



NEW ZEALAND COUNCIL OF TRADE UNIONS
Te Kauae Kaimahi

**Submission of the
New Zealand Council of Trade Unions
Te Kauae Kaimahi**

to the

Education and Workforce Committee

on the

Education Amendment Bill

P O Box 6645

Wellington

13 April 2018

1. Summary of Recommendations

- 1.1. Working people value public education. As parents, as current and potential students, and as the driving force of their industries, working people organised in unions are strong supporters of quality public education. We welcome the overall direction of this bill as part of restoring and giving effect to the core values of quality public education.
- 1.2. Unions support restoring staff and student representatives to Tertiary Education Institution Councils. We call for the number of staff and student representatives to be expanded to one third of council membership and further call for community stakeholder representation to be restored, with representatives nominated by the Council of Trade Unions, Business NZ and Iwi.

2. Introduction

- 2.1. This submission is made on behalf of the 30 unions affiliated to the New Zealand Council of Trade Unions Te Kauae Kaimahi (CTU). With 320,000 members, the CTU is one of the largest democratic organisations in New Zealand.
- 2.2. The CTU acknowledges Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand and formally acknowledges this through Te Rūnanga o Ngā Kaimahi Māori o Aotearoa (Te Rūnanga) the Māori arm of Te Kauae Kaimahi (CTU) which represents approximately 60,000 Māori workers.
- 2.3. Working people organised in unions value the role of public education from early childhood to tertiary education and training. Union members are parents who value access to high quality education for their children. Union members are current and potential students and training participants who value and depend on access to lifelong education and skills development. The quality of work and the services that working people provide require a public education system that supports current and future workforce needs.
- 2.4. The CTU supports the overall direction of this Bill, which we see as restoring and giving effect to the values of quality public education.
- 2.5. We support the submissions of our affiliate unions on the Bill, including those of the New Zealand Education Institute Te Riu Roa (NZEI), the Post-Primary Teachers'

Association Te Wehengarua (PPTA) and the Tertiary Education Union Te Hautū Kahurangi o Aotearoa (TEU).

3. Support for Quality Public Education

- 3.1. Working people organised in unions have a deep and longstanding commitment to quality public education. From early childhood to compulsory schooling, tertiary education and lifelong learning, working people and their families need education that supports the full creative development of every individual and prepares them for the evolving challenges of work.
- 3.2. As participants in industry development, unions have a key role alongside employers' organisations as stakeholders in the education system, particularly at the tertiary level. Public Tertiary Education Institutions are at the core of our capacity to meet the current and future workforce needs of New Zealand industries.

4. Restoring Staff, Student and Stakeholder Representation on Tertiary Councils

- 4.1. Governance arrangements for Tertiary Education Institutions should include adequate representation of staff and students of the institutions. In addition, the interests of working people as key stakeholders in quality public education should be recognised by the restoration of representatives nominated by the Council of Trade Unions, alongside nominees of Business NZ and Iwi.
- 4.2. We support the submission of the TEU that councils of Tertiary Education Institutions should have one third of representatives directly elected by staff and students of the institution, one third appointed by the Minister of Education and one third representing community stakeholders. This model would ensure at least two staff and two student representatives on each council, allowing for representatives of both academic and general staff.
- 4.3. Within the model proposed by the TEU, the CTU proposes that community stakeholder representation should include representatives nominated by each of the CTU, Business NZ and Iwi.
- 4.4. Changes to the Education Act in 2009 which removed staff, student, and stakeholder representation from councils of Institutes of Technology and Polytechnics also gave the Minister the right to appoint up to half the members of Councils. Further changes in 2014 that removed staff, student and stakeholder

representatives from the councils of Universities and Wānanga also diluted the independence and democratic structures of those institutions.

- 4.5. As we argued in our submissions at the time, these changes were in conflict with the aims of the Education Act to guarantee the independence and academic freedom of tertiary institutions. Section 161 of the Education Act 1989 states that:

(1) It is declared to be the intention of Parliament in enacting the provisions of this Act relating to institutions that academic freedom and the autonomy of institutions are to be preserved and enhanced.

...

(4) In the performance of their functions the Councils and chief executives of institutions, Ministers, and authorities and agencies of the Crown shall act in all respects so as to give effect to the intention of Parliament as expressed in this section.¹

- 4.6. In opposing the removal of stakeholder representatives, including those nominated by the CTU and Business NZ, from the councils of Institutes of Technology and Polytechnics (ITPs) in 2009, we argued:

The relationship that ITPs have with their local communities is of critical importance... ITPs are characterised by their strong regional and community focus and have relationships with local iwi, employers, unions and community groups to ensure effective responses to the educational needs and challenges of their communities, industries and regions.²

- 4.7. In opposing the removal of stakeholder representatives, including those nominated by the CTU and Business NZ, from the councils of Universities and Wānanga in 2014, we submitted:

Union representation is through a nomination from the CTU as the central organisation of workers under s. 171(f)(ii). It brings an “industry” view to councils. Workers, at least as much as employers, have an interest in an

¹ CTU Submission on the Education (Polytechnics) Amendment Bill 2009.
https://www.parliament.nz/resource/en-NZ/49SCES_EVI_00DBHOH_BILL9322_1_A28879/69a703087a9ea1bf79f3836a666a80a9f36436a3, p3.

² Ibid. p5

education system that suits the needs of all industry participants. Their viewpoint not only brings industry experience and recognises the need for employment to grow and industry sectors to thrive but also represents the need for individual workers to maintain careers and ongoing professional development that may be independent of a particular employer or industry sector.³

- 4.8. We support restoring staff and student representatives to Tertiary Institution Councils. We call for the number of staff and student representatives to be expanded to one third of council membership and further call for community stakeholder representation to be restored, with representatives nominated by the Council of Trade Unions, Business NZ, and Iwi.

5. Conclusion

- 5.1. The CTU supports the overall direction of this Bill, including the restoration of staff and student representation on Tertiary Education Institution Councils.
- 5.2. We recommend that the Committee expand the required number of elected staff and student representatives to make up one third of Councils of Tertiary Education Institutions and complete the return to representative councils by restoring the nomination of stakeholder representatives by the Council of Trade Unions, Business NZ, and Iwi.

³ CTU Submission on the Education Amendment Bill (No. 2) 2014.
https://www.parliament.nz/resource/en-NZ/50SCES_EVI_00DBHOH_BILL13015_1_A392200/556fa0e260c1965e35cf88bee7f5193c309e97e0, p15.