



Supporting teachers to do their jobs: There's got to be a better way

A paper from Executive

1. Who cares about teachers?

It is salutary to recall the point made at paid union meetings last year that almost all of the provisions in teachers' collective agreements have had to be battled for.

1.1 Not the Government

For all the political posturing over many years about the importance of teachers in lifting student achievement, the initiatives that have attracted graduates to the profession, supported them to be effective in their daily work, and assisted them to leave the service (should that be necessary) have come entirely from the union, via collective bargaining. This applies not just to the 'pay and rations' aspects of negotiations but also to professional provisions such as study awards and grants, sabbaticals, specialist classroom teachers, Ngā Manu Kōrero, and leave for kapa haka and Polyfest. In most cases, these changes were not endorsed by the other party to the bargaining, the Ministry of Education (acting for the Government), and their inclusion in the collective agreement often came only as a result of industrial action.

1.2 Not the Ministry of Education

The ministry's attitude undergoes an observable shift once an item is included in the collective. Because the collective agreement generates annual funding, the ministry ceases to oppose the provision and instead looks to how it can use it for its own ends. For example, over recent years the ministry has used its role as an administrator of the study awards to constrain teachers' autonomy to determine what form of study best meets their professional needs in favour of its own political goal: 'Study that meets the Government's goals in education.'

1.3 Certainly not the Workforce Advisory Group

In a similar vein, the ministry adamantly refused to contemplate mandatory non-contact time for teachers when it was tabled as a claim in 2000. The ministry accepted the inevitable only after 18 months of industrial action. Since then it has actively contrived to restrict teachers' independent use of non-contact time, initially by supporting schools that were establishing compulsory professional development in that time, and more recently by supporting the recommendation in the Workforce Advisory Group (WAG)

report, 'A Vision for the Teaching Profession', that non-contact time should be treated as a 'resource' for principals to distribute.¹

1.4 **And not the other education agencies**

More insidiously, the ministry, together with other agencies including NZQA, ERO and the Teachers Council, has presided over a systematic expansion in the auditing demands of the central agencies. This activity soaks up non-contact time without contributing significantly to teaching and learning.

If it were necessary to put a financial figure on teacher time – in the way consultants charge by the minute – many central agency initiatives would languish because they would be simply unaffordable. For as long as teachers' time is regarded as a limitless resource, there will be no obligation on these agencies to use it in the best way for the best results.

2 **The inhumanity of human capital theory**

2.1 **Productivity not people**

The lack of value accorded to teachers' time and the disregard that greets any proposals that aim to improve teachers' capabilities in the classroom is consistent with human capital theory, which has underpinned state sector and labour market reform in New Zealand over the last 25 years. Although cloaked in the obscure language of economics, the most significant element of human capital theory is that it totally ignores the central role work plays in human physical, social and psychological wellbeing in favour of a definition that looks only at its immediate contribution to raising productivity and maximising profit. Investments in activities and attributes that do not contribute directly to increased productivity are not seen as worthwhile, and therefore there is no imperative to create and maintain workplaces where employees feel recognised and valued. Warm and supportive relationships that are so critical to a meaningful existence and that make life in the workplace enjoyable (and, arguably, more productive) are undermined by performance pay, casualisation and reduced investment in professional development.

2.2 **Ruling by measurement**

On the surface these activities appear to increase productivity, but they have a cost: intrinsic motivation and loyalty decreases, while mistrust and cynicism increases. Faced with this problem, the answer provided by human capital theory is to establish more hierarchical relationships and increase the level of surveillance. It has spawned an entire industry of evaluation, quality assurance, auditing and legal compliance.

¹ The Workforce Advisory Group is an unrepresentative group, hand-picked by the Minister of Education, who met in secret to develop a 'vision' for the profession. See <http://www.minedu.govt.nz/~media/MinEdu/Files/TheMinistry/Consultation/WorkforceAdvisoryGroup/WorkforceAdvisoryGroupFinalReportPDF.pdf>

The aim of the game is to get more for less, which is unsustainable in the long term and must inevitably lead to a decline in quality. However, this trend is disguised by superficial analysis within deliberately confined time periods,² shored up by marketing and political spin.

3 Human capital theory in schools

3.1 Change is mandatory; improvement is discretionary

In public education, where there is no obvious financial profit to be made, the proxy for higher returns becomes continuous improvement in student achievement. There is no question that this is a worthwhile goal, but when it operates in a narrow and simplistic economic framework instead of in the broad and general field of education where it belongs, it fuels an obsession with measurement, assessment and auditing that is actually detrimental to effective teaching and learning.³

3.2 More for less

It is in the employment relations field where the theory has been given full rein. Our negotiations take place within the framework of the State Sector Act 1988, which was set up to 'promote efficiencies' and cut costs in the public sector; in other words, to get more for less. This was done by bulk funding government departments and requiring them to cover any improvements in pay or conditions out of baseline funding. The result has been predictable – a steady decrease in conditions,⁴ with consequent difficulties in recruitment and retention across the public sector, leading to increasing ineffectiveness, which then becomes a justification for further cuts.

3.3 National negotiations

Events have played out differently in education, mainly because the plan to bulk fund all schools and make boards of trustees responsible for setting teachers' pay and conditions had to be abandoned in the face of 10 years of intense teacher and community opposition. The determination of PPTA members to retain a national collective employment agreement means that pay and conditions continue to be set through centralised negotiations, not as a result of school-by-school bargaining with boards of trustees.

3.4 The other party: the Ministry of Education

Negotiations for the teachers' and principals' collective employment agreements take place between PPTA, representing the employees, and the Ministry of Education (acting for the State Services Commissioner under the State Sector Act) and a representative from the School Trustees

² For example, the way the ministry manages data around teacher supply during negotiations in an attempt to circumvent any possible recruitment or retention claims. See for example 'Warning of Possible Teacher Shortages', *Otago Daily Times*, 12 May 2010, <http://www.odt.co.nz/news/dunedin/105596/warning-possible-teacher-shortages>, retrieved 23 August 2011.

³ See PPTA, 'National Standards: PPTA Background Paper', January 2010, http://www.ppta.org.nz/index.php/resources/publications/doc_download/771-ppta-background-paper-on-national-standards, retrieved 23 August 2011

⁴ There are two exceptions: CEO and management salaries, which have risen reflecting more hierarchical and less democratic structures; and Treasury, which seems to be able to offer superior salaries and conditions to the rest of the public sector.

Association (NZSTA), representing boards. The ministry representatives take their orders from the Government via the State Services Commissioner. There is never any doubt who the puppet master is, or indeed, the agenda; regardless of which political party is in power, the goal is always the same: spend as little as possible while extracting more effort from teachers. In other words, control or reduce costs while increasing 'productivity'.

3.5 What's education got to do with it?

Teachers may negotiate with the Ministry of Education but education and schools have very little to do with either the process or outcomes. Although the PPTA team contains practising teachers, the ministry negotiators rarely have any experience of schools, far less secondary schools. The 2011 round was particularly noteworthy in this respect, as not only was there no school experience on the team but the lead advocate was seconded from the State Services Commission. This makes it impossible to take a problem-solving approach to bargaining, as only one party has any understanding of the problems and consequently only one party has the capacity to propose solutions.

Although a few officials with direct experience and understanding of secondary schools remain in the ministry, they are kept well away from the bargaining lest they ally themselves with teachers. For example, the ministry's extensive and solid evidence of the importance of professional learning for teachers never makes it anywhere near the bargaining table.

Working in the public service can be demanding and stressful, but it doesn't offer anything to compare with challenge of facing up to 30 adolescents every hour of every working day, so it is almost impossible for ministry negotiators to understand teachers. Moreover, in this case distance makes the heart less fond; an employer who interacts daily with employees has an interest in developing positive relationships but there is no such imperative for central agencies. For example, the practice of taking months – even years – to establish the correct starting salaries for new teachers would not be accepted in other workplaces. But it is par for the course from the Ministry of Education.

3.6 How are boards represented?

The other member of the employer bargaining team is a representative from NZSTA representing boards of trustees. While it might be thought that boards would want to see teachers well paid and working in conditions that showed they were valued employees and which assisted them to be effective in their jobs, this is not the case. NZSTA has two goals in bargaining: one is to ensure (not unreasonably) that no costs are passed on to boards, and the other is to support any proposal that will increase board control of teachers. At the start of negotiations in 2010, NZSTA declared: 'We do think it's entirely appropriate to place difficult

management decisions about the allocation of scarce resources back into boards and principals' hands...⁵

It is extremely difficult to believe that boards of trustees would support what is effectively a call from their national body for cuts to education. This counter-intuitive position is probably explained by the fact NZSTA gets its funding from the Government, via the ministry, so it is not in fact easily able to act as the independent voice of boards of trustees.

3.7 Entrenchment

As if things are not already complicated enough, bargaining is made even more difficult by the operation of the entrenchment clauses in the NZEI primary teachers and principals' collective agreement. These clauses require the Government to pay whatever pay and conditions improvements secondary teachers and principals achieve to some 30,000 primary principals and teachers. It is quite inconsistent with the principles of human capital theory to pay additional money to groups of employees for no other reason than the existence of a mandated relativity claim. Entrenchment, however, remains in the mix because governments have found it to be a very useful means of keeping wages down, not just in education but across the whole state sector.⁶

4 There is a better way

4.1 If the horse is dead, get off...

Regardless of the intent, bargaining dynamics are set up to turbo-charge conflict, antagonism and hostility, and conversely to render cooperation and compromise difficult. If it were not for the occasional intervention from the Secretary for Education, who has extensive experience in schools and education, there would have been no settlements in either 2007 or 2011.

4.2 Even the OECD thinks there's a better way

Even the OECD, not known as organisation that particularly supports teachers and certainly not teacher unions, has been forced by the evidence to acknowledge the following:

Unions are sometimes perceived as interfering with promising school reform programs by giving higher priority to the unions' 'bread and butter' issues than to what the evidence suggests students need to succeed. But the fact is that many of the countries with the strongest student performance also have strong teachers' unions, and the better a country's education system performs, the more likely that country is working constructively with its unions and treating its teachers as trusted professional partners.⁷

⁵ NZSTA to boards of trustees, email regarding Secondary Teachers Collective Agreement (STCA), 3 June 2010

⁶ For more about entrenchment see <http://www.ppta.org.nz/index.php/collective-agreements/negotiations/1050-entrenchment>.

⁷ OECD, *Building a High-Quality Teaching Profession: Lessons from around the world; OECD Background Report for the International Summit on the Teaching Profession*, OECD, 2011, <http://www2.ed.gov/about/inits/ed/international/background.pdf>

It might be that in identifying a 'perception' that unions prioritise 'bread and butter issues' the OECD is demonstrating a misperception of its own. That misperception lies in not appreciating that teachers' working conditions are students' learning conditions. Systems that demonstrably value teachers also value students and learning.

4.3 Ministerial Taskforce on Secondary Teacher Remuneration

In New Zealand, we experienced a collaborative and strategic approach as a result of the proposals developed by the Ministerial Taskforce on Secondary Teacher Remuneration (MTF).⁸ Admittedly, this process came about only because of the 18 months of industrial chaos that preceded it. From 2003 until 2010, bargaining followed the recommendations of this group. Pay rates were increased annually using an objective mechanism, with the goal of keeping salaries current to enable retention and recruitment levels to be maintained while allowing the parties to focus constructively on the introduction of sequenced changes designed to support effective teaching. During this period, specialist classroom teachers (SCTs) were introduced, two specialist qualifications developed, and medical retirement, sabbaticals and refreshment leave implemented. Unfortunately, the process was abandoned in 2010 before other recommendations for additional career paths and a specialist professional learning qualification could be achieved. The MTF process stands, though, as testimony to what can be achieved if bargaining is not reduced to a zero-sum game about salaries.

4.4 What a smart country does

The country that consistently leads the world in student achievement rankings is Finland. A number of factors have been identified to explain its success,⁹ one of which is the long-term commitment to a process of managed, evolutionary change in collaboration with teacher unions and other stakeholders. At a time when the education dollar in New Zealand has never been under greater pressure, it is more critical now than ever before that we take the opportunity to use the national collective bargaining processes to advance teaching and learning in this country.

4.5 A challenge for the future

To continue with the adversarial model that has characterised 2010 and 2011 would be to squander the opportunity to build a collaborative education system that is based on the best research and understandings the ministry can provide, combined with the practical experience and wisdom of the profession. There is no doubt this is a daunting challenge, but perhaps the greater challenge will be to convince New Zealand politicians that they must reject simplistic populism in favour of working together with the teaching profession. Just as we have come to understand that students need to be respected and engaged in order to learn, we need also to accept that 21st century schools require an approach that values teachers and thus students and learning.

⁸ http://www.ppta.org.nz/index.php/collectiveagreements/doc_download/29-ministerial-taskforce-on-secondary-teacher-remuneration

⁹ See www.ppta.org.nz.



Recommendations:

1. That the report be received.
2. That PPTA seek commitments from all political parties to the development of a collaborative national bargaining process that supports constructive educational change.