

The Terms of Reference for the Review

The Terms of Review were to assess:

1. What have we won?

To what extent was the Kua Tae Te Wā Project successful at achieving the objectives (purpose, goals and strategies as well as more intangible measures such as power and influence) that NZEI Te Riu Roa had established for itself?

2. What have we built?

What aspects of the campaign will outlast the settlement of the collective agreements and continue to be a foundation for growing the union – including aspects such as depth of organising, mahi tahi, rates of activism, growth in leadership capacity and quantity, density, ownership of success, confidence of members?

3. What have we learned?

What have we learned about our strengths and weaknesses and about new ways of doing things that we might replicate as a union in this and other sectors – including the interplay between bargaining and campaigns, new ways of organising, the use of framing and narrative, social media and online balloting, staff capacity, leader development? What things would/should we do differently? what might we replicate? what have been the costs and benefits?

This included:

- Identification of enablers and barriers to members' awareness and activity and recommending any changes for the future.
- Review of internal leadership, planning and implementation of the campaign, including the use of the marae model, mahi tahi and tight-loose-tight concepts.
- ascertaining how effective and embedded the goals of the work were, in particular the aspiration for member growth and engagement in the campaign.

Findings in response to the Terms of Reference

What has been won?

The campaign goals were twofold:

- To achieve the settlement of the relevant collective agreements which 'won' the industrial and professional issues faced by members.
- A significant increase in the organized power of NZEI Te Riu Roa.

The fact that the two CAs were overwhelmingly approved by members is evidence that the members felt their issues had been addressed (or would be addressed through Accord processes) and it seems clear that the campaign significantly increased the organized power of the union.

Regarding the specific 'wins' the campaign plan set out to achieve:

Industrial

- *Significant across the board pay jolt* – this was achieved although there will always be debate about whether it was enough.
- *Time to do the job properly* – being addressed in the Accord process.
- *A career framework that reflects the professional and career aspirations of NZEI members* – being addressed in the Accord process.

Organising

- *Significant member increase* – achieved.
- *New leadership in place* – achieved
- *Teachers in 'motion'* – the campaign stimulated unprecedented activity.

Respect

- *The profession and its contribution is trusted and valued* – the campaign highlighted issues and the strong support from Boards, parents and the public confirmed that teachers are trusted and valued. The campaign certainly established this publicly and arguably enhanced respect for the profession.

What has been built?

- *Activists and workplace leaders* – a new activist base in the union membership has been built which is not tied to the traditional leadership structures. There is a challenge to ensure that this activist base integrated into other activity
- *Increase in membership* - a 10% increase in membership (about 5,000) new members, many of them in the Auckland area.
- *Strengthened governance understanding* - The realisation of the National Executive-approved strategic plan strengthened the leadership understanding that, in a modern context, collective bargaining needs to be supported, even led, by membership activity and that a successful bargaining outcome is dependent upon strong membership engagement and public support.
- *A union campaign leadership and communications system* - a campaign leadership and communications system was developed and tested over the course of a long campaign which should be reviewed and documented for future use.
- *Flexibility and agility* – a flexible approach to deploying resources to ‘pain points’ was mentioned as a positive development and this included a flexible approach to diverting funding where necessary.
- *Confidence* – the campaign built confidence that members collectively can win. The campaign rebuilt a feeling that collective activity by union members, particularly on a nationwide basis, had actually worked to win very significant gains through members own efforts.
- *New ways of working* – the campaign built new ways of working at national, regional and workplace level which were clearly key to campaign success, but also appreciated by members. This included the flexibility encouraged in ‘how’ campaign activities were organized at local level, and the marae style Mahi Tahi way of working which respected every contribution to the work of the campaign, and also encouraged varying degrees of te reo use and Māori Tikanga at meetings and activities.

What has been learned?

- *Collective strength and confidence* – Members will step up and speak out. The campaign demonstrated the increased power and influence of a membership – led bargaining campaign with member voices articulating their issues and both highlighting the collective strength of the teachers and principals as a union, and building support of Boards, parents and the broader public.
- This collective confidence was reflected in the membership rejection of the publicly notified recommendations of the Employment Relations Authority Facilitator. It is apparent from the language of the recommendations (“totally unrealistic” and “a handsome and competitive proposal in the current fiscal environment”) that it was intended to put pressure on the union and its members. The union leadership responded by putting the ERA recommendation to its members at meetings and they democratically rejected it, as they are entitled to do.
- *The value of planning and resourcing* – this was a very well planned and resourced campaign. The critical value of this work by leaders, and staff, at a national level is a foundational success and learning of the campaign.
- *It is hard to get the campaign management right* - the general view is that the campaign was well led and managed at all levels but, perhaps inevitably, there were issues and challenges:
- *Comms were good but still plenty to learn* – the general view is that the comms strategy and its execution worked really well. Good use was made of open source software, such as Loomio, and social media with networks such as “Parents Online” and “Back the Teachers Group’ on Facebook, and focus groups and polling of parents during the campaign. The willingness of Principals to speak out on behalf of teachers was also an important influence.
 - The Member Support Centre emerged during the campaign as a key interface with members seeking information and assurance. Their input and preparation needs to be factored into campaign planning from the outset.
 - Facebook, and other social media worked reasonably well despite negative posts from a significant group of detractors.

- Loomio sessions weekly were seen by some participants as providing a good opportunity to share information and dispel myths before they became current, but by others as “a dumping ground for discontents”.
- Electronic voting worked well but it is important not to lose sight of the huge organizing effort which ensured that current email addresses were held for all members, including encouraging a Gmail address in addition to the school address.
- *Bargaining processes can be complicated* - The legal rules around collective bargaining are quite loose, being essentially governed by the ‘good faith’ requirements of the Employment Relations Act. In the education sector the ‘formal negotiations’ are conducted between negotiating teams representing the Ministry and the union. The union objective was to achieve a settlement offer which met the strategic criteria and which would be endorsed by members in a secret ballot. This was achieved after the 18-month campaign but there are issues which arise out of the bargaining process which should be reflected on as they have implications for longer term relationships:
 - The smaller negotiating teams were seen as a positive change and worked well together.
 - The Principals agreed that they and teachers worked well together during the campaign. There was a challenge about ensuring principals felt they had a strong voice when their numbers were considerably smaller than that of teachers.
 - The Ministry acknowledges the pressures which have built up as a consequence of government restraint historically. However, it has characterized the process as “negotiating with a campaign” rather than working in negotiations to agree on a Collective Agreement.
- *It is important to have key allies* – the NZEI President acknowledged the importance of influential relationships and allies such as CTU affiliated unions and education sector organisations such as the NZ Principals’ Federation. She acknowledged in particular the important role which the CTU president Richard Wagstaff played at a political level.
- *Building unity with PPTA* – it is acknowledged that the cooperation and joint action were important features of the campaign, and that the work done at

leadership level (Presidents and Secretaries), including back to 2016, was an important part of this. The PPTA acknowledged this as and see the campaign work as a strong foundation for future activity.

Background

NZEI Te Riu Roa launched the It's Time - Kua Tae Te Wā campaign at Annual Conference in October 2017 as teachers and principals in primary and area schools began to think about the negotiation of their collective agreements expiring in 2018 (see <https://campaigns.nzei.org.nz/time/#timeline>)

The campaign ran throughout 2018 and 2019, with the outstanding settlement of the area principals' collective agreement a last "piece of the puzzle" in August 2019. Although the campaign was about much more than the settlement of the primary and area school collective agreements, the momentum and leverage of the CEA process was the prime driver of the timing and focal points of the campaign.

The Campaign

Members were clear during early consultation processes that making teaching an attractive and valued profession was the key goal of the campaign. Teachers and principals consistently raised high workloads, lack of support for students with additional learning and behavioural needs, and undervaluing of the profession as key issues that had been exacerbated by nine years of a National Government.

There was a crisis in recruitment and retention of teachers and principals. There was an acknowledged teacher shortage particularly in Auckland that had arisen because of demographic pressure and the lack of workforce planning.

The organising mantra from the beginning was that members' frustration and anger needed to be converted into collective action. That action was understood to include potential industrial action and building community support to ensure the government understood that the crisis in teaching could only be solved by major investment.

There was strong support for the key strategy of simplifying claims to just a few key issues: the crisis in education (teacher shortage); time and workload; pay and relativities; and career development.

Early market research with parents showed a high level of sympathy with teachers in terms of agreeing there was a shortage and the demands for better pay, more time to spend with individual children and support for children with initial learning needs. This research shaped a “communications frame” based around a “time to teach, time to lead, time to attract and keep great people in teaching” narrative.

The Kua Tae Te Wā/It's Time campaign was thus initially strategised under (and after nine years of conflict with) a National Government, with the most plausible scenario for much of 2017 being the return of a National Government. At the campaign's launch in early October 2017, no Government had been formed, and many observers believed NZ First was still likely to choose to govern with National.

The call for a “seismic shift” in the order of a double digit increase in teacher pay at the 2017 annual conference was followed by a PPTA conference report saying a 14.5% increase was needed to restore teachers to the same relativity to the median wage as in 2001-2.

National Executive members, led by the President and supported staff and members, provided leadership both in ensuring that adequate funding and other resources were available, and that work was prioritized to ensure that an effective campaign was delivered. All National Executive members had a role in leading the work and understood the importance of “getting it right”. It should be acknowledged that the role was not always easy with the inevitable pressure from members and social media (and no doubt other sources as well).

All aspects of the campaign would be supported with a strong evidence base and a commitment that all key messaging would be tested on the public and members to ensure clarity and resonance, ongoing campaign planning would be kept well informed about public opinion, and all claims would be well substantiated with an evidence base.

Two key concepts formed the basis of the implementation.

- the tight, loose, tight concept which in practice means tight controls on the what (outcomes), flexibility on the how (processes), and tight control on accountability. This gave the local leaders flexibility in how they implemented

the campaign locally provided it achieved the outcomes and was accountable for its actions.

- A Mahi tahi, or marae model of working, which provided a role for everybody and acknowledged that every role is crucial to success.

There was a positive response to the membership – led concept and, with leadership and support from national and local leaders, as well as the implementation team and Lead Organisers and Field Officers, the campaign steadily developed into an innovative and enthusiastic expression of the collective views of primary teachers and principals throughout the country.

The tight/loose/tight approach to operationalizing the campaign plan was probably the cornerstone of the success in building member activism. The national and local leaders clearly understood that their role, and the role of the Regional Organising Committees, was to promote local activity led by local activists, and to encourage innovation in how local members gave expression to their concerns and aspirations. This worked really well with new leaders emerging, and responsibility being taken locally for ensuring that the activities were focused on consistent outcomes.

The marae style mahi tahi way of working which was encouraged also seems to have been widely adopted. Members embraced the concept that all roles and jobs were an important contribution to the success of the campaign and mahi tahi encouraged an inclusive approach to local campaign organization.

The general view is that the communications worked well. The comms strategy was to have two stages: *making the case* (system broken stories, comparisons with overseas, and how education can be better) from late 2017 to mid-2018, and *time for action* (teachers have had enough stories, teacher shortages, teachers leaving) from mid-2018. While the comms strategy was based on ‘teachers telling their own stories’ the success of this was also reliant on local organization of that storytelling, and a professional comms unit providing coordination and support, and ensuring the timely dissemination of accurate information through a number of channels.

Conclusion

Overall this was a very well planned, resourced and executed campaign which has set a new benchmark for union bargaining campaigns. It demonstrated that members are keen to actively participate, and to take leadership in shaping this sort of campaign which is taking up such “widely felt and deeply held” issues. Not surprisingly it presented new challenges to the Government as employers which has resulted in the need to undertake some relationship rebuilding. But as the campaign theme spelled out, this assertion by teachers of their claim, and the need for recognition and a “seismic shift”, had been well signaled from 2017 and has been strongly supported by parents and the general public.

Brief campaign chronology

- **March and April 2018** – Bargaining is initiated for primary teachers and principals.
- **May and June 2018** – Ministry makes first offers, which are rejected.
- **15 August 2018** – Primary teachers and principals take one-day strike action.
- **10 September 2018** – Ministry makes second round of offers, which are rejected.
- **8 November 2018** – After four days of facilitation, Ministry makes third round of offers.
- **12-16 November 2018** – Primary teachers and principals undertake a week of rolling one-day strikes around the country.
- **4 December 2018** – Members reject third offers.
- **27 February 2019** – Ministry makes fourth round of offers, which are rejected.
- **29 May 2019** – Primary teachers and principals are joined by area and secondary school teachers in an historic, nationwide full-day strike.
- **14 June 2019** – Following minister-led talks, a fifth round of offers is made.
- **19-25 June 2019** – Teachers vote to ratify, but principals vote to fight on for parity with secondary principals.
- **2 July 2019** – Primary school principals hand-deliver letters to Ministry of Education offices to show their determination to take further action.
- **8 July 2019** – Principals begin partial strike action that sees them disengage from Ministry meetings and communications until 16 August.
- **9 August 2019** – The Ministry makes a sixth offer to principals, including pay parity, which members accept.