



## President's Comment 37

18th November 2010

Dear Colleagues

### Industrial Circus Must End!

The cancellation of industrial action last week in the form of advising schools after 3.15pm that year 10 students would not be rostered home the following day was a complete debacle!

It was in my view symptomatic of five months of failed negotiations between the Government and PPTA. The decision, whoever was ultimately responsible for it, was ill considered, impractical and failed to recognise the legitimate interests of students, parents and administrators.

Although the parties to the negotiations can not seem to find a way forward, the New Zealand public can. A recent Herald poll indicated that a pay increase somewhere in the order of 4% was justified, but they strongly opposed sending students home as a form of industrial action.

The public have a strong empathy and respect for teachers but they also want them to pitch their claims in the context of our current economic climate. In that mix reasonable people ought to be able to find a solution. The prospect of beginning the 2011 academic school year with more industrial action is highly unpalatable, most of all for students.

This collective round of negotiations for secondary teachers is taking on the hallmarks of a circus which the public is growing increasingly intolerant of. Both parties need to assess that risk carefully.

### New Zealand Teachers Council Request For Changes to Teacher Competence and Misconduct

SPANZ has long advocated changes to the way the New Zealand Teachers' Council deals with the reporting and processing of complaints in regards to teacher competence and misconduct.

I have attached to this President's Comment the detail of the amendments to the Education Act 1989 sought by the New Zealand Teachers' Council. If it is accepted it will mean the following:-

1. The New Zealand Teachers' Council will be able to annotate the register where a teacher has identified competency concerns. Principals will be able to check the register before employing a teacher. This change also included the power of the Complaints Assessment Committee (CAC) to annotate the register for teachers being monitored for competence.
2. The CAC may apply to the Disciplinary Tribunal to suspend a teacher's practicing certificate where the teacher is under investigation for serious misconduct including convictions. This is necessary because the teacher may pose a risk to children, students and others.

#### Previous Comments

##### Comment 36

ERO Meeting with School Staff without Principal Present, Hints from Executive Officers, Review of RTLB Services

##### Comment 35

Leaders' Forum Meeting, Secondary Teachers' Collective Agreement

##### Comment 34

Canterbury Colleagues, Secondary Teachers' Industrial Action, The Common Sense Guide to Choosing a Secondary School.

##### Comment 33

SPANZ Conference 2011, School Charters & Annual Plans, SPANZ Sponsorship

##### Comment 32

Operational Funding Calculator Released for Schools, SPANZ Union - Collective Negotiations, SPANZ to Join National Advisory Group, New Guidelines on Initial Teacher Education.

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The proposed changes are welcomed. It will prevent incompetent teachers moving from school to school and damaging the learning of students. It will also prevent teachers under investigation for serious misconduct resigning from one school and seeking employment in another school where they may pose a real risk of harm.

It is important to note that following the amendments Principals can assist the process by:-

- Checking the register before employing teachers to see if it has been annotated. 'Buyer Beware' will certainly apply in these circumstances.
- If you make a complaint about a teacher on the grounds of 'serious misconduct' you should indicate to the New Zealand Teachers' Council whether you believe the teacher poses a real risk to others, such that in your view their practising certificate should be suspended in the interim pending a substantive investigation by the CAC.

### Non P.C. Advice to Students!

- *I know it seems unfair but employers won't see beyond the purple hair, leather jacket and nose stud to your inner beauty and talents, so sharpen up.*
- *You may not have to work in your 'virtual world of cyber space' but on planet earth and in this school you will have to, so get used to it.*
- *When you break school rules, we don't negotiate the punishment, neither do judges when you break the law.*
- *Yes, learning is meant to be fun, but you should have discovered by now it also involves hard work. Accept that reality and you will do well.*
- *Text language is not the way of the future, so don't delay and learn how to write properly now.*
- *If you can afford a tongue stud and tattoo you can afford a new pair of school shoes.*
- *Tell your parents if you choose to play in the rain, you will get wet and probably catch a cold. Decisions have consequences, some of these are unpleasant.*
- *I agree 'freedom of expression' is important but anyone can stand out with an unusual haircut. I give you permission and the freedom to stand out from the crowd and express yourself by excelling in the classroom, on the football field, stage or swimming pool.*

Kind regards



Patrick Walsh  
President