



Newsletter

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Kia ora tatou, talofa lava, malo e lelei, greetings.

Although the previous newsletter promised to continue the discussion on national standards, a quick flick through the on-line papers this morning drew my attention to this headline: *Gag plan angers teacher unions* (<http://www.stuff.co.nz/national/education/3125636/Gag-plan-angers-teacher-unions>).

The article begins as follows: “*The State Services Commission wants to gag principals and teachers from criticising the Government. The public service watchdog invited the Principals Federation and primary school union NZEI to talk about including schools and boards of trustees in the Standards of Integrity and Conduct code. The code, which covers government departments and district health boards, states that it is unacceptable for employees to comment on government policy if it constitutes a “personal attack” on a minister, work colleagues or other state servants.*”

Several questions immediately came to mind: 1) Is the Ministry of Education considered part of State Services? 2) Are schools by virtue of their link to the

Are you a state servant?

Ministry of Education therefore considered state services? 3) If so, does this mean teachers are considered to be ‘state servants’? 4) If the previous question is affirmative, what does this say about teachers’ professional status? 5) Has the journalist got his facts straight?

Whilst common sense suggests that the answer to number one is affirmative, somehow I have never thought of the Ministry of Education as part of State Services. Certainly the Education Review Office is, and according to ERO people, this is one of their defining characteristics, ie, they are not teachers and do not work for the Ministry of Education, even though they report to the Minister of Education.

However, the State Services Commission website lists the Ministry of Education as one of its ‘Public Service Departments’ (<http://www.ssc.govt.nz/display/document.asp?DocID=7381>). This therefore provides a definitive response to my number 1 above.

It is interesting to understand the self concept of the Ministry of Education: its website refers to the Ministry of Education as “the government’s lead advisor on the New Zealand education system, shaping direction for sector agencies and providers” (<http://www.minedu.govt.nz/theMinistry/AboutUs.aspx>) and notes that “we have responsibility for strategic leadership, policy development and has (sic) a substantial operational role.” In addition the Ministry of Education is responsible

for school property owned by the Crown.

Ministry of Education does not run schools – Boards do. They are Crown entities, empowered with that task (<http://www.minedu.govt.nz/Boards/EffectiveGovernance/Overview.aspx>), including the task of employing teachers. To that end, Boards are subject to the State Services Act of 1988, *the same Act* which established the State Services Commission. It therefore seems that schools are, strictly defined, state services, and teachers are state servants.

This raises awkward issues about the professional status of teachers. Classical definitions suggest that professionals are people who have esoteric knowledge and skills; that entry to the profession is difficult and requires several years’ education and preparation, possibly including periods of probation; that the work of such people is sometimes unpredictable and uncertain, thus requiring the use of personal judgement; and that this in turn requires the exercise of professional autonomy. Additions to this list may include a realisation that professionals perform socially important roles; that the work is of an ethical nature and thus requires considered and reflective behaviour by the practitioner; that professional bodies may also guide and monitor this behaviour.

I have argued in several academic papers for what I call an ‘ethical teacher

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Business Activity

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professionalism'. This concept suggests that teaching is an ethical activity that calls on teachers to make a unique response based on altruism, and that this in turn is guided by commitments to 'the other', duty and service. I argue in those places too, that such a teacher may find the practice of critical pedagogy to be essential, and that this includes a commitment to being a 'public intellectual'.

Such a person not only uses student lived experience as text, helping students to find meaningful links to their world, but as a public intellectual speaks out as an advocate of students and of education generally.

The point of this lengthy discussion is that although there may be a 'public service' dimension to being a professional, there is also most definitely a dimension that requires teachers and the various bodies that speak for them, to maintain sufficient autonomy to be able to make crucial educational decisions and to speak out when necessary.

My last question was about the factual accuracy or the implications of the newspaper article that appeared in the *Dominion Post*. The implication there seems to be that this latest event appears to be a ploy by the current government to silence criticism of its policies by Boards, unions and teachers.

It should be noted for the record that the *Standards of Integrity and Conduct* code came into effect on the 30th Nov 2007 – that is, under the watch of the previous government. By answering questions 1 – 4 above, it seems then that this code has applied to Boards, schools and teachers since then.

This code calls on state servants to be *fair, impartial, responsible, and trustworthy*. A reading of this code does not find a clause indicating that it is "unacceptable for employees to comment on government policy if it constitutes a "personal attack" on a minister, work colleagues or other state servants", as reported in the *Dominion Post*. There is, however, a clause that calls for state servants to *respect the*

authority of the government of the day (<http://www.ssc.govt.nz>). It seems that there may be some unbalanced reporting here, or a document not yet available to the public.

However, there are real questions left to consider: as teachers are already bound by the Code of Ethics of the Teachers Council, is there really need for another Code? Is there a government effort to control teachers' voice? If so, then the collective voice of teachers, schools, Boards and unions must be strongly heard, because such a step will be damaging to democracy and the ability of schools to develop democratic virtues in their students.