support our advocacy:

The Ministry of Education and NZQA have asked PPTA to assist them to develop a programme of work over the next five years or so to improve the NCEA and more broadly the delivery of senior secondary school curriculum and qualifications. An evidence base is needed to drive this work plan, and we are in a unique position to deliver some of that evidence base. We need that evidence base so that our elected representatives and staff can feel secure that in the advice they give, they are genuinely being the voice of the profession.<sup>105</sup>

President Phil Smith and I proposed a national symposium on NCEA, with one representative per branch, preceded by branch meetings to inform the member who attended the symposium.<sup>106</sup> This was rejected by Executive for various reasons, not least the cost of nearly \$200,000. Instead, the relevant committees were directed to suggest an alternative that would serve the same purpose. CAC and PIAC met jointly, and proposed focus groups in up to seven representative schools between then and the end of

the school year. This was approved at an urgent meeting of Management Committee in late October.<sup>107</sup>

Despite the extremely tight timeframe, the focus groups took place across November and early December, thanks to the cooperation of schools selected for the sample. The final sample was nine schools, not seven, with two focus groups in most schools, because, to get the full spread of views, we needed to meet separately with teachers in leadership positions, and with classroom teachers. The schools were in Canterbury, Wellington, Manawatū, Auckland and Northland.<sup>108</sup>

PPTA hired a university student to help with the logistics and the transcribing. He completed the transcribing before Christmas, and the coding and writing were well advanced by mid-January. In retrospect, having more time would have resulted in a more tightly edited report than the 150+ page tome produced, but members seemed pleased that their voices came through so clearly in the report.<sup>109</sup> Secretary for Education Howard Fancy agreed to give PPTA time to present the research at the first Leaders' Forum of the year.<sup>110</sup>

There had been another part of the Management Committee decision the previous year, namely that the focus group research be followed up in 2005 with a survey of members. However, in January 2005 I argued that this was unnecessary:

The focus groups have provided in-depth information from 9 schools which covered a good range in terms of size, type of school and general feelings about NCEA ... We heard from 106 teachers whose views covered the full range from enthusiastic support to strong resistance. There is nothing in the findings to suggest that the current PPTA policy of cautious support for the NCEA but with reservations about resourcing, time, etc. is misplaced. There is nothing in the findings which requires clarification by quantitative means. It is my view that the depth and complexity of the data we already have is far superior to anything we would get from a survey.<sup>111</sup>

Executive agreed. The research was publicly launched on the morning of 10 March. A substantial slot at the Forum, which began later the same day, was set aside for discussion of the research, and the official communiqué from the meeting included the statement: 'The Forum drew extensively on this report in its discussion across the two days.'<sup>112</sup>

A 20-page summary was prepared, and copies of the summary and the full report were distributed to all secondary and area schools, Forum



members, media, politicians and more. In all, 1,500 full reports and nearly 3,000 summaries were distributed.<sup>113</sup>

The report revealed a mixed picture. It portrayed:

... a profession which is engaged on a hugely important project which is challenging the intellectual, emotional and physical resources of teachers to the maximum. Teachers talked in the focus groups about some really fundamental issues about teaching and learning, and the assessment of learning. They were wrestling with huge dilemmas brought upon them by the design of the system, but they were also excited about the opportunities for creative approaches to teaching and to curriculum organisation that the system presents.

On the other hand, it also asserted:

Many of them expressed a belief that they had been let down by the central agencies, who had failed to support the change to the new system adequately in a wide variety of ways. It is quite clear that without their professional commitment to putting their students first and to delivering for them whatever the shortcomings of the support provided, the implementation could never have been successful.<sup>114</sup>

While the report concluded that only about 10% of focus group participants wanted to return to the previous qualification system, and about two-thirds of them thought NCEA was definitely better than what it had replaced, it emphasised that improvements were needed in areas such as inconsistency of exams; lack of credit equity between standards; impacts on student motivation, resource provision and professional development; support for school management of the qualification; and external moderation. These and other issues continued to be the focus of discussion, research and advocacy over the succeeding years.

## **The Scholarship debacle**

From 1999 through to 2004, the first year of the new Scholarship, various working parties had discussed its purpose and its mode of assessment. It was registered as a qualification at Level 4 on the Register of Quality Assured Qualifications, the same level as the first year of university qualifications, so it was intended only for the most capable students. Specific Scholarship standards (one per subject) were written and published at the end of 2003. Most of these standards were to be assessed by a single written exam, though in a few subjects by a portfolio of work.<sup>115</sup>

Unfortunately, results in the first year varied wildly, from over 50% of candidates achieving Scholarships in Accounting, some foreign languages

and Te Reo Māori, to none in Physical Education and fewer than 5% in Media Studies, Biology and Physics. This was a major embarrassment to the government, as it had been fighting assertions from conservative schools that the NCEA did not provide enough challenge for the most academic students, and a robust Scholarship exam was part of rebutting that claim. A Scholarship Reference Group was convened urgently to advise the government on changes needed for 2005. PPTA was represented by SPC Chair Don McLeod and Executive member Kate Gainsford. They met intensively over two weeks to produce their report.<sup>116</sup>

The Reference Group recommended that Scholarship should require a student to demonstrate high level critical thinking, abstraction and generalisation, and also the ability to integrate, synthesise and apply knowledge, skills, understanding and ideas to complex situations. However, the politically heated issue of variability also needed to be addressed. This was far from simple. The group's report listed at least eight possible sources of variability and discussed the complexities of achieving inter-subject and inter-year comparability in a standards-based system. The solution it reached was to use a more finely graded assessment schedule that would allow students to be ranked, and to award a pre-determined number of scholarships in each subject, derived from a set percentage (2–3%) of the number of students in a subject at Level 3. Assessment would then determine which candidates should receive a Scholarship. To allow more time for marking and careful analysis of results, the timeframe was extended into February. A technical group of assessment academics was recommended to oversee Scholarship each year.<sup>117</sup>

Since then, Scholarship has gone quite smoothly. There have been accusations that it is no longer standards-based assessment; however, these are generally based on the misconception that assessment is either norm-referenced or standards-based, whereas the academic literature talks about a continuum from extreme norm-referencing to extreme standards-based assessment, and Scholarship assessment has simply shifted a small way on that continuum.<sup>118</sup>

**Kate Gainsford** President 2009 to 2010



Kate joined Executive in 2003 representing the Wellington-Marlborough region and became Junior Vice-President in 2007. She recalls her work towards better Tiriti relationships as very important. She was the first President to have the ceremonial Korowai laid across her shoulders by Kaumātua Te Whare Turuwhenua, and he first suggested a name for the presidency, Te Manukura, during her time in office. She introduced the practice of beginning each executive meeting with a whakataukī, as a way of bringing a focus to the hui, firstly choosing one herself in consultation with mentors, and then later encouraging other members of executive to bring an appropriate whakataukī. She grew up in Rotorua with Te Reo me ona Tikanga around her every day and was surprised to find there were Tauwiwi executive members without that level of understanding, something she was keen to change. She found the union's connections with international education groups illuminating and useful, for example discovering evidence to show that in jurisdictions where principals were not included in their teacher union, both principals and teachers were worse off. The Taumata Whanonga was also a high point for her, with its emphasis on the socialising role of schools. Not long after her time as President, Kate became principal of Aotea College in Porirua, and at the time of writing is also Chair of PPTA's Secondary Principals' Council.

## **Curriculum alignment of NCEA standards**

Alignment of achievement standards to the new curriculum was included in a wider review, titled the Standards Review, which began behind the scenes in 2007 with work on a set of principles for standards development and review, and a definition of an effective standard. The next two phases of the review, aligning achievement standards to the revised curriculum and decision making about changes in the design of the qualification itself, happened concurrently in 2008 to 2010.<sup>119, 120</sup>

PPTA's lobbying of the Minister resulted in an announcement in December 2008 extending the original timeline for implementing the revised standards, so that the new Level 1 standards would be used in 2011, Level 2 in 2012, and Level 3 in 2013. This allowed for wider consultation on drafts and trialling prior to implementation. The extension did not apply to implementation of the curriculum itself. Most of the curriculum was mandatory only to the end of Year 10, but the principles, values, and key competencies were still supposed to be 'implemented' from 2010.<sup>121</sup>

At first, Minister Tolley was unsupportive of declaring Teacher-Only Days for work to proceed on the revised standards. However, at the 2011 PPTA Annual Conference, she announced that teachers could have two days in 2012 and two in 2013, having earlier announced two in 2011. There had been two days given in 2009 for curriculum implementation, but in a letter to President Kate Gainsford in 2010, the Minister had refused any for 2010 on the grounds that reviewing and planning courses was 'business as usual' in secondary schools.<sup>122</sup> The change of heart in 2011 may have been largely the result of the settlement of the STCA rather than any change in the demands on teachers.<sup>123</sup>

The Minister also announced at the 2011 conference that she had approved changes in the moderation system which she was confident would 'have a significant impact' on teacher workload for NCEA. She removed a requirement to have 10% of students' work moderated, and changed the moderation sampling to a first sampling from a purposely designed selection of standards that were new or problematic, or in particular subjects that were having assessment inconsistencies, and a second sample that was randomly selected.<sup>124</sup>

This did not pose any risk to the credibility of the qualification. In April 2011, LFQG had been shown, confidentially, a paper on agreement rates that demonstrated that teachers were astonishingly reliable in their judgements for internally assessed standards. At the Achieved/Not Achieved boundary, 91% of teachers' judgements were accurate, and at the grade level they were on average 84% correct. NZQA officials had been saying for some time that New Zealand's moderation agreement rates were unsurpassed anywhere else in the world.<sup>125</sup>

The Minister no doubt expected her announcement to be treated with delight, but actually, teachers probably saw it as tinkering around the edges

of a really big problem. The rewriting of the standards put huge pressure on teachers. In June 2011, faced with evidence of ‘off the planet’ stress levels in teachers, PPTA had tabled at an LFQG meeting the option of delaying the 2012 implementation of new Level 2 standards. In the end, it was accepted by the group that delay was impossible because the revised standards built on one another. However, it was clear that the Ministry and NZQA needed to greatly increase the resourcing of the change, with extra time, support materials and advice. The changes announced by the Minister were intended to be part of that.<sup>126</sup>

Nevertheless, despite the stress and exhaustion, secondary teachers got the job done, and the three levels of revised standards were in place by 2013. A degree of stability prevailed until the next major review, launched in 2018, began (see below).

## **Conference papers on NCEA**

Across the twenty years covered by this history, PPTA Annual Conference came to expect that there would always be a paper on the NCEA. Between 2000 and 2022, 22 years, there were 14 papers, of which one was a supplementary paper,<sup>127</sup> and one was a regional rather than Executive paper (in 2010). The titles indicate a sense of growing despair at times: *The NCEA: A work in progress* (2005); *The NCEA: The work continues* (2006); *The NCEA: Nothing endures but change ...* (2007). And then in 2008, perhaps a more positive note: *The NCEA: A pathway to the future* – a paper proposing design and implementation solutions that might make the qualification more manageable.<sup>128</sup>

More recently, in 2015, there was a paper titled *The NCEA: Can it be saved?* That paper attacked policies under the National-led Government that were destabilising the NCEA by incentivising credit-farming, including the government target that 85% of students would achieve NCEA Level 2 and the failure to address credit parity between achievement and unit standards. It also criticised the government’s low-trust approach as seen in excessive moderation demands, and raised the spectre of increasing privatisation through the use of private companies to support the moves to digital assessment.<sup>129</sup>

In more recent years, papers have been about the review of NCEA which the new government embarked on from October 2017. The 2017 paper

*NCEA Review 2018: An opportunity for change*, was relatively optimistic.<sup>130</sup> However, the NCEA Review has been a mixed bag, not helped by the advent of Covid-19 in the midst of it. A paper in 2020 expressed hope that the review would result in an improved qualification that addressed equity issues and increased manageability, but it noted that the arrival of Covid-19 in New Zealand in March that year had disrupted developments both centrally and in schools.<sup>131</sup> A paper in 2021 indicated that developments had continued on many fronts despite the pandemic, but that there were risks to members emerging, including teaching positions being endangered by the reduction in or conflation of subjects at Level 1, the workload impacts from the scale of the NCEA Change Package, the lack of alignment between the curriculum and NCEA reviews, and short timeframes for consultation. The paper ended by expressing a sentiment that has applied right through the history of the NCEA since 1997, namely that ‘if teachers are not fully supported on this journey, the changes will fail and the integrity of the qualification will be at risk’.<sup>132</sup>

CAC developed a further paper for the 2022 conference, expressing similar concerns about the NCEA change package to its predecessor. The subject lists for Levels 2 and 3 had been announced, resulting in quite substantial changes. Teachers involved in pilots for new Level 1 standards had been quite surprised by the depth of change required to teaching and assessment programmes, although students were more engaged with the learning and enjoyed the variation in the non-exam assessments. The piloting of the assessments for the new literacy and numeracy co-requisites for NCEA was throwing up some issues that needed resolution. The paper recommended a pause in the wider review of achievement standards to ensure that changes were properly aligned to the curriculum changes, and a focus for the next few years on *Mana Ōrite mō te Mātauranga Māori* (equity for Mātauranga Māori), cultural responsiveness, literacy and numeracy, and localised curriculum.<sup>133</sup> Conference agreed.<sup>134</sup>

## **Promoting membership discussion on professional issues**

In 2002, Senior Vice-President Graeme Macann, looking towards a time when the union would have extricated itself from the immediate demands of achieving a collective agreement settlement, wrote a paper suggesting how the union might promote professional debate. He saw this as ‘one vital way

to empower our members'. He argued that the pressure on the union in recent times from neo-liberal governments meant that it had almost lost the ability to engage members in discussion about the big-picture issues that defined the context for teachers' work.<sup>135</sup>

### **Fronting speakers on professional issues at annual conference**

Graeme Macann suggested that one way to promote discussion was to invite an outside speaker to address delegates at Annual Conference, which he believed would be far more productive than wasting time 'on speakers who don't deserve the time we give to them' (such as NZEI and the Australian Education Union speakers). 'We need to consider providing the Conference delegates with the sort of intellectual challenge and uplift that could come from a really good educational speaker,' he wrote. He also suggested that regions do something similar.<sup>136</sup>

His idea was taken up almost immediately by DGS Ruth Chapman, who recommended a space in the conference programme for a keynote speaker on a professional topic. Executive agreed and put Dr Howard Lee from Otago University on the history of secondary school qualifications in New Zealand as their top preference.<sup>137</sup> The conference minutes record that Dr Lee's topic was 'The NCEA – coming soon to a school near you? – some historical and contemporary observations of secondary school assessment'.<sup>138</sup>



**Professor John O'Neill speaking at 2015 Annual Conference**

From then on, it became a tradition to invite a keynote speaker on a professional issue to Annual Conference. Some of the people who spoke were Emeritus Professor Ivan Snook in 2003 on 'Reclaiming the profession' about the Teachers Council, Professor Richard Harker in 2004 on 'Social background and pupil attainments: What can teachers do?', Dr Cathy Wylie in 2005 on 'The Implications of the Competent Children/Learners Study for Secondary Teaching', Karran Harper Royal in 2012 (a parent from New Orleans sharing her experiences of the charter school system there), and in 2015 both Professor Stuart McNaughton, Chief Education Science Advisor on 'The uses of evidence in policy-making' and Professor John O'Neill on 'How charities are shaping education policy in New Zealand'.

### **The union's professional conferences**

In a 2003 strategy policy paper, I included as one of the proposed actions to 'Hold regular conferences/seminars on professional issues (on a cost-recovery basis)'. There had been two professional conferences before then: one in 1991 on curriculum matters, and one in 1997 on school qualifications, at which the PPTA-sponsored Qualifications Framework Inquiry *Te Tiro Hou* had reported to members and other participants. (That report was a highly significant influence on the final shape of the



NCEA.)<sup>139</sup> A further professional conference had been planned for April 2002, to be called ‘Principles, Practices and Professionalism – Haeata Mātauranga’, but Executive cancelled it, and President Jen McCutcheon explained to members that this was because ‘It was felt that the political and industrial climate would not be conducive to a successful conference’.<sup>140</sup>

Once the collective agreement had been settled and the union had moved into a phase of relative peace, it seemed appropriate to try again to hold a professional conference. A 2003 conference paper titled ‘Future directions for secondary education’ was the union’s initial response to the Secondary Futures work on which the government was embarking at that time. It recommended that regions and branches hold meetings in the next two terms to stimulate debate about future directions for secondary education, followed by a professional conference on that topic during the holidays at the end of Term 1, 2004. These recommendations were passed by conference and the organising began.<sup>141</sup>

‘Charting the Future: The Way Forward for Secondary Education’ took place from 18–20 April 2004 in Wellington. In a paper to Executive in February, I described having ‘that awful feeling when you have organised a party, invited all sorts of people, laid on wonderful food and beverages, and it is the start time of 7pm and no one has turned up, and you are wondering whether anyone ever will’. At that point, there were only two registrations, but I was being assured that this would change.<sup>142</sup> It did, and in the end 317 people registered, of whom about 220 were PPTA members. The rest were guests and non-members, mostly people from government agencies, academics, and NZEI members and staff. Teacher education students and first- and second-year teachers were offered free registration, and 38 took up this offer.<sup>143</sup>

The two and a half day programme was really varied, with keynote speakers including Dame Anne Salmond on ‘What is excellence in education?’; demographer Professor Ian Pool on ‘Knowledge wave meets baby-blip wave: How secondary schools will play a vital role in New Zealand’s future’; Dr Jane Gilbert on ‘Catching the knowledge wave’; Professor Alan Reid from South Australia on ‘Curriculum and democracy in a globalising world’; Kay Hawk and Jan Hill on transitions between primary and secondary; and Dr Karen Vaughan on young people’s transitions out of secondary schooling. The conference heard from the

‘guardians’ of the Secondary Futures Project, and in fact the Project was essentially launched there, which gave PPTA something of an upper hand.<sup>144</sup>

Participants expressed enthusiasm for further conferences, and Executive decided to run such conferences every two years. In the intervening year, PPTA would bring together representatives of subject associations to discuss issues of common interest as another way of connecting with members on professional matters. This came to fruition a few years later.<sup>145</sup>

The title for the 2006 conference was ‘Quality Teaching: Leading the Way’. The intention was to build on the work the union had been doing, including through the Cross-Tasman forum with NZEI and the Australian Curriculum Studies Association held in May 2005 (see Chapter 5 (Volume One)), moving the political discourse away from the concept of the ‘quality teacher’. This concept tended to focus on the individual teacher and led to policies such as stringent performance management, performance pay, and competition between teachers. *PPTA News* reported the conference would consider:

... what was meant by the term ‘quality teaching’, what enabled it to occur, what prevented it from occurring, the ideologies behind the intense political focus on quality teachers in New Zealand and overseas, and what needed to change to facilitate quality teaching ... Secondary teachers need to lead the way in determining exactly what quality teaching means and what enables it to happen in schools. Quality teaching emphasises the environment which needs to be provided to ensure that teachers are able to do the best job possible, something which virtually every teacher wants to do, whereas ‘quality teachers’ individualises the idea, making them accountable for individual student outcomes.

The programme included a keynote by Professor Michael Fielding from the University of Sussex, England, ‘On the Promise and Poverty of Quality Teaching: Some messages from recent research’. His research expertise was on student voice and how good professional practice was best encouraged and shared among teachers. Professor Alan Reid from the University of South Australia, who had been a speaker at the Melbourne forum in May 2005, talked about ‘The quality teaching agenda and the construction of teachers’ work’.<sup>146</sup> Professor Martin Thrupp from Waikato University launched his research paper ‘Professional standards for teachers and teacher education: Pitfalls and possibilities’ that had been commissioned by PPTA and NZEI to rebut research commissioned by the Teachers Council<sup>147</sup> that would have resulted in highly detailed standards for registration. Dr

Adrienne Alton-Lee talked about her ‘Quality teaching for diverse learners’ and the Best Evidence Synthesis (BES) project. Professor Mason Durie spoke on ‘Māori and Education 2026’. The conference finished with an American speaker, Professor Gary Fenstermacher, on ‘Quality teaching: You may know it when you see it, but do you know what it is?’ He had won awards in the United States as a presenter, yet I remember being very nervous because he had no Powerpoint. However, he held his audience spellbound from start to finish through the power of his words, so clearly the awards were merited.

Numbers at the 2006 conference were down a bit from 2004, but more worrying was the fact that at only 58% of participants, members were in danger of being outnumbered by non-members, despite huge efforts to get regions actively encouraging members to attend. Summing up my review of the conference, I wrote:

Whether the conference was a success or not depends on the criteria used. In terms of raising the professional profile of PPTA to the wider education sector, it was a roaring success. In terms of participant interest and enjoyment, it was very successful. In terms of promoting membership activism, and reinstating among our grassroots members the concept of PPTA as their professional as well as their industrial voice, it was less successful. Unless we can get the regions on board with this part of our strategy, we will not have the results we want ... On the other hand, PPTA can claim to have been highly successful at shifting the discourse on ‘quality teachers/quality teaching’ from what, [for] a couple of years, was coming close to being a very teacher-blaming discourse, to one where significant players are quite clear that they need to work with teachers if they want quality teaching to happen. This comes through time and again to those of us working at the policy level with officials; it may not be so clear to our members.<sup>148</sup>

PIAC recommended that future conferences proceed but with some changes. Executive decided that the 2008 conference should be about ‘secondary teaching, now and in the future’, that it would be held in Auckland, and that it would start on the evening of Thursday, 17 April, which meant that teachers needed leave for the last day of the school term and possibly part of the previous day to attend. (But as their school would be reimbursed for the reliever employed, it was at no cost to the school or the member.) Executive drastically cut the registration fee for members from \$300 to \$70, adding an estimated \$44,000 to the union’s costs, and it also wanted advice on a possible travel subsidy arrangement.<sup>149</sup> These decisions were all in response to feedback from regions and participants. Executive also approved a travel subsidy scheme whereby a South Island

member would be reimbursed the difference between a standard airfare to Wellington and what they had paid to get to Auckland.<sup>150</sup>

The 2008 conference was titled ‘Secondary Teaching on the Move’, and was held at the Waipuna Conference Centre in Auckland. The programme sought to appeal to teachers. Professor Martin Thrupp spoke again, this time on ‘Secondary teaching, social contexts and the lingering politics of blame’. Dr Elizabeth McKinley from Auckland University, director of the Starpath project, spoke on ‘He piko he taniwha, he piko he taniwha’: Challenges in the achievement pathways of Māori students’. Jennifer Garvey Berger, on sabbatical from her American university and working at NZCER, spoke on ‘Teacher professional learning: Why one size does not fit all’. Dr Rosemary Hipkins, also from NZCER, talked about ‘Learning for an uncertain future’.<sup>151</sup>

However, despite the learning on offer, the conference was again unsuccessful in attracting much greater numbers of PPTA members. More attended than in 2006, but fewer than in 2004. Even Auckland, where the conference was held, failed to get significantly more members attending. Total numbers were down on previous conferences, with far fewer officials and researchers attending, probably because of the Auckland location. Overall, the conference cost PPTA a lot more than the previous one. Yet those participants who completed evaluation forms were again overwhelmingly positive.<sup>152</sup>

PIAC members again put their heads together to come up with a more successful conference format. They decided to hold it in 2011 because 2010 was an industrial round.<sup>153</sup> They settled on 18–20 April as the best dates, returning to the pattern of holding it fully in the holidays, and back in Wellington. PIAC wanted the focus to be on leadership, engagement and professional activism.<sup>154</sup> Executive settled on a higher fee than for the 2008 conference, recognising that the huge subsidy for members had not produced extra registrations.<sup>155</sup> PIAC chose the title: ‘Edscapes: Mapping teachers’ professional lives’, keeping it ‘deliberately broad so that the conference will be able to take into account the industrial and political situation at the time’.<sup>156</sup>

But with industrial negotiations raging through 2010 and into 2011, it was difficult to get registrations, despite the interesting programme on offer. After the February 2011 earthquake struck, Executive agreed to fully fund

up to 20 PPTA members from Christchurch to attend the conference. As well as giving some Christchurch members respite from the sense of crisis in their city, this would also help pad the numbers. Some of them might also bring family members as well to share the hotel room offered.<sup>157</sup> In the end, some 19 members took up the offer.<sup>158</sup>

The conference, like its predecessors, had an exciting programme. Keynote speakers included Australian Professor Judyth Sachs, presenting ‘Accountability, standards and teacher activism: An unholy trinity or the way for the profession to shape the future?’. Christine Richmond from Queensland spoke on ‘Engaging adolescents in learning: Practical ideas to enhance good teaching’, and Professor Ben Levin from Canada on ‘Teacher organisations and the professionalisation of teaching’.

Shockingly, Ben Levin, whose thinking on education had resonated in New Zealand, including with PPTA, was arrested by the Toronto police sex-crimes unit on July 8 2013 and charged with seven counts of child exploitation. He had been a suspect since mid-2012, it was revealed. He pleaded guilty in March 2015 in the Ontario court system to three of the charges: possessing child pornography, making written child pornography, and counselling a sexual assault. He was sentenced to three years, but served only three months before being paroled.<sup>159</sup> However, it will have, in effect, been a life sentence, given the impact on his future credibility as an education academic. At PPTA National Office, we were horrified, having quoted his writing extensively over the years, and having hosted him on more than one occasion, including to the 2011 conference.<sup>160</sup>

Despite the interesting programme, ‘Edscapes’ was the least successful of that decade’s professional conferences, with only 147 participants in total. Their evaluations were strongly positive, but the numbers forced Executive to rethink whether it was getting enough ‘bang for its buck’. AO Sarah Dalton and I wrote a paper in which we reminded Executive why the union was holding these conferences, namely to ‘reclaim our role as the key experts on secondary education’, and we posed the question whether there were better ways to use the money and time they took. We recommended a consultation with regions about future options, and also that future professional conferences be held ‘on an as-needed basis’.<sup>161</sup>

Proposals that came out of that review included a pilot of supporting groups of members to set up professional learning groups on topics of their

choosing, the funding of an ‘education expert of repute’ to do a nationwide speaking tour, and encouraging and facilitating regional committees to organise professional conferences or seminars in their regions with the union funding a keynote speaker for them.<sup>162</sup>



**Pasi Sahlberg, booked to present in person at the 2020 professional conference, presented by Zoom when it was rescheduled to 2021**

Seven years later, in September 2018, AO Anthony Neyland recommended to Executive that a professional conference be held ‘focusing on contemporary issues in education’. He argued that the various education reviews that had been launched under the new Labour-led Government had highlighted PPTA members’ diverse and deeply held views on the future of education, and their eagerness to share and debate them. He suggested a professional conference would offer an opportunity to look in depth at issues such as ‘What is a school?’, ‘What are the roles and responsibilities of the state?’, ‘How do we honour Te Tiriti o Waitangi?’, ‘How are students best educated and what and how should they learn?’<sup>163</sup>

Planning focused on early 2020 for the conference, and Executive agreed that it be held in Wellington from 22–24 April, and that it aim for 300 participants, with registration set at \$150 for members and \$450 for non-members (as had been the case at the ‘Edscapes’ conference).<sup>164, 165</sup> By July 2019, Pasi Sahlberg, an educator from Finland, had been confirmed as a keynote speaker. PIAC had settled on an innovative structure that consisted of keynotes and panels, toolkit workshops for teachers, sessions for teacher

researchers, and ‘un-conference’ sessions facilitated by participants. A venue – Rutherford House in Wellington – and a conference organiser had been secured, and sponsorship ideas were being pursued. The theme of the conference was confirmed as ‘Advancing the dream of public education’.<sup>166</sup>

By February 2020, Executive learned that Victoria University was providing the venue at no cost as a form of sponsorship. Other keynote speakers had been confirmed: Rawiri Toia (Ngāpuhi), Trivina Kang (Singapore), Tim Bell (Canterbury University), Helen Varney (Auckland primary principal on Pasifika learners) and Stephen Dobson (Victoria University).<sup>167</sup>

However, very soon after that, Covid-19 intervened. In early March, the decision was made to postpone the conference till April 2021. The General Secretary and DGS (Policy) reported:

It was with a heavy heart the professional conference was postponed until April 2021. If the conference had proceeded, it would have been without the international keynote speakers and some workshop presenters. Registrations were also starting to fall. It is better to hold the best conference ever in 2021, rather than a flat conference next month in the midst of a pandemic.<sup>168</sup>

In February 2021, Advisory Officer Anthony Neyland advised Executive that arrangements for the rescheduled conference were on track. The venue had had to be shifted to the Intercontinental Hotel as the University’s facilities were no longer available; this had room for 250 rather than 300 participants, and 180 were registered already (with those registered for 2020 having been contacted to confirm whether they still wished to attend). Overseas keynote speakers would present by Zoom instead, and the members’ travel subsidy had been reduced from \$400 to \$300 to cover various new costs. The conference now had a Māori title as well, ‘Whakatairangatia’, and there was strong Māori involvement in the planning and running of the conference.<sup>169</sup>

This time the conference was able to go ahead, striking a period when Covid-19 was in abeyance. Anthony Neyland’s report describes it as ‘a great success’. There were 191 participants, so the smaller venue was not an issue. He wrote:

The conference was seen as an opportunity for our members to look in depth at current issues in education, with input from leading educators and specialists from NZ and abroad. It was also a vehicle for PPTA to continue to demonstrate its leadership in the education sector – part of our mandate to ‘advance the cause of education generally and of all phases of secondary and technical education in particular’ ... Feedback was very positive with many participants enjoying their first

opportunity to mix and mingle with colleagues since the Covid cloud. The conference struck a delicate balance between challenge and motivation, and practice, theory and research.<sup>170</sup>

The PLD Fund from the 2019–2022 STCA agreement has enabled PPTA to front a wider range of conferences and other events and provide them at little or not cost to members (see below). In April 2023, a professional conference was held in Auckland, billed as ‘welcoming kaiako from across the motu to discuss contemporary issues and challenges facing Aotearoa’s secondary education sector professionals’. The list of keynote speakers looked very interesting and relevant to today, including Dr Carol Mutch talking about her research on the role schools play after disasters. Members’ registration was free again.

## **Final words**

At the end of the two decades covered here, there is a sense of *déjà vu* about the situation in that – as in the early 2000s – the curriculum is undergoing a review which began as a minor tweak and is now rather more than that, and the NCEA is facing profound changes at the same time. Yet again, these two reviews have major workload implications for PPTA members, and as usual there is insufficient time to do the work well, teachers are calling for a slowing of the pace of change, and the stress of all this fed into difficult collective agreement negotiations.

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- 2 PPTA (2002). 02-03-13 Ads for DGS and AO. PPTA files, ASO9/4.
- 3 Alison, J. (2007).
- 4 PPTA (2002). Strategic directions for PPTA, 29 August 2002. PPTA files, MC02/028.
- 5 PPTA (2002). Strategic planning: next steps, 17 December 2002. PPTA files, AA14/12.
- 6 PPTA (2003). Strategic planning – professional leadership, 28 January 2003. PPTA files, HX03/04.
- 7 PPTA (2002). Revitalising our capacity to provide professional leadership, 15 April 2002. PPTA files, HX02/062.
- 8 PPTA (2002). PPTA providing professional leadership, 4 November 2002. PPTA files, HX02/163.



- 9 PPTA (2003). Progress report – Strategic Planning, 29 October 2003. PPTA files, HX03/155.
- 10 PPTA (2001). 2001 Annual Report, presented at Annual Conference, 25–28 September 2001. PPTA files, AA2/10/10.
- 11 PPTA (2000). The Curriculum Stocktake, 1 December 2000. PPTA files, HI00/290.
- 12 This was an issue that would continue to dog work on curriculum and assessment over subsequent years.
- 13 PPTA (2002). Curriculum Stocktake meeting, 28 May 2002. PPTA files, HI02/080.
- 14 PPTA (2002). Letter from Advisory Officer Judie Alison to Associate Minister Marian Hobbs, 4 December 2002. PPTA files, E11/17/3.
- 15 When it was published in 2007, the Curriculum required schools to be ‘working towards offering students opportunities for learning a second or subsequent language’.
- 16 Judie Alison (author’s recollection) and *NZ Curriculum* (2007), p. 44.
- 17 PPTA (2003). New Zealand Curriculum Project Reference Group meeting, 4 June 2003. PPTA files, HI03/139.
- 18 Ibid.
- 19 Ibid.
- 20 PPTA (2003). New Zealand Curriculum Project, 3 September 2003. PPTA files, HX03/123.
- 21 Ibid.
- 22 PPTA (2004). NZ Curriculum Project Reference Group, 1 December 2004. PPTA files, HI05/007.
- 23 PPTA (2004). Proposed meeting with PPTA representatives on curriculum groups, 8 November 2004. PPTA files, HX04/041.
- 24 PPTA (2005). Curriculum Project developments, 16 May 2005. PPTA files, HI05/089.
- 25 This had also been an issue with the earlier curriculum, where each learning area was developed by a separate contractor, and there was no coherent philosophical underpinning of them all.
- 26 PPTA (2004). NZ Curriculum Project Reference Group, 1 December 2004. PPTA files, HI05/007.
- 27 Ibid.
- 28 PPTA (2005). Curriculum Project Developments, 16 May 2005. PPTA files, HI05/089.
- 29 Ibid.
- 30 PPTA (2005). Curriculum Project meeting, 12 October 2005. PPTA files, HX05/109.
- 31 PPTA (2006). Submission to Ministry of Education on New Zealand Curriculum Draft for Consultation, 28 November 2006. PPTA files, AA1/12/2006.
- 32 Ibid.
- 33 Ibid.
- 34 PPTA (2007). Curriculum Project Progress Report, 7 March 2007. PPTA files, HI07/025.

- 35 Ibid.
- 36 PPTA (2007). Final Curriculum Project Reference Group Meeting, 15 June 2007. PPTA files, EI1/40.
- 37 PPTA (2007). Additional item for PPTA meeting with Hon Steve Maharey, Thursday 21 June. PPTA files, ER6/1/2007.
- 38 PPTA (2007). 07-06-22 External Meeting Report, Meeting with the Minister. PPTA files, ER6/1/2007.
- 39 PPTA (2007). Launch of *New Zealand Curriculum*, 21 November 2007. PPTA files, HI07/172.
- 40 MOE (2002). *Curriculum Stocktake Report to Minister of Education 2002*, p. 54.
- 41 MOE (2006). Senior Secondary Curriculum Background paper. PPTA files, EI1/40.
- 42 PPTA (2007). External meeting report: Meeting re secondary curriculum support materials, 12 December 2007. PPTA files, EI 1/40.
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- 44 PPTA (2008). Working Party to develop a secondary school companion document to the NZ Curriculum – meeting 28 March 2008. PPTA files, HI08/061.
- 45 PPTA (2008). Working Party on creating innovative secondary school environments, 25 June 2008. PPTA files, Appendix 3 to HX08/068.
- 46 PPTA (2007). Curriculum implementation planning meetings, 5 June 2007. PPTA files, HI07/093.
- 47 MOE (2007). Giving effect to the New Zealand Curriculum 2007–2011, 27 June 2007. PPTA files, EI1/40.
- 48 PPTA (2008). Curriculum developments, 17 July 2008. PPTA files, HX08/068.
- 49 PPTA (2008). PPTA Curriculum Jumbo Days, 10 September 2008. PPTA files, HX08/086.
- 50 PPTA (2008). Minutes of Executive meeting, 28 September 2008. PPTA files, MX08/19/10/1-13.
- 51 PPTA (2008). Minutes of Principals' Council meeting, 5–6 November 2008. PPTA files, HC08/096.
- 52 Judie Alison (author's recollection).
- 53 PPTA (2008). Email from Advisory Officer Judie Alison to principals, 21 October 2008. PPTA files, attached to HX08/108.
- 54 PPTA (2008). Email from Advisory Officer Judie Alison to principals, sent between 24 and 30 October 2008. PPTA files, attached to HX08/108.
- 55 PPTA (2008). Minutes of Principals' Council meeting, 5-6 November 2008. PPTA files, HC08/096.
- 56 PPTA (2008). Curriculum Jumbo Days Update, 3 November 2008. PPTA files, HX08/108.
- 57 *New Zealand Listener* (2008). Editorial 'Back to School', *NZ Listener*, 8 November 2008. PPTA files, EI1/49.
- 58 PPTA (2008). PPTA Curriculum Support Days 2009, 17 November 2008. PPTA files, HX08/123.

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- 60 PPTA (2009). Minutes of Principals' Council meeting, 25–26 February 2009. PPTA files, HC09/011.
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- 62 Judie Alison (author's recollection).
- 63 PPTA (2009). Curriculum Support Days 2009 – evaluation, 4 September 2009. PPTA files, HX09/076.
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- 68 PPTA (2009). Curriculum support days – interim financial report, 19 August 2009. PPTA files, MC09/014.
- 69 PPTA (2009). Minutes of a meeting of Management Committee, 27 August 2009. PPTA files, MX09/11/13.
- 70 PPTA (2009). Minutes of Executive meeting 19–21 November 2009. PPTA files, MX09/16, Matters Arising MX09/11/12.
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- 73 PPTA (2021). Minutes of joint meeting of Curriculum and Professional Issues Advisory Committees, 29 March 2021. PPTA files, HC21/029.
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- 75 PPTA (2022). Updates on the Curriculum Refresh, NCEA Change Package and Reform of Vocational Education (RoVE), 5 May 2022. PPTA files, HX22/048.
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- 83 PPTA (2002). Minutes of Executive meeting, 25–27 July 2002. PPTA files, MX02/18/02.
- 84 PPTA (2002). NCEA: The continuing debate, 2 September 2002. PPTA files, HX02/131.

- 85** This proved, in the end, to be false.
- 86** PPTA (2002). Supplementary conference paper on NCEA. PPTA files, AA2/10/07.
- 87** PPTA (2002). Minutes, Annual Conference, 24–26 September 2002. PPTA files, HC02/055A.
- 88** PPTA (2002). Guidance on NCEA Level 2 – Advice to Branches, 2 October 2002. PPTA files, EI2/12/6/2002.
- 89** PPTA (2002). School Decisions re NCEA Level 2, 4 December 2002. PPTA files, HI02/245.
- 90** PPTA (2003). NCEA Monitoring System, Report to Annual Conference 2003, 23–25 September 2003. PPTA files, AA2/10/8.
- 91** PPTA (2003). Minutes of Executive meeting, 8–10 May 2003. PPTA files, MX03/05/11.
- 92** PPTA (2003). NCEA Level 3 Referendum Results, 8 July 2003. PPTA files, HX03/086.
- 93** Judie Alison (author’s recollection as a member of the Forum).
- 94** PPTA (2003). NCEA Forum Reconvened, 6 May 2003. PPTA files, HI03/114.
- 95** PPTA (2003). Secondary principals’ and leaders’ forum 2/5/03, PPTA presentation. PPTA files, EI2/19/2.
- 96** Judie Alison (author’s recollection).
- 97** PPTA (2013). The Leaders’ Forum is no more, 23 January 2013. PPTA files, HX13/005.
- 98** Alison, J. (2005).
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- 100** PPTA (2005). First meeting of Leaders’ Forum Qualifications Group, 26 April 2005. PPTA files, HX05/085.
- 101** PPTA (2005). LFQG meeting, 13 June 2005. PPTA files, HX05/065.
- 102** PPTA (2005). Leaders’ Forum Qualifications Group, 8 September 2005. PPTA files, HX05/093.
- 103** Judie Alison (author’s recollection).
- 104** *New Zealand Herald* (2004). Government moves to rein in Cambridge High, 13 August 2004.
- 105** PPTA (2004). NCEA action 2004/05, 21 October 2004. PPTA files, HX04/131.
- 106** PPTA (2004). National Symposium on NCEA, 13 September 2004. PPTA files, HX04/124.
- 107** PPTA (2004). Minutes of a meeting of Management Committee held by telephone conference, 25 October 2004. PPTA files, MX04/24/02.
- 108** PPTA (2005). NCEA Research, 25 January 2005. PPTA files, HX05/002.
- 109** Alison (2005).
- 110** Ibid.
- 111** Ibid.
- 112** MOE (2005). Communique from Secondary Leaders’ Forum, undated. PPTA files, attachment to HX05/024.

- 113** PPTA (2005). Distribution of NCEA focus group research, 2 March 2005. PPTA files, EI2/12/6/02.
- 114** Alison, J. (2005), pp. 1–2.
- 115** MOE (2005). Report of the Scholarship Reference Group to Associate Minister of Education, Hon. David Benson-Pope, March 2005. PPTA files, EI2/12/6/1.
- 116** Ibid.
- 117** Ibid.
- 118** Judie Alison (author's recollection).
- 119** Another phase, checking that all unit standards met the requirements for an effective standard, did not involve PPTA and was planned to only happen as groups of unit standards were reviewed, leaving PPTA members continuing to complain about the quality of some unit standards used in schools and their lack of parity in credit value with achievement standards.
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- 121** NZQA (2008). Announcement on Extension of Timeline for Implementation of NCEA standards aligned to the New Zealand Curriculum, December 2008. PPTA files, EI2/12/6/3.
- 122** Tolley, Hon. Anne (2010). Letter from Hon. Anne Tolley to PPTA President Kate Gainsford, 28 July 2010. PPTA files, EI2/12/6/3.
- 123** Tolley, Hon. Anne (2011). Speech to Annual Conference, 18 October 2011. PPTA files, EI2/12/6/3.
- 124** Ibid.
- 125** PPTA (2011). Leaders' Forum Qualification Group meeting, 11 April 2011. PPTA files, HI11/047.
- 126** PPTA (2011). LFQG meeting, 8 June 2011. PPTA files, HI11/077.
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- 128** PPTA files, AA2/10, various years.
- 129** PPTA (2015). The NCEA: Can it be saved? PPTA files, AA2/10/32.
- 130** PPTA (2017). Minutes of Annual Conference, 3–5 October 2017. PPTA files, HC17/073.
- 131** PPTA (2020). *NCEA Review Update: Progress, Pandemic, Expectations*. Paper to Annual Conference 2020. PPTA files, Governance/Executive/Annual Conference/2020/Papers.
- 132** PPTA (2021). *NCEA Change Package Update*. Paper to Annual Conference 2021. PPTA files, Governance/Executive/Annual Conference/2021/Papers.
- 133** PPTA (2022). *Updates on the NCEA Change Package and more: Do we need a pause?* Paper presented to Annual Conference 2022. PPTA files, governance/Executive/Annual Conference/2022/Papers.
- 134** PPTA (2022). Minutes of Annual Conference, 4–6 October 2022. PPTA files, HC22/074.
- 135** PPTA (2002). Revitalising our capacity to provide professional leadership, 15 April 2002. PPTA files, HX02/062.
- 136** Ibid.

- 137** PPTA (2002). Minutes of Executive meeting 2–4 May 2002. PPTA files, MX02/09/02.
- 138** PPTA (2002). Minutes of Annual Conference, 24–26 September 2002. PPTA files, HC02/055A.
- 139** Alison, J. (2007).
- 140** PPTA (2002). Fax from President Jen McCutcheon to All PPTA Branches, 25 February 2002. PPTA files, AA2/15/2002.
- 141** PPTA (2003). *Future directions for secondary education*. Paper to Annual Conference 2003. PPTA files, AA2/10/8.
- 142** PPTA (2004). Charting the Future conference update, 3 February 2004. PPTA files, HX04/012.
- 143** PPTA (2004). Charting the Future conference – a review, 22 April 2004. PPTA files, HX04/040.
- 144** PPTA (2004). Charting the Future conference programme. PPTA files, AA2/17/01.
- 145** PPTA (2004). Charting the Future conference – a review, 22 April 2004. PPTA files, HX04/040.
- 146** PPTA (2005). Wellington quality teaching conference brochure. PPTA files, AA2/18.
- 147** See Chapter 3 (in Volume One).
- 148** PPTA (2006). 'Quality Teaching: Leading the Way' in retrospect, 13 July 2006. PPTA files, HX06/065.
- 149** PPTA (2007). Minutes of Executive meeting, 10–12 May 2007. PPTA files, MX07/05/05.
- 150** PPTA (2007). Travel subsidy for professional conference 2008, 18 July 2007. PPTA files, HX07/058.
- 151** PPTA (2008). PPTA08 Handbook Part 1. PPTA files, AA2/19.
- 152** PPTA (2008). 'Secondary teaching on the move' – a view from a distance, 12 November 2008. PPTA files, HX08/114.
- 153** PPTA (2009). Minutes of Professional Issues Advisory Committee, 2 April 2009. PPTA files, HC09/028.
- 154** PPTA (2009). Minutes of PIAC meeting, 12 November 2009. PPTA files, HC09/113.
- 155** PPTA (2010). Minutes of Executive meeting, 11–13 February 2010. PPTA files, MX10/03/13.
- 156** PPTA (2010). Professional conference 2011 – registration fees, 28 January 2010. PPTA files, HX10/007.
- 157** PPTA (2011). Edscapes: Support for Christchurch members, 28 February 2011. PPTA files, HX11/019.
- 158** PPTA (2011). Edscapes – planning the journey ahead, 15 June 2011. PPTA files, HX11/050.
- 159** Wikipedia (n.d.). Benjamin Levin (academic).
- 160** Judie Alison (author's recollection).
- 161** PPTA (2011). Edscapes – planning the journey ahead, 15 June 2011. PPTA files, HX11/050.

- 162** PPTA (2012). Developing PPTA's professional role, 26 April 2012. PPTA files, HX12/037.
- 163** PPTA (2018). PPTA professional issues conference – 2019 or 2020, 18 September 2018. PPTA files, HX18/072.
- 164** PPTA (2019). PPTA to hold a professional conference in 2020, 5 February 2018. PPTA files, HX19/18.
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- 167** PPTA (2020). PPTA professional conference 2020 update 3, 13 February 2020. PPTA files, HX20/09.
- 168** PPTA (2020). Association response to COVID-19, 18 March 2020. PPTA files, HX20/17.
- 169** PPTA (2021). PPTA professional conference 2021 Update 4, 10 February 2021. PPTA files, HX21/08.
- 170** PPTA (2021). Professional conference 2021 – a review, 27 July 2021. PPTA files, HX21/53.

### Leading professional learning and development

As part of its professional leadership role, PPTA has a significant history of both offering professional learning and development (PLD) for its members and advocating for high-quality PLD to be offered through government-funded sources. PPTA has also taken a major role in supporting and advocating for subject associations and the Teachers' Refresher Course Committee, both of which are significant contributors to teacher learning.

This chapter highlights some of the more significant work PPTA has done in these areas over the last twenty years.

#### Changes in government-funded PLD

The two decades have seen radical change in the government's provision of PLD. At the beginning of the 2000s, PLD was provided through the regional School Support Services (SSS), which were contracted to government to deliver PLD under a number of headings. This included SSS being funded to respond to specific requests from individual schools; for example, when help was needed for a new Head of Department, or a sole-charge teacher new from overseas, or for a schoolwide initiative.<sup>1</sup>

#### INSTEP Project

In 2005 the first hints of change afoot began to appear. PPTA was invited to nominate two people to the reference group for a government project called INSTEP (In-Service Teacher Education Practice). Executive member Suzanne Robins and I attended for PPTA. We came out of the first meeting with somewhat different perspectives, Suzanne being more optimistic than I was. What struck me first was the size of the group invited and the significant number of private providers of PLD that had sprung up in recent times including Evaluation Associates, Cognition, and CORE Education (previously Ultralab South). Suzanne took the opportunity to tell the group, from the point of view of probably the only practising teacher in the room, what was wrong with current in-service teacher education: it needed to be



more relevant, responsive, realistic, accessible and teacher-driven, and not rationed.



**Otago Executive member Suzanne Robins represented PPTA on the INSTEP project and was an acting Advisory Officer for a term in 2006**

It transpired that INSTEP was about how well PLD services were working, what could be improved, where the gaps were, and so on. We were told by Ministry official Ro Parsons that in-service teacher educators needed to be able to integrate curriculum, assessment and pedagogy in diverse contexts, establish and develop relationships, contextualise professional learning, ‘navigate openings’ for teacher learning, and identify, challenge and deconstruct deficit theorising. These were heady days, when the goal actually seemed to be about improving the quality of PLD for teachers.<sup>2</sup>

That project lasted from 2005 to 2008. It was largely an action research project where volunteer in-service teacher educators worked with teachers and collected evidence of what worked and what didn’t, and all of these case studies were collated and analysed. A report was published at the end of the project.<sup>3</sup>

## **Review upon review**

Near the end of the Labour Government's third term, there was a sudden flurry of investigations into professional learning provision. The most major and longest-running investigation was a review of School Support Services (SSS), done by consultants MartinJenkins under contract to the Ministry. This began in 2006, but the final report, although dated August 2010, was not released until April 2011. PPTA had a representative, Angela Roberts, on an initial reference group in early 2007, but that was the sum total of PPTA's input. The evaluation was a three-year project, with interim data provided to the Ministry after each phase. Its timing meant that it crossed the 2008 change of government. Phase 3 (July 2009 to June 2010) included changes being made to the SSS contracts for 2010 and then evaluated.<sup>4</sup>

As part of a separate review, the Office of the Auditor-General (OAG) met with SPC then with the Professional Standing Committee at Executive in November 2007. OAG wanted to know how teachers decided what in-service education to do, and what changes would improve services for secondary teachers. Executive members talked about inequities of access to PLD between and within schools, a general inadequacy of funding for PLD, and the lack of Ministry support for subject associations, whose PLD was seen as the best there was. They also complained that the Ministry had refused to continue funding the Senior Subject Advisers into 2008, and had cancelled the national Subject Association Coordinator project, both of which had been invaluable for secondary teachers.<sup>5</sup>

The Auditor-General's report, published in August 2008, was critical of Ministry spending on PLD:

My staff have estimated the Ministry's spending on professional development for teachers at more than \$200 million each year. The Ministry is aware of the range of sources of funding it uses for professional development for teachers. The Ministry does not consider all of these sources as a whole when making decisions about the relative priority of initiatives or the adequacy of the funding available for professional development for teachers. The Ministry's focus on evidence of what is effective professional development is one of the strengths of the professional development system. There is, however, potential within both the Ministry and the wider education sector for greater use of this evidence.<sup>6</sup>

In other words, the Ministry knew what quality looked like, but was not delivering it.

In December 2007, the Ministry's Best Evidence Synthesis report on Teacher Professional Learning and Development was published. The

researchers had tried to unpack the ‘black box’ situated between professional learning opportunities and their impact on teaching practice. While the report’s findings were very complex, it was clear that high-quality PLD did not come cheaply. In his invited foreword to the report, PPTA President Robin Duff wrote that the only kind of PLD most teachers received was the occasional one-day workshop, whereas:

Extended opportunities to learn and the availability of external expertise, while not sufficient in themselves, provide far more effective contexts for teacher learning ... Quality PD is also not ‘training’. It must integrate theory with practice, enabling teachers to make ongoing decisions about their classroom practice within the context of deeply understood relevant theory. It therefore engages with teachers as thinking professionals, as intellectual workers ... rather than treating them as technicians who merely need to be taught what to do and then subjected to compliance measures to ensure that they do it.<sup>7</sup>

2007 was also the one and only year during which there were Senior Subject Advisers, a special scheme for secondary to fill some of the gaps in SSS for subjects that had not been well catered for in the past.<sup>8</sup>

In March 2008, I attended a meeting of subject association leaders convened by the Ministry and NZQA to engage with them about how they might be contracted to work on the revision of standards to align with the new curriculum. As part of the Ministry’s background presentation, official Sandra Cubitt talked about a professional learning strategy that she and Ro Parsons were working on, to be in place by 2010. What they were proposing was never made clear, however, and was overtaken by events once the government changed.<sup>9</sup>

The first indication to SSS of imminent changes came on 18 August 2009, when senior university and SSS managers were briefed by the Secretary of Education. The rationale given for the changes was the MartinJenkins review; however, this had not recommended anything as dramatic as was signalled by the Ministry (see below). SSS contracts, which were to expire at the end of 2011, would not be extended beyond then, pending future government decisions. In 2010, the contracts would be realigned to focus on government’s priorities, that is the *NZ Curriculum* and *Te Marautanga o Aotearoa*, literacy and numeracy for primary (following the introduction of National Standards), secondary students attaining ‘worthwhile qualifications’, and Māori enjoying education success as Māori. There would be no funding for learning area support or e-learning in primary.<sup>10</sup>

At around the same time, PPTA received a letter from the Secretary for Education advising of the 're-prioritisation' of funding for SSS. DGS Bronwyn Cross commented:

There's no argument that the best literacy and numeracy investment is at primary school but why keep taking money from secondary schools. The sports money was taken from secondary schools and redistributed across the whole sector; the staffing reduction next year is a shared cut to fund the 1.15 in primary and now this. The Ministry's own investigations showed secondary got less of the national professional development budget than primary so what are they thinking!<sup>11</sup>

At the end of that year, the Minister, Hon. Anne Tolley, spoke at the November Executive meeting.

The Minister was asked a question about reduced provision for subject-specific PLD in 2010 as a result of the focus on National Standards. Immediately after that, the Ministry offered the President a meeting to discuss SSS matters. Before the officials arrived, the directors of the different SSS regions told us that overall funding cuts would mean jobs lost. They would not have enough funding to staff full-time people in the learning areas because of the withdrawal of that funding for primary. It would all become more generic, and they saw this as really worrying when schools were implementing the new curriculum.



**Minister Anne Tolley reading to the November 2009 Executive meeting. Presumably to justify all the cuts under her watch, she read *The Short and Incredibly Happy Life of Riley*, and concluded by encouraging teachers to ‘think about the good things that we have in this country and be happy with what we’ve got’. Executive were not impressed.**

The officials tried to allay our worries but were markedly unsuccessful. One of them said that the Ministry was asking SSS to ‘target middle leaders, build clusters of them, etc., in hopes that they can support teachers in schools’. We described this as ‘aspirational’, but that it was ‘really government trying to do something good on the cheap’. President Kate Gainsford ‘kept reiterating that schools in New Zealand do not have access to a permanent service with high expertise in teacher development’, which they should have.

The officials revealed that the Ministry, like other government departments, was being subjected to a ‘line-by-line review’ and that it had to identify value for money of PLD, among many other things. We asked about the professional learning strategy that Sandra Cubitt had talked about (see above) and whether it had survived the line-by-line review. We were told no, it basically had not. Then the officials made a comment that hinted

at what was soon to come for PLD, namely that ‘the government wants to devolve more money to schools for PLD’. PPTA’s response was that ‘this was hardly consistent with increasing coherence or ensuring value for money’, and while the Ministry people seemed very aware of this contradiction, being the careful officials that they were, they said nothing.<sup>12</sup>

From then on, School Support Services were in an increasingly fragile situation, with arrangements changing year by year. In August 2010, PPTA was invited, along with SPANZ and SPC, to ‘provide advice and guidance ... on what professional development and learning could be focussed on in 2011 (within the scope of the current resourcing and staffing available) and more broadly, for 2012 and beyond.’ Two rather distinct visions for the future appeared. The Ministry was proposing a focus on literacy, science, maths, technology and ESOL, with a national coordinator for each of these who would liaise with regional SSS staff to work with schools. The Leadership and Management work was to disappear. In contrast, the sector representatives favoured ongoing face-to-face contact between schools and SSS staff, and PLD on teaching as inquiry and the NZC, assessment for improved outcomes in the senior school and for self-review, and integration of student voice and more student-centred processes in programme planning and delivery.

As for provision after 2011, Ministry manager Mary Chamberlain said: ‘Everything related to SSS is up for discussion’. She was challenged about whether the system was so broken it couldn’t be fixed, or whether the proposed changes were ideological, and she insisted neither was the case, and that the Ministry was trying to base policy on the BES findings (see pp. 193–194 above). She claimed that the Ministry had advised the government to ‘create a level playing field’, which transpired to be about contestability for PLD contracts between private providers and SSS.<sup>13</sup>

### **Contestability replaces national provision**

In May 2011, PPTA, SPC, SPANZ, NZEI and NZPF were invited to a briefing at the Ministry of Education about ‘the changing face of professional learning and development’. NZEI and NZPF failed to show, so it became a secondary-focused group. The presentation was dominated by Joanne Allen, described as ‘National Manager, Student Achievement Function’. The Ministry seemed to be trying:

... to convince us that what they were putting in place was a brave new world which would lead to vastly improved PLD. Phrases like 'step change', 'shifting progress and achievement especially for learners currently under-served' and 'systemic change' were liberally sprayed around ... All the talk about PLD was about students and schools, and nary a mention of teachers and their individual needs, let alone subject specialisms or anything like that. I pointed out that as far as secondary teachers were concerned, the Senior Subject Advisers that we had for one whole year were actually the best thing ever. They just looked bored, as if I was describing something that was so last century.

The Student Achievement Function (SAF), which had started that year to work with primary schools on National Standards, was to grow to 50 and include some secondary people, whose job was to 'make sure that every school gets the PLD that they need' (within, of course, the confines of a budget no greater than the current one). The big shifts, we were told, were from partly to fully contestable, from schools working with PLD providers to schools working with regional offices of the MOE who would work with providers; from no targeting to targeting, and to promoting the sharing of best practice. There wouldn't be a form in sight, they assured us; schools could just have a chat with the SAF and tell it what they needed, and it would be provided. But then it turned out the SAF would be checking data about the school, and there were some government priorities over it all, and there would be a pool of 'preferred providers' who would be 'accountable' to MOE to show that what they'd done in a school had raised student achievement. I asked the Ministry if it was aware that the BES on PLD had found there were huge methodological problems in proving a link between PLD and student outcomes – the Black Box – but MOE didn't seem worried about this. Neither did the SPANZ representative, who left early but not before he had told the officials that it all sounded great!<sup>14</sup>

Finally, in May 2011, the MartinJenkins evaluation of School Support Services was released. It did identify a number of problems with current provision, such as that there was a lack of national data about schools' accessing of PLD, that there was a lack of flexibility about what SSS could offer because of its contracts, and that in-depth PLD was valued by schools but they couldn't always get what they wanted. However, what was quite tragic was that:

... instead of the government looking at this report and asking, 'How can we vastly improve the services that SSS provide to schools and make the whole PLD system work better?' they have leapt to an assumption that a fully contestable market model will somehow do it better. That's where one has to suspect that the decision was ideological rather than evidence-based. MartinJenkins do not recommend, at least in this report, that the government go down the path it

has chosen, even though the discourses around that new path draw on their report. Whether they recommended it privately is something we will probably never know.<sup>15</sup>

The SPANZ representative may have thought that the brave new world of PLD was fine, but by January 2012, PPTA was receiving anguished messages from principals about an absolute void of information about what would be available that year. Some were not even aware the system had changed, and those who were, complained that they had heard nothing from the Ministry. The needs analyses had either not been done, or had been done but nothing had resulted. Appointments of SAFs were falling behind. In an email to Secretary for Education, Lesley Longstone, PPTA said principals were saying ‘We are confused’ or ‘This seems mad’. They were appalled by the massive loss of secondary subject expertise from SSS just as the NCEA realigned standards were being implemented. We said the planning of the changes reflect ‘a serious lack of understanding of the particular needs of secondary schools’, and warned that ‘PPTA is feeling that we must publish this scandal in the February edition of our journal, *PPTA News*’, giving her the deadline of 7 February as the date by which we would have decide whether to publish. She missed the deadline, and didn’t phone the President, Robin Duff, until 16 February, following this up with a letter which was not received till 21 February. This was a lengthy defence of the changes, and an assertion that it was all ‘on track’, which it clearly was not.<sup>16</sup>

The President wrote to her again, complaining that her letter had told us less than an *Education Gazette* article published just after it. The PPTA letter reminded her that the union represented around 95% of all secondary teachers and the vast majority of principals, and that they expected PPTA to have up-to-date information on developments. He said: ‘We find it most unhelpful to be left in the dark at times when our members are clamouring for reliable information.’<sup>17</sup>

In May that year, PPTA was visited by Karl Mutch (Team Solutions, Auckland) and Lesley Brown (Te Tapuae o Rehua, Christchurch), representing the two SSS regions that were sharing a contract for PLD delivery for secondary middle leaders about curriculum. They spoke with SPC the same day. They showed us what all the contracts were and how they were distributed among providers (SSS regions and private). The contracts were all just for two years, ending 31 December 2013, and it could all change then. So much for ongoing provision! The secondary



middle leaders contract required provision of an e-newsletter for each learning area, workshops for middle leaders, support for clusters, and in-depth support for particular schools selected by the MOE regional teams. (There was a perception, probably correct but unhelpful, that schools receiving in-depth support were ‘failing schools’.)

Reporting to Executive, I commented:

It strikes me that there is a real dilemma about how much fuss we make about this PLD delivery, under this current government. If we say that it is a complete disaster, the Minister would use that as evidence to support abandoning the contracting model and handing all the money to schools, which would be even worse because it would expose them to the wolves, i.e. some of the really poor providers that are out there in the market, and would cost a lot more because of the lack of economies of scale. We probably need to just watch and wait, and keep arguing for public provision of high-quality PLD.<sup>18</sup>

### **PPTA research and conference paper**

A 2013 Executive conference paper recommended a return to national provision of PLD through public provision, arguing that ‘The current contracting model pursued by the government since 2011 is failing schools and is in urgent need of improvement ...’.<sup>19</sup>

The conference paper was underpinned by the first part of a PPTA research project on PLD. Two surveys of members were conducted in May, one with principals and one with other members. While there were some differences of viewpoint between principals and other members, there was consensus that current provision was ‘inadequate, piecemeal and incoherent’. Teachers wanted more PLD opportunities alongside colleagues from other schools, led by expert facilitators they trusted. They still saw SSS as their local provider, even though government no longer accorded it ‘preferred provider’ status. For teachers, the most effective PLD would be ongoing, with time for reflection, and the least effective was a whole-staff transmission model delivered in-house. For principals, on the other hand, a whole-staff transmission model was preferred, presumably as a vehicle for promoting whole-school change.<sup>20</sup>

A further research project in June 2014 revealed subtle differences between teachers at schools in different deciles, showing that government targeting had meant lower-decile schools received more funded PLD, leaving higher-decile schools at the whims of the market. The report noted:

The overwhelming importance of subject-specific support for secondary teachers cannot be underestimated[sic]. Teachers want support with the content and then through e-learning and teaching as inquiry they can also get support with the pedagogy. Teachers also want to do better in their work with Māori students ... The system continues to be seen as unresponsive and not fit for purpose.<sup>21</sup>

In late 2013, facing widespread dissatisfaction with PLD provision, the Ministry set up a PLD Advisory Group, and PPTA's representative, President Angela Roberts, was able to table the union's work on PLD: the conference paper, the first phase of the research, the PLD Toolkit and the Quality Teaching Taskforce Report from 2012.<sup>22</sup>

But by 2015, the wheels started to fall off the PLD work, because of poor government process. The advisory group had provided the Minister with a proposal for a new model and implementation plan for centrally resourced PLD provision, and in July 2015, Cabinet had approved a new approach and a three-year transition plan. However, there had been no response back to the advisory group. Moreover, it transpired that the Cabinet paper had 'one glaring omission that has the potential to make this all land very badly', in that the Advisory Group had recommended there should be a set of national priorities, but it most certainly did not recommend that the Minister and Cabinet would decide what such priorities were and announce them forthwith. PPTA demanded that the Cabinet paper be released, so at least the Advisory Group knew what the Ministry's part had been in this twisting of its recommendation. There were also new ideas introduced, such as 'accreditation' of PLD providers, and the President was concerned how that would play out.<sup>23</sup>

Then began the horrors of the PLD Implementation Reference Group, which was to advise the government on the new arrangements. It was one of the more unwieldy Ministry projects that PPTA had experienced, with a central reference group and a number of groups meeting on specific aspects. At times, it seemed as if it was going to run right out of control. A staff member reported:

To our horror, when we are one professional staff member down, the PLD working party has gone like the sorcerer's apprentice and split into 4 groups. They are called: Communications and Change; Access – National priorities (right priorities, right place, right time); Networks of Expertise; and Selection process (accreditation and quality assurance). As well there is an overall reference group that Angela is on. This is a big expenditure of staff time for something that is probably only going to annoy members.<sup>24</sup>

They went on to write:

I am very uneasy about this brave new world. I don't think it addresses our members' concerns about PLD at all and there seems to be no intention of engaging with them. They are just going to get a good dose of medicine to fix what's ailing them regardless of whether that's the best treatment or not, whether they are actually sick or even whether they have been correctly diagnosed. At the same [time], the Education Council is likely to tighten up on the evidence teachers need to provide around PLD. I am also anxious that schools will be very unhappy when they miss out on funding and the Ministry will hide behind us. It is also cynically endorsing the subject associations as the answer (just like when NCEA almost collapsed) but will they really get the funding and support they need or is it just another way of co-opting teachers' time for free? One of the attendees said, seriously, that at least schools that got nothing wouldn't be surprised because the system was so broken that they had been getting nothing for some time.<sup>25</sup>

Despite such scepticism by the sector, the project ground on through 2016 and 2017, and the brave new world was more or less in place, just in time for the election of a new Labour-led Government and three years of Education Conversations/Kōrero Mātauranga (see below).

### **Subject associations become 'networks of expertise'**

PPTA has a long history of working with subject associations. They had developed out of PPTA's curriculum panels of the 1970s, and gradually become independent groups, some larger ones constituting themselves as incorporated societies. At an Australian Curriculum Studies Association (ACSA) conference in Adelaide in 2003, I had been interested to learn that ACSA regularly brought together subject association representatives to discuss issues of common interest. In 2004, I suggested PPTA might do the same.<sup>26</sup> Executive leapt at the idea of holding such gatherings biennially, in the intervening year between professional conferences.<sup>27</sup> Accordingly, I wrote to a sample of subject associations to see whether they would appreciate PPTA bringing their representatives together for a national forum. There was a very enthusiastic response, so the first forum took place on 18–19 April, 2005. PPTA covered the costs of the venue and catering, and the associations covered travel and accommodation.

The forum enabled PPTA to assemble a list of 32 subject associations, the vast majority of which were represented. They were keen to meet annually rather than biennially, and to apply for funding from the Ministry, which they felt expected them to support teachers but gave them nothing.<sup>28</sup> Executive agreed to fund a subgroup of association representatives 'to assemble a proposal to government for the support and co-ordination of subject associations'.<sup>29</sup>

The consensus of this subgroup was to form an umbrella group to represent them all on matters of common interest, while retaining their autonomy as individual associations, and to seek funding for a paid coordinator to get it established. While PPTA was keen to help advance this proposal, it didn't see itself as the right 'home' for such an umbrella group. As it happened, though, one of the participants at that first forum and the subgroup meeting was Peter Spratt, who was the education liaison person at the Royal Society but was also the contact for the Science association, NZASE. He said the Royal Society would be keen to host a subject association coordinator, and the consensus was to proceed on this basis, and try to get the Ministry to fund the role. That afternoon, the subgroup met with two Ministry officials. They were both very aware of the current varying capacity of the subject associations and showed definite interest in receiving a proposal.<sup>30</sup>

The subgroup was keen to bring NZEI on board, so later that month I met with NZEI President Colin Tarr and Sandie Aikin, NZEI's adviser on professional issues. I explained that the associations felt a proposal from PPTA, NZEI and the Royal Society would be very powerful, and that those associations with a Year 1–13 curriculum felt a moral duty to support primary teachers of their subject (even though few of them paid subscriptions), and had undertaken to find ways to involve primary teachers more. NZEI was keen to be involved.<sup>31</sup>

A proposal went to the Ministry in November. It suggested three phases: scoping of the project by investigating the current capacity of all the associations; appointing a coordinator to begin the work, including organising another national forum; subject to a positive evaluation of the trial year, putting the project in place for a longer period, such as three years, including funding for individual associations.<sup>32</sup>

A year later, big progress had been made. The Ministry had agreed to fund the scoping phase of the work and had contracted the Royal Society to investigate the capacity of subject associations. It had subcontracted that work to the Wilf Malcolm Research Centre at Waikato University. Its final report was completed in August.<sup>33</sup> The report conveyed a dire picture of the capacity of subject associations to deliver the kind of PLD and advice the Ministry wanted from them. In fact, a Ministry official told me at a meeting on 16 October 2006 that when the report was given to the Minister, Hon.

Steve Maharey, he was horrified and insisted that MOE do something about it immediately. PPTA, NZEI and the Royal Society were told that the Ministry wanted to fund Phase 2, for an organisation to appoint and host a coordinator, but it would have to call for tenders because of the cost of the project. It hoped to get the coordinator in place for the 2007 school year.<sup>34</sup>



**Fiona Craven, Subject Association Coordinator in 2007**

The Ministry included PPTA and NZEI in the process of selecting a successful bid, and it went to the Royal Society, which then developed a job description and appointed a coordinator, Fiona Craven, from Motueka High School. In May 2007 I commented to Executive: ‘Her appointment is for one year on paper, but there is a clear understanding with the Ministry that unless the project proves to be worthless in that year, it will be extended for a further year.’ A reference group for the project was established, including PPTA, NZEI, School Support Services, Ministry and representatives from a sample of associations. The Coordinator made contact with most of the associations, and developed a strategic plan that looked towards establishing a permanent coordination role.<sup>35</sup>

Sadly, in August 2007 Peter Spratt died suddenly. It was a terrible shock to all of us who had worked with him, and his funeral at Old St Paul’s was huge. The General Secretary wrote to his family on PPTA’s behalf, and said:

As the news has spread of Peter's sudden death, we have received calls and emails from members and ex-members expressing their shock and sadness. Peter was very well-liked and respected in the education sector, and will be sorely missed. He will leave a very large gap at the Royal Society, we know. He was described to us by one of those people as 'one of Wellington's truly good people'.<sup>36</sup>

Executive had agreed to provide part-funding for another forum, to be held following the 2008 professional conference in Auckland. This was to cover the cost of the extra work for the event organiser, the venue hire cost, and 50% of the catering. We were optimistic that funding would also come from other sources, the Royal Society and the Ministry, to reduce the amount paid by associations.<sup>37</sup> However, in October, at the same time as reporting to PIAC that the Senior Subject Adviser scheme was not going to be renewed in 2008, I also had to report that it was looking likely that the Subject Association Coordinator position would be lost as well. So much for the 'clear understanding with the Ministry' reported above.<sup>38</sup> The final decision was conveyed to the Reference Group by Bruce Jones, the Royal Society's Finance and Administration Manager, on 30 October:

I need to inform you that Karen Sewell, Secretary for Education has advised that the Ministry will not be renewing the Subject Association Contract when it expires on 15 January 2008. The Ministry advise that they are unable to continue a similar contract next year as there are other initiatives that will have a higher priority; however the prioritising of initiatives is constantly reviewed. This is very disappointing given the achievements to date and our desire to build on the momentum from all of your good work on this project.<sup>39</sup>

The irony of this was that both the Subject Association Coordinator and the Senior Subject Advisers schemes were designed to meet government goals to improve curriculum and assessment in secondary schools. Increasingly, the Ministry and NZQA depended on subject associations for the development of assessment tasks and exemplars, curriculum support, and subject-specific PLD. The coordinator role was designed to build capacity in the associations so they could be contracted for these kinds of tasks.

PIAC proposed that PPTA investigate the option of stepping into the breach and supporting the associations as much as was appropriate, because it could 'win the moral high ground with members and the profession more generally for doing what the Ministry won't do or will do only fitfully'. Executive agreed.<sup>40</sup>

The irony was not lost on me, or any of the subject association representatives, when 70 of us attended – at the expense of the Ministry – a gathering in February 2008 to brief associations about how the Ministry wanted to involve them in revising the achievement and curriculum-based unit standards to align them with the *NZ Curriculum*. I commented to Executive:

I felt an acute sense of the irony that the MOE pulled the plug, late last year, on the contract with the Royal Society that was aimed at building the capacity of subject associations to deliver on exactly this kind of task, and yet was able to find what must have been about \$60,000 (half the annual cost of the coordinator position hosted by the Royal Society last year) to bring them together for one single day to discuss a whole lot of expectations of them that many of them do not have the capacity to fulfil!

The associations were being asked to nominate one person to lead the rewriting project, and the Ministry would nominate someone else to work with them. They would establish a contract with the association, the Ministry said – but this could prove problematic for some of the smallest associations which were not even properly constituted entities able to sign contracts, something which the Ministry should have known if its officials had read the research it had funded in 2006 (see above). The associations were aware of the danger of being picked off individually about the contracts, with those with better negotiating powers getting better money. They whispered to me about ways PPTA might help.<sup>41</sup>

Of the 37 associations, 26 were able to attend the 2008 forum, which was particularly well timed as it was just before the deadline for them to submit proposals for the contracts. I reported:

They were all at sea about how much they should propose as the costing of the contract, in terms of hours needed and hourly rate, especially given that the guidelines for the work have not yet been finalised. The opportunity to strategise together was invaluable, and after the forum I was asked to convey their views to the Ministry, which I did.

NZEI had originally agreed to help with organising that forum and to contribute \$2,000 to its costs, and in return I had promised to organise a session about involving primary teachers in subject associations. However, when PPTA went public about the negative effects of NZEI's entrenchment clause on members' pay, NZEI pulled out of the forum. I reported:

I decided that we should take the moral high ground and run the session anyway, which we did, and in fact the subject associations found it invaluable.<sup>42</sup>

PPTA continued to organise and provide funding towards annual subject association forums. A comment under the heading ‘MOE issues’ in the report on the 2010 forum recalled the irony of the situation, given the previous attempts to get a permanent coordinator for them: ‘Communication issues – who, if anyone, is a point of contact with subject associations?’ The report also cited a lack of support for new learning areas, the effect on associations of School Support Services funding and staffing diminishing, problems with Ministry contracts, and the fact that Royal Society Fellowships for teachers had been slashed ‘because the MOE argues there is “no evidence of benefit” – another example of what is easily measurable being what is funded, ignoring the benefits of activities that are less easily measured’.<sup>43</sup>

At the 2016 forum, the associations heard from Ministry official Denise Arnerich about the new concept, ‘networks of expertise’, that had become part of the latest overhaul of PLD. The Ministry’s broad definition had led to its identifying about 1,000 groups as ‘networks of expertise’, and at that stage, the associations were left puzzled about where they might fit in. Later, after the Ministry officials had left, participants expressed frustration about the presentation, and worries that change was going to happen without enough consideration of the real needs of teachers, especially secondary. They were also devastated at the possibility of the Secondary Student Achievement PLD contract disappearing when this ‘brave new world’ materialised, taking with it National Coordinators for learning areas, learning area advisors, national newsletters, cluster groups, email networks, advice about useful contacts, and more.<sup>44</sup>





**A frequent and lively participant at subject association forums was Gerard McManus, a PPTA activist and a leading expert in the teaching of Digital Technologies. Sadly, Gerard died in his early 40's in July 2020.**

However, by the 2018 forum associations were reporting that they were either in process of applying for, or had been granted, funding as Networks of Expertise. Advisory Officer Anthony Neyland told the associations that there had been a Request for Proposal for two coordinators of the Networks of Expertise, one Māori Medium and one English Medium, and that the Teachers' Refresher Course Committee (now known as Teacher Development Aotearoa) bid. The wheel, it seemed, had come full circle.

The 2021 forum is the only one that did not take place because of Covid-19 restrictions. The 2022 forum did take place, but online.

In 2022, the two Kaihautū Māori started working with Teacher Development Aotearoa on creating a Māori teachers' subject association, which up until then had never been created.<sup>45</sup>

### **Teachers' Refresher Course Committee (TRCC)**

The TRCC was founded in 1945 by Director of Education, Clarence Beeby, to 'enable teachers to have a voice in their own learning and to ensure opportunities for professional development "for teachers, by teachers"'. It was a partnership between the government and the profession, with the government providing funding to subsidise the courses run. The education

unions had always shared the responsibility of governance of the organisation, although the Tertiary Education Union's participation diminished with the break-up of School Support Services.<sup>46</sup>

For the beginning of the period covered here, PPTA was represented by three practising teachers, and staff involvement was confined to identifying suitable nominees for the committee. Teachers on the committee usually came from Wellington or its surrounds because the group often met after school.

In 2011, the first threats to the TRCC began to appear when the Ministry embarked on reviewing its contract as part of the changing approach across all PLD. This led, in 2012, to the Ministry invoking Clause 14 of its contract with TRCC which provided for a variation 'by mutual written agreement'. The variation MOE wanted was to require that TRCC prove that each course: raised participants' levels of subject knowledge and pedagogical content knowledge; led to enhanced decision making by participants to raise expectations of students and improve their data analysis and use; and improved teacher inquiry and changed their practices to accelerate student achievement, especially for Māori, Pasifika and special needs students. In other words, the TRCC was to show that each course contributed to government learning goals. This was anathema to an organisation that had operated with a high degree of freedom from political interference, while at the same time working collaboratively with the Ministry about the courses offered.<sup>47</sup>



**Celebrating TRCC's 70th birthday in 2015**

In the end, TRCC managed to get modifications to the proposed variation in return for another half a year's guaranteed funding, to the end of 2013. This was only a temporary reprieve, however.<sup>48</sup>

In 2016, TRCC was increasingly concerned that it had received no guarantee of continued funding beyond January 2017, and it had a full raft of courses being advertised. PPTA also became concerned that NZEI was making statements about TRCC that suggested a wish to embark on a restructuring exercise. General Secretary Michael Stevenson and DGS Bronwyn Cross met with NZEI and agreed that while 'there was no obvious place for the TRCC to fit in the mad new PLD world and the Ministry would have no compunction whatsoever in taking the money off them', it still needed to be defended. The unions decided to contract a reputable person to scope what TRCC did and suggest what might be needed to better fit into the 2016 world. The Tertiary Education Union (TEU) agreed to share the costs and co-sign a letter to Secretary for Education Peter Hughes. This letter argued that the Ministry was wrong in treating the TRCC just like other providers of PLD, and that it was established by the state as a partnership with the unions. It was run by volunteers, who could not be expected to operate with the current level of uncertainty over funding.<sup>49</sup>

Deputy Secretary Lisa Rodgers replied, saying ‘We are working with the TRCC to find ways to support the courses they have already planned for 2017 and we are discussing their potential role in the initial implementation of the Networks of Expertise.’<sup>50</sup> This was early days in the development of the Networks of Expertise project, but in the end, this was to prove a saving grace for TRCC. In August 2016, at a meeting between TRCC, the Ministry and the unions, it became clear that the Ministry was keen to contract TRCC to be the Hub for the networks but it was still only at the ‘high level design stage’, and wanted to know what the unions, as ‘governors’ of TRCC, felt about it.<sup>51</sup>

The 2016 decision by the unions to commission someone to scope the work of TRCC became a governance review, conducted by Ross Wilson, former President of CTU, and published in July 2017. Ross made a number of recommendations about how TRCC’s governance structure could be improved, and also suggested ways to strengthen strategic planning, and Tiriti responsibilities.<sup>52</sup> A new structure that enacted many of his recommendations was put in place at a Special General Meeting of TRCC on 28 June 2018. It consisted of a Governance Committee of nine people, of whom two were nominated by PPTA, two by NZEI, two by TEU, two by the PLD Committee, and there was one independent member, and a PLD Committee of 12 ‘working teachers’.

At the beginning of 2018, there was considerable confusion about the Hub, because the Ministry had advertised a call for expressions of interest for two National Coordinators, one for English medium and one for Māori medium, which appeared to make requirements TRCC could not meet, so no proposal was submitted. However, further discussion with the Ministry revealed that it was definitely open to a bid from TRCC.<sup>53</sup> Eventually a contract for an English-medium hub was signed in May that year for a period of two years to March 2020, renewable for a further year. It was for a substantial amount of money, but also required TRCC to grow considerably to fulfil it.<sup>54</sup> The National Coordinator position was advertised in June 2018, and Murray Williams was appointed to that role, later to also become the CEO of TRCC.<sup>55</sup> The TRCC annual report at the end of 2019 shows an organisation that, rather than being on the point of disappearing from the PLD landscape as feared a few years earlier, was flourishing.<sup>56</sup>

However, in late 2020, it all changed again. Murray Williams was summoned to the Ministry and told that while it was very happy with the work done to support the Networks of Expertise, it was ‘less satisfied with the style of delivery and the number of teachers participating in the TRCC courses’. Williams pointed out that TRCC was delivering as funded – 400 teachers to attend seven courses – but that Covid-19 had intervened. Despite his protestations, the Ministry said that it would fund TRCC to support the Networks, but not to deliver courses. On the positive side, MOE agreed to increase the funding of the Networks coordination, so TRCC’s role could increase from ‘coordination and support’ to ‘leadership’, such as ‘building connections across the networks, strengthening practices, growing cultural capabilities, promoting rich course design and developing digital abilities’. The networks’ contracts for direct funding were being renewed for two years, with the possibility of extending them to five years, so this meant a greater degree of stability. Despite Ministry funding being pulled, the TRCC did still see potential to run some courses that did not fit under the Networks umbrella, and it resolved to investigate other ways of funding them.<sup>57</sup>



**Kathryn Levy, Onslow College, retiring from TRCC after 13 years of service as a PPTA representative, including being Chair through a period of significant change for the organisation. With PPTA's Michael Stevenson.**

The 2020 Strategic Plan, as at October that year, contained a Strategic Goal about Branding. The group felt that it had a problem with name recognition, but there was no mention at that stage of an intention to change the name.<sup>58</sup> Retired AO Anthony Neyland told me that the name had been identified as a possible barrier to TRCC increasing its profile and reach. Many younger teachers had not heard of it, and ‘the term “refresher” did not reflect the scope and depth of ongoing teacher education and development. There was also confusion with the Teacher Education Refresh (TER) course required by the Teaching Council to be completed by teachers who had been out of the workforce for an extended period of time.’ A



company was contracted to come up with a list of alternative names, and Teacher Development Aotearoa (TDA) was eventually decided upon.<sup>59</sup>

At the time of writing, TDA is working with PPTA's Kaihautū Māori to establish a subject association for Māori teachers.

## **PPTA as a PLD provider**

Perhaps the union's first foray into direct provision of PLD to secondary teachers was the Curriculum Support Days in 2009, although in that case PPTA organised volunteer members (and a few non-members) to facilitate the Support Days, using materials prepared by subject experts brought together by PPTA.<sup>60</sup> It was an example of two common features of PPTA's PLD provision: the union stepping up where it perceived that the government had failed in its obligations, and the union working in partnership with expert individuals or organisations to deliver the PLD.

In 2012, as part of the union's professional strategy, funding was provided for a trial of PPTA-sponsored Teacher Learning Groups. Two eventuated in 2013: one in Nelson working on digital tools for teaching, and one in Auckland bringing together teachers from some of the new 'innovative learning environments' to share ideas for teaching in those contexts. In 2014 representatives of the Nelson group were funded to present on their work at ULearn, a big conference run by Core Education.<sup>61</sup>



**Nelson Teacher Learning Group 2014**

## **Safer Schools for All workshops**

The next example, and one that has run successfully for many years now, is the PLD that PPTA offers to secondary and area schools on ways to ensure that the school is inclusive of diversity of gender identities and sexualities. The origins of these workshops are described in the section ‘Rainbow Teachers’ in Chapter 1 (Volume One).

This PLD has been provided at no cost to the school, at the request of the school’s senior leadership, since 2012. The particular emphasis of the session is discussed in advance with the school to respond to its particular needs. This also ensures a high level of commitment to taking the work on further after the session, as PPTA is unable to offer more than one session to an individual school. PPTA also stipulates that whole-staff attendance should be expected by the school.<sup>62</sup>

The workshop addresses bullying of students and other members of the wider school community, including staff, who are perceived to be different because of their sexual orientation or gender identity. The workshops are presented by a trained member of the Rainbow Taskforce or the staff member responsible for the work of the Taskforce, most recently new General Secretary Kirsty Farrant, and earlier by this author. One principal described their school’s session as follows:





**Students Stevie Ransfield and Laura Slater, out and proud at Fairfield College's senior ball, exemplifying the kind of celebraton of diversity that the workshops encourage**

It is probably the most focused, current and enlightening professional learning that we have received from an outside provider in many years. Its subject was bullying, particularly in regard to sexual orientation and gender diversity. A very relevant topic in our schools, it was presented in a very sensitive and refreshingly open manner. Staff were staggered by some of the statistics that were revealed and the stories that were told so that at the end of the presentation everyone decided that we should never 'turn a blind eye' again to such disrespectful behaviour. And the seminar cost us nothing!<sup>63</sup>

Covid-19 caused a number of these workshops to be deferred, because it is a form of PLD which really requires face-to-face interaction. Letters to principals inviting them to apply were suspended in 2021 and 2022 as PPTA tried to get through the postponed workshops, some of which were rescheduled three times. PPTA hoped to resume normal service in 2023.<sup>64</sup>

## PLD Fund 2019–2023

A significant outcome of the STCA and ASTCA round in 2019 was the last-minute government concession to PPTA of a fund, administered by the union, to provide PLD to secondary teachers. This fund amounted to \$5 million per annum from the start of 2020.<sup>65</sup>

The Memorandum of Agreement (MOA) between the Ministry and PPTA proposed some initial uses for the Fund: supporting subject associations and their conferences; a professional conference; the Māori Teachers' Conference and Pasifika Fono; a conference for provisionally certificated teachers; supports for women in leadership; a Secondary Education Leadership Summit; programmes on Te Reo and Tikanga Māori; investigation and design of a Secondary Teacher Career Pathway qualification; regional workshops for teachers mentoring Year 1 and Year 2 teachers; health and safety and wellbeing workshops; and a centre for development of curriculum resources for teachers.<sup>66</sup> This list has guided the use of the fund since then, with small variations.<sup>67</sup>

The final contract with the Ministry was signed on 28 August 2019, followed by the appointment of a National Coordinator and communications with members. Dr Kirsty Farrant, at the time an Advisory Officer (Professional Issues), was appointed to the position of Coordinator and had begun work by the start of November.<sup>68</sup> Kirsty's report to Executive in February 2020 was full of optimism about progress.<sup>69</sup> However, her next report, at the end of April, was another thing entirely. By then, Covid-19 lockdowns had forced the deferment or movement online of several events.<sup>70</sup>

Because of the pandemic, PPTA was able to negotiate with the Ministry a variation to the term of the Agreement for an additional year to July 2023, although with no extra funding, just spreading it over a longer period.<sup>71</sup>

By the end of July 2020, 89 teachers had participated in the wellbeing workshops, mostly online; a PCT conference had been held virtually and successfully; the Women in Leadership summit was on track; and the Āpiha Māori was working on developing one or more webinars to replace the Māori Teachers' Conference. Discussions with Victoria University were continuing about ways to develop a 'career pathway qualification'.<sup>72</sup>

By November 2020, it had been possible to hold five subject association conferences, and 58 teachers had successfully applied for funds to attend them. This was an important use of the fund because it enabled more equitable access to this form of PLD. It also boosted attendance and therefore financial viability for the associations. Te Huarahi had run two webinars for teachers. One had been on the role of leaders, teachers as leaders, and how leaders need support. The other was on engaging Māori students and teaching science in authentic and relevant contexts. Moves were under way to appoint facilitators for the Te Reo and Tikanga Māori PLD. The Women in Leadership summit had struck a window when all Covid restrictions had been lifted, and 74 women had been able to participate. However, a decision had been made to defer the Leadership Summit to 2022.<sup>73</sup>



**One of the last face-to-face wellness workshops before Covid forced them online – Taupō, 2020**

By February 2021, two staff had begun work as Āpiha Mātauranga for the Reo and Tikanga Māori PLD roles, and they planned to begin delivering programmes in Term 2, 2021.<sup>74</sup>

The professional conference went ahead in April 2021 and had good numbers, thanks to the Fund's support. A face-to-face conference for provisionally certificated teachers was held, with registration free and travel and accommodation provided through the PLD Fund.<sup>75</sup>

In his report in May, the General Secretary noted that Kirsty Farrant had been promoted to DGS (Policy and Advocacy), and Dr Helen Finn would replace her as National Coordinator of the Fund.<sup>76</sup> By July 2021, Helen Finn was able to report that the Māori Teachers' Conference had gone ahead as planned, as had the PCT Conference. Covid-19 hung over the plans for the Leadership Summit in 2022, with many suitable venues still being used as MIQ facilities, but eventually the new Te Pae conference centre in Christchurch was available to accommodate the conference, deferred to July 2022. With Covid restrictions less severe, 2021 saw a lot more subject association conferences able to be held, and therefore a much bigger call on PLD Fund support.<sup>77</sup>

The national Te Reo and Tikanga Māori PLD was finally under way in mid-2021. It now had a Māori name, 'Te Tatau ki te Ao Māori: Opening the door to the Māori world'. The programme was 'designed to provide a safe haven for secondary teachers to begin a journey into Te Reo Māori'. Workshops had been provided by the facilitators at the professional conference, the Māori Teachers' Conference and the PCT Conference, as well as at schools that requested them.<sup>78</sup>

Te Tatau ki te Ao Māori had to go online for part of 2021 and at the beginning of 2022, which was far from ideal. In May 2022, Helen Finn reported:

This programme has experienced serious disruptions due the ongoing Covid-19 outbreak. We have had a number of engaged schools needing to pause the programme as they have experienced major disruptions to school life, and they continue to adapt to their community needs and evolving mandated changes. Feedback from our school communities including our currently engaged schools is that they prefer to have this programme in schools in a face-to-face capacity. We currently have 90 enrolled teachers undertaking the programme in Term 1, online.<sup>79</sup>

By September 2022, six cohorts (five from schools in Auckland and one in Wellington), a total of 310 participating teachers, were enrolled in the programme.

PPTA had been discussing with Victoria University, as part of the concept of creating a career pathway qualification for secondary teachers, the concept of micro-credentialling. A micro-credential is described by NZQA as 'smaller than a qualification, designed to allow recognition of a discrete set of skills that meet specific learner, employer, industry or iwi needs. They can also be stacked together as part of a programme leading to a

qualification.’<sup>80</sup> The concept of NZQA recognising micro-credentials in some way had been mooted some years earlier, but in 2018, NZQA began approving and quality-assuring micro-credentials, giving them credit values of between 5 and 40 credits, at any level. In the early years, micro-credentials tended to be at the lower levels of the Framework.<sup>81</sup> In a more recent report, NZQA noted that ‘Globally, there is a growing interest in shorter learning experiences to address challenges facing skills systems ... This trend has been accelerated by the pandemic with changing patterns of employment and urgent upskilling needs.’ It noted that New Zealand universities had been slower to develop formal micro-credentials, which contrasted with Europe, where such credentials had been developed more at university level than at vocational level.<sup>82</sup>

Victoria University was the first in New Zealand to offer micro-credentials.<sup>83</sup> In November 2021, Helen Finn reported that in Term 1 of 2022, a pilot group of teachers would be doing a micro-credential course ‘Effective Mentoring for Secondary Teachers’, offered in partnership with Victoria University of Wellington (VUW). PPTA’s role had been to work with the VUW Uni-Professional team to design the initial concept and framework of the course. A group of teachers with recent experience of mentoring or being mentored helped design the 50-hour, 5-point credential, to be done over one school term.<sup>84</sup> In February 2022, Helen Finn was able to report that the mentoring micro-credential had been received with enthusiasm by members, and PPTA had contracted with VUW to deliver 15 courses between February 2022 and December 2023, for a maximum of 450 participants. It would ideally be a blended delivery model, including a face-to-face one-day workshop.<sup>85</sup>

By May 2022, Helen Finn was sounding very upbeat about the programmes being offered. Within 24 hours of the announcement of the new ‘Thrive: Building Resilience’ programme, 100 teachers had registered their interest. ‘Thrive’ was a one-day online resilience programme which had replaced the previous wellbeing workshops, and was offered in partnership with Victoria University. The Ministry had expressed ‘excitement’ about the current programmes, especially Thrive and the mentoring, and had allocated a third Ministry staff member to keep track of all the programmes.<sup>86</sup>

There were, in the end, four conferences held in the July school holidays in 2022. These were the Māori Teachers' Conference, held at Te Papa Tongarewa in Wellington, 10–11 July; the Leadership Summit at Te Pae in Christchurch, 13–15 July; Tū Toa, the Pasifika Fono at the Brentwood Hotel in Wellington, 18–19 July; and the PCT conference, also at the Brentwood Hotel, 21–22 July.

The 2023 settlement included the continuation of the PLD Fund, administered by PPTA as before.

## Final words

There have been many changes in the PLD landscape over the twenty years covered here. PPTA has tried to influence those changes, either as part of an advisory group, or by developing its own tools for members (such as its PLD Toolkit), or by stepping up to fill gaps in provision, or in its advocacy for TRCC (now TDA).

For PPTA's members, whether teachers or principals, PLD is fundamental to the profession's ability to respond to change. It is ironic that teachers, as leaders of student learning, have so often had to struggle to access the learning they themselves need.

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### **The muddle in the middle and the mess at the end**

Secondary schooling sits between primary schooling and tertiary education (whether work-based or institution-based). There is a degree of instability at both ends of that spectrum. At the lower end of secondary schooling, there have been attempts by intermediate schools to extend their rolls to encompass Years 9 and 10, and on the other hand, there have been restructures of schooling that have taken Years 7 and 8 into secondary schools. At the upper end of secondary schooling, there have been constantly changing government policies that have caused uncertainty about where the responsibility lies for students in the post-compulsory age group, from 16 on, who are embarking on employment related or tertiary education while still partly at school.

This chapter looks at how this has played out over the last twenty years.

### **The muddle in the middle**

The period covered in this history followed nearly two decades of neoliberal policies under the 1984–1990 Labour Government and the 1990–1999 National Government. These policies included extremes of school choice (including de-zoning) and privatisation. In 1999, PPTA had published a conference paper on restructuring, which noted that there were qualitative differences between earlier school closures and what was starting to happen. While population decline continued to be a factor, the paper argued that ‘Of equal significance now are the “Tomorrow’s Schools” effects: choice, de-zoning, integration and privatisation’. Three secondary schools had been closed in 1999, all of them schools that were losers under de-zoning policies because they were in less advantaged communities. The paper argued that the students in such schools:

... have no choices; they lose the right of access to their local school and must travel farther away to find a school which is prepared to enrol them. Under this policy, parents in poor communities are subsidising the choices of wealthy parents.

A further manifestation of these policies was what the paper described as ‘the sprouting of middle schools like mushrooms’. An example given was Invercargill, where secondary school closures had been caused when the Minister, Wyatt Creech, approved an intermediate school’s application to become a middle school (Year 7–10), taking students from both primary and secondary schools.<sup>1</sup>

A 1998 paper by PPTA cited the 1996 Trends in International Mathematics and Science Study (TIMSS)<sup>2</sup> which had shown that New Zealand students were performing at only average level at Year 8, but by Year 13 were among the best in the world. The report had noted that ‘Correlation analyses revealed that Form 3 (Year 9) students tended to achieve better in mathematics if their teachers also taught mathematics at form 6 and 7 levels (Year 11 and 12) respectively.’ PPTA argued that students benefited from being taught by specialist teachers that only secondary schools could provide.<sup>3</sup>

In 2003, the Education Review Office published *Students in Year 9 and 10*, which labelled students in those years as ‘the forgotten ones in secondary schooling’ and called for ‘ring fenced’ and ‘developmentally responsive’ schooling for these students. PPTA was highly critical of ERO’s methodology; its choice of Pat Nolan, a well-known middle-school advocate from Massey University, to write the literature review; and its choice to launch the document at the annual conference of the Intermediate and Middle Schools Association when it was about secondary schooling. PPTA protested directly to ERO, and also submitted a feature by the President criticising ERO’s report to the *Education Review*.<sup>4</sup>

Until then, PPTA had tended to be agnostic about which structure of schooling was preferable, but in the face of increasing demands from intermediate schools to keep their students to the end of Year 10, that position was changing:

Middle school proposals are frequently floated as a way of ‘rationalising’ schooling provision in these areas. Such proposals threaten the jobs of our members. On the other hand, Year 7 to 13 school structures are favoured by us, and can be a much better way of dealing with an ‘uneconomic’ intermediate school.

Researchers on the achievement in multi-cultural high schools (AIMHI) project, Kay Hawk and Jan Hill, had identified difficulties for students if they were in Year 7 to 10 middle schools then shifted to secondary schools

for the first year of NCEA assessment.<sup>5</sup> PPTA commissioned these researchers to provide a paper on the issue. Hawk and Hill told PPTA that ‘the government was reluctant to see them publish the evidence on the subject which they generated from their AIMHI work’, confirming PPTA’s suspicions that some senior members of the government were uncomfortably close to middle schooling proponents.<sup>6</sup> The resulting paper, ‘Transition traumas, traps, turning points and triumphs: Putting student needs first’ was presented at PPTA’s professional conference in 2004. It argued that ‘for most students making their way through the New Zealand education system, the pathway is an island-hopping exercise rather than a “seamless” experience.’ This ‘island-hopping’ tended to result in drops in achievement each time it happened, especially for already disadvantaged students. They suggested that New Zealand should consider whether its unique arrangement of most students transitioning twice during their schooling was best for students.<sup>7</sup>

Despite PPTA’s efforts, a middle schooling movement appeared to gain traction in New Zealand and elsewhere during the 2000s, and it had a number of supporters in the Labour-led Government. During that period PPTA had to become even more vociferous about students being disadvantaged in middle schools.

However, the advent of a National-led Government in 2008 largely removed the threat of further middle schools ‘sprouting like mushrooms’. PPTA had noted in a number of documents that, in fact, middle-class parents tended to use their power and resources to avoid intermediate and middle schools by sending their children to full primary schools or enrolling them in integrated or private schools that began at Year 1 or at Year 7 and ran through to Year 13, so there was not a strong constituency for middle schools among National voters. There were beginning to be Year 7 to 13 schools, for example in Invercargill, and linked junior and senior high schools (Years 7 to 10 and 11 to 13) such as Albany Junior and Senior colleges.

After the Christchurch earthquakes in 2010 and 2011, the fraught process of reviews resulted in closure of a number of intermediate schools in Christchurch, and three secondary schools (Hornby, Linwood and Hillmorton) becoming Year 7 to 13 schools.

For PPTA, this tendency to reduce the transitions to one and make it occur at Year 7 was a positive move. However, there have been issues over the years about the staffing of junior high schools and the formula applied to Years 7 and 8 in secondary schools. (See Chapter 8 (Volume Two).)

The attention turned to the other end of secondary schooling.

### **The mess at the end**

PPTA had been interested in the secondary-tertiary interface for some time. At the most basic level, anything that might take students out of secondary schools was a threat to members' jobs. In addition, the Qualifications Framework made school and tertiary study part of a continuous progression rather than school qualifications being separate. A significant aspect of PPTA President Martin Cooney's objections to the development of the NCEA on the Qualifications Framework was the risks it presented because of this. Speaking to PPTA's professional conference in 1997, at which the Qualifications Framework Inquiry presented its preferred scenario for school qualifications, he attacked its proposals and argued that 'the existing qualifications system separated schools from other institutions and thus served to keep the threat of EFTS funding, a logical consequence of "seamless" qualifications, away from the senior secondary school'. This angered the report's lead author, Shona Smith (Hearn), so much that it probably fuelled her leadership of moves to later have him removed as PPTA President.<sup>8</sup>

First hints that the 1999 to 2008 Labour-led Government had some new ideas for reform around the secondary-tertiary interface appeared in the mid-2000s. Labour was under pressure from education thinkers like Stuart Middleton, who was quoted calling for removal of boundaries between secondary and tertiary. PPTA representatives at the Leaders' Forum in October 2006 noticed the number of presentations signalling change. The new Deputy Secretary (Schooling), Anne Jackson, had come from the tertiary section of the Ministry, and said that there was a need 'to begin joining up the work'. The 2005 Labour Manifesto had promised a 'Youth Apprenticeship Scheme', which at that stage was presented as students being at more than one institution and able to earn money while still at school. President Debbie Te Whaiti wrote: 'PPTA needs to start taking charge of the debate in order to protect the interests of our members'. CAC

was keen for PPTA to mount a forum on the subject for a range of interested parties.<sup>9</sup>

This took place on 1 December 2006, and was titled ‘Twilight zone or Shangri-La – issues around the secondary-tertiary interface’. Seventy-three people, representing a range of viewpoints, attended: from the industry training organisation (ITO) sector (10), the polytechnic sector (6), government agencies (13), principals and deputy principals (7), subject associations (6), and others. President-elect Robin Duff said the union was worried about the blurring of distinctions between secondary and tertiary education, partly because tertiary was a bulk-funded, market-driven regime which at its worst had encouraged competition that was not always in the best of interests of students, communities or the taxpayer.<sup>10</sup>

There were presentations from, among others, the Ministry, principals, ITOs and Business NZ. Summing up the day, former President Peter Allen suggested that the discussion should move from barriers to building on the good things already happening, and to listen to what teachers and students were saying and use that as the basis for future action.<sup>11</sup>

Then, in her State of the Nation address on 12 February 2008, PM Helen Clark launched a new policy called Schools Plus, the detail of which began to emerge in the following months.<sup>12</sup>

Meanwhile, the work on youth apprenticeships had been rather quiet in 2007, with just 10 schools in a pilot at the end of that year. In 2008 there was a bigger pilot of 20 schools. This was ‘one of the most under-resourced pilots in history’, with each school receiving \$5,000 from the Tertiary Education Commission ‘to cover the cost of setting up the paid work experience component of the pilot’. Schools were told that draft guidelines were being prepared, and that they would help finalise these. The issue of payment of students on Youth Apprenticeships, which had concerned PPTA because it might incentivise students to choose the scheme rather than follow more appropriate pathways, was addressed by allowing students to be paid for work done during school holidays, but not during the term.<sup>13</sup> Later in 2008, Executive member Peter Kemp reported that up to 100 schools were being invited to enrol for 2009.<sup>14</sup>

In February 2008, Executive established a Youth Policy committee of Executive, Te Huarahi and SPC members, and this committee started work soon afterwards. The need for work on youth policy was evident from

statistics presented to the committee by AO Lynette O'Brien, including that in June 2007, 6.6% of 15 to 19 year olds were NEETs (not engaged in employment, education or training). There was a lot happening in the secondary-tertiary space, but it seemed quite incoherent.<sup>15</sup>

The group agreed that 'PPTA needs to lead this issue, and portray ourselves as the experts on the needs of students in this age group'. They saw a need to 'counter the John Key argument that schools are not capable of delivering for the disengaged' and decided to get some case studies of successful school initiatives, build networks with other organisations, and produce a publication presenting the PPTA position.<sup>16</sup> '*Secondary Forward: PPTA Youth Policy*' was published in May 2008. Of its recommendations, the most important was that 'all 16–18 year olds are entitled to a fully-resourced, personalised programme overseen by their secondary school, that includes a range of learning opportunities, pathways guidance and mentoring and supports their successful movement from school into work or further education'.<sup>17</sup>

During 2008 the government worked to refine Schools Plus. In May, PPTA submitted on the consultation document, criticising its 'discursive and disconnected' questions, its focus on the Ministry of Education at the expense of all other agencies, its high demands on schools combined with an absence of detail about resourcing, and the 'policy churn' that constantly beset schools. The submission, to which a copy of *Secondary Forward* was attached, concluded:

The Ministry of Education's record in supporting changes in secondary schools (NCEA, Technology Curriculum) is not good and schools' cynicism about this proposal is more than justified. Along with the various demands made of schools by the Schools Plus document, can we suggest a concomitant challenge to the Ministry, that it undertake to develop an implementation plan that genuinely supports schools, responds to feedback, recognises that staffing and funding in schools is not a limitless resource and moves forward at a pace determined by the school's capacity to manage the change rather than by political agendas?<sup>18</sup>

In the meantime, however, the National Party launched its alternative to Schools Plus, which it titled 'Youth Guarantee'. For secondary schools, the key difference between the two parties' policies was that the Youth Guarantee policy did not preserve the role of secondary schools to coordinate students' pathways beyond school in the way that Schools Plus did. PPTA met with National's education spokesperson, Anne Tolley, to discuss Youth Guarantee. She tried to reassure PPTA that National wanted



to get trades education into schools, but the ‘youth guarantee’ was about picking up young people who had turned off and left school. She also wanted to build on existing programmes that PPTA approved of, such as Star and Gateway. She insisted there was no intention to introduce contestability in the sector, and that she wanted schools to have ‘a central role in ensuring that useful things happened for as many of the 8,500 disaffected students as possible’.<sup>19</sup>

In November, Labour lost power to a National-led Government and Youth Guarantee became government policy rather than Schools Plus. It took some time to take shape, but in November 2009, PPTA’s submission on Youth Guarantee expressed doubt that giving the responsibility for youth transitions to tertiary institutions was the best approach:

We refute the romantic notion, largely perpetrated by providers who compete with secondary schools, that students need to be ‘saved’ from secondary schools. The data is clear that students who do not succeed at secondary school do not progress in the more expensive, less supportive tertiary institutions either. That is because the problem has usually begun well before the student enters secondary and tertiary education.

Tertiary providers were to receive \$4,500 extra in funding per student, but PPTA predicted that they would tend to concentrate, not on the disengaged students, but on those already likely to succeed wherever they were.<sup>20</sup>

Then a year later, in December 2010, PPTA representatives attended an Industry Training Federation (ITF) seminar, about which Advisory Officer Sarah Dalton commented:

As it is, there is clearly more hot air than action in this area and we came away from the day as worried as ever that the ‘youth guarantee’ is more label than strategy ...

Jeremy Baker, Director of the ITF, had floated the notion of ‘sectoral pathways’, arguing that while university entrance requirements provided a clear pathway, others were not so clear. The sectors would be service, manufacturing/technology, building/construction, primary industries, and social/community work, and these might be seen as ‘majors’ for NCEA, covering broad sets of competencies on the path to further qualifications.<sup>21</sup>

By June 2011, this proposal had been adopted by the Ministry, and a Pathways Advisory Group (PAG) was established, including a wide range of groups including PPTA and SPC. The five sectors advocated by ITF had

not changed, but there was consideration of a sixth, which in 2015 became the Creative Industries Pathway.<sup>22</sup>

While that first meeting felt quite positive, by October 2011, the secondary sector felt badly outnumbered at the meetings and concerned about haste at the expense of careful policy development. The ‘vocational pathways’ felt ‘just a mess that would be impossible for schools to fight their way through’. Some encompassed a huge number of widely different occupations at many different levels, others were more limited. Some standards were common to all pathways, leading to the question ‘What makes a pathway?’ It looked as if schools would have to introduce many new standards and courses to enable their students to complete pathways. A February 2012 launch was being planned, and Executive resolved to raise the issue to the Minister if things didn’t improve.<sup>23</sup> Fortunately, Deputy Secretary Kristine Kilkelly listened to PPTA’s concerns, cancelled the December meeting to undertake a thorough review of the project, and turned the launch into a more gradual release of the policy as it evolved.<sup>24</sup>

In March 2013, SPC wrote to the Minister, by then Hekia Parata, seeking a further year’s delay in the reporting of Vocational Pathway awards because schools had not yet had a chance to review their course offerings in the light of the final shape of the pathways. To release results in this situation would be, wrote SPC Chair Allan Vester, ‘highly disrespectful to secondary schools’, and ‘likely to set the implementation process back’.<sup>25</sup> A ‘soft launch’ was finally held in April 2013, but ‘it was a funny kind of launch, because there has been information [on] the pathways around for years, and no real announcements were made, e.g. about timelines’, partly because the Minister had handed over the decision about SPC’s request for delay to the April advisory group. I commented: ‘So it was rather entertaining to see them “launch” something without a date for it actually happening!’<sup>26</sup>

At the April meeting, PPTA finally learned that the Tertiary Education Commission had, unbeknownst to the school sector, made the funding of private training establishments (PTEs) contingent on PTEs delivering the Vocational Pathways that year, before the award requirements had been finalised. Secondary sector representatives at the meeting were furious, describing this as ‘pre-emptive’ and ‘an insult to secondary’. It was very much tail wagging the dog, because PTE numbers were tiny compared with

secondary schools. NZQA warned the Ministry of a further problem, that very little time was left for it to make the technical reporting changes to make awards that year. SPC Chair Allan Vester said schools were not generally in a position to offer programmes that year, and it would be a real problem for schools if students received something from NZQA telling them they had received, or were on their way to receiving, a Vocational Pathways award that they and their parents knew nothing about.

In the end a compromise had to be made, which involved standards achieved in 2013 being able to be claimed later, from 2014 when the awards would become available.<sup>27</sup>

Gradually the Vocational Pathways became part of secondary sector developments, but issues remained. Almost every year, the standards that were part of the pathways had to be amended because of assessment changes. The question of whether there would awards at Level 3 as well as at Level 2 was never resolved, so they remained at Level 2. In August 2019, Advisory Officer Kirsty Farrant reported: 'Vocational Pathways is really in pause mode while the NCEA Review is proceeding.'<sup>28</sup>

Vocational Pathways still exist in 2022, and the government is promising to enhance the policy 'to improve its usefulness as a navigation and planning tool for schools and foundation tertiary providers'. However, this work has been somewhat eclipsed by work on a 'Vocational Entrance Award' to be trialled in 2023, as part of the NCEA Change Package goal, 'Clearer pathways to further education or work'. The government promises that 'Achieving the Award will demonstrate that a learner has undertaken initial learning valued by industry, employers and tertiary education organisations (TEOs), and is ready to transition into higher-level vocational education including apprenticeships.'<sup>29</sup>

The other major part of National's Youth Guarantee policy was trades academies, and these seemed to pose a much greater threat to secondary schools. In April 2009, PPTA alerted branches to a call from the Ministry for expressions of interest from tertiary institutions and secondary schools for establishing trades academies, also called 'secondary-tertiary partnerships' or STPs, which it said would 'focus on delivering trades and technology programmes to secondary students based on partnerships between schools, tertiary institutions, industry training organisations and

employers'. Students would be able to combine studies at a trades academy with NCEA study.<sup>30</sup>

The first nine academies began operating in 2011. Only three of these, the Te Tai Tokerau, Southern Cross and Western Bay of Plenty academies, had secondary schools as their host.<sup>31</sup> A year later, Minister Tolley announced that double that number would be operating in 2012, taking the total to 21, with another 8 having secondary schools as their host institutions.<sup>32</sup>

In September 2012, Marlborough Executive member Peter Kemp, who was a Careers Adviser, set out what he saw as the gathering threats to the senior secondary school: the trades academies; the 'youth service providers' that had been set up to work with NEETS; the 'tertiary high school' at Manukau Institute of Technology; the fact that polytechnics and private training establishments were now delivering NCEA at Levels 1 to 3; the loss of resourcing for secondary schools as students left school to study with alternative providers whose more 'adult' contexts appealed to students but did not necessarily provide anything better than secondary schools; and the fact that a review of Career Information, Advice, Guidance and Education (CIAGE), which had been due to go to cabinet in June, was months overdue leaving the careers service in limbo. He called for a new taskforce to work on the issues.<sup>33</sup>

Executive duly set that up. Peter became the chair, and it included a member of the Presidential team, nominees from Te Huarahi, Komiti Pasifika and SPC, and three other members with expertise in the secondary-tertiary area. It began meeting in January 2013, and worked solidly that year. The taskforce conducted an information-gathering exercise, using a range of modes of consultation, such as inviting organisations to make presentations, conducting surveys, interviewing key people, making Official Information Act requests, and studying current research literature. The group met with Federated Farmers, Business NZ, Industry Training Federation, Careers NZ, the Ministry of Education, the NZ Association of Private Educational Providers, and the Metro Group of polytechnics. Interviews were conducted with senior leaders of eight schools that ran trades academies. A Taskforce presentation at the *Bridging the Divide* conference organised by Manukau Technical Institute and Ako Aotearoa was well attended.

The Taskforce report to Annual Conference 2013, ‘Seamless transition or jagged edge?’, picked up on the title of a series of papers from the 1980s and 1990s by PPTA staff member Phil Capper, which had begun to alert Executive to the perils that lay ahead for the post-compulsory secondary years.<sup>34</sup> It concluded that Youth Guarantee, ‘while producing some clear benefits to many students who might otherwise be at risk of disengagement from education, has some major problems which need to be addressed urgently’. It criticised a lack of coherence as the policy was experienced at the local school, poor implementation including poor communication to schools, lack of PLD for teachers involved, and an absence of robust evaluation processes. Schools, already reeling from the demands of the NCEA curriculum alignment process, were trying to make sense of Youth Guarantee policies without the support they needed. The government needed to spend money instead of trying to do it in a cost-neutral way.<sup>35</sup>

There were worrying implications for school funding when they had students spending part of their time in a trades academy, either on- or off-site. An Official Information Act request revealed that Cabinet had decided to move to what PPTA, to the Ministry’s annoyance, called ‘a bulk funded model’, whereby from 2014 the student’s host school would receive a cashed-up amount to be shared pro rata with the tertiary provider, in return for which students would not be counted on the school’s roll for resourcing purposes, nor for entitlement staffing, operational funding or property entitlements. AO Rob Willetts listed the threats: that the government could be using this as a softening-up approach for a much broader bulk funding of the senior secondary school; that because there was no automatic adjustment of the rates the value of the funding would erode over time; that small schools in particular would lose out; that property funding meant for schools would be shared with a tertiary provider; and that it would result in staffing insecurity.<sup>36</sup>

In Term 2 of 2013, PPTA surveyed principals about the various Youth Guarantee initiatives, including the trades academies. That year they were essentially being double-funded, receiving more than \$9,500 for having a student in a trades academy, plus having them counted on their roll for all purposes. Not surprisingly, they were reasonably happy with the funding arrangements that year, but very unhappy about the changes for the following year. Interviews with principals of schools that hosted trades academies showed that it was small schools that particularly feared the

changes. As an example, one city school with only 568 students in total had 25% of its senior roll aiming for university, but when it lost the guaranteed minimum formula staffing (GMFS) for 60 or more senior students who were in its trades academy, the school struggled to provide a full curriculum for the university-bound students. Fierce competition for students in that city meant the school could not afford to abandon university-oriented programmes or it would go into an irretrievable roll decline.<sup>37</sup>

Executive urgently advised members of the risks from the bulk funding of students in trades academies and asked SPC to protest to government and advise colleagues to be careful when considering participating in trades academies.<sup>38</sup>

The Taskforce developed 11 recommendations to guide the union's policy. These included bringing coherence across the Youth Guarantee programmes, full entitlement staffing for students enrolled part-time in tertiary, a comprehensive evaluation of trades academies focusing on both student outcomes and impacts on the wider school community, improved accountability for the funding, enhanced careers advice and guidance, PLD for teachers involved, and guidance to schools on coordinating the various programmes.<sup>39</sup>



**Arthur Graves, a former SPC Chair who later worked on secondary-tertiary interface issues at the Ministry**

2014 was spent spreading the word: circulating the report to principals and branches, lobbying Steven Joyce, who had taken over the tertiary education portfolio from Hekia Parata, and raising the issues at every opportunity. Early that year, regular meetings with PPTA about Youth Guarantee issues were initiated by the Ministry, and these continued into 2016, helping somewhat to improve consultation and communication. It helped that two former SPC members, Arthur Graves and Graeme Marshall, participated in those meetings. Minor improvements were able to be achieved.<sup>40</sup>

In 2023, there were 25 secondary-tertiary partnerships operating, so only four more than in 2012. There are 11 that are run by schools, including Te Kura's national STP, and all of those appear to have existed since 2012.<sup>41</sup>

## **Final words**

Secondary schools will always sit in a zone where they risk attacks on their rolls from below and above. However, despite the protestations of the New Zealand Association of Intermediate and Middle Schooling (NZAIMS), many families demonstrate a preference for their children to make just one school transition by choosing a Year 1–8 primary school or beginning high school in Year 7. The latter option does not necessarily mean that a full secondary-school-style education is begun at Year 7. The principal of one of the Christchurch schools that became Year 7–13 after the earthquakes explained to me in an interview in 2021 that the school had chosen to put students into two separate groupings, Year 7–10 and Year 11–13. Because the students are still in the same school, taught by specialist staff who develop programmes across all the years, there are not the 'island-hopping' problems that Kay Hawk and Jan Hill found where students were moving from Year 7–10 middle schools into completely new secondary schools.

At the upper end of secondary schooling, schools will continue to search for the best options that enable their students to move smoothly from school to their next opportunity. For some, this will be gaining the appropriate qualifications at school to be able to enter tertiary courses in universities or other tertiary institutions. For others, it will be a more complicated mix of school, work-based, and tertiary learning.

What is most needed at both ends of secondary schooling is collaboration rather than the competitive behaviour that was the feature of much of the

last two decades.

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### Working towards equity

PPTA as a union has been committed to helping to achieve the vision of Clarence Beeby and Peter Fraser, as set out in 1939, that:

The government's objective, broadly expressed, is that all persons, whatever their ability, rich or poor, whether they live in town or country, have a right as citizens to a free education of the kind for which they are best fitted and to the fullest extent of their powers.<sup>1</sup>

On the other hand, not every government the union has worked with has shared the same commitment, or at least the same understanding of how it might be achieved.

Over the last twenty years, the struggle to implement the Beeby/Fraser vision has been evident in a number of areas, some of which are covered here.

### Special education

The Special Education 2000 policy was announced by the National-led Government in its 1996 Budget. Its purpose was 'to develop a fair system to ensure appropriate students receive support wherever they may be and according to their level of need'. It was to be implemented over three years, beginning in 1997.<sup>2</sup> However, things did not go smoothly, and when Labour gained power in 1999, Ministers Trevor Mallard and Lianne Dalziel launched a review of the policy, and that task went to Dr Cathy Wylie from NZCER. Her report, titled *Picking up the Pieces: Review of Special Education 2000*, was published on 31 July 2000. It provides the backdrop for much of what happened in special education over the next twenty years.

Wylie acknowledged that the policy had improved opportunities for some students, but criticised the number of separate initiatives and funding pools which made it hard to provide integrated services. She also criticised contestability between fundholders for students with ongoing high and very high needs, and said the move to less predictable funding had caused casualisation of staff with expertise. PLD for staff, other than for the new

Resource Teachers of Learning and Behaviour (RTLBs), was sparse, and there was too much reinvention of the wheel required.<sup>3</sup>

### **Magnet schools and special education units**

Prior to the period covered here, secondary schools approached students with special education needs in different ways. While some, sadly, did their best to persuade such students that they would be better served elsewhere, other schools welcomed them and became ‘magnet schools’. These schools tended to be ones with designated special education units with extra staffing, catering for students with moderate to high special learning needs. Most units offered a home base for students, but sought to include them in mainstream classes in selected subjects, supported by teacher aides. In 2000, PPTA surveyed parents of special needs children in five ‘magnet’ schools, to provide information for the Wylie review. The children had a mix of issues: physical, developmental, psychological, behavioural and sensory. The mix of inclusion in certain subjects combined with a home base in the unit felt right to most of the parents, with only 10% of them wanting their child fully mainstreamed.<sup>4</sup>

However, under the 1990–1999 National Government, these special education units had come under attack, with the government removing their special designation and staffing ratio in 1998 and adopting instead a voucher-type system, where funding was attached to students themselves if they were deemed to have High or Very High ongoing needs. This was rationed funding, with many students previously served by the units missing out. If the school had enough students with the funding, it might be able to combine the resource to staff a unit and perhaps include some students who’d missed out, but the situation was fragile. When schools were forced to close their units because of insufficient resourcing, the government’s answer was, ‘It’s their choice’. PPTA, in its submission to the Wylie review, wrote:

The Ministry clearly hoped that the abolition of units and the ORS and SEG system would lead to a diaspora of special needs students from magnet schools to the wider school system. It was naïve to think that this would occur, as there have always been schools who are more willing to cater to the special needs students than others.<sup>5</sup>

A case against the government’s disestablishment of the units was taken by a group of parents, supported by the Quality Public Education Coalition

(QPEC) of which PPTA was a member. The High Court ruled in the parents' favour, but the Crown appealed and the decision was overturned, although the Court of Appeal did take the view that correct procedures had not been followed before the special classes, units and services were disestablished. The High Court was made responsible for determination of relief.<sup>6</sup> This led to an Action Plan from 2004, but no return to designated special education units, because the Labour Government was equally determined that all schools should take responsibility for special needs students in their communities. The problem of resourcing that adequately, however, has not really ever been solved.

At a QPEC seminar in Auckland in 2007, John Minto (Chair of QPEC at the time) argued that one of the big problems was schools that marketed themselves as having high academic standards and therefore resisted enrolling disruptive students or students with special needs because of the damage they were perceived to do to the school's image. The ideology of school choice had led parents to enrol their students in schools that did not reflect the diversity of New Zealand society, whether ethnically, socially, or in terms of diverse learning needs. Even Ministry officials at the seminar admitted that the independence Tomorrow's Schools gave to boards made it difficult to ensure that all students were made welcome in all schools.<sup>7</sup>

### **Resource Teachers of Learning and Behaviour**

The position of Resource Teacher of Learning and Behaviour (RTL B) was created in the late 1990s. RTL Bs worked across schools with the teachers of identified students. They were intended to be part of the provision for inclusion of students with 'moderate' learning needs, by providing their teachers with analysis of their issues in the classroom and with solutions.

Although RTL Bs worked across schools, a single school would employ a group of them. PPTA provided union coverage when they were employed by secondary schools. Initially, the clusters in which they were employed were quite small (80% between 1 and 5 RTL Bs in 2003).<sup>8</sup> In their first few years in the position they were required to complete, through part-time study, a postgraduate Diploma in Specialist Teaching (Learning and Behaviour), for which they received study time and funding.

Cathy Wylie's report was quite critical of the service, not of the concept so much but of the implementation, and she made eight recommendations

for change.<sup>9</sup> Some changes were made, but grumblings about the service continued. President Debbie Te Whaiti and I attended the RTLB Association's national conference in 2002, and we found a group much in need of the union's support, which we did our best to provide.<sup>10</sup>

However, by 2004 things got much worse for the RTLBs, with a highly critical Education Review Office evaluation. There was a long list of recommendations, and a warning of a further review to come.<sup>11</sup>

The Minister ordered the Ministry to make whatever changes were needed to make the service work for students. A project team was appointed within the Ministry, and a sector reference group, including PPTA, set up.<sup>12</sup> A major project, with five streams of work, began in September 2005 and resulted in the publication of a 'toolkit' for RTLBs in March 2007. There had been some final-hour wrangling between the Ministry and the Reference Group about one aspect of the toolkit, namely the definition of which students RTLBs were there to serve. This was an important issue, because the under-resourcing of other parts of special education had meant that Group Special Education (GSE) was pressuring RTLBs to take on students with much higher or different needs from those they had been trained to cater for. In the end, wording was agreed but whether it reduced the pressure on RTLBs is unclear.<sup>13</sup>

As well as this policy work, the Ministry sought the help of the unions with a largely industrial problem. There had been increasing issues with positions in clusters not matching need, with both under- and over-supply materialising. The various redeployment processes in the STCA, ASTCA and PTCA simply didn't work where a teacher might be employed by one school but work entirely in a group of other schools. Eventually, agreement was able to be reached on a formula to allocate positions to clusters fairly and equitably, taking factors such as roll size, geographical area and school deciles into account. An incentive in the form of transfer and removal expenses was offered for any RTLB moving from an over-staffed to an under-staffed cluster.<sup>14</sup>

However, this was not the end of the matter. In October 2008, AO Jane Benefield reported that PPTA and the Ministry were at stalemate, because PPTA was insisting that redeployed RTLBs must have access to the same redeployment options as any other PPTA member – supernumerary employment, severance, long-service or retraining. The Ministry's position

was that an RTLB should be able to be ‘transferred’ from one employing school within a cluster to another, without the options being available.<sup>15</sup> This stalemate was not broken until 2011, by which time the Ministry had embarked on a more major reorganisation, creating much larger clusters. A variation to the STCA was agreed on 4 October 2011, and besides ensuring access to the full range of redeployment options if they chose not to accept a move to a new employing school, it also allowed RTLBs currently covered by PPTA by being employed by secondary schools to remain under PPTA’s coverage even if the reorganisation shifted them to a primary or area school.<sup>16</sup>

The Ministry had embarked on this more major review of the clusters because in 2009, ERO had reviewed the management of clusters and concluded that despite increased guidance and support from the Ministry, the wide variability in governance and management of clusters it had seen in 2004 was still evident, with only 18 of the 40 clusters studied well governed and managed.<sup>17</sup>

The number of clusters was reduced to 40. When ERO reviewed them again in 2017, it reported ‘very positive improvements’.<sup>18</sup>

## **Special Education Update**

By 2015, the Ministry had moved to a new approach to special education which it was calling the ‘Special Education Update’. Ministry official David Wales told a group working on ‘inclusive education’ that they had the policy direction right, and over the last twenty years the system had ‘seen an agreed approach to special education that has constantly improved’. This might well not have been the perception of his audience. MOE was launching into ‘refinements’, and ‘By the end of this work it should be possible to draw the special education system on a napkin’. Brave words!<sup>19</sup>

By 2016, Wales’s claims that MOE was just tweaking the policy settings were belied by the emergence of a cabinet paper from Minister Parata, ‘Strengthening Inclusion and Modernising Learning Support’. This appeared to signal an intention to take Ongoing and Reviewable Resourcing Schemes (ORRS) funding away from students in ages 18–21, and direct it to children in early childhood education.

PPTA's view was that while additional funding for special education for early childhood students was highly desirable, it must not be at the expense of school-age students, including those in the 18–21 age group. This was pitting different parts of the sector against each other, and seemed to show a woeful lack of understanding about students with high and very high special education needs who were receiving ORRS support. It would also have had a disastrous effect on the viability of the surviving special needs units in secondary schools. The paper also seemed to be underpinned by a naïve belief that increasing funding for special needs children in ECE would mean they required less support later. A paper to Executive pointed out: 'Permanently and severely disabled students don't get miraculously cured by the age of five – or seven – years, no matter how good their early childhood education is.'<sup>20</sup>

An ad hoc group of members was brought together to discuss the issues. However, while the group was meeting, PPTA came into possession of a second Cabinet paper from a month or so previously that indicated the government had listened to the furore about the previous paper, the threat was averted, and one group of students would no longer be traded against another. The new paper even contained some new ideas with which the group agreed.<sup>21</sup>

### **Education and Science Select Committee investigation**

This investigation into 'The identification and support for students with dyslexia, dyspraxia and autism spectrum disorders in primary and secondary schools' began in 2015, instigated by the Green Party. It was long overdue; the Ministry had essentially ignored these conditions for years and failed to resource students affected. PPTA's submission to the committee drew on comments from members, including principals. The submission emphasised the need for accessible information and PLD for teachers on these various conditions (now grouped under the heading 'neurodiversity'), for resourcing of appropriate learning environments for the various conditions such as quiet spaces for autistic students, for staffing for a Special Education Coordinator in every school, and for resourcing of Special Assessment Conditions for NCEA assessments.<sup>22</sup>

The Committee's report-back in March 2017 contained 46 recommendations agreed by the whole committee, plus another 26 in the

minority report of the Greens, New Zealand First and Labour. These ended up covering more than just the needs of neurodiverse students but the full gamut of special education provision. It was to provide a useful template for work in this area by the Labour-led Government that won office later that year.<sup>23</sup>

One of the recommendations that did come to fruition, but not to the extent or in the way that PPTA would have wished, was the recommendation for a special education coordinator (SENCO) in every school. In October 2018, PPTA's submission on the proposal argued that these needed to be positions of considerable responsibility, remunerated with a minimum of two units, a time allocation related to factors such as roll, number of special needs students and complexity of their needs, and the number of other teachers employed to meet their needs. There needed to be provision for PLD, ideally towards a qualification like the one funded for RTLBs.<sup>24</sup>

Sector groups were concerned, though, that the government might not deliver fully on the policy, and these concerns proved correct. On 4 November 2018, Prime Minister Jacinda Ardern announced that 623 Learning Support Coordinators (LSCs) would be employed from the beginning of 2020. These were to be a first tranche, with the justification that teacher shortages and logistics of developing the new role necessitated phased introduction. In March 2019, the Ministry began consulting on the job description for the role, but at that stage it did not appear to have considered the need for variation to the collective agreements to clarify conditions and remuneration. MOE was envisaging quite a senior role for a qualified teacher and with full release from classroom teaching, so that was reassuring. It was worrying, however, that it did not seem to be on track to include the positions in the staffing orders, nor to negotiate variations.<sup>25</sup>

However, on 2 August, Associate Minister Tracey Martin announced that 630 'Learning Support Coordinator' positions would be allocated via clusters, mostly Kāhui Ako groupings of schools, according to a formula of 1 position per 500 students. There was an expectation that schools would share a position in cases where they didn't qualify for a full position. The seniority element had disappeared, and the positions would attract no additional remuneration. This meant that, where a school already had a SENCO whom it had appointed using existing staffing, with units, the



Learning Support Coordinator(s) the school received would tend to be supervised by the SENCO rather than the position being given to the SENCO. Where a school had not been able to appoint a SENCO, what it was getting in this scheme turned out not to be the same thing at all. Moreover, the allocation process was widely criticised for the lack of any application process or prioritisation on the basis of need. Instead of being a role for every school, it had become an itinerating position in many cases, especially for small primary and area schools. SPC issued a ‘proceed with caution’ warning to its members, advising clusters to hit pause on making appointments.<sup>26</sup>

The need for variations to recognise the role in the collectives was becoming urgent, and a joint letter from PPTA and NZEI to the Secretary for Education asked that the roll-out be paused pending settlement of the terms and conditions. The letter signalled that variations were needed to cover – at least – remuneration; employment arrangements; qualification structure and recognition; impact on existing positions and transitional arrangements; supervision; mentoring and management of the role; and process and resources for recruitment.<sup>27</sup> The request was refused.

In September, both unions formally requested bargaining, filing similar claims, but were refused again by the Ministry. After further exchanges of views, in November they filed in the Employment Relations Authority on the grounds of the Ministry’s failure to negotiate variations to recognise the new positions appropriately.<sup>28</sup> Progress in the case was painfully slow, not helped by the arrival of Covid-19 early the following year. Eventually the case was referred to mediation, but there were repeated deferments during 2021 and the start of 2022. In the end, agreement was reached with the Ministry that ‘the parties will continue to work together in good faith to try to find mutually agreeable outcomes for all matters raised as part of the process to renew the collective agreements. This will happen as part of pre-bargaining talks.’<sup>29</sup> However, no mention of the claim was included in the Ministry’s offer for settlement in October 2022.

PPTA considered that there were continuing and multiple issues with the Learning Support Coordinator position, especially in relation to role clarity and scope, conditions of employment, and the fact that for many of them it has become an itinerating role, with issues about role clarity and connections. Also, only 30% of PPTA’s LSCs received any extra

remuneration, and yet many more than that had extra responsibilities on top of the LSC role. From the start, there was an expectation that they would work with and positively influence leadership teams in schools, but the lack of any extra remuneration does not reflect this.<sup>30</sup>

Finally a new section on Learning Support Coordinators was introduced in the STCA 2022-2025, section 4.27. This describes the purpose and functions of the role, a mechanism for managing a situation where the LSC works across schools, and a rather loose provision about consideration of whether a unit is merited by the particular responsibilities of the incumbent. This appears to meet some, but not all, of PPTA's concerns about the role.

## **Behaviour issues**

It is a sign of progress, perhaps, that there is a chapter in David Grant's history titled 'School discipline and the corporal punishment debate', whereas in this history, terms such as 'students with behaviour issues', 'disruptive students', and 'managing challenging behaviour' are more commonly found.<sup>31</sup> Nevertheless, the issues around meeting the needs of students who struggle to comply with school behavioural expectations continue to challenge secondary schools and teachers and their union. The union tends to look at student behaviour from many points of view: concern for the disruptive or violent student themselves; concern for the student's peers who may be victims of violence (physical or emotional), or at least have their learning disrupted; concern for the student's teachers who are expected to manage the classroom context and keep everyone safe at the same time as being in danger themselves; concern for the wider school community who may be adversely affected by the behaviour of the student; and lastly concern for the profession as a whole, because the perception that secondary school students are difficult to manage is a barrier to recruitment into teaching. This section can only deal with some parts of this picture.

## **Violence in schools**

In 2002, PPTA's Women's Advisory Council produced a conference paper titled 'Violence at school'. It was focused on the impact of violence on the health and safety of the school community as a whole, but particularly violence directed by students at teachers, and made the link with

recruitment and retention difficulties the profession was facing. The paper called on branches to work with their boards of trustees to review existing policies on identifying violence, prevention strategies, maintaining and monitoring security and safety, implementing risk-management strategies, responding promptly to bullying and violence, and supporting victims.<sup>32</sup>

The paper obviously struck a chord at conference because additional motions were put and carried, to the effect that the union sought resourcing from the government in the form of a properly resourced truancy service, more places in alternative education, better access to addiction and mental health services, social workers in schools, and additional resources to schools that were required to take excluded students.<sup>33</sup> Work proceeded during 2003, in consultation with the Women's Advisory Council and Principals' Council, to develop a national policy and guidelines and lobby relevant agencies. At the beginning of 2004, a School Anti-Violence Toolkit was published as 'A resource to assist schools in developing and implementing effective anti-violence policies, practice and procedures'. In his introduction, President Phil Smith was careful not to overstate the case:

It is not that New Zealand schools are particularly violent places, quite the reverse, for many students it is the only place where they feel safe. However, there can be no doubt that the rising levels of violence in society are spilling over into schools. There are no easy answers to the problem. Violence has been systematically increasing in New Zealand schools over a number years, fuelled by the media and exacerbated by freer access by students to drugs and alcohol. At the same time, the support networks that schools could once rely upon such as social welfare, special education support, health and psychological services, drug and alcohol counselling and even the police have been steadily eroded. Schools have been left struggling to deal with the consequences of these policies without the necessary resources.<sup>34</sup>

In July 2004, PPTA surveyed members to find out what kinds of bullying and harassment they were facing, and from whom. The results were presented in a paper by Women's Officer Jane Benefield to the New Zealand Association of Research in Education conference in November. The paper reported that teachers' work environments were complex, and the possibility of encountering aggression and hostility exceeded that of most other employees, with workplace bullying from other adults, especially management, combining with the prime source of violence, students. Despite this, teachers and schools often found it difficult to access appropriate resources and support.<sup>35</sup>

A conference paper in 2006 (see next section) was accompanied by a set of draft guidelines on ‘Teacher safety in schools’. These raised the option of a branch calling a strike if a school’s management should fail to adequately address a hazard in the form of ‘ongoing or periodic dangerous and intimidating behaviour’ from a student or students.

In 2007, the Anti-Violence Toolkit, first published in 2004 and broader in scope than the Teacher Safety guidelines, was revised and re-published, but then in 2012 it was revised again, more substantially. One of the issues that had arisen between the last two versions was about the right of a teacher to lay a complaint of assault by a student with the police. While it was mentioned in passing in the 2007 Toolkit, this was strengthened in the 2012 Toolkit. PPTA had consulted with Police Association President Greg O’Connor about evidence that some members were being actively discouraged by school management from reporting to police on the grounds of reputational damage to the school and adverse consequences for the student. However, Greg’s advice was that the school’s confidentiality would generally be respected, and that outcomes for the student might well be better because social workers were more likely to become involved if the matter had reached the police.<sup>36</sup>

The Anti-Violence Toolkit and the 2006 Teacher Safety in Schools are now combined in a comprehensive document titled ‘Safety in Schools Toolkit: Practical resources for dealing with and preventing bullying, harassment and assault’, produced in 2019.<sup>37</sup>

## **Approaches to managing behaviour**

Concerns about student behaviour continued to increase and attention started to turn to restorative practices as an option for improving behaviour. The issue was first raised at a meeting of guidance counsellor members in 2005. Many of those at the meeting had experienced its use in their schools, and they had a range of views on the strategy. One counsellor from Northland described how restorative principles were being used in his school, but warned of resourcing and workload challenges, and employment issues such as where a principal wanted to use a restorative conference to resolve an issue between a teacher and a student, but this could put at risk the teacher’s employment rights. All agreed that such approaches demanded

a lot of teacher time. They said PPTA needed policy on the matter and recommended there be a paper to Annual Conference 2006.<sup>38</sup>

Executive agreed, and an ad hoc group of counsellors met in early 2006 to work towards that. President Debbie Te Whaiti told them that alongside the guidance counsellors' support for restorative practices were members' concerns about feeling increasingly unsafe in their schools and unable to manage some of the students they faced. It was decided that the conference paper, titled 'Managing challenging student behaviour', needed to take both of these strands together, which proved to be not an easy task. In the end, the group's recommendations affirmed the right of all staff and students to work and learn in safety, and called on the government to fully fund the development and implementation of restorative practices in schools that chose to work that way, and to properly staff and fund schools to be able to provide a wider range of appropriate learning opportunities for students at risk of educational failure. PPTA was asked to prepare advice for branches about their options should their Board fail to address teacher safety.<sup>39</sup>

The time was clearly ripe for PPTA to develop policy in this area, because Budget 2006 allocated \$9.5 million over four years 'to tackle disruptive behaviour in schools'. Minister Maharey's press release said that this money was to ensure that 'children with severe behaviour difficulties can remain in school without putting themselves or others at risk'; that 'there are good policies and guidelines in every New Zealand school'. It would also provide new 'behaviour screening' to schools and enable the Ministry to work together with schools to identify children at risk of developing severe behaviour problems before these became harder to manage.<sup>40</sup>

The conference paper described the Budget allocation as the government 'acknowledging that difficult student behaviour is not an issue that schools are currently able to adequately deal with'. The Suspension Reduction Initiative, in operation since 2001, had reduced suspensions, especially of Māori students, but the paper expressed concern that the improved statistics might, in some cases, simply reflect an increased tolerance for disruptive behaviour rather than actual improvements. The paper reminded members that under the Health and Safety in Employment Act, the term 'hazard' may include student behaviour such as physically threatening or actually harming a teacher or causing stress, if that hazard is not satisfactorily

addressed by the Board. The idea was further developed in advice to members in the next year or so.<sup>41</sup>

The 2006 conference paper warned that restorative practices, while beneficial, could take three to five years to be fully implemented in a school, and that full restorative conferences were exceedingly time-consuming and resource-heavy. Branches were warned to ensure that members were protected from poorly conceived and poorly implemented practices. It also warned that peer mediation processes should never be used to resolve issues between teachers and students, only student to student.

The paper also criticised the patchy and poor-quality provision of alternative education, where some of the neediest students had no access to fully qualified teachers:

Students whose behaviour is disruptive are troubled students; they have emotional, social and learning needs that are greater than the average student. In the same way that no one today would support intellectually or physically disabled students being educated by non-teachers, neither should we accept the education of disruptive students being in the hands of non-teachers.<sup>42</sup>

In April 2007, PPTA contracted member Patty Towl, a former school principal, to write a literature review of best practice behaviour-management systems for schools. At the time, she was working on a PhD<sup>43</sup> with Otago University in the behaviour management area. The literature review was published by PPTA in September 2007, and is still part of the advice on behaviour management provided on the PPTA website.<sup>44</sup>

In 2008, the Hutt Valley region brought a paper to Conference titled 'Disruptive anti-social behaviour in secondary schools'. Combining with the Wellington region, they had funded NZCER to survey teachers in the two regions to establish the incidence of anti-social behaviour. The focus of their paper was on the staffing and resourcing needed for schools to deal appropriately with disruptive behaviour. It made reference to another paper being presented at the same conference, on needs-based staffing, and recommended that 'a new formula with which to target staffing to students who are at high risk of disengagement and dangerous and disruptive behaviour be investigated'. The paper argued that increasing resourcing for supporting disruptive students was the best way to reduce rates of stand-down and suspension, and that funding should be long-term and non-contestable.<sup>45</sup> The paper was strongly supported by conference.<sup>46</sup>

## Taumata Whanonga

In March 2009, the new National-led Government called together a Taumata Whanonga/Behaviour Summit for 150 invited (and paying) guests. Minister Tolley was keen, in her opening speech, to emphasise this was neither a summit on bullying nor on violence, though a knife attack on a teacher at Avondale College the month before could not help but be in people's minds. She said:

This summit is about developing an action plan to address the whole range of behaviours that can impede learning, and at their worst, threaten student and teacher safety. There is excellent work being done in many early childhood centres and schools to proactively manage a whole range of behaviour issues. What this summit wants to achieve is consistent application of those, and more, effective practices across New Zealand.<sup>47</sup>

PPTA, SPC and other sector groups had been involved in planning the summit, and PPTA and SPC published a joint position paper. This supported community liaison officers and social workers in schools, but criticised the incoherent provision of these. It also called for quality PLD to help schools close the achievement gap for Māori students. Not surprisingly, it called for smaller class sizes, because these improved opportunities for communication, and made addressing disruptive behaviour easier. Consistent with the call in the 2006 conference paper, the position paper called for high-quality available alternative education, plus better provision of RTLB and Group Special Education services.<sup>48</sup>

The Summit identified a number of priorities for action such as initial and ongoing teacher education to manage extreme behaviour, stronger emphasis on 'getting it right' for Māori students, more government support for evidence-based programmes, and sharing of evidence about what works. The steering group was to continue to meet to develop a detailed plan of action.<sup>49</sup> Kate Gainsford remembers an emphasis on using evidence-based programmes and these needing to be implemented 'with fidelity' to the original model, something she feels has been lost through Ministry implementation processes. She also remembers speakers emphasising that because there were no silver bullets, there needed to be a portfolio of solutions. This came up in relation to Ministry officials at times suggesting that the Incredible Years programme for whānau of 3–8 year olds would solve everything, and having to be reminded that solutions needed to be available, not only early in a child's life, but 'early in the life of the

problem'. Secondary schools could not wait for everything to be fixed in the early years.<sup>50</sup> The Gluckman report on adolescence, published in May 2011, confirmed that.<sup>51</sup>

In October, sector groups met with the Minister and Ministry officials to discuss 'where to next'. A Behaviour and Learning Action Plan was being fleshed out, and the Minister explained that budget 2010 processes involving Health, Ministry of Social Development and Education were working to be able to launch 'a cohesive social package' of which the Action Plan would be part.<sup>52</sup>

The elements in the action plan included implementation of the Positive Behaviour For Learning (PB4L) programme, a whole-school approach that appeared to be working well in two states in Australia; continued implementation of Restorative Practices; a greater focus on behaviour intervention by RTLBs; introduction of an Intensive Wraparound Service through Group Special Education for individual students presenting severe behaviour challenges; and a Rapid Response service from GSE.<sup>53</sup> After pressure from the sector groups working on the plan, it was finally released late in 2009, and the first call for schools to participate in PB4L was made.<sup>54</sup>

During 2009, PPTA's Disruptive and Anti-Social Behaviour Working Group arising out of the Hutt Valley paper was working towards its next conference paper. Some of the group's members attended the Taumata Whanonga, and the paper's title, '80, 15, 5 per cent: What we know, what they need ...', referred to figures popularised at the Summit estimating the likely incidence of levels of behaviour management need. It was claimed that the behaviour of 80% of students could be managed with normal programmes in schools such as PB4L; 15% were estimated to need some extra intervention; 5% were believed to need one-to-one specialist support. The conference paper compared this with what was currently available, and the evidence of its effectiveness, then made eight recommendations, calling for professional learning on effective behaviour management, roll-based allocation of RTLBs to every secondary and area school, extension of the social workers in schools scheme, tagged staffing for liaison with support agencies, and more.<sup>55</sup> Conference passed all these, plus other resolutions, including requiring a further paper to the 2010 conference 'outlining strategies, including a range of alternative staffing formulas, targeting



severely disruptive behaviour’, endorsing the need for tagged staffing for trained guidance counsellors, and calling for investigation of a new category of resource teacher for disruptive students.<sup>56</sup>

Then, suddenly, at the start of 2010, the floodgates opened, leading Advisory Officer Sarah Dalton to warn Executive of the challenges ahead to keep track of the impacts on secondary schools of all the behaviour-related projects coming on stream. The impact was complicated by the fact that some of the work was being driven by other agencies, particularly MSD and Justice. She concluded from the poor processes experienced around the Behaviour Action Plan – where meetings were not always well signposted or planned ahead, outcomes were unclear, funding was limited or non-existent, and pressure was brought to bear on group members to speak with one voice even at the expense of their specific sector interests – that processes with these new projects might not be any better. These included release of the Ministry’s review of alternative education and whatever might come of that, the beginning of the imported programme Positive Behaviour for Learning (PB4L) in selected secondary schools, proposed changes in the role of RTLBs, District Truancy changes, the He Kākano initiative (which PPTA saw as the Ministry’s cheap alternative to Te Kotahitanga), and an advisory group on Conduct Problems in adolescents due to report before the end of Term 1.<sup>57</sup>

A 2010 conference paper argued that while the Interim Response Fund (to assist a school when a student’s behaviour has reached crisis point) had been doubled and there were pilots of a Behaviour Crisis Response programme and an Intensive Wraparound Service, there were still questions about whether these, along with PB4L, would address the issues, particularly in secondary schools. The paper asked why RTLB involvement finished at the end of Year 10. It also asked why there couldn’t be secondary-specific RTLBs who understood the different context, and how RTLBs could be more productively managed and deployed. The paper argued that secondary schools were ‘poor cousins’ in relation to the Behaviour Action Plan:

All advice from the experts at the Taumata Whanonga was that interventions need to be ‘early in life’ or early in the life of the problem. It seems we have the former (which is commendable) but not the latter, leaving secondary schools stranded when it comes to providing support for students whose psychological, social, and sometimes psychiatric needs exceed what schools can provide.<sup>58</sup>

PPTA's view was while PB4L was part of the answer to behaviour issues in secondary schools, it was far from being the whole answer.

### **PB4L becomes the main game in town**

Training for schools joining the programme was well under way by Term 3 of 2010, and by then, more than 20 secondary schools were involved. The training ran over three days and was done regionally. A positive aspect was that it did not use a trickle-down approach, but instead trained a wider range of staff.<sup>59</sup>

In 2012, the big issue became consultation with staff before schools committed to PB4L. In some cases, this was truncated or absent, and PPTA protested vigorously about this to the Ministry team, as well as writing to principals reminding them of the importance of this consultation, and the need to achieve an 80% level of agreement before embarking on the programme.<sup>60</sup> At the same time, PPTA was an active participant in the PB4L Advisory Group, and in organising the regular conferences for schools in the programme. By the end of November 2013, there were 139 secondary schools participating.<sup>61</sup> This number continued to grow over the years following, with the help of financial assistance from government.

In 2015 the Ministry's announcement that it intended to greatly expand the programme to at least 1,500 schools by 2020 but within the same 'fiscal envelope' (meaning the money per school would be greatly reduced), put PPTA's support for the programme at risk. A report on a meeting between Ministry officials and PPTA describes this approach as 'back to the "do more with less" philosophy'.<sup>62</sup> In June 2017, PPTA and NZEI wrote jointly to Minister Nikki Kaye protesting that reduced funding meant that the programme could not be adhered to 'with fidelity' (see above).<sup>63</sup>



**Sarah from Ophi College points out the school’s PB4L expectations as developed in consultation with students**

Issues of funding and time to operate the programme well have come up from time to time since then, and there have also been changes in the location of the PB4L advisers, with them becoming integrated into the wider Learning Support arrangements in regions. Nevertheless, PB4L is now very much a part of how many<sup>64</sup> schools operate. It has also in some ways become seen as the umbrella for the range of programmes that were in the Behaviour Action Plan, and new ones. Restorative Practices has been re-labelled ‘PB4L Restorative Practices’ as distinct from PB4L Schoolwide, and there are now two Kaupapa Māori programmes, Huakina Mai and Te Mana Tikitiki. It was noteworthy that at a recent reference group meeting, a revised terms of reference included the statement: ‘We have a shared understanding – maintain the fidelity of PB4L.’<sup>65</sup>

## **Supporting guidance counselling**

The work of guidance counsellors has been supported by PPTA for many years. In 2001 a conference paper reviewed the piecemeal development of the role from the 1960s to 1980s, followed by the requirement, from 1989, that each school must appoint a counsellor once its secondary roll rose above 400 students. Roll-based and tagged staffing was provided, and

guidance counsellors were expected to be trained and qualified teachers who were funded to study part-time for a postgraduate qualification in counselling from one of the approved universities. However, in 1995 the Ministerial Reference Group (MRG) on staffing (in which PPTA had participated but refused to agree to the final recommendations) removed all tagged staffing, including for guidance counsellors, and gave schools carte blanche as to how they used their staffing. Predictably, especially as the MRG had also cut staffing in small secondary schools, guidance counselling time was converted into teaching time in many schools that were struggling to maintain a broad curriculum. This was despite an arguably increased need for counsellors. The paper called for a return to tagged staffing for counselling, and for branches to monitor their schools' use of their guidance and pastoral staffing to ensure it was used appropriately. It also noted an emerging tendency for schools to appoint to guidance counsellor positions trained counsellors who were not also trained teachers and called on PPTA to find ways for these people to gain teacher registration.<sup>66</sup>

PPTA's work with guidance counsellors focused on these issues of staffing, qualifications and teacher registration over the twenty years covered here. In October 2002, a group of guidance counsellors who were on the New Zealand Association of Counsellors (NZAC) national body consulted with PPTA about implementation of the conference recommendations. Ideas included working with the Teachers Council on what was called 'Track 3 registration', and giving branches the pre-MRG formula and getting them to check their counsellor staffing against it and lobby for more where it was insufficient. Another idea was that branches should ensure their Board had a policy to require all counsellors employed be members of NZAC because of the assurances the professional association gave in terms of a Code of Ethics and a Complaints Process, but also because it would then require the Board to pay for each counsellor's membership.<sup>67</sup>

In March 2004, PPTA surveyed guidance counsellors, both members and non-members. The purpose of the survey was to gather information about these matters, and also about membership of professional associations, the extent of counsellors' classroom teaching responsibilities, and their views of PPTA services. Responses were received from 256 guidance counsellors – i.e. about 50% of all guidance counsellors. Of these, 83% were

provisionally or fully registered; however, the other 17% were either on a Limited Authority to Teach (which indicated that they were not teaching qualified) or failed to answer that question, suggesting that they were employed as ‘teacher aides’ or the like. Those kinds of arrangements were *ultra vires*, because the Support Staff agreement specifically excluded its use for guidance counsellors, and teacher staffing could not be used to employ non-teachers.<sup>68</sup>

The survey also asked for the number of FTTEs devoted to counselling in their schools, and calculated these in relation to school roll and decile. The results were ‘quite startling’:

While the average FTTEs for guidance counselling increases with roll size, it does not increase proportionately. If the average FTTE in schools up to 300 is 0.72, one would expect that in schools in the range of seven times that size it would be about 5, but it is about half that. PPTA is not aware of any ‘economies of scale’ when it comes to the need for guidance counselling, yet these numbers would suggest a perception that there are. The fact that there is a school with 1,070 students and only 0.2 FTTEs allocated to guidance counselling is shocking, as is the fact that there is a school with 2,447 students and only one guidance counsellor.<sup>69</sup>

In August 2005, President Debbie Te Whaiti, herself a guidance counsellor, called together a larger group of guidance counsellors to prepare a comprehensive paper to Executive. Following that meeting, the President and I attended a national guidance counsellors’ conference in Napier, at which she gave a keynote speech, and that, plus a workshop I presented, generated even more issues on which PPTA needed policy. The paper to Executive contained nine substantive recommendations, ranging across staffing improvements, affirming the preferred route into guidance counselling through teaching and further qualifications, and other matters.<sup>70</sup> Executive strengthened the recommendations somewhat by calling for a further paper at the beginning of 2006 ‘outlining the industrial and professional issues emerging around the employment and coverage of guidance counsellors, and identifying possible solutions’, at the same time as supporting the more straightforward proposals.<sup>71</sup>

However, in 2006 things became complicated. The G3 issue was raging,<sup>72</sup> and the Teachers Council was tightening its rules around Limited Authorities to Teach. These both adversely affected non-teacher-qualified counsellors. PPTA was also trying to sort issues for some of those counsellors who had been permanently appointed in the short period in the 1990s when teacher registration was not a requirement, and who now held

permanent status when they shouldn't. A short conference paper on these issues was forwarded to Executive, but it chose instead – given that a new STCA round was coming up the following year – to refer the issues to the Conditions Strategy Committee for consideration.<sup>73</sup>

2007 was another very busy year in relation to guidance counsellors. An email distribution list of PPTA member counsellors was established to keep contact with the network. PPTA won the battle to strike out of the Teachers Council's policy on LATs the words 'who are also in a teaching role' after 'guidance counsellor', because those words implied that guidance counselling was not a teaching role, and undertook to work closely with NZAC so that the two organisations did not give conflicting advice to government about school counselling. PPTA also worked with Initial Teacher Education (ITE) about how counsellors could get access to its courses, and with the Ministry about availability of study awards for teachers to become guidance counsellors. Lastly, Executive approved the convening of a group of member counsellors to update the Appointment Kit which had first been written by PPTA and NZAC some years before.<sup>74</sup>



**PPTA's guidance counselling working group in 2009, author front row, first on the right**

The new kit took a good while to prepare, with the need to have the agreement of both parties, but it was finally published in February 2010. In the meantime, a further threat to guidance counsellors had materialised, when Minister Tolley seemed to be indicating in a letter to Chris Hooker, School Counsellor representative on the NZAC Council, that she planned to take staffing for counsellors out of schools' staffing orders and bulk-fund it. President Kate Gainsford reacted furiously, accusing the Minister of hypocrisy by on the one hand, speaking of 'improving the cost effectiveness of education spending' and on the other, suggesting that she was giving schools 'flexibility so they may employ the most appropriate staff'. She wrote: 'With respect, the most appropriate guidance staff in a secondary school are those who are trained and qualified teachers with additional guidance qualifications, and who are subject to teacher registration requirements and counselling supervision; anything else is putting students, teachers and schools at risk.' She acknowledged the issues with the status of non-teacher-trained counsellors in schools, but said that PPTA had been working closely with the Teachers Council on solutions to this, as the Ministry appeared 'incapable of grappling with the issue in any effective way whatsoever'. She also asserted that schools that had made appointments not in accord with the Council's requirements:

... do not deserve to have their actions excused by the Minister as a necessary 'flexibility'. They have knowingly broken the law and need to support their employees to upgrade their qualifications so the legal and professional requirements are met.<sup>75</sup>

The Minister's response on 29 September continued to attempt to justify her plans, but in fact, the proposed bulk funding never happened.<sup>76</sup>

In 2013, NZEI told PPTA that during its Support Staff negotiations, the Ministry's negotiators had tried to get NZEI to agree to extend the coverage clause to include school guidance counsellors without teaching qualifications. This was a group currently specifically excluded from coverage in that agreement, even though some principals had erroneously used it to hire counsellors. To PPTA's relief, NZEI had refused and the claim was withdrawn. This prompted yet another attempt by PPTA to get the Ministry to talk about the issues, through a paper to the Secretary for Education, Peter Hughes. The paper pointed out that PPTA had been trying to engage with the Ministry on this since 2007, without success. It was a solution-focused paper, offering options in the areas of the eligibility for



Guidance Counsellor Study Awards and new study awards for counsellors on LATs to do initial teacher education; advising schools on the minimum qualifications level acceptable for counselling positions; and investigating an amendment to the STCA and ASTCA coverage clauses to include non-teacher-qualified counsellors on a separate scale. At the time, the Education Review Office was about to release a very thorough review of counselling in secondary schools, and PPTA hoped this would provide some impetus to government to tackle the issues.<sup>77</sup>

It took till 7 May 2014 for the Ministry to call PPTA to a meeting to discuss the issues, and even then only people from the Industrial Relations division attended the meeting, even though the paper had presented issues and offered solutions across a much wider scope. The idea of taking counsellors out of the collective agreements altogether was floated by one of the Ministry staff, which I described as ‘very trying’. PPTA criticised the Ministry for failing to see that there were major student support issues in the paper and said it should have had the right people at the table. They were embarrassed when we then said that, actually, Ministry people working on student support had already approached PPTA to talk about guidance counselling in the light of the ERO report.<sup>78</sup>

The Ministry was working, at the time, on the Prime Minister’s Youth Mental Health Initiative, which had prompted the ERO review of counselling. PPTA attended a meeting with the Youth Mental Health team at the Ministry, and with NZAC representatives. They seemed to be starting to see that they needed to work with a range of sector groups to action the ERO recommendations, but it took pressure to get this happening. Finally, in August that year, a Guidance and Counselling System Working Group, made up of Ministry, NZAC, PPTA, SPC and SPANZ got under way. Its brief was broad: ‘pretty much anything that would improve the overall quality of guidance and counselling in secondary schools’ we were told. At that first meeting, Ministry staff tried to explain something that ERO had been astonished at when it did its review, namely the fact that the guidance staffing entitlement was 2.3 FTTE for every school, regardless of how high their roll became. ERO had commented that in its sample it had schools with rolls ranging from 215 to 1,948, all with the same 2.3 FTTE. We pointed out that there were now schools with rolls over 3,000, and they also had just 2.3 FTTE guidance staffing. This issue of the amount of guidance



staffing kept reappearing at subsequent meetings, but the Youth Mental Health team seemed to have no ability to influence change in that area.<sup>79</sup>

However, after that first meeting, it took the Ministry over a year – and a lot of pushing from PPTA and NZAC – to invite the Working Group back. PPTA wrote to the Secretary for Education in October 2015 complaining that despite the first meeting having agreed on a programme of work addressing most of the concerns raised by ERO, the Ministry had simply failed to bring the group together again. Official Brian Coffey had written in December 2014 ‘citing staffing changes and other policy initiatives’ as an excuse. PPTA suggested to the Secretary that ‘If this is the case for his part of the Ministry, then should this work not be given to someone else who has the time and resource to make progress in this really important area?’ We asked him to intervene again to get the work restarted.<sup>80</sup> Brian Coffey phoned to say someone else would take over the work, and this was followed promptly by a letter from the Secretary apologising that the Ministry had not followed through with its commitment to the Working Party in 2014.<sup>81</sup>

PPTA was then invited to meet with the Ministry, supposedly with a relatively minor official in the student wellbeing team so I attended alone. To my surprise, two more senior officials arrived, and started by questioning the justification for the group, trying to convince me that there were other ways of achieving the same goals: ‘social sector trials’, ‘other agencies’, ‘schools’ self-management’, ‘wellbeing initiatives’, ‘communities of learning’ and the like. I eventually convinced them, however, that ERO had made strong recommendations to the Ministry which it had an obligation to act on, and that the sector expertise on the group (PPTA, NZAC, SPC and SPANZ) was needed to work out how to implement these recommendations. The group finally reconvened on 27 January 2016, fully 18 months from its first meeting, so there was a degree of trepidation about whether it would be allowed to achieve much.<sup>82</sup>

We were told that the work had been shifted to the Safety, Wellbeing and Engagement team, which seemed a better fit than its previous base, Special Education. The matter of the staffing formula was raised by PPTA and NZAC representatives, but the Ministry did not want to discuss it and were only interested in advising schools how to appropriately use what they had, because this didn’t cost a lot of money. Nevertheless, my report on the

meeting concluded optimistically: ‘This was a far more satisfactory meeting than the previous one, because the MOE has committed itself to a number of clear actions and to future meetings to progress the work plan.’<sup>83</sup>

And then there was silence again for months, to the extent that PPTA went yet again to the Secretary to prompt action. The delay was eventually explained by the revelation that, actually, the Ministry had been trying, through the Budget process, to get funding for the work. NZAC and PPTA were called to the Ministry on 26 May, Budget Day, for a meeting with a senior official who explained that they were ‘making progress but slower than hoped’ and that the only real thing they seemed to be allowed to progress was the development of good practice guidelines for schools. On the staffing, the Ministry was hamstrung by government budget constraints, and the official told us that ‘the only way you could get more staffing into the larger schools would be to take it from the smaller schools, and surely we didn’t want that?’ MOE had looked at the formula. The number of large secondary schools had grown significantly since it was put in place and the Ministry official admitted that it was becoming less and less appropriate, and that he accepted that a ratio of about 1 counsellor to 400 students was needed (although NZAC had by that time adopted an American guideline of 1:250). The Ministry told us optimistically that ‘the funding review’ (i.e. Global Budget) would solve everything. We left feeling pretty pessimistic about progress on anything but the guidelines.<sup>84</sup>

The full group met again in August that year, by which time the Ministry, in consultation with NZAC, had contracted a writer for the guidelines project. She presented to the group her work to date, and it was very substantial and nearly ready for a consultation process. The group felt it was on track. I commented at the end of my report: ‘The next challenge will be to get the MOE back to the table to talk about the other issues identified such as career pathways into guidance counselling and the use of the study awards.’<sup>85</sup>



**Christchurch member Sarah Maindonald, school counselling representative on NZAC for several years, tireless advocate for guidance counsellors, and now current Chair of NZAC**

The guidelines, titled *Te Pakiaka Tangata – Strengthening Student Wellbeing for Success*, were launched in November 2017, and this has proved to be a useful document.<sup>86</sup> PPTA accepted the Ministry argument for the guidelines being online, with relatively few hard copies circulated, namely that this would make it possible to update them regularly as needed, and people would be able to dip into them and find what they needed. However, the document currently online on the Ministry’s website is still dated November 2017, which suggests that the Ministry’s interest in the guidelines has once again waned.<sup>87</sup> Alternatively, they were so good they have stood the test of time!

However, getting the Ministry to reconvene the Working Group to discuss other issues on its work programme was never achieved. PPTA claimed in the 2018 STCA round for a working party focused on staffing of school guidance counsellors.<sup>88</sup> The Terms of Settlement in June 2019 made no reference to such a working party, however. Executive agreed to convene

a Guidance Counsellor Taskforce, comprising four counsellors including one who was not teaching qualified, plus Te Huarahi and Executive representatives, to report to the 2019 conference.<sup>89</sup> Their paper explained:

The Ministry refused to engage on this claim, arguing that the Education Workforce Strategy Group was already doing the relevant work. However, guidance counsellors are concerned that without representation on this group, the nature and complexity of their work will not be understood. Decisions are already being made without appropriate consultation and communication with school guidance counsellors, who know best about the tasks they are employed to address. In the recent Tomorrow's Schools and Mental Health reviews, school guidance counsellor invisibility is of immense concern.<sup>90</sup>

Among other recommendations, the paper reasserted the need for tagging of staffing for counsellors, encouraged the Education Workforce Strategy Group to engage with counsellors in developing their recommendations, and called on PPTA to explore an additional pathway for qualified counsellors to enter teaching. These recommendations were all passed without dissent.

An oral report to Annual Conference 2020 from two guidance counsellors on Executive, Vinnie Monga and Rob Torr, reported that PPTA had continued to work with NZAC, and that there were plans to re-establish the Taskforce to work with NZAC on updating the joint guidelines on school guidance counsellors,<sup>91</sup> to monitor access to the Covid-19 urgent response funds and new mental health and wellbeing funding, and to establish a PPTA network for guidance counsellors. However, this appears not to have been progressed at time of writing.

## **Alternative education**

PPTA policy supports the idea that for some students, a different kind of learning environment may be what is needed to keep them in education.

Prior to Tomorrow's Schools in 1990, there were about fifteen activity centres around New Zealand which accepted students on referral from local secondary schools. While most of these students had displayed highly disruptive behaviour, some were seriously school-phobic or had mental health issues that meant they were better off in a smaller environment. These centres were administered by Department of Education regional offices, and there were no consistent funding levels. On the other hand, they all had the same staffing complement for the twenty students they were

expected to enrol: two trained and qualified teachers plus some part-time allocation, and an amount of ancillary staffing. Most if not all centres had a management committee which represented the community served, and was chaired by an inspector. One of the local secondary schools would be represented on the committee and by grace and favour, oversee the centre's finances and employment matters (with the Department making appointments).

However, when the transition to all schools having their own Board of Trustees took place for 1990, the Ministry's Implementation Unit appeared to lose sight of the centres, and assumed that the new Boards would take on responsibility for the centres with which they were loosely associated. At that time, I was Director of the activity centre in Papakura, and when the local high school saw the funding being offered to take over full responsibility for our activity centre, it told the Implementation Unit that it would not do so until adequate funding was agreed to. The Unit ignored all the school's letters, faxes and phone calls, and when January 1990 arrived, the principal of Papakura High School informed me that I no longer had an employer and therefore he could not advise me as to what to do. I made the decision to temporarily close the centre, which prompted uproar from the students and parents who conducted an excellent campaign demanding 'their' centre be reopened. Political intervention followed, and after consultation with Papakura High School, the funding to managing schools was significantly increased, to the extent that directors of other centres around the country phoned me to ask what exactly we did with what they saw as such generous funding.<sup>92</sup>

As a result of this, however, and because the advent of Tomorrow's Schools coincided with a new government bent on fiscal restraint, no further activity centres were ever constructed. There were also new demands placed on centres – especially when the leaving age went up to 16 – to return their students back to the mainstream after a short time, whereas previously centres had been able to keep them until they were ready to transition into the workforce.

During the 1990s, a cheaper version of alternative education was launched. It was a bulk-funded model whereby non-governmental organisations such as church groups, or consortia of schools or even an individual school, could bid to provide X number of places for students referred by secondary schools. A paper to the Issues and Organising seminar

in 2007 explained that funding per student place in 2007 was \$11,000 (GST included) per year. This was paid through an ‘administering school’, which could keep 10% for its administration, leaving the centre with less than \$10,000 per student. This had to cover venue, staff pay, vehicles, utilities, equipment and fees to enrol students in Correspondence Schooling at \$700 per year per subject. The funding had not changed since 2000, so its purchasing power had steadily diminished. The upshot was that these centres could afford few if any trained and qualified teachers, and were not required to have them either. Registered teachers who did work in the centres were paid well below STCA rates. Despite this, centres were required to develop an Individual Education Plan for every student, and offer Framework qualifications such as the NCEA. These were skilled teaching tasks being demanded of staff who were largely not teachers. PPTA had begun to work with the Alternative Education Association to improve this situation.<sup>93</sup>

The union’s 2006 conference paper on Managing Challenging Student Behaviour had included a section on alternative education that argued for high-quality alternatives for students whose needs could not be met in mainstream schools. It pointed out that there were long waiting lists for places in activity centres, and that some areas had no access to any kind of alternative education. It expressed concern at the absence of registered teachers from many alternative learning centres and argued that students whose behaviour was disruptive were as entitled as any other student to receive a quality education.<sup>94</sup>

Representatives from the Alternative Education Association laid out for PPTA the enormous range of issues being faced by their sector. On the strength of that, I recommended that PPTA commission some research in the area, to which Executive agreed in early 2007.<sup>95</sup> However, before we had commissioned the research, we heard that the Ministry of Education was undertaking a review of alternative education, including activity centres and the other centres, and it seemed that this would cover, more comprehensively because MOE had deeper pockets, many of the issues we would have covered, so we decided to try to have input into that review instead. PPTA put in a detailed submission, raising issues such as the lack of places in centres and the cap on numbers, the lack of national coherency of the service, the declining value of the funding, the absence of trained and

fully registered teachers in centres, and the need for ongoing mentoring and support for students who tried to return to mainstream education.<sup>96</sup>

Then the government changed, the review appeared to be shelved, and nothing was reported back. A Ministry official told AO Sarah Dalton that ‘the new government has different priorities’, but that the Minister had requested that MOE consult with principals. There was no intention to provide any formal public report on the review, it appeared, nor on the consultation with principals.<sup>97</sup>

A year later, the Senior Positions Taskforce (SPAC) met with Ministry staff working on the new government’s ‘attendance and engagement’ work and discovered that alternative education was back on the table in that context, but there was still no commitment to increase the funding. ERO had been asked to review centres, both as part of its regular school reviews and in a special report. The Ministry had proposed that the centres’ success be measured just by turnover of students and student ‘achievement’ as in completion of qualifications. SPAC asserted that success in alternative education needed to be more nuanced than that.<sup>98</sup>

At its 2009 gathering, the Alternative Education Association had had to cope with the Minister telling the Association that she had yet to make a decision on alternative education (AE), which left it on tenterhooks. However, at its 2010 forum, she made it clear that there was a future for AE because she accepted that there were students with complex and diverse needs for whom AE was necessary, but she wanted better outcomes from AE, both educational and social. She announced a small funding increase but also a lot of new requirements. These included the provision of ‘pedagogical leadership’ for the tutors by a fully registered teacher who would ‘lead self-review, provide observation and feedback, and support and model best practice’. It seemed likely that these teachers would be from their managing schools, but this was not a requirement, and the money for it was part of the centre’s allocation. The government would also centrally fund some PLD for AE staff. The RTLBs would also have work in centres added to their job descriptions.<sup>99</sup>

PPTA had concerns about the conditions for these pedagogical leaders, and convened a meeting early in 2011 with representatives from the Ministry, the Alternative Education National Body (AENB), Office of the Children’s Commissioner, Teachers Council, Te Kura, PPTA Executive,

advisory and field staff, and SPC. It transpired that the funding for this role would not run to every AE centre having its own leader, let alone one who was full-time. In fact, each student place would generate about two days per year, giving a centre with eight students up to 16 days per year. This was a far cry from PPTA's position that every centre should have at least one full-time fully registered teacher on its staff. PPTA and the AENB differed on this – AENB seemed comfortable that the bulk of tutors were neither trained nor qualified, nor registered teachers, nor (in most situations) currently eligible to acquire or maintain registration and were paid somewhere between \$32,000 and \$48,000 on annual individual contracts. They had no union representation, and PPTA could not see a way to cover them.<sup>100</sup>

In late 2017, an Official Information request produced material about a review of alternative education that was under way, this time under the banner of 'at risk students', whether in activity centres, AE centres or enrolled in distance education with Te Kura. This revealed that, every year, about 5,000 students aged 13 to 16 were 'flowing into' these 'interventions', and over half of them were male and over half were Māori. Alternative education places were limited to 1,888, and there were only 280 places in activity centres per year. NCEA attainment was low, because students were required to leave these settings from the January after they turned 16.<sup>101</sup> In a Briefing Note in July 2016, further data on the students in 'at risk provision' was analysed. The Note revealed patchy provision, uneven information sharing in different parts of the country, and high levels of transience. It identified three Key Risk Factors as predictors of students ending up in this kind of provision: time spent on welfare, CYF notification, and experience of stand-down or suspension.<sup>102</sup>

AO Kathleen Kaveney, who currently holds the portfolio for alternative education, advised that there had been little action on the alternative education front, although there was talk of yet another government review at some stage soon.<sup>103</sup>

## **Final words**

PPTA Te Wehengarua has a long record of advocating for the Beeby vision of high-quality provision of education for all students according to their



need, but no government could be said to have ever provided enough resource to deliver adequately on this vision.

Sometimes the union has been accused of putting its members' needs above those of students, but this is a very unfair accusation. In most situations in education, improvements in members' working conditions are also improvements in students' learning conditions. For example, the Technology teacher who is happy to have a small number of students with special needs in their workshop but insists that these students each have a teacher aide accompanying them is prioritising the safety of all the students as well as themselves because of the presence of dangerous tools. Schools are regularly faced with students whose behaviour puts others' safety and/or learning at risk and who can no longer remain in a mainstream school, and PPTA has staunchly pushed for better provision for these students.

Over these two decades, the struggle to improve the availability of high-quality guidance counselling has been multi-faceted and seems never-ending. There is robust evidence of the increased stresses faced by young people today, and the increasing number of them who suffer mental health issues, and yet no government has stepped up to ensure that there is an adequate supply of counsellors in every school.

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### International connections

As travel has become easier and digital technologies have increased global communications, PPTA Te Wehengarua has grown its links with international education organisations, both union and professional. Given that the previous history of PPTA contains little discussion of these connections, only briefly mentioning the World Confederation of Organisations of the Teaching Profession (now Education International) and the Australian Teachers' Federation (now AEU), it is reasonable to conclude that the last twenty years have seen a rapid increase in international connections. This chapter outlines some of the ways in which PPTA has benefited from this.

#### **Australian Education Union (AEU)**

PPTA's closest international partner has always been the Australian Education Union, both its federal arm (based in Melbourne) and its various state and territory branches. There is almost always an AEU speaker at Annual Conference, normally the President. Invitations to PPTA (and NZEI and TEU) arrive frequently: for the General Secretary to attend gatherings of secretaries from AEU union branches, the President and General Secretary to attend the AEU Federal conference, the Women's Officer to attend gatherings of the women's network, and to Te Huarahi Maōri Motuhake to attend meetings of the indigenous network. Travel across the Tasman can cost no more than travel to some parts of New Zealand, so in-person contacts with AEU are frequent.

The interaction is invaluable. While the contexts are different, important lessons can be learned. Secretaries for Education participate regularly in meetings with senior education officials in Australia, so ideas that start in Australia can appear in New Zealand quite soon, and vice versa. The view on both sides of the Tasman is that it pays to be warned.<sup>1</sup>



**Te Huarahi's Ameriai Kiriwera and Bernie Small, a delegate from Northern Territory, at the 2014 AEU Federal Aboriginal and Torres Strait Islanders Conference in Sydney.**

## **Education International**

Education International (EI) today represents 386 teacher unions, in 178 countries. PPTA has been a member for many years. EI has held a World Congress every two to three years since 1995, and these are normally attended by the President, although for the Third Congress, in Thailand in 2001, the Kaumātua, Te Whare Turuwhenua, accompanied the President, Jen McCutcheon. Subsequent congresses have been held in Brazil (2004), Germany (2007), South Africa (2011), Canada (2015), and Thailand (2019). The next congress will take place in Buenos Aires in 2024.

Education International also has regional groupings, and New Zealand participates in the Asia-Pacific region grouping, which meets about every four years. In 2017, President Jack Boyle attended the regional conference in Kathmandu, Nepal, where the theme was education's part in progressing the United Nations Sustainable Development Goals for 2030. He reported that common themes across the diverse countries attending were

‘insufficient state investment in education, limitations on teacher autonomy through increased external accountability and compliance, huge teacher workloads, shortages and the growing involvement of non-state actors’. (The latter included companies such as Microsoft, Facebook, Pearson and others.) The retiring EI General Secretary, Fred van Leeuwen, noted that the lure of private investment in the provision of education was often too attractive for governments to ignore but ‘where such investment ceded control over curriculum or the workforce it should be resisted at all costs’.

PPTA representatives usually bring back from such conferences sobering stories from other countries. For example, at that EI meeting in Nepal, delegates heard about EI research showing that the Nepali Government had given up providing free education, in favour of inviting private provision. This included ten new private schools built in urban centres. There was no new investment in public schools. This had priced hundreds of thousands of Nepali children out of any chance of attending school.<sup>2</sup>

In 2022, the Asia-Pacific Regional meeting was held in Siem Reap in Cambodia, and was attended by SPC President Kate Gainsford, deputing for President Melanie Webber, and DGS Kirsty Farrant. Common themes at that conference were teacher supply, the inequities exposed by the pandemic, the rising cost of living, violence against women and LGBTIQ people. There were also horrific stories from some countries of persecution of union activists, and two member countries’ unions had been barred from sending anyone to the conference.<sup>3</sup>

One of EI’s valuable activities is to generate protests from its member unions against attacks on teachers or teacher unions. One of many examples in PPTA’s files is a letter written in 2020 by the President and General Secretary to the Minister of Education in Jordan, protesting at the arrest of members of the Jordanian Teachers’ Syndicate and suspension of union work. PPTA had learned that Jordanian security forces had arrested leading members of the union, raided its offices, and shut the union down for two years. The President had been charged with incitement over a speech to supporters that had criticised the government, and other criminal charges alleging financial and administrative wrongdoing had been filed against the union. Riot police had been deployed to stop peaceful demonstrations protesting at the crackdown on union rights. Global campaigns of protest like this can be very effective tools to rein back governments.<sup>4</sup>



## **Council of Pacific Education (COPE)**

PPTA maintains a relationship with the wider Pacific through membership of the Council of Pacific Education (COPE), which is the Pacific arm of Education International (EI), the international organisation of teacher unions. COPE used to meet biennially but changed to triennial meetings from 2016. This means it avoided Covid disruption by meeting in 2019 and then November 2022. There are two consecutive conferences held, a Women's Network Conference and the biennial conference.

In the lead-up to the 2002 conference, Executive and Komiti Pasifika member Vernon Tile explained to Executive that:

PPTA is entitled to one delegate at each conference, but we are able to send observers as well. Our custom and practice to underlie our solid commitment to COPE is to send the PPTA President, one member from Te Huarahi and one member from Komiti Pasifika to the COPE Biennial Conference.<sup>5</sup>

The pattern of the President (or their substitute) and representatives from Komiti Pasifika and Te Huarahi has been followed consistently, although recently Te Huarahi has left the role to Komiti Pasifika. Komiti Pasifika asked for a second representative to the 2006 conference, and Executive agreed to that.<sup>6</sup>

Executive's Komiti Pasifika representative, Natalie Faitala, reported on her attendance at the 2010 COPE conference. She reflected on the relevance of COPE to Komiti Pasifika, suggesting that it might investigate ways to show solidarity with and assist its colleagues throughout the Pacific. She noted how different circumstances were for teachers in the Pacific:

... many of the circumstances of teachers in the Pacific in terms of isolation and poor working conditions are so extreme that being a teacher in New Zealand actually did not seem so bad! For example: teachers in Tuvalu were rarely able to meet for union activities because members are so spread out through the islands that some members would have to travel 2–3 days by boat to meet in the main island ... In the Solomon Islands urban centres are over-burdened with large classes that can at times reach up to 100 students!!<sup>7</sup>

The 2022 COPE was held in Nadi, Fiji in October/November. It included a youth workshop, a women's network conference, and then the 23rd triennial conference, attended by the President, a Komiti Pasifika representative, the General Secretary, and the Advisory Officer with the Komiti Pasifika portfolio. Melanie Webber commented:



**COPE 2022 – Natalie Jump represented PPTA at the Youth Training workshop  
[NATALIE JUMP]**



**Nicole Cainan (AEU) and Paul Stevens (PPTA) were co-convenors of the Youth Training workshop at COPE 2022 [BERNIE LEE]**



**PPTA general secretary Michael Stevenson at COPE 2019 with newly elected COPE president Neselinda Garae**

Most shocking to me was the realisation that teacher shortages in many Pacific nations are exacerbated by their teachers being able to make more money as seasonal workers in Australia and New Zealand. Lack of internet and boats not running during Covid as well as economies very dependent on tourist dollars has resulted in stress in the education sector. Everything always shows up in schools. Just like here, teachers stepped up to take care of their communities as best they could. Hearing the real-life impact of climate change from states such as Kiribati is also confronting. Teachers spoke of needing to evacuate classrooms during large tides, and then lose further learning time cleaning out the classrooms once the water is gone.<sup>8</sup>



**Alisi Fusi Wightman scholarship recipients for 2016: Oketi Akauola and Meselinda Meta**

The COPE Women's Network organises the Alisi Fusi Wightman Scholarships, a scheme that enables two women teachers biennially to be hosted by the teacher unions in New Zealand and Australia for the purpose of union education and school visits. PPTA and NZEI share the hosting duties in New Zealand.<sup>9</sup>

### **International Summit of the Teaching Profession (ISTP)**

This is a unique international event for two reasons. Firstly, it is co-hosted by EI, the international confederation of teacher unions, and by the OECD, which is an inter-governmental organisation founded to stimulate economic progress and world trade. These seem somewhat unlikely partners. Secondly, it is set up so that for a Minister of Education to attend, they must bring teacher union representatives with them, and both parties are expected to have equal status at the Summit.<sup>10</sup> If a Minister does not attend, the union may seek observer status.

The first Summit was held in 2011 in New York. President Kate Gainsford and NZEI President Ian Leckie attended it as observers under the

umbrella of the largest American union, the National Education Association (NEA), because at that stage, New Zealand was not one of the countries invited. The chosen countries were deemed to have high-performing or rapidly improving education systems: Belgium, Brazil, Canada, the People's Republic of China, Denmark, Estonia, Finland, Hong Kong, Japan, the Netherlands, Norway, Poland, Singapore, Slovenia, the United Kingdom and the United States. They were each invited to bring a delegation consisting of the minister of education, education union representatives, and officials. The premise of the summit was that 'working and learning together, each nation can improve faster than any one nation on its own'. There were four themes: teacher recruitment and preparation; development support and retention of teachers; teacher evaluation and compensation; and teacher engagement in education reform. As with all subsequent summits, the perspectives of Andreas Schleicher, Director of the Directorate of Education and Skills at the OECD, dominated in pre-reading provided.<sup>11</sup>

Prior to the Summit, ministers and union attendees had been briefed that the summit was not meant to be for the delivery of 'set pieces', and importantly, that ministers and union representatives were attending 'as equal partners'. Union delegates at a meeting of EI affiliates were given examples of countries that had been 'uninvited' when the government tried to stipulate that they would attend only on the condition that they did not have to sit at the table with their country's union representatives, or else had tried to specify which union they would sit down with and which they would not.<sup>12</sup> This has been the position at all subsequent Summits, and has led to interesting situations for PPTA Presidents.

New Zealand was invited in its own right to the second Summit, in New York in 2012, and PPTA attended along with Minister Hekia Parata. President Robin Duff commented to Executive afterwards:

... overall the meeting was successful and a valuable opportunity to have more contact with the Minister. She was able to hear Ben Levin's reasons why performance pay was a very bad idea.<sup>13</sup>

New Zealand was again invited in its own right to the Summit in Amsterdam in 2013, subject to the Minister, Hon. Hekia Parata, accepting her invitation as well as the unions. New Zealand was asked to make a country presentation, which needed to be prepared in consultation with the unions. The theme for this one was to be teaching standards and teacher evaluation. The invitation explained that the main sessions would be



roundtable discussions, most of which would be closed to the media to enable ‘candid and extensive discussion on difficult questions and developments in delegates’ countries’. In an interview recently, President at the time Angela Roberts talked about how challenging it was to develop a genuinely joint presentation with Minister Hekia Parata for the 2013 Summit. She said:

I can remember having conversations with her staff asking at what point we would sit down together and prepare our presentation, and got ‘Oh no, we’ll send you a copy’ and I said ‘No, that isn’t the kaupapa of this meeting, it should be co-constructed’ but they still sent me a copy and it was pretty benign. But that was when the PLD was going a bit pear-shaped, and I said to the Minister, ‘It’s all very well to talk about the wonderful stuff, but we should also talk about the challenges such as PLD’. She dismissed me with ‘Oh someone’s always going to be unhappy with the professional development they get and it’s all new and ...’

So, she went to make the presentation by herself, but before New Zealand, two other countries did theirs and they both shared the voice, government and union, equal time. Before that session, I’d arranged with Tony McKay, the Chair, that he would call on me in the discussion section after her because she wasn’t planning to share the time and I had something to add, and he said yes, no worries, I’ll make sure you’re the first up. We got to the presentations, and after she saw the first country share its time, she turned to me and said, ‘Oh you’re more than welcome to share some of my speaking time’. I replied, ‘No, no, you’ve organised all of this, you do your presentation, I’ll get an opportunity to say something later.’ This meant she was shown up in front of the other countries, but I had warned her staff about that and they’d not sorted it. So, I got to speak about some of the challenges that were facing us about professional development.<sup>14</sup>

The other demonstration of partnership expected of countries at the Summit is that each year, they jointly develop a set of goals they are going to pursue together and report back on the following year. It would appear that this did not happen as it should have at the 2012 Summit attended by Parata and Duff (and others), because Angela Robert’s report on the 2013 Summit read:

During the minister’s reporting back in Amsterdam on how well we have progressed towards achieving the joint goals established at the 2012 Summit, it became clear to me why it was important that we attend this event. The work towards achieving last year’s goals has certainly not been pursued ‘jointly’. I have never heard of the goals being on any agenda when we have met with her (or NZEI for that matter) since last year’s Summit ... I intend to keep this year’s goals on the agenda of every meeting that I have with her this year as well as a part of the work that I do with NZEI.<sup>15</sup>

Roberts also reported that because of these concerns about the Minister not understanding partnership, she had considerable qualms when Parata offered New Zealand as the host for the 2014 Summit, to the extent that she

even expressed these reservations to EI people, but no other country put in a bid:

I was initially very concerned about this turn of events given the timing of the summit in an election year. However, I have come to realise that it is important that we support this event as it is a very public platform on which she will be forced to commit to working with us; the foundation principle that underpins the summit's existence is that governments and unions work in partnership to improve their respective education systems (a detail that I am pretty sure that the Prime Minister has yet to have brought to his attention). It will require careful management, but EI and the OECD have already proven that they are happy to keep minister Parata true to this core principle.<sup>16</sup>

As part of that 'careful management', the Minister, Secretary for Education Peter Hughes, PPTA and NZEI met early on to establish some core 'rules of engagement' around the planning and hosting of the event. A small governance committee of Peter Hughes, Judith Nowotarski and Angela Roberts was established, and it was agreed that the involvement of any other groups would be limited to being 'reference groups'.<sup>17</sup>

The New Zealand Summit took place in Wellington on 28 and 29 March 2014. However, in some ways it was eclipsed by other events, such as the government's announcement on 23 January of the Investing in Education Success initiative, the contracting of Cognition to run a series of 'Festivals of Education' around the Summit, and the submissions process for the government's Bill to create EDUCANZ.





**Festival of Education, Christchurch 2018 – box for recording feedback [MICHAEL STEVENSON]**

Nevertheless, the President found time to work with the Secretary for Education on the planning of the Summit, and PPTA organised a group of about ten observers to attend. The Summit's theme was 'Excellence, equity and inclusiveness – high-quality teaching for all'. It was the largest Summit to date, with 26 countries represented and around 400 participants. But it is interesting, in light of Angela Roberts' comments above, that the government's official report of the Summit, published in the *Education Gazette*, highlights comments by Tom Parsons, the SPANZ representative chosen by the Minister for the delegation, rather than any comments by the PPTA or NZEI delegates.<sup>18</sup> The President's comment to Executive said a lot:

The ISTP was an interesting event to attend this year given that it gave our minister an international platform to perform on. She never failed to entertain. Unfortunately, she still refuses to acknowledge publicly that the summit is meant to demonstrate a partnership between governments and unions. I will continue to work on that.<sup>19</sup>

The Summits continued to be convened each year and PPTA continued to participate. In 2015, it was held in Banff, Canada, and Angela Roberts attended again with Minister Parata. The Minister's willingness to work jointly had not greatly improved, judging by this brief report:

The International Summit on the Teaching Profession that I attended with Minister Parata, Louise Green (NZEI President) and Denise Torrey (NZPF President) was very much a talkfest for our minister. While we had some very valuable conversations with our union colleagues from around the globe, the minister stated that she had learned nothing other than that she had nothing to learn! She still refuses to acknowledge that there is a difference between consulting with 'the sector' and with 'sector representatives'. Despite the minister's lack of engagement, it remains critical to attend such events and be able to anticipate the 'group think' of OECD ministers. It was good to be able to counter the Andreas Schleicher message from the TALIS report that class size does not have an impact on teaching (probably because there was no opportunity for actual teachers to talk about their actual class size). But watch this space – I suspect the minister and ministry will be quoting Mr Schleicher for a long time to come.<sup>20</sup>



**PPTA President Angela Roberts speaking at the 2014 ISTP conference in Wellington**  
[MICHAEL STEVENSON]

The 2016 Summit was held in Berlin, and this appears to have been more useful. It was focused on PLD, and included a presentation from the OECD about the evidence showing that unions matter in policy making and implementation, including in providing PLD, and that they organise opportunities for teachers to share professional practice and leadership. However, Angela Roberts reported saying to an EI caucus that the presence of union people at the table might not be a true reflection of what was going on in their country. She wrote:

For example, our ‘country report’ was prepared without any input from us and with no collaboration about the goals at all throughout the year. Canada and Germany agreed. The ministers all pretend that they are working with unions (much more than before) so the next step is to actually get them to commit to making this a reality.<sup>21</sup>

President Jack Boyle attended in 2017 in Edinburgh, still with Minister Parata, and he was slightly more positive, although he did admit that ‘We had received a clear boundary as a delegation about being on an international stage and having to play nicely’. That year, PPTA, NZEI and NZPF managed to get the Minister to agree to a goal focusing on teacher wellbeing. That goal read:

Society and its expectations on education have become more complex with greater demands on teachers, and therefore their wellbeing must be a priority, both for their personal and professional efficacy and for the quality of their students’ learning experiences. Accordingly, our NZ Delegation commits in the next year to work together to grow the time for better quality teaching preparation through a rearrangement of time, space, and people, for better quality learning outcomes for every one of our children and young people, and we look forward to reporting on our progress at ISTP 2018, Lisbon, Portugal.

At the same time, Jack Boyle was appropriately cynical, given what had gone before:

At her sixth and final summit, Minister Parata made the right noises about this sort of co-construction and talked up how appreciative she has been of union involvement in policy development even when we disagree. Either this was giving the people what they wanted to hear or a sudden awakening. We live in hope that her successor knows the difference.<sup>22</sup>

At the end of that year, a Labour-led coalition came into power, and in January 2018 PPTA heard that the Minister, Chris Hipkins, had accepted the invitation to attend the Summit in Lisbon, Portugal. The 2017 goal had resulted in establishment of the Quality Teaching Wellbeing Advisory Group later that year, and while this had something of ‘a cast of thousands’, there appeared to be serious commitment to it from various government

agencies, so at least there was something positive to report at Lisbon.<sup>23</sup> Later, in 2018, this became the overview group for work on an Education Workforce Strategy, part of the new Labour Government's broader education agenda. President Jack Boyle reported later that year that while there had been a fear of the wellbeing work being drowned in the new government's 'review of everything', that hadn't occurred. Rather, having reported at Lisbon about progress on the goal, the new government had reaffirmed its commitment to wellbeing for education workers, and work was continuing on the concept of a 'wellbeing framework'.<sup>24</sup>



**New Zealand representatives at ISTP, Lisbon, 2018. Left to right: Virginia Oakley (NZEI), Whetu Cormick (NZPF), Jack Boyle (PPTA), Stuart McNaughton (Chief Education Scientific Advisor)**

In 2019, the Minister informed PPTA and NZEI that he would not be attending the Summit that year because of the pressure of work. This meant that the unions could not attend either. The Minister was aware of that, and said that he hoped to attend in future years.<sup>25</sup> At the time, both unions were struggling to get collective agreements settled, and at the end of the previous year the Minister had threatened not to attend ISTP while the collective agreements remained unsettled, so PPTA would not have been surprised.<sup>26</sup>

By March 2020, international travel had become difficult for many countries because of the pandemic, and the next summit was not held until October 2021, and this was by Zoom. PPTA wrote to the Minister, Chris Hipkins, in August asking him whether he planned to participate, and reminding him that the union's participation was dependent on him also doing so.<sup>27</sup> No written reply appears to have been received, but Melanie Webber says the Minister's office informed the unions that he would not be participating. Instead, Melanie organised to participate as an observer.<sup>28</sup> In 2022, a face-to-face ISTP meeting was to take place in Valencia, Spain, on 11–13 May. At a Zoom meeting with Minister Hipkins, PPTA was told that he would not be able to attend because it was just before the Budget. It was suggested that Associate Minister Jan Tinetti might attend in his place, and he appeared to be open to this.<sup>29</sup> In the end, that did not happen either, so PPTA was left with only observer status again. However, in 2023 the conference was once again face-to-face, in Washington in April. Minister Tinetti invited Acting President Chris Abercrombie and NZEI's President to attend with her, and the new Māori Vice-President, Te Aomihia Taua-Glassie, accompanied the President.<sup>30</sup> Abercrombie reported:

Our delegation was also praised by other countries for the important role that Mātauranga Māori (we often referred to this as indigenous knowledge to help those at the summit understand) played in both our curriculum and teaching and learning. While we all agree there is much more we can do in that space it does show how far we have come.<sup>31</sup>

Commitments around three themes were agreed between the government and the unions; however, the advent of a new government in late 2023 may mean that progress on these is limited.

## **World Indigenous People’s Conferences on Education (WIPCE)**

The first WIPCE was held in 1987 in Vancouver, British Columbia. The second, in 1990, was in New Zealand, on Tūrangawaewae Marae, Ngāruawāhia. This three-yearly pattern has continued since then. During the period covered here, they have been held in Alberta, Canada (2002), back at Tūrangawaewae in 2005, Melbourne in 2008, Cusco, Peru (2011), O’ahu, Hawaii (2014), Toronto, Canada (2017), Adelaide (2022).

PPTA has been represented at most of these conferences, and presented often. In 2005, with the conference back in New Zealand at Tūrangawaewae Marae, Management Committee approved the attendance, alongside a delegation from Te Huarahi, of the President and two Executive members. This was a PPTA response to a decision from WIPCE to include and invite non-indigenous people ‘to reflect emerging bi-culturalism/Treaty status in Aotearoa/New Zealand’.<sup>32</sup> Āpiha Maori Te Makao Bowkett presented on ‘Enhancing Kaupapa Māori through the union movement’.

In 2008, in Melbourne, three members of Te Huarahi attended. In 2011, Te Mataroa Bill Anderson and Āpiha Māori Te Makao Bowkett presented in Peru on ‘The Treaty of Waitangi within PPTA/Te Wehengarua’.<sup>33</sup> In 2014, Te Huarahi member Te Aomihia Taua from Whangārei attended the Hawaii conference. In 2017, the Āpiha Māori attended the Toronto conference.<sup>34</sup> Covid-19 interrupted the cycle of three-yearly conferences, but PPTA sent six representatives to the 2022 WIPCE in Adelaide, Australia: Melanie Webber (President), Vince Hapi (Te Hapai Ō), Michael Stevenson (General Secretary), Executive and Te Huarahi members Pōwhiri Rika-Heke and Anthony Urwin, and Angela O’Donnell-King (Kaihautū Māori). Many of the workshops covered the decolonising efforts of indigenous groups, including decolonising the curriculum. Presentations were from as far apart as Taiwan, Alaska, Hawaii, Northern European Sami people, and Australia itself. The Māori Vice-President and the Te Huarahi members presented on the developing Te Tiriti relationship in PPTA/Te Wehengarua, and this was well received. The next WIPCE will be held in Auckland in 2025.<sup>35</sup>

## **Australian Curriculum Studies Association (ACSA)**

ACSA is, like WIPCE, not a union organisation, but PPTA's participation over the years has helped to inject a union viewpoint into it. Not long after becoming a staff member at PPTA, I learned that there was a historical relationship between PPTA and ACSA that had been allowed to decline during the 1990s. NZEI, on the other hand, had maintained its close relationship with ACSA.

Executive member Hazel McIntosh and I attended the 2003 ACSA conference in Adelaide. At the instigation of NZEI, a pre-conference meeting was held between the ACSA Executive, NZEI's three representatives and us. NZEI had been discussing possibilities of greater cooperation between the two New Zealand teacher unions and ACSA. We commented afterwards: 'We were embarrassed by the way NZEI seemed to feel free to speak on behalf of both unions.' We promised to try to participate more in ACSA conferences, but pointed out that we were very different organisations, in that unions had industrial imperatives that sometimes conflicted with professional goals, and ACSA, being a professional organisation only, was in a different position. The ACSA Executive seemed to appreciate our honesty, but was still happy to continue exploring projects on which we could cooperate.

The conference followed this meeting, and was very different from anything we had experienced in its intense focus on curriculum, including curriculum theory. There were fewer practising teachers there than we had expected, and a lot of academics, policy makers and teacher educators. However, we met people who proved useful in the future, such as Professor Alan Reid from the University of South Australia, who came to New Zealand a number of times over subsequent years to share his thinking about essential learnings<sup>36</sup> and how they might be integrated with curriculum content.<sup>37</sup>

Cooperation between the organisations could be progressed quite fast, in the end. In June 2004, President Phil Smith and I travelled to Melbourne, along with our equivalents in NZEI, to meet with the officers of ACSA. By this time, Tony McKay, whom Phil had met in Toronto in his OECD Schooling for Tomorrow role,<sup>38</sup> had become ACSA's Vice-President (and later President). After studying various ACSA publications that indicated its current areas of interest, PPTA had prepared a paper with a number of possible areas of collaboration, including middle schooling, outcomes-



based education, assessment, indigenous education, civics and citizenship education, ICT, and quality teaching issues. It was the final one, quality teaching, that most sparked ACSA's interest. Our paper explained:

PPTA plans another major professional conference in April 2006 in which we will critique the discourses around teacher quality and look at what are the conditions which enhance quality teaching. We would like to establish contact with people in Australia who are critiquing these discourses, and perhaps find some keynote speakers and paper presenters, and our conference may well be of interest to Australian educators. Our current pay negotiations include a focus on professional pathways. We are keen to develop advanced skills routes for teachers including finding ways to enhance the classroom teacher role, building in mentoring, etc., but we are at the same time concerned to stave off attempts by government to use such advanced skills qualifications to control and ration pay improvements.<sup>39</sup>

ACSA people said that they saw the quality teaching discourses 'popping up all over the place', and were trying to broaden the notion of quality beyond a set of hoops that teachers had to jump through, which fitted with PPTA's thinking around the Ministerial Taskforce proposals. ACSA had got involved in work around developing standards for teachers and school leaders, but it was clearly worried about where this work might be going. It agreed to propose to its next full executive meeting that the three organisations, ACSA, PPTA and NZEI, hold a cross-Tasman forum to begin to unpick the quality teaching discourses. This forum took place in May 2005.<sup>40</sup>

In September 2005, PPTA sent five people to the ACSA biennial conference in Queensland, at the University of the Sunshine Coast. They found the conference really interesting, and noticed the big differences in Australia (the power struggle between states and federal, the much larger private and religious schooling systems, the powerful influence of the OECD on policy) but also the similarities (such as quality teaching discourses, and a push for standards).<sup>41</sup>

In 2007, four PPTA people attended a forum on values education, organised by ACSA on behalf of the federal government, which was trying to push Australian schools to introduce values into their curriculum. The genesis of this had come from a previous Education Minister, Brendan Nelson, who had pushed hard to have the kind of values he approved of being 'taught' in schools. This contrasted with the New Zealand approach to the values in the *NZ Curriculum* (2007) which had involved careful research into what values 'enjoy widespread support' and was a much more open approach where values are 'to be encouraged, modelled and



explored'.<sup>42</sup> The values initiative in Australia used a poster the background of which was a famous photo of Simpson and his donkey at Gallipoli. We noted that some people at the conference were very cynical about this, partly because it appeared to celebrate wartime values, and partly because there are suggestions that Simpson was neither Australian nor a hero, with allegations that he was English or Kiwi, or that he was a deserter who had been spared execution to be given the job of carting goods with the donkey. Whatever the truth about Simpson, this background did not make an army chaplain the best choice of after-dinner speaker. The PPTA team enjoyed the controversy, because it reminded us all of the intensely political nature of values education wherever it occurs. This was exemplified in the opening session by a Victorian Senator from the Liberals who attacked relativism about values, said that schools needed to 'teach the concept of right and wrong' as if it was absolute, and needed to 'make students learn to be proud of their country, learn about the great things in its history'. In our report to Executive, we commented: 'We wanted to hear him say that schools should also teach students to consider the less savoury parts of their history and the values conflicts that led to these.'<sup>43</sup>

Later in 2007, PPTA sent its largest delegation yet to the biennial conference in Melbourne: the President, six members of Executive, two members of Te Huarahi, and three staff, twelve people in all. This was where we first started to hear about the conflict developing over the proposed national curriculum for Australia, which would eventually override all the diverse state curricula. We were astonished to hear a Labour Minister of Education from Victoria give a speech littered with references to 'choice' and 'flexibility', and 'select entry' to public schooling, and talk approvingly of nationally standardised literacy and numeracy testing in Years 3, 5, 7 and 9. He also, in response to a question, said that 34% of Victoria parents chose private education and the government was 'losing the debate' and as politicians they 'needed to listen parents'. I challenged him on all this, and was shocked when an Australian academic said to me afterwards 'If only I had the courage to ask such questions'. It was not clear why it would be so difficult, given the 'conscience and critic' role that academics are meant to have.<sup>44</sup>

This conference was the first occasion at which some of our group heard academic Allan Luke in action. His subject was 'Why social justice and equity still matter', and he was so riveting that the group determined to

secure him as a keynote speaker for PPTA's professional conference in 2008.<sup>45</sup> He said that in the previous seven or eight years, schools had settled into a corporate curriculum about entrepreneurship, globalisation and the like but that this would fall apart because it met the needs of the middle and upper classes only and economic disparities had increased. 'The post-corporate curriculum is to come,' he said. He talked about 'hot' and 'cool' curricula: in a hot curriculum everything is laid out, but in a cool curriculum – one that respects teacher professionalism – a lot of inferential work is required. There is teacher autonomy, but coordinated and supported professional and career development cycles and pathways lead to 'adaptive competence'. This appealed to us as the kind of curriculum and support we wanted for New Zealand.<sup>46</sup>

By the time a PPTA group attended the 2009 biennial conference in Canberra, issues around the Australian national curriculum were raging, and it was fascinating to observe. The individual states were unhappy about losing their autonomy, and many had a poor opinion of the changes so far. Professor Alan Reid from the University of South Australia was the opening speaker, and he assessed the curriculum as processes of policy making (A), aims and purposes (C+), funding and resources (B), official curriculum (D), and E for accountability – hardly a glowing report. This was courageous of him, because the chair of the conference was the same Tony McKay who'd popped up in so many places, and he was not only current president of ACSA, but also Chair of the Australian Curriculum, Assessment and Reporting Authority (ACARA) which was the federal body overseeing the curriculum development. Reid's address appeared to open the floodgates to some pretty trenchant criticism of ACARA's work. Many parts of the story were familiar to us: an impossible timeframe that prevented good engagement with teachers;; intense politicisation (especially of the developments in History); threats of 'progressions' to allow teachers to assess students against the capabilities (key competencies); lack of clarity about how to weave the content, values and capabilities together into a coherent whole; and vague hints of accountability mechanisms.

It was at this conference that PPTA became more aware of the significance of a body called MCEEDYA (previously MCEETYA), the Ministerial Council for Education, Early Childhood Development and Youth Affairs. This was a regular gathering of ministers from across Australia and New Zealand, and at that stage there was work being done on

literacy and numeracy testing, languages education, financial literacy, and a set of ‘goals for young Australians’, all of which were evident in equivalent initiatives in New Zealand. During one of the plenary sessions, President Kate Gainsford raised the dilemmas posed by the recently agreed memorandum of understanding between the OECD’s education arm and some international computer giants (Intel, CISCO and Microsoft) and the Gates Foundation. It was shocking to find later that there were people in the audience, including an AEU research officer, for whom this was news. The PPTA group felt that teacher unions needed to work together to develop principles and policies about the growing influence of public–private partnerships of this kind.<sup>47</sup>

At the 2011 conference, the PPTA delegation was intrigued by a keynote by Professor Jane Kenway about her ongoing study of elite schools such as private church schools, selective-entry government schools, high-end international schools and business-funded schools and franchises. The usual purposes of elite schools are to perpetuate advantage across time, and as such they are often a facet of colonialism, but she was investigating their links to globalisation. There are social class fractions on the move around the globe, she said: families of staff in big corporations and inter-government agencies. Elite schools compete with each other internationally, and the fight for advantages includes for access to elite universities such as Oxford, Cambridge, Harvard and the like. They groom students for these, not only by ensuring exam success, but also by focusing on particular subjects, interview ability, and establishing a record of leadership, co-curricular activities and service. They make global connections such as through Bill Gates’ Microsoft Partners in Learning, international tours, offering globally useful languages and business studies/entrepreneurialism, maintaining connections with their alumni, organising exchange programmes, and benchmarking themselves against other elite schools. They work to develop ‘global imaginations’ in the students, and give them resources for ‘winning’ in this arena. We felt she had introduced us to a world we had known very little about.<sup>48</sup>

The highlight of the conference was a challenge by a Gubbi Gubbi man, Kevin Lowe, who was Inspector of Aboriginal Education at the NSW Board of Studies. His title told it all: ‘Same old, same old – the Australian curriculum and the perpetuation of educational inequality for Aboriginal and Torres Strait Islander students’. He challenged the conference: ‘For

whom is curriculum written, and why? How culturally responsive is Australian schooling when there have been many generations of Aboriginal peoples since 1788 yet it took until the *Australian Curriculum Shape Paper* (December 2010) for Aboriginal and Torres Strait Islanders to be mentioned in official curriculum documents?’ He said that Australia could learn from New Zealand’s curriculum for its responsiveness to indigenous people’s cultural, linguistic and educational aspirations, its high expectations and benchmarks, its underpinning in purposeful engagement with Māori educators and communities, and its commitment to making a difference.

Kevin Lowe went on to say that the writers of the curriculum would have us believe that curriculum was culturally neutral and take a tick-box approach, having students ‘do’ Aboriginal ‘stuff’ by putting boomerang pictures around pages. Teachers needed to be armed with the capacity to explore beyond this, to think about ‘country’ as a sense of place and being and belonging and dreaming, and to think about land rights, sacred sites and more. Aboriginal languages should be privileged in the curriculum because reclaiming language is fundamental to the success of Aboriginal and Torres Strait Islander learners. The parallels with Māori education were not lost on the Kiwis in the audience.<sup>49</sup>

Perhaps the most memorable of ACSA conferences was the next one, in 2013, held in Darwin and focusing on the three cross-curricular themes of the new curriculum: Aboriginal and Torres Strait Islander (A&TSI) histories and cultures, Australia’s engagement with Asia, and Sustainability. Our report commented: ‘There could not have been a more appropriate location for a conference on these priorities, given the Northern Territory’s huge indigenous population, its proximity to Asia, and its major environmental challenges.’ However, the conference took place soon after a federal election that had returned a conservative government under Tony Abbott. The mood of the conference in relation to these three cross-curricular themes (the equivalent of New Zealand’s curriculum principles) was pessimistic. The keynote speaker on sustainability was a professor who talked about what students (and citizens) needed to know about climate change, including the effects on oceans, but he clearly did not expect the right policies to emerge from the incoming government. A keynote speaker on engagement with Asia asked which Asia should be engaged with: the developed Asian nations which Australia happily engaged with through tourism and student exchanges, or the developing nations in Asia where the

engagement might be through service learning, working in communities, and sharing experiences around common problems?

However, the most disturbing and challenging aspects of the conference were around the Aboriginal and Torres Strait Islander histories and cultures theme. Whereas we had expected this to be an A&TSI-affirming conference, the omissions and missteps horrified the Kiwis. The conference was opened in their Parliament House with speeches by their Minister of Education and others and the first keynote, yet in all of that, not a single word from an Aboriginal language was uttered. We then moved to the Darwin Convention Centre, where there was a 'Welcome to Country' that included an A&TSI dance group called 'One Mob Different Country' who, we were told, were a group of prisoners working to reconnect with their culture. To our horror, some Australian conference-goers got up and filmed them and were not stopped, despite our knowing (a) that the dancers were prisoners entitled to privacy, and (b) Aboriginal people have cultural sensitivities about being photographed and should always be asked first. This set the scene for a very mixed series of sessions on that theme, with a lot of criticism of the curriculum developments so far being 'colour-blind', 'a colonial agenda', and doing little to stop the massive loss of the original 225 plus languages and many dialects. A speaker told us of a language group, the Yanyuwa, which had had 300 speakers 30 years ago, but now there were only three speakers left.<sup>50</sup>

Over the next few years, PPTA was unable to attend the biennial conferences because they coincided with PPTA's annual conferences, but in 2018 PPTA participated both in a curriculum symposium titled 'Assessment for student improvement: At what cost to student wellbeing?' and also in a World Curriculum Studies Conference in Melbourne. The latter included themes of great relevance to New Zealand: Decolonising the curriculum, Knowledge questions and curriculum dilemmas, and Curriculum inquiry and the historical imagination, and had participants from 32 different countries.

In 2019, PPTA was able to participate again in the biennial conference in Melbourne. Yet again, one of the comments reported on 'the lack of indigenous cultural norms at the conference ... in stark contrast to what we do in New Zealand', and another described the welcome to country as follows:

The opening in which the Aboriginal elder apologised to us for telling the story of the genocide of his people with ‘I just like to bring it up in a light hearted way so people know what happened’ was a particular reminder of just how far ahead (if not far enough) we are.

As always, though, there were many presentations of relevance to New Zealand developments, including progressions in literacy and numeracy, assessment and reporting, critiquing the use of PISA rankings, increasing inequity in education, and vocational learning.<sup>51</sup>

In the Covid era, a virtual conference was held in 2021, but it does not appear that PPTA participated in that. However, there are hopes to attend a 2023 conference if it happens.<sup>52</sup>

## **Human rights conferences**

Members of the Rainbow Taskforce have presented on the union’s work in schools at a number of international conferences. Some of these have been Education International events, others linked to wider Rainbow events and groupings. In 2016, the International Lesbian, Gay, Bisexual, Trans and Intersex Association held its Asia-Pacific conference in Wellington, and PPTA presented there.



**Angela King and Jerome Cargill presenting PPTA workshop at ILGA Human Rights Conference Wellington 2016**

## **Final words**

PPTA members may wonder from time to time why their union spends money to send their President, General Secretary, Executive and Te Huarahi Māori Motuhake members and staff overseas, whether it is to nearby places or much further away. This chapter has highlighted a wide range of benefits to the union in terms of keeping up to date on international trends coming our way, ensuring that an honest account of New Zealand education is given in international settings, and building alliances that can be used in the future.

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### Adult and Community Education (ACE)

#### Introduction

In Aotearoa, formal adult education began in the 19th century, although learning through contexts such as Whare Wānanga had been a feature of Māori society for much longer. As Taiwi settlement grew, there was a need for adult education to provide settlers with technical skills and knowledge through Mechanics' Institutes, Mutual Improvement Societies and Technical Schools. In 1915, the Workers' Educational Association (WEA) began operation and eventually became the biggest provider of adult education.<sup>1</sup>

The first Labour Government set up a Council of Adult Education in 1938 to coordinate provision and advise on funding needs. That same year, the first adult and community education centre attached to a school was opened at Feilding Agricultural High School.<sup>2</sup>

In 1947, adult education gained legal standing through the Adult Education Act, and the National Council of Adult Education (NCAE) was established. Courses expanded beyond technical education into personal interest subjects such as cooking and woodworking and increasing numbers of schools began offering evening classes. The 1970s saw an absolute boom in night classes, and adults were allowed to enrol in high schools as well.<sup>3</sup>

But the oil shocks of the late 1970s led to budget cuts in the 1980s. Then, in the 1991 'Mother of All Budgets', adult education funding was slashed, and many providers lost all government funding over the next two years. A new organisation, the Community Learning Association through Schools (CLASS), was formed in 1998 to represent secondary school community education coordinators.<sup>4</sup>

PPTA's role in ACE over the period covered by this history has been both to advocate on behalf of adult and community education and to negotiate collective agreements to cover tutors and teachers working in the sector. Many of the tutors and teachers were either current or former secondary

school teachers, and had considerable loyalty to, and expectations of, PPTA to represent them.

## **Advocacy**

The election of a Labour Government in 1999 led to some optimism in the sector because Labour's manifesto had promised to increase funding for ACE in its first term of office.<sup>5</sup> In August 2000 a Working Party was tasked with providing government with advice on a new policy and funding framework. It reported a year later, in August 2001, to Associate Minister Marian Hobbs.<sup>6</sup>

PPTA's submission to the Working Party acknowledged the diversity of provision in the ACE sector, and the tension this created between the informal, voluntary end of the continuum and the more structured and formal end. Schools' community education programmes were at the 'formal end' by virtue of having clear government funding to deliver prescribed hours of learning, and having staff employed on a collective agreement. One of the issues schools faced was the multiplicity of responsibility lines. While ACE occurred in schools, the funding was from Vote Tertiary. PPTA called for a shift to Ministry responsibility and funding. PPTA defended school-based community education's role in lifelong education. While qualifications were not necessarily the goal, ACE did help people develop self-confidence as learners, and this success was often a motivator for further learning, including for qualifications.<sup>7</sup>

However, the Working Party report criticised some aspects of schools' provision. It claimed that on the whole, it reproduced structural inequalities, with a large proportion of participants being female, Pākehā, in full- or part-time employment, and holding school and post-school qualifications. Māori were under-represented. It recognised that using school premises to deliver ACE had advantages in efficient use of facilities and accessibility, but referred to anecdotal evidence suggesting that those previously unsuccessful at school did not wish to go back to that environment.<sup>8</sup>

The Working Party recommended that if a Tertiary Education Commission (TEC) was established, the ACE Board should become an advisory committee to TEC.<sup>9</sup> This was not what PTA wanted, preferring funding and monitoring to remain within the Ministry of Education. Also,

the Working Party wanted providers, including schools, to establish themselves as Chartered ACE Learning Centres and apply for funding independently, breaking the ties with secondary school Boards of Trustees. PPTA also opposed this because it would damage the best-organised part of ACE by removing funding, losing the community connection provided by the involvement of Boards of Trustees, tie schools up in three-yearly competitive bids for funding, and destabilise staffing arrangements and collective coverage.<sup>10</sup>

The government went ahead and established TEC and an ACE Reference Group. PPTA wrote to Associate Minister Hobbs objecting to the Reference Group's membership on the grounds that although there had been plenty of suitable nominees from the school sector, no one with school-based expertise had been appointed, despite schools being the largest providers of adult and community education. The Reference Group would make structural decisions on ACE, and its absence from the group would make schools question whether the aim was to remove schools from provision of ACE.<sup>11</sup>

This letter provoked an instant response, because the following day at the CLASS conference, TEC's Chair Andrew West, in his opening address, told participants that CLASS would be welcome to nominate a school-based representative for the ACE Reference Group. Margaret Stewart of Rutherford High School's community education was chosen for the role.<sup>12</sup>

In May 2003, PPTA was briefed by Ministry officials from the Tertiary Education division about future ACE funding, to provide a context for collective agreement negotiations which were coming soon. AO Marion Norton reported that things seemed to have moved fast with some decisions already made, including that there would be one transitional year (2004) in which funding would be rolled over but cashed up and paid to schools quarterly, and then a new mechanism for allocating funding would be developed for 2005 and beyond. She was worried this would be a contestable bulk fund.<sup>13</sup>

In 2006, PPTA met with Minister Hobbs, who was concerned about division in the ranks of the ACE Reference Group because the school sector was worried about a future of contestable bulk funding and an increasing likelihood of more schools pulling out of adult and community education. Marion Norton commented that she knew the Prime Minister had also been

tackled about this by a coordinator in Auckland, and that she was ‘not in favour of the loss of evening classes such as languages etc. per se from schools’. Marian Hobbs appeared to realise that disquiet about this was quite deep-seated, and although it was fairly well down the track she was searching for PPTA’s help in figuring out how to deal with it. PPTA stressed to her the cost effectiveness of schools’ delivery of ACE, their responsiveness to their communities, and the danger of loss of expertise and leadership if schools pulled out. They also insisted that PPTA could not support any contestable bulk-funding proposal.<sup>14</sup>

By the end of 2008, however, adult and community education had moved into a much more hostile environment with the election of a National-led Government that was bent on making funding cuts in the public sector, including in education. Budget 2009, on 28 May, included a \$13.1 million cut to ACE. The funding that remained was directed away from non-vocational classes to literacy and numeracy and foundation courses in institutes of technology and wānanga. If schools wanted to continue offering courses that were not clearly vocational, they had to charge fees to cover the costs. As a result, enrolments fell and many schools closed their adult education programmes. RadioNZ reported that thousands of complaints had been sent to Education Minister Anne Tolley protesting at the funding cuts to ACE in secondary schools. Minister Tolley was quoted as saying she was ‘not surprised at the outcry because many people feel strongly about adult community education’, but that it was ‘a matter of setting spending priorities when Government funding is tight’.<sup>15</sup>

DGS Bronwyn Cross ran an informal plenary session to update Executive at its July meeting. She said the funding was being cut by 80% from 2010. PPTA was campaigning with CLASS to engage the community in resisting the cuts to ACE, and this needed to be led by parents and the community to have the necessary impact on government. Executive endorsed a CLASS call for a ‘Day of Protest’ at parliament and encouraged regions to run publicity campaigns about the issues.<sup>16</sup>

At that stage, the government appeared to be wavering. Bronwyn reported that the CLASS president was meeting with the Minister on 5 August to try to persuade her to review the decision, and that Prime Minister John Key was distancing himself from the decision.<sup>17</sup>

At the end of August, Executive agreed to fund up to \$30,000 to support the CLASS programme of action, including for internet advertising, using the slogan ‘Don’t let the sun set on night classes’.<sup>18</sup> PPTA President Kate Gainsford wrote to the Prime Minister asking him to revisit the decision, ‘from his overarching prime ministerial perspective’. She discussed the economic benefits of adult and community education as something that the government might perhaps have not recognised:

At first glance it may seem possible to divide education into ‘useful learning’ i.e. that which leads to employment, and ‘useless learning’ or ‘hobby classes’ which are supposedly self-indulgent. In reality though, the distinction is more apparent than real. Over the last few months, the media has provided countless examples of individuals who owe their financial and business success to a particular night class. The experience of learning something, and the associated confidence and social networks that come with it, is just as likely to lead to future employment as a course specifically targeted to that purpose.

The benefits for older workers who need retraining after facing redundancy or who are re-joining the workforce after a period of care-giving have been well documented but there are also benefits for younger workers. For example, it might have been far more cost-effective to have directed the unemployed youth into appropriate evening classes rather than the considerably more expensive, and as yet unproven, youth guarantee initiative. I wonder if the PricewaterhouseCoopers report into community education (2008) which calculated that there is a return of around \$20 for every one dollar invested in community education was available to Cabinet when it made the decision to decimate community education.<sup>19</sup>

Tragically the campaign brought no change to the policy, and ACE became a shadow of its former self under the 2008–2017 National-led Government. Under Labour, the priorities look only slightly broader, with TEC announcing that from January 2021 programmes should improve employability, promote social and cultural inclusion and participation, raise foundation skills, and improve health and wellbeing.<sup>20</sup>

Budget 2020 included an allocation of an extra \$16m ‘to help meet the increased needs for training and upskilling as part of the Government’s Covid-19 response and economic recovery plan. This includes a modern approach to rebuilding night classes.’<sup>21</sup> However, an anonymous source in CLASS told me that there had been ‘a lolly scramble for the extra funding and TEC gave it to existing programmes’. It has not stopped the downward trend of schools dropping out of ACE provision. In 2022, the CLASS website said there were 15 secondary schools offering ACE programmes, but my source told me that was soon to drop to 14.<sup>22</sup>

## **Negotiating the ACE collective agreement**

During the 1990s, there had been difficulties in negotiating collective agreements for teachers and tutors in ACE. However, with the arrival of a Labour Government in 1999, these difficulties appeared to fade, at least for a time. In 2000, AO Nicole Carter wrote to a member:

The reluctance on the part of the Government to negotiate a new Collective Employment Contract seems to have evaporated with the change of Government. The new Government has appointed Lianne Dalziel to be the Minister responsible for community education ... The Labour Government has indicated that they have a preference for collective employment contracts and it is hoped that within the next few months that PPTA will be able to re-table our community education claim and receive a more favourable response than before.<sup>23</sup>

A new agreement was negotiated, expiring on 31 December 2001. At the CLASS conference in 2001, coordinators highlighted two priorities for the next collective: an increase in the coordinator time allowance, and improvements in pay for non-teaching coordinators.<sup>24</sup>

It took till August 2003 to settle a new agreement, and even when it was settled, it was very short-term, to 28 November 2003, because of the uncertainty about future funding arrangements (see above).<sup>25</sup> It included a backdated increase to coordinators' responsibility allowance to Term 3, 2002, and some pay improvements for non-teaching coordinators and tutors who were trained teachers. There was also a working party to consider the effects of the change of funding arrangements and the role and job size of ACE coordination in schools.<sup>26</sup>

Some coordinators were full- or part-time teachers with ACE coordination as part of their role, and covered by the STCA for this work, while coordinators who were not teachers were employed on the ACE collective. This caused issues for schools when the funding was transferred to TEC. Previously schools had received staffing, including units for coordination, through the Staffing Orders, and had simply treated it as part of their total staffing pool while ensuring that the right amount was used for ACE. The Staffing Orders for 2004 removed the designation of Community Learning Centre from schools, and instead they were to receive a bulk grant for ACE from TEC. This posed a risk of redundancies ensuing, but PPTA argued that this would trigger the surplus staffing provisions and potentially make coordinators eligible for redeployment, retraining, or a severance payment.<sup>27</sup>

In 2005, PPTA advised coordinators employed under the STCA that the changes to the Staffing Orders and ACE funding had led to a closer look at their coverage. The question had started to be asked whether a full-time coordinator employed under the STCA was in a 'teaching position'. The Ministry believed such coordinators should be on the ACE contract but was willing to 'grandparent' existing full-time coordinators on the 2004–2007 STCA. Advocate Marion Norton advised that this was the safest option for them. There was also an issue that to remain on the STCA permanently employed, they would need to retain a practising certificate as a teacher. One school had already balked at renewing a full-time coordinator's registration because of this issue.<sup>28</sup>

Despite the funding source becoming the Tertiary Education Commission in 2005, the Ministry of Education continued to negotiate ACE collective agreement coverage for community education staff in schools, and another short-term agreement was eventually negotiated for 23 September 2005 to 30 April 2006. This gave a 3% increase on the rates backdated to January, introduced surplus staffing provisions for permanently employed non-teaching coordinators, clarified the application of surplus staffing arrangements for teaching coordinators on the STCA, and clarified the application of the Holidays Act. It was something of an achievement, given the difficulties in reaching a settlement.<sup>29</sup>

While the 2005 settlement expired in April 2006, it still applied for a further year, but it took till the middle of 2006 for PPTA to get the Ministry to move on negotiations.

CLASS contracted Webster Consulting Ltd from Christchurch to establish the nature, size, and scope of an ACE coordinator's role. The researcher found that while there was a long list of tasks undertaken by coordinators, it was impossible to describe a generic role that fitted all the different contexts. The role differed according to the level of resourcing received by the school, the status and support for the coordinators within the school and the community, and their willingness and ability to engage with their community. The researcher suggested that there were three categories of coordinators: those who were full-time with responsibility for a large ACE programme and a strong leadership role; those who were part-time with some management responsibility; and those who were part-time



with administrative responsibility for a small resource. They recommended that remuneration should reflect these different levels of responsibility.<sup>30</sup>

The final claim did this by claiming for a new Grade 3 non-teaching coordinator/director, 'one who forms part of the senior management team in a school, leading and taking full responsibility for the complete ACE programme and TEC requirements'. There were also a number of other claims around rates, hours and clarifications.<sup>31</sup>

It took till 3 January 2007 for a new agreement to come into force, but at least this time it was for nearly two years, till 31 October 2008. It included the new Grade 3 non-teaching coordinator rate, and a number of other improvements.<sup>32</sup>

A substantial claim was presented to the Ministry in September 2008. PPTA saw the priorities as getting pay increases in the face of increasing inflation, delivering equity between pay rates of non-teaching and teaching coordinators who would have received a 12% increase by June 2009 (via the STCA), and ensuring appropriate time allowances that took into account the increased administration required to complete TEC's processes.<sup>33</sup>

However, there were delays throughout 2009 because the Ministry did not have bargaining parameters until October, firstly because of the 2008 election of a National-led Government, and secondly as a result of the savage cuts to ACE funding discussed above.<sup>34</sup> After being presented with what was essentially a nil offer, Advocate Jane Benefield wrote:

It seemed to the negotiating team that this is the worst possible time for ACE members to seriously engage in bargaining or campaigning in support of their claim. Together with CLASS and the union, members have been engaged intensively for the last six months in the campaign to get the cuts reversed. This has sadly not yet been successful and we know many of you are facing uncertain employment or are under notice of redundancy.<sup>35</sup>

The 2007–2008 agreement was about to run out of its one-year-from-expiry applicability and members risked ending up on individual agreements. PPTA proposed rolling over all existing conditions for a three-month period, which would protect collective coverage for a further 15 months and postpone serious bargaining until 2010 when at least the shape of the sector for the future would be clearer. The Ministry agreed and the members ratified it, so the current collective was extended to 27 January 2010.<sup>36</sup>

Fortunately, PPTA had managed to negotiate redundancy provisions into the ACE collective and provided advice to schools on the processes they needed to follow. However, there was some uncertainty from the middle of 2009 as to who, TEC or the Ministry or schools themselves, was to pay for these redundancies.

PPTA learned that NZSTA was advising Boards to dismiss ACE employees as soon as possible so the school didn't have to bear any of the redundancy costs out of the Operations Grant. To do this schools would have to shut down all ACE activities for terms 3 and 4 and use what was left of the funding to pay for redundancies. PPTA argued that TEC funding was not provided for that purpose but for running courses, and schools using it for redundancies would be breaching their contract with TEC. PPTA sought legal advice on the matter.<sup>37</sup>

The legal opinion broadly supported the PPTA view except for a qualification that TEC could, arguably, alter the terms of its contract with schools during its currency.<sup>38</sup> PPTA met urgently with the Secretary for Education Karen Sewell and TEC representatives to sort out the issue. PPTA, TEC and NZSTA then worked together to develop advice for schools as to how to follow proper and legal procedures to work through any changes caused by the Budget cut. This advice clarified that schools were obliged to use their TEC funding to deliver their 2009 programme in full, there had to be a Board decision about whether to offer programmes in 2010, and the surplus staffing provisions in the ACE collective agreement had to be followed.<sup>39</sup>

Meanwhile, the Ministry was denying responsibility for funding redundancies, schools could not use their 2009 funding for that purpose, and TEC failed to provide clarity about how schools were to pay for this. In August, Maurie Abraham, then principal of Ōpōtiki College, complained to TEC that he had received no response to his email regarding the responsibility for surplus staffing costs:

MOE says that even though they grandparented the terms and conditions they are not responsible for funding it and suggests that you are responsible. I know that we won't be funding the 30-week supernumerary provision out of next year's operational grant. Since MOE has advised that it is your responsibility, please advise as soon as possible the process we need to follow as I have timeline commitments to meet so that my employee is treated with integrity.<sup>40</sup>

Two days later he finally received a reply from TEC, under the heading 'Withdrawal costs'. The email told him he could use some of his 2009 funding to cover redundancy; however, that must be preceded by the Board deciding to withdraw from ACE, and he had to make sure that it would not affect the normal functions and deliveries of ACE until the end of the year. In other words, he could only use any surplus he happened to have. He was asked to send TEC 'a complete breakdown of programme termination cost as we have already indicated to affected schools that we are going to consider part-funding of programme termination costs.'<sup>41</sup>

The trouble with this was that it did not guarantee schools funding from TEC for redundancies, it merely said TEC was considering funding the costs. Given that schools had timelines to meet in terms of setting in motion surplus staffing process, and needed to be sure that the money was there to fund the options for teachers, this was far from satisfactory. Some schools, while they waited to find out who would pay for the redundancies, actually continued employing people into 2010 to give them job security.<sup>42</sup>

The matter was still unresolved when 2010 rolled around. In March 2010, NZSTA emailed a senior official at TEC as follows:

We do need to know what is happening with all of this. Some schools are faced with problems as it appears there is no decision yet on payments to cover their costs. Latest is that one school has been advised by your organisation (TEC) that 'The decision about monetary support is being consulted on presently and an announcement will be made in the near future.' Given that this initially involved the Secretary for Education does it need further involvement from that level or do we approach Minister?<sup>43</sup>

Perhaps the threat of NZSTA approaching the Minister finally prompted action, because eight days later, on 18 March 2010, a letter went out to schools advising them that the TEC was proposing 'to make an additional Adult and Community Education (ACE) payment to your school for costs incurred following changes to ACE arrangements in 2009'. The letter acknowledged that there had been additional costs, although it never mentioned 'redundancy' per se. Schools had already provided details to TEC of additional costs incurred, and the letter contained an offer of an amount 'as a reasonable contribution to the costs you have incurred through meeting ACE commitments in 2009'.<sup>44</sup>

PPTA's Annual Report in 2010 summed up this debacle:

For PPTA members in ACE the redeployment process was made unnecessarily traumatic by the fact that in making the cuts, the Minister of Education had given little thought to the cost of redundancies. The buck shuffled between the Minister, the Ministry of Education and the Tertiary Education Commission with the outstanding cases being resolved only when there was a threat of legal action from PPTA.<sup>45</sup>

Negotiating a new collective agreement for the now greatly reduced number of members in ACE might have seemed a low priority; however, PPTA launched into that process in the middle of 2010. One of the first tasks was to establish exactly who was left to be covered by the ACE collective. A letter from Marion Norton to the Ministry advising that PPTA was ready to begin bargaining in the near future gives a grim picture of how the sector had been decimated by the cuts in funding. She wrote that PPTA could easily identify 56 ACE-only members, who were non-teaching coordinators or tutors who were not also employed as teachers, across 27 schools, and who paid membership fees to PPTA by invoice so did not show on Ministry records as having fees deducted at source. However, she did not believe that this represented the full picture because while only 24 lead schools remained from the original 213, there were another 16 partner schools to these, and a further 41 schools had indicated to CLASS that they aimed to run self-funded programmes, indicating that about 80 schools could be still involved in ACE. She asked that the Ministry use its systems to try to establish the full number of staff involved as coordinators in ACE, particularly those who were also teachers and had been grandparented, for whom a responsibility allowance was paid.<sup>46</sup>

This process seems to have been quite difficult, but nevertheless PPTA lodged a claim in late November. This was for a term to September 2012, to give some security to a beleaguered sector; a claim refining the definition of a coordinator's role; 2% increases in January 2011 and January 2012 for both coordinators and non-teaching tutors; and other claims for time and leave.<sup>47</sup>

Getting bargaining under way was difficult, however, and the previous agreement was due to end its one-year extended currency at the end of January 2011. In an email dated 21 December, the Ministry wrote offering to meet later that same day, saying that after then it would not be available until 18 January, because of the Christmas shutdown. PPTA had asked at a meeting for the Ministry to not allow boards to vary the ACE agreement after it lapsed on 27 January as long as bargaining was proceeding. The

Ministry refused, citing the Employment Relations Act 2000, and said that after that date bargaining would constitute bargaining of a new agreement.<sup>48</sup>

On 19 January 2011, General Secretary Kevin Bunker wrote to Karen Sewell, Secretary for Education, arguing that there were good reasons to extend the agreement for a further three months, 'in the interests of certainty for those remaining 80 or so schools that are endeavouring to deliver ACE programmes (both TEC and self-funded)'. He contended that this would be 'a practical and sensible way to ensure no unnecessary disruption to the start of the 2011 ACE programmes in schools', and said PPTA was quite sure that schools would already have budgeted and planned using the existing terms and conditions so it would cause them no difficulties.<sup>49</sup>

This appeal to the Secretary for Education appears to have been unsuccessful, because on 2 February, advising CLASS about the claim, Marion Norton wrote:

The collective agreement has expired. Technically all employees are on individual agreements the same as those of the collective agreement unless an employee agrees that they can change. This means nothing need change and PPTA would advise that no one agrees to any change, especially while bargaining continues. In terms of what you as coordinators offer to tutors and any other new employees, you need to be using the pro-forma letters already in use but insert the words 'the terms and conditions are those of the expired Adult and Community Education Staff in Schools Collective Agreement'. You can still say that PPTA is the union that bargains the collective agreement, and how to contact us, but the collective is currently being renegotiated.<sup>50</sup>

The Ministry's refusal to agree to a short-term extension did not augur well for this round of negotiations, and things did indeed not go well. A day of bargaining in early March began with the Ministry attempting to not bargain a new collective at all, arguing: 'Boards do not favour continuation of the ACE CA (responses from 2 schools out of 80). MOE said there was an air of unreality in our claims – it's an area of decline, don't want restrictive practices.' PPTA described the Ministry's response as 'actually highly insulting' and that it 'had deliberately misused data ... it shows no regard for members' issues and no understanding of the tremendous changes in ACE since 2004 and the way in which schools actually operate now'.<sup>51</sup>

Despite this unpromising beginning, PPTA persisted, and a settlement was agreed on 11 April 2011. Advocate Marion Norton reported to Executive that negotiations, for what was then a very small number of ACE

employees, had been ‘extremely longwinded and fraught’. PPTA’s worries about the agreement expiring had been borne out when it discovered that the Ministry had been convinced by NZSTA that the agreement was now irrelevant, and ACE personnel could be covered by the Support Staff in Schools agreement, a view which NZSTA had put to boards. This had presented ‘quite a challenge to change that view and get a new collective agreement in place at all’. But PPTA succeeded, and a relatively long term, till 31 October 2013, was agreed. There was only one improvement on the expired agreement, a 2% increase on non-teaching coordinators’ rates from January 2012. This meant it was not much more than a rollover, but the members ratified it nonetheless – clearly the continued protection of a collective agreement was important to them.<sup>52</sup>

Accurately identifying the members of the education workforce who were employed in ACE continued to be a challenge. The Terms of Settlement of the 2011 agreement had contained an undertaking that the parties would meet between April and August 2013 to share information on the ACE workforce. Marion Norton emailed Nick Kyrke-Smith at the Ministry on 12 March reminding him of this and asking to meet at the beginning of April. She was working with CLASS to get accurate information through a survey of their members, who came from virtually all the schools still offering ACE. She suggested that this be cross-checked against any data MOE could extract from payroll, but noted the challenges that the Novopay debacle<sup>53</sup> presented for this.<sup>54</sup>

Marion Norton also used the CLASS conference in March 2013 to consult with ACE staff about possible refinements and improvements to the collective agreement. With all the changes since 2008, especially, some parts of the agreement were actually superfluous, and she could see opportunities for improvements by replacing these with other claims. She also explained at some length that where there was an applicable collective agreement in place, that was the one that must be used for the employees described in its coverage clause. This was because she had been fielding questions from ACE employees whose employers had tried to use other agreements such as the Support Staff Agreement, which actually had provisions that barred its use for ACE employees.<sup>55</sup>

It took most of 2013 to renegotiate the ACE Collective Agreement (ACECA). In mid-November, Jane Benefield, who had taken over the

Advocate role, reported to Executive that things were still going very badly. She titled her paper 'ACECA Bargaining – And Then They Came For ...', and quoted Pastor Martin Niemöller's famous statement about the dangers of not speaking up for others, because when they come for you, there will be no one there to speak for you.<sup>56</sup> It had taken till October to get the Ministry to the table at all. There had been almost no movement on pay since 2007, but four days of negotiations had made little progress on that. The Ministry argued that unless there was an increase in TEC funding, which it could not achieve, schools would not be able to afford the minor pay increases PPTA was seeking but were told that they could be met with small increases to fees of \$1 to \$2 per student per course. The worst moment in negotiations was when the Ministry team produced the argument that 'tutors in particular are mostly part-time or casual so don't rely on their pay to live, therefore there is no need to raise their rates'. Benefield commented: 'This argument is so discriminatory it could arguably amount to a breach in human rights.'<sup>57</sup>

In response to a PPTA claim that there be a working party to modernise the agreement, the Ministry's suggestions for terms of reference were largely around whether the agreement was needed at all. This was particularly worrying, because PPTA had been receiving reports from Field Officers that NZSTA was again promoting in ACE schools the idea of using the Support Staff Agreement, which did not cover ACE staff.<sup>58</sup>

One of the biggest worries about this Ministry intransigence was what it seemed to presage about industrial negotiations in the future, if the National-led Government carried through its intention to remove the duty to conclude bargaining. Jane wrote:

In fact, the clear signals received so far, i.e. the lack of constructive bargaining, the refusal to respond meaningfully to modest, justified and affordable claims and finally the clear indication that the Ministry had a clear purpose to engineer the demise of the ACECA itself, are indicative of a lack of commitment to conclude a fair, reasonable, and affordable settlement of the ACECA. This has clear implications of what bargaining will be like in 2015 if this government survives until then and we are working under the constraints of the revised ERA with no duty to conclude bargaining.

The General Secretary and President were to make representations to the Secretary for Education, Peter Hughes, about the situation, and it was hoped that this might result in a change of approach from Industrial Relations.<sup>59</sup>

Something certainly changed, because after a fifth day of bargaining, and various off-line discussions with a Ministry official, a settlement was finally reached on 25 November. The new agreement had a 28-month term to 29 March 2016, PPTA's Terms of Reference for the Working Party were accepted, and there were two pay steps of 1.5% each for everyone covered by the agreement. All members bar one voted to ratify it.<sup>60</sup>

The Working Party got under way in late 2015. The Ministry's opening statement at negotiations the following year acknowledged that the parties had 'worked collaboratively and quickly before Christmas (2015) to modernise the ACECA document to reflect current realities'.<sup>61</sup>

The next round started somewhat more positively. Negotiations began on 8 March 2016, with two more days set aside in that month. ACE members had indicated they would like a quick settlement, and endorsed a claim that was 'simple and to the point', involving modest pay increases of 2% from settlement, and two further annual increases of 2% and 2.5% respectively. PPTA argued that this was 'a simple, affordable and reasonable claim', and said it hoped the parties could reach 'a speedy and fair settlement'.<sup>62</sup> The Ministry presented no claims at all.

Despite the positive start, however, an agreement could not be settled and ratified until June 2016, but it was a three-year agreement, to 21 June 2019, which had the advantage of giving a high degree of stability to the members covered by it. The pay increases were even more modest than PPTA had claimed, but they were at least on all the rates.<sup>63</sup>

Bargaining for the next round was initiated in May 2019. However, it took a while for the claim to be finalised and negotiations to begin. One complication was that there had been a request by Out-of-Hours Music Teachers (OHMT) to be included in the coverage of the ACE agreement. PPTA consulted with CLASS, who 'were not keen', and the Ministry's response was that they saw 'significant coverage issues in bringing OHMT into the ACECA. As explained, the OHMT are based in the primary sector, whereas ACE provision is provided through secondary schools.'<sup>64</sup>

Final negotiations began in mid-December. PPTA was seeking a one-year term, because there was a degree of optimism in the sector that a second-term Labour Government might bring in a boost for ACE. The claim included 3% increases for coordinators, the creation of a new Administrative Assistant role, and some technical claims including health



and safety provisions. Success was achieved at record-breaking speed, after only one day of negotiations, on 10 December. PPTA agreed to a two-year settlement in the end, to 28 January 2022, with a 3% pay increase at the beginning of each year for coordinators, professional supervisors, and coordinator assistants. The proposed new Administrative Assistant role did not eventuate, nor did coverage of OHMT. A ratification ballot was conducted online, and the agreement was ratified unanimously.

Bargaining for the 2022 round was initiated on 27 January. In the notice of initiation, PPTA advised the Ministry that it would again be making a claim to cover Out-of-Hours Music and Arts members.<sup>65</sup>

This time the groundwork for the OOHMA aspect of the claim had been done. In July 2021, the General Secretary had written to the Secretary for Education requesting discussions about extending coverage to this group of teachers. A petition on behalf of these employees had been presented to the Education and Workforce Select Committee, whose report had acknowledged that ‘the issues raised were significant and addressing them would directly benefit the wellbeing of individual staff and ensure the delivery of consistent and high-quality education to students’, and suggested that the ACE agreement as a way forward for coverage. OOHMA, the organisation representing these teachers, had contacted PPTA in early July to confirm that its members were keen to be covered by the ACE agreement.<sup>66</sup> The Ministry finally responded in September, suggesting that PPTA make a claim for coverage, and have pre-bargaining talks about the matter with the industrial team.<sup>67</sup>

Before seeking coverage for these teachers, PPTA needed to amend its constitution to be able to include them as members. This took place at the 2021 AGM that replaced the usual Annual Conference.<sup>68</sup> On 19 December, AO Jo Brunskill posted on the OOHMA Facebook page under the heading, ‘It’s Official! Out of Hours Workers can now join the PPTA!’ She explained to OOHMA Tutors and Support staff that PPTA intended to negotiate an increase in rates on their behalf, and that the more OOHMA workers who joined PPTA, the better chance there was for PPTA to be able to negotiate better pay and conditions for them. She promised consultation with them in developing the claim and reminded them that PPTA membership provided other benefits such as professional networks, field officer support, and health insurance deals. She pointed out that the last pay increase they had

received had been in 2003, and that even on current rates on the ACE agreement these would increase.<sup>69</sup>

In February 2022 Brunskill recommended formation of a Taskforce of OOHMA representatives to develop a first draft of provisions for its members for the ACE claim, and that the negotiating team include representatives from ACE and OOHMA. At that stage, 23 OOHMA workers had joined PPTA, but she expected more would do so as bargaining gathered pace. PPTA had met with the Ministry in November 2021 ‘to outline the issues for OOHMA workers’.<sup>70</sup> Her proposals were all approved by Executive.<sup>71</sup>

Negotiations began in June 2022, and by that time the number of OOHMA members had risen to about 150.<sup>72</sup> The Ministry’s first offer on 27 September agreed to the inclusion of the OOHMA staff, noting that this would require a new name for the agreement.<sup>73</sup> However, the offer was unsatisfactory in several ways, and Executive voted in October to reject it. There was a second offer in November, but in February 2023, a settlement did not appear close.<sup>74</sup> Further bargaining was scheduled for late March 2023.<sup>75</sup> An agreement was finally settled, to expire in February 2025.<sup>76</sup>

## **Final words**

Whether there will ever be a return to vibrant night class programmes in schools as in the 1970s is debatable in a world where so much knowledge can be accessed via one’s phone, but the loss to social cohesion from the cuts may well have been significant.

PPTA has shown remarkable loyalty to ACE staff, especially given the devastating loss of numbers following National’s cuts from 2010. The union’s willingness to extend collective coverage to Out-of-Hours Music and Arts teachers, with the complexities that adds (with the two groups operating in different sectors and with different histories) is laudable.

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# Conclusions

As promised in the introduction, this book has dipped into the ocean that is the history of PPTA/Te Wehengarua over the last twenty or so years and has drawn out some specimens that best tell the union's story. Writing a history of an organisation that continues to flourish and change means that the endpoint must be somewhat arbitrary. As the writing process ended in early 2023, the ocean rolled on inexorably, requiring some updates to be inserted during the editing process.

Progress was slow in the latest set of collective agreement negotiations, and another crisis, in the form of damaging storms and floods across much of the North Island at the start of 2023, was putting pressure on government funding, making the negotiating climate even more difficult than it was. The second-ever 'megastrike' took place on 16 March, this time involving nearly all PPTA and NZEI members except support staff and secondary principals. Ultimately, however, the union was once again remarkably successful in its negotiations, and this is detailed in the relevant chapters.

The Covid-19 pandemic cannot be said to be over, and its effects on teachers' working lives and students' learning lives in 2023 and beyond are unpredictable. PPTA Te Wehengarua is not a large union, but it is a successful one. The reasons for that success include: it has stayed focused on representing a few particular groups of teachers, and not been tempted to take on more; it has striven to represent those members across a wide range of industrial, professional, and political areas; it provides high-quality services to its members, ranging from help in disputes with employers to welfare support in times of trouble; and it has worked hard to keep principals within the union by recognising their employer perspectives but working together on common goals.

The union is strongly bicultural in character, recognising through its constitution and ongoing operation that it is participating in an evolving

Tiriti relationship. Members are committed to this and demonstrate that commitment through their observation of Kawa and Tikanga in union activities and their support for ongoing structural change, such as the new Māori Vice-Presidency. At the same time, the union values the increasing range of diversities among its members.

PPTA has worked hard over the years to remain politically neutral. Regular surveys of members show that their allegiances cross the whole political spectrum, so the union has never allied itself with any one political party, and even the appearance of doing so can attract antagonism from members. The union supports good education policies, whichever party puts them forward. (Its understanding of ‘good education policy’ is guided by what is workable for teachers, produces equitable outcomes for students, and is supported by a robust evidential base.)

The twenty-plus years covered in this history reflect an increasingly democratic union, with many opportunities for members to engage as activists and as learners. Various digital developments, such as the website, the ability to communicate directly with every member by email and the use of social media to grow networks, have all contributed to this increased participation.

May all of this continue through the next twenty years and beyond.



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