

Variation to the Primary Teachers' Collective Agreement 2013-2015

In accordance with clause 1.5 of the Primary Teachers' Collective Agreement 2013-2015 (PTCA), this document sets out the specific clauses varied in the PTCA to reflect the implementation of Communities of Learning.

This variation was reached by agreement between the Secretary for Education and the New Zealand Educational Institute Te Riu Roa (NZEI) and will be binding on employees and employers of those employees covered by the PTCA in accordance with section 74(6) of the State Sector Act 1988 (as amended by the Employment Relations Act 2000) from the date this variation is signed.

3.35 Allowances for Community of Learning Teacher (between-schools) role

- 3.35.1 Boards within each Community of Learning will be entitled to a number of Teacher (between-schools) roles, generated by formula in the relevant Staffing Order, to facilitate engagement of all staff in the Community of Learning.
- 3.35.2 The responsibilities and/or activities of each role will be defined in substance and time by the Community of Learning's shared achievement plan.
- 3.35.3 A Community of Learning Teacher (between-schools) role will be appointed to promote best teaching practice across a Community of Learning, in line with the challenges in the Community of Learning's shared achievement plan. Promotion of best teaching practice may include a focus on:
- collaborative inquiry
 - expertise capacity building
 - pedagogy/teaching practice
 - community engagement
 - transition support
 - cultural competency.
- 3.35.4 A teacher, who through an agreed selection process, has met the national criteria or professional standards (and is affirmed by the National Panel as having met the criteria or standards as applicable) and demonstrated how they will help meet the agreed purpose/focus for the role within the Community of Learning and is appointed to the role will be entitled to receive an allowance of \$16,000 per annum.
- 3.35.5 The period of appointment to the role will be up to two years, the exact tenure will be determined by the Community of Learning based on needs identified through the planning process, with the agreement of the Community of Learning, teacher and employing board, subject to (3.35.6), (3.35.10) and (3.35.11) below.
- 3.35.6 The initial period of appointment may be extended for one further period of up to two years depending on the needs of the Community and the progress of planning and inquiry, with the agreement of the Community of Learning, teacher and employing board.
- 3.35.7 Where a Community of Learning cannot select a teacher to one of the Teacher (between-schools) roles it generates from within the Community of Learning, or seeks an alternative period for the appointment of one or more of the roles, the Secretary for Education may agree to alternatives. This may result in alternative arrangements for the payment of the allowance outlined in (3.35.4) above and for the provision of the time allowance outlined in (3.35.9) below or for the period of the appointment to the role outlined in (3.35.5) or (3.35.6) above.
- 3.35.8 As the role is intended to expand on career opportunities for classroom teachers to use and develop their professional leadership skills while remaining in the classroom, a teacher appointed to this role must maintain at minimum a 0.5 FTTE classroom teaching load.

- 3.35.9 The employing board will receive additional 0.4 FTTE staffing for the period of the appointment to enable the functions of the role to be fulfilled.
- 3.35.10 The allowance may be suspended by the employing board where the teacher is undergoing competency processes as outlined in clause 10.7.2.
- 3.35.11 The allowance will cease to be payable in the following circumstances:
- a. where the teacher has been the subject of an adverse outcome following competency or disciplinary processes (or both); or
 - b. where the teacher ceases to be employed as a teacher at that school; or
 - c. where, with the agreement of the employing board, the teacher voluntarily relinquishes the role; or
 - d. where the teacher ceases to hold the role; or
 - e. when the fixed period of the appointment ends, regardless of whether the teacher remains at that school; or
 - f. where the employing board become ineligible to make the allowance available. In such circumstances the teacher will be provided notice of a period that is the lesser of the remainder of the term of the appointment or one year, provided the teacher continues to hold a similar status in that school.

3.36 Allowances for Community of Learning Teacher (within school) role

- 3.36.1 Boards within each Community of Learning will be entitled to a number of within school teacher roles, generated by formula in the relevant Staffing Order to promote best teaching practice within a school and strengthen the use of an inquiry approach to teaching and learning.
- 3.36.2 The responsibilities and/or activities of each role will be defined in substance and time by the Community of Learning's shared achievement plan.
- 3.36.3 A Community of Learning Teacher (within school) role will be appointed to promote best teaching practice, in line with the challenges in the Community of Learning's shared achievement plan. Promotion of best teaching practice may include a focus on:
- collaborative inquiry,
 - expertise capacity building,
 - pedagogy/teaching practice,
 - community engagement,
 - transition support and
 - cultural competency.
- 3.36.4 A teacher appointed to the role will be entitled to receive an allowance of \$8,000 per annum. Such a teacher must, through an agreed selection process, have met the relevant criteria and demonstrated how they will help meet the agreed purpose/focus for the role within the Community of Learning.
- 3.36.5 The period of appointment to the role will be determined by the employing board based on the needs identified through the Community of Learning's shared achievement plan. The role can be appointed permanently.
- 3.36.6 Where the role is appointed on a fixed term basis, the period of appointment may be for up to one year, taking account of the needs of the Community of Learning and the progress of planning and inquiry.
- 3.36.7 Where a role is transferred from another board, it may only be allocated for a fixed period of up to one school year.

- 3.36.8 As the role is intended to expand on career opportunities for classroom teachers to use and develop their professional leadership skills while remaining in the classroom, a teacher appointed to this role must maintain at minimum a 0.8 FTTE classroom teaching load.
- 3.36.9 The employing board will receive additional 0.08 FTTE staffing for the period of the appointment to enable the functions of the role to be fulfilled.
- 3.36.10 The allowance may be suspended by the employing board where the teacher is undergoing competency processes as outlined in clause 10.7.2.
- 3.36.11 The allowance will cease to be payable in the following circumstances:
- a. where the teacher has been the subject of an adverse outcome following competency or disciplinary processes (or both); or
 - b. where the teacher ceases to be employed as a teacher at that school; or
 - c. where, with the agreement of the employing board, the teacher voluntarily relinquishes the role; or
 - d. where the teacher ceases to hold the role; or
 - e. where the appointment is for a fixed period, when that fixed period ends, regardless of whether the teacher remains at that school; or
 - f. where the teacher loses the roles because the number of allowances available to the employing board is reduced, the salary protection provisions of clause 9A.5 will apply. If the teacher returns to, or is subsequently appointed to a position of equal or higher remuneration than they received while in the Community of Learning teacher within school role, the salary protection will no longer apply.

3.16 Relieving Principal

3.16 (a) to 3.16 (c) no change

new subclause

- 3.16(d) When a permanent teacher relieves in the position of principal in the same school because the principal has been released to undertake the functions of the Community of Learning leadership role the teacher shall receive an allowance as per 3.16 (a) to 3.16 (c) above.
- 3.16(e) Where the teacher is not undertaking the whole of the principal's role, the allowance will be pro-rated based on the proportion of the role undertaken by the teacher. Where more than one teacher is undertaking the principal's role, the allowance shall be pro-rated provided that the total allowance paid in combination, does not exceed the amount payable if a single teacher was acting in the role.

3.15 Higher Duties Allowance – Acting in a Higher Position Other than Principal

3.15 (a) to 3.15 (f) no change

New subclause

- 3.15(g) When as a consequence of an appointment to the Community of Learning leadership role the employer reallocates duties of a teacher(s) acting in a higher position to a teacher or teachers then:
- (i) the higher duties allowance shall be paid from the date the duties are transferred
 - (ii) the higher duties allowance may be paid to both permanent and fixed term teachers
 - (iii) the employer shall identify either the hours assigned to each teacher (as per 3.15 (d) above) or the total hours transferred each term where the duties are not performed on a continuous basis

- (iv) the rate of the higher duties allowance will be calculated in accordance with 3.15 (b) and 3.15 (f) above.

4.6 Study Leave

4.6.1 to 4.6.3 no change

Add the following note

Note: A teacher in receipt of the allowance for Community of Learning Teacher between-schools role shall not be eligible to take up a Study Leave award. For clarity the teacher may apply for an award provided, if granted, the entitlement is not taken up until the conclusion of the fixed period of the appointment.

4.7 Unpaid Refreshment Leave

4.7.1 no change

4.7.2 The ability to take up the entitlement to refreshment leave in clause 4.7.1 is subject to:

a. to d. no change

- e. *a teacher receiving the allowance for a Community of Learning Teacher between-schools role may apply for refreshment leave provided the duration of the leave is not more than one term and that any application for leave has the support of both their employing board and the other boards in the Community of Learning.*

4.8 Sabbatical Leave

4.8.1 to 4.8.4 no change

Add the following note

Note: A teacher in receipt of the allowance for a Community of Learning Teacher between-schools role may apply for a Sabbatical Leave award provided any application for the award has the support of both their employing board and the other boards in the Community of Learning.

The parties on signing this document acknowledge, subject to any subsequent agreed editorial changes, that this reflects the agreements reached to vary the PTCA 2013-2015.

Signed at Wellington on 1 October 2015

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Witnessed by:

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