

Memorandum of Understanding between

The Kāhuinga Arataki | National Association of Kāhui Ako

AND

**The New Zealand Post Primary Teachers' Association Te Wehengarua
(‘PPTA’)**

DATED:

INTRODUCTION

The Objects of the Kāhuinga Arataki are attached as Appendix 1.

The Objects of NZPPTA Te Wehengarua are attached as Appendix 2.

This agreement is signed by the following on behalf of their respective organisations.

.....

SIGNED on behalf of the Establishment Chair of the Kāhuinga Arataki as elected by its representatives at the inaugural National Conference on 27th May 2024;

..... Witness signature

Witness name

Witness occupation

Witness address

SIGNED by Dr. Kirsty Farrant, General Secretary, on behalf of NZPPTA;

..... Witness signature

Witness name

Witness occupation

Witness address

SCHEDULE 1

1. Background

- 1.1 In January 2014, the National Government announced a funding contingency of \$359.246 million over four years for Investing in Educational Success (“IES”) (with approximately \$155 million for out-years) [CAB Min (14) 1/14 refers].
- 1.2 The objectives of Communities of Learning | Kāhui Ako (previously known as Communities of Schools) were to:
 - a) *Influence where and how teaching and leadership expertise is developed and utilised to address the learning and achievement challenge, and to*
 - b) *strengthen the system and individual schools, as there is a wide disparity within schools and between schools.*

This means for teachers and leaders we will

- *Recognising and using expertise across the system where it is needed most*
 - *Creating opportunities and incentives for good teachers to stay in the classroom*
 - *Encouraging collaboration across the system*
 - *Enhanced opportunities for teacher- led innovation of new and good practice, to make clearly visible what is possible, new and exciting*
 - *Incentivise outstanding leaders to take up principal roles to make schools better and turn around struggling schools*
 - *Creating more opportunities and two clear career pathways to a fuller professional career as a teacher or principal.*¹
- 1.3 A Working Group of senior leaders was commissioned to design Communities of Learning, New roles (AST & WST), Principal Recruitment Allowance (“PRA”), Inquiry Time, the Teacher-led Innovation Fund (“TLIF”) and some additional work. The Working Group was a very effective and successful project and published its two reports in June 2014. An Advisory Group was established to provide sector collaborative support and advice on the evolution and development of Kāhui Ako.
 - 1.4 Since 2015, the Secretary of Education has undermined IES and removed funding for Kāhui Ako. The only effective protection for Kāhui Ako lies in the provisions of the Teachers and Principals Collective Employment Agreements.
 - 1.5 When the IES policy was implemented, the Secretary established an Advisory Group to monitor and advise on the implementation and evolution of the policy, design, resourcing and operation of IES and Kāhui Ako. The Secretary unilaterally abandoned the Advisory Group before it could meet.
 - 1.6 In its place, the Secretary assembled an ad hoc group of sector organisations to give her advice on the policy, design, resourcing and operation of IES and Kāhui Ako.
 - 1.6 The Kāhuinga Arataki has been formed by Kāhui Ako to speak for the interests of Kāhui Ako in all forums and to challenge the legitimacy of some education sector organisations asserting that they have a mandate to speak for Kāhui Ako.

¹ IES Cabinet Paper 21 January 2014

- 1.7 PPTA are the guardians of IES and the policy, roles, resourcing and operation of Kāhui Ako in secondary and composite schools. The Kāhuinga Arataki wishes to work with PPTA to preserve, enhance and support the future policy, design, resourcing and operation of IES and Kāhui Ako.
- 1.8 This Memorandum proposes how the Kāhuinga Arataki can work and advance its Objects in alignment with the Objects of the PPTA. Our expectation is that our intended open, transparent and good faith relationship will deepen over time to the benefit of students, staff and Kāhui Ako.
- 1.9 We propose to formalise our relationship in anticipation that at some future time, a body in the nature of the former Advisory Group will be set up to work with the parties to this MOU and Ministry and Te Whakarōputanga Kaitiaki Kura o Aotearoa – New Zealand School Boards Association on any matter to do with IES, and Kāhui Ako.
- 1.10 In the medium term, there may be an opportunity to refresh IES policy and the design, resourcing and operation of IES and Kāhui Ako. This MOU and the collaborative relationships in place will provide support and protection for Kāhui Ako.

2. Purpose

- 2.1 The purposes of this Memorandum of Understanding (“MOU”) are:
 - a) To document the principles and objectives that the parties anticipate will support their ongoing relationship;
 - b) To describe, in general terms, how the parties propose to work collaboratively to advance the Objects in clause 3;
 - c) To agree, broadly, where the boundaries between the industrial, political and educational interests and actions of the separate parties lie and are respected.

3. Parties’ Objectives

- 3.1 The Parties recognise and respect the separate Objects of each party.
- 3.2 The Parties intend to support the interests of each other and to seek common ground in matters relating to the policy, design, resourcing, roles and operation of IES and Kāhui Ako.
- 3.3 The parties commit to working collaboratively and in the best alignment they can to support and advance the future policy, design, resourcing and operation of IES and Kāhui Ako.

4. Parties’ Principles

- 4.1 The parties intend to have an open, transparent, complimentary and respectful partnership to protect, advance, strengthen and support the future development of IES and Kāhui Ako.
- 4.2 The parties will maintain an engaged, two-way, collaborative relationship.

5. Representative scope

- 5.1 The Kāhuinga Arataki acknowledges and accepts that the PPTA is the representative party to the applicable Collective Employment Agreements of their members who are also members of a Kāhui Ako and that, when required, the PPTA bargains on behalf of those members.
- 5.2 The Kāhuinga Arataki acknowledges and accepts that the PPTA is the professional representative of their members, including those who are also members of a Kāhui Ako and that the PPTA has a professional interest in the policy, design, resourcing and operation of IES and Kāhui Ako, which it may from time to time express or advance.
- 5.3 Where practicable the PPTA will consult with Kāhuinga Arataki on any process directly focussed on the policy, design, resourcing, roles and operation of IES and Kāhui Ako.
- 5.4 For its part, the Kāhuinga Arataki undertakes to contact and survey the following when it is asked for the views of those listed below of any policy, design, resourcing, roles and operation of IES and Kāhui Ako. The Kāhuinga Arataki will, by online survey and results made available to PPTA, ascertain the views on any matter held by:
 - a) Kāhui Ako
 - b) Kāhui Ako leaders
 - c) Across School Teachers (ASTs or ASLs)
 - d) Within School Teachers (WSTs or WSLs)
6. Matters related to bargaining
 - 6.1 The Kāhuinga Arataki acknowledges and accepts that the PPTA is the representative party to the applicable Collective Employment Agreements of their members who are also members of a Kāhui Ako and that the PPTA bargains on behalf of those members.
 - 6.2 The Kāhuinga Arataki undertakes to make no public comments on the bargaining process or content unless any proposal(s) are in contradiction to the expressed collaborative wishes of those noted in 5.4 above and which the Kāhuinga Arataki has already conveyed to the PPTA.
7. Term
 - 7.1 This Memorandum is effective from 1 June 2025 for a period of 24 months and expires on 31st May 2027 unless, during any review process, both parties agree in writing to renew the term of the Memorandum before its expiry.
8. Relationship Management and Communication
 - 8.1 The parties nominate the following persons to be contacted in the first instance when matters arise that may be of interest to either party.
Kāhuinga Arataki - Chair of the Kāhuinga Arataki or their nominee
PPTA – Kathleen Kaveny
 - 8.2 It is the responsibility of these contact people to:
 - i. Work collaboratively to arrange meetings and reviews
 - ii. Oversee any milestone reporting requirements as agreed by both parties

- iii. Keep both parties fully informed
- iv. Act as a first point of reference between parties and also as liaison persons for external contacts
- v. Communicate between parties on matters that arise that may be of interest to either party.

8.3 If the contact person changes in either organisation, the other party will be informed of the new contact person, and there should be a handover process so the new person can settle into the role.

9. Review of the Memorandum

9.1 This Memorandum will be reviewed annually.

9.2 The contact person for each party is to arrange the review meetings to discuss the following:

- I. The implementation and progress of the Memorandum
- II. Evaluation of whether the parties are achieving the objectives in clause 3
- III. Any difficulties either party is experiencing either in the relationship itself or in the parties' interactions
- IV. Any other matters the parties wish to discuss with each other

10 Contractual arrangements

10.1 For the avoidance of doubt, the relationship of the parties under this Memorandum is not one of legal partnership, joint venture or agency.

10.2 The parties do not intend this Memorandum to be legally binding.

11. Confidentiality

11.1 Neither of the parties is to disclose, directly or indirectly, any confidential information received from the other party to any third party without written consent.

12. Dispute resolution

12.1 Any dispute concerning the subject matter of this document is to be settled by full and frank discussion and negotiation between the parties.

Appendix 1

OBJECTS The Objects of the Kāhuinga Arataki shall be to:

- Support and strengthen the policy, design, resourcing and operation of Kāhui Ako;
- Monitor, evaluate and report on the effectiveness of Kāhui Ako;
- Provide a platform to enable all Kāhui Ako, all Leaders, ASTs and WSTs to meet and connect;
- Provide a platform for the storage and retrieval of every Kāhui Ako website, data and resources that is open to all Kāhui Ako;
- Provide advice and advocacy to the Minister and Ministry on the policy, design, resourcing and operation of Kāhui Ako;
- Provide advice to the public about Kāhui Ako;
- Provide support and advice to Kāhui Ako leaders, ASTs and WSTs;
- Provide advice and support for the purposes of the New Appointments National Panel ('NANP');
- Undertake any action the Executive determines is in the interests of the Kāhuinga Arataki and Kāhui Ako.

Appendix 2

OBJECTS of the New Zealand Post Primary Teachers' Association

The objects of the Association shall be:

- (a) To advance the cause of education generally and of all phases of secondary and technical education in particular.
- (b) To uphold and maintain the just claims of its members individually and collectively.
- (c) To affirm and advance Te Tiriti O Waitangi (The Treaty of Waitangi) as embodied in the First Schedule of these rules.