

## SUMMARY

This paper provides a report of PPTA's actions opposing the government's scrapping of the Teachers Council and replacing it with a non-representative and overtly political body, EDUCANZ.

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## 1. Background

- 1.1 PPTA has opposed the government's plans to "reform" the Teachers Council from the beginning because it was obvious that their agenda was one of removing democratic membership, low trust in the profession, and an expansionist role for the new council that is inappropriate to a teacher registration body.
- 1.2 Annual Conference 2014 empowered the executive to "initiate a programme of non-cooperation with the new body", should the Education Amendment Bill, which had been resisted so strongly by PPTA members, be enacted without sufficient improvements.
- 1.3 At its November 2014 meeting, the executive decided to seek legal advice on possible challenges to the EDUCANZ legislation. This was received in late December, and provides a number of possible avenues for challenge of the new body as it begins to attempt to enact the very flawed legislation under which it is established.
- 1.4 In February 2015, the bill passed its third reading, and on 1 July 2015 the Education Council of Aotearoa New Zealand (EDUCANZ) came into being.
- 1.5 At its February 2015 meeting, the executive made a number of decisions, including:
  - A motion of no confidence in EDUCANZ.
  - An intention to "vigorously critique, in the form of submissions and media stories, everything the new body does, and challenge its decisions to the Regulations Review committee when-

ever the opportunity arises”.

- That anti-EDUCANZ graphics be developed for electronic circulation and display in staffrooms.
- To seek membership endorsement of a claim for centrally funded employer payment of teachers’ practising certificate fees.
- To ballot PPTA members whether they would endorse an instruction:
  - Not to accept nomination or appointment to the EDUCANZ council until the legislation is amended to include elected teacher representatives and union representatives.
  - Not to participate in formal EDUCANZ consultation processes.

## 2. What has PPTA done this year?

### 2.1 The boycott

- 2.1.1 The boycott proposal was agreed to by an overwhelming 95% of members, and this result was notified to members in a *PPTA Collective News* dated 19 March 2015. The ban on accepting nomination or appointment took effect immediately, and there were no nominations for the council submitted by the PPTA executive.
- 2.1.2 Work has been done on clarifying the boundaries of the boycott on participation in “formal EDUCANZ consultation processes”. Guidance on this was circulated to branches early in Term 3 and is available at <http://www.ppta.org.nz/issues/tc-review>.

### 2.2 Anti-EDUCANZ graphics

- 2.2.1 Posters have been developed for distribution later this year.

### 2.3 Critiquing the new body

- 2.3.1 Immediately following the announcement of the membership of the EDUCANZ, PPTA's president wrote to each member individually to explain PPTA's opposition to the body they had joined. The main points in this letter were:
- That it is fundamentally a political rather than an educational institution.
  - That the process of appointments to the body was political rather than democratic.
  - That the agenda given to the body is over-ambitious and likely

to distract it from its core purpose of registering and de-registering teachers.

- That the concept of an unrepresentative and politically appointed body, with an agenda that is disrespectful to teachers, being seen by teachers as “leading the profession” was farcical, and EDUCANZ would never be seen as anything other than a highly unpopular, coercive arm of government.
- That the wide range of functions of the body will significantly add to the cost of registration for its funders, practising teachers.

## **2.4 The claim for practising certificate fees in the Secondary Teachers’ Collective Agreement negotiations**

2.4.1 Members strongly endorsed the claim of employer payment of practising certificate fees in the STCA consultation meetings. The claim is proceeding as part of negotiations and progress will be reported on separately at Annual Conference.

## **2.5 Draft replacement legislation**

2.5.1 PPTA has prepared a bill establishing a legislative framework for a teacher registration body that members would support. It will be made available to all political parties, and will be circulated at Annual Conference.

## **2.6 Blog posts, Tweets, media statements**

2.6.1 PPTA has continued to keep up the pressure on the Council through various forms of media. Members are encouraged to themselves make use of these avenues to keep up the pressure.

# **3. Activity of EDUCANZ to date**

## **3.1 Membership EDUCANZ**

3.1.1 The council is chaired by Barbara Ala’alatoa, a primary principal from Auckland who has been on a number of ministerially appointed groups. The deputy chair, astonishingly, is Anthony Mackay, an Australian who has held a number of public roles, both in Australia and internationally. He was the founding chair of the Australian Institute for Teaching and School Leadership (AITSL), and this might give a steer as to his likely agenda for the council – see <http://www.aitsl.edu.au/>

3.1.2 The council is smaller than the Teachers Council by two. Its full membership can be seen at <http://www.educationcouncil.org.nz/content/council-members>

### 3.2 Communications

- 3.2.1 The council began communicating with professional leaders before its legal establishment date of 1 July 2015. A circular to replace *Taumata*, titled *Spotlight*, began life on 3 June 2015. This circular gave information about the registration changes, the impact of the Vulnerable Children's Act which also came into effect on 1 July, changes in conduct and competence rules, and the fact that ERO has been subcontracted to undertake the 10% audit of practising certificate renewals required by the act.
- 3.2.2 At the beginning of July, a further *Spotlight*, plus a new circular for teachers titled *The Highlighter*, introduced the acting CEO of the council, Julian Moore, who had been the CEO for the transition board. This was followed up by a letter from the chair, Barbara Ala'alatoa, with a brochure which introduced all members of the council.

### 3.3 Applications called for new members of Disciplinary Tribunal and Complaints Assessment Committees

- 3.3.1 In July, the council began seeking applications for the Disciplinary Tribunal (DT) and the Complaints Assessment Committees (CACs). This will in part be to replace existing members of these bodies, but it may also be as a result of the amendment to the law so that CACs must now refer on to the DT all cases which they consider "may possibly constitute serious misconduct". (Previously CACs had discretion in this area, and the requirement to refer all cases that may be serious misconduct will greatly increase the DT's workload.)
- 3.3.2 The guidance on the boycott referred to above suggests that PPTA members would be unwise to apply for these positions, but membership of these bodies is not covered by the boycott vote which applied to the council itself.

## 4. Responsibility for professional learning and development

### 4.1 The rumours

- 4.1.1 Rumours are rife that the minister plans to hand to the EDUCANZ the responsibility for managing teacher professional learning and development.
- 4.1.2 The government clearly had the role of PLD management for the council in its mind when the legislation was written to include the following function for the council:
- (c) *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.*

## 4.2 The PPTA view

- 4.2.1 PPTA is strongly opposed to such a change, on the grounds that it gives far too much power to a ministerially appointed quango that should be primarily responsible for registration.
- 4.2.2 Combining the developmental purpose of PLD with the compliance function of registration and deregistration within the same body creates a major source of role conflict.
- 4.2.3 There is also a risk that, despite government protestations to the contrary, teachers, through their practising certificate fees, could end up paying for the profession's PLD.
- 4.2.4 Further, it is inappropriate for a ministerially appointed and unrepresentative teacher registration body to make critical decisions about the national priorities for teachers' PLD. PLD, as PPTA pointed out in a 2013 Annual Conference paper<sup>1</sup> properly sits within a state-owned national infrastructure, not managed by a quango through contracts with providers.

## 5. Conclusions

- 5.1 PPTA members' refusal to engage with the EDUCANZ means it cannot speak convincingly on behalf of the whole profession and its credibility is seriously weakened. Eventually it will have to be replaced with a body that can genuinely speak for teachers and in which teachers can have confidence. That may be some time away and members need to be prepared for a long struggle.

<sup>1</sup> <http://ppta.org.nz/events/annual-conference/2714-ann-conf-2013-regis>