

Education Report: Public consultation on the notification period for school strikes and the use of National Student Numbers

To:	Hon Erica Stanford, Minister of Education Hon Penny Simmonds, Minister for Tertiary Education and Skills		
Date:	16 April 2024	Priority:	Medium
Security Level:	In-Confidence	METIS No:	1325991
Drafter:	Pam McLean	DDI:	9(2)(a)
Key Contact:	Jennifer Fraser	DDI:	9(2)(a)
Seen by the Communications Team:	No	Round Robin:	No

Purpose of Report

1.

This paper follows Minister Stanford’s approval of the legislation bid for The Education and Training Amendment Bill (No. 2) in February 2024 [METIS 1321224 refers] which included policy proposals on:

a)

requiring a period of longer than three calendar days for school unions to notify the Public Service Commissioner and affected school boards before a school strike; and

b)

Out of scope
2.

This paper seeks your agreement to circulate the attached draft Cabinet paper in **Annex One** for agency and ministerial consultation. The Cabinet paper seeks approval to release the following two discussion papers for public consultation:

a)

Discussion document: Proposal to change notice period for school strikes (Appendix One of the Cabinet paper); and

b)

Out of scope

Summary

3.

The following proposals were approved to be included in the legislation bid for the Education and Training Amendment Bill (No 2) (ETAB2) to amend the Education and Training Act 2020 (the Act): [METIS 1321224 refers]

a)

Require a period of longer than three calendar days for school unions to notify the Public Service Commissioner and affected school boards before a school strike (the “strike notification proposal”);

b) Out of scope

4. The strike notification proposal responds to the increase in the number of school strikes which disrupt the life and learning of students and their families and whānau. This follows previous work the Ministry of Education (Ministry) did in 2023 to consider options to improve the industrial relations statutory framework for the education sector. Public consultation is required to get feedback on the size of the impact on students and their families and whānau of the short notification period for strikes, and the best option.

5. Out of scope

6.

7. The legislation bid for ETAB2 included other proposals, but these are the only proposals that currently require public consultation.
8. Following agency and ministerial consultation, Cabinet approval would be sought to release the two discussion papers appended to the Cabinet paper for public consultation in May and June 2024.

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that we have attached a draft Cabinet paper and two discussion papers seeking approval to consult publicly on the proposals to:
- i. Require a period of longer than three calendar days for school unions to notify the Public Service Commissioner and affected school boards before a school strike
- ii. Out of scope

Noted
Minister of Education

Noted
Minister for Tertiary Education and Skills

- b. **note** that the two discussion papers are being used as interim Regulatory Impact Statements (RIS), and that full RISs will be completed prior to final policy approvals being sought in or around September 2024

Noted
Minister of Education

Noted
Minister for Tertiary Education and Skills

- c. **note** that these proposals are scheduled to be progressed in a bill to amend the Education and Training Act 2020

Noted
Minister of Education

Noted
Minister for Tertiary Education and Skills

- d. **agree** that agency and ministerial consultation can be undertaken on the attached draft Cabinet paper and the discussion papers in Appendix One and Two of the Cabinet paper

Agree / Disagree
Minister of Education

Agree / Disagree
Minister for Tertiary Education and Skills

- e. **agree** that subject to any amendments following ministerial consultation, the Cabinet paper is lodged for consideration by the Cabinet Social Outcomes Committee on EITHER:

- i. Wednesday 22 May 2024

Agree / Disagree
Minister of Education

Agree / Disagree
Minister for Tertiary Education and Skills

OR

- ii. Wednesday 29 May 2024

Agree / Disagree
Minister of Education

Agree / Disagree
Minister for Tertiary Education and Skills

Proactive Release:

- f. **agree** that this paper will be proactively released once Cabinet has made final policy decision.

Agree / Disagree
Minister of Education

Agree / Disagree
Minister for Tertiary Education and Skills


Jennifer Fraser
General Manager
Te Pou Kaupapahere | Policy

16/04/2024

Hon Erica Stanford
Minister of Education

Hon Penny Simmonds
Minister for Tertiary Education and Skills

__/__/__

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Background

1. The following proposals were approved to be included in the legislation bid for a bill (the Education and Training Amendment Bill (No 2) or "ETAB2") to amend the Education and Training Act 2020 (the Act): [METIS 1321224 refers]

- a) Require a period of longer than three days for school unions to notify the Public Service Commissioner and affected school boards before a school strike;

- b) Out of scope

2. 9(2)(f)(iv)

- 3.

- 4.

Notification period for school strikes

5. The proposal is to extend the notice period unions must give for a school strike from three calendar days to either:

- a) no less than three working days; or

- b) no less than seven days.

6. Unions are currently required under the Act to provide three calendar days' notice of a strike to school boards and to the Secretary for Education. If the notice is given on a Friday, the strike could start on Monday, effectively leaving no working days for parents, whānau and schools to make suitable childcare arrangements if the schools are closed. This puts the health and safety and learning of students at risk.

7. This has been a problem since around 2018 when school strikes became more frequent. Since 2018 there have been two bargaining rounds in a row for primary and secondary school teachers which have been long and difficult with many strikes.

8. School strikes effect not only on the students, but also parents and whānau of the students who have to miss work and potentially lose income or use annual leave to look after their children, where they have been unable to make alternative childcare arrangements at short notice.

9. Extending the notice period would provide more time for schools and parents and whānau to make alternative arrangements while still allowing teachers to strike.

Out of scope

Out of scope

Risks

Strike notification proposal

15. We expect there will be a strong interest from the school unions and school community on the strike notification proposal.

16. 9(2)(g)(i)

¹ The International Labour Organisation would expect the Government to consult with representative unions on the strike notification proposal before the introduction of legislation as it affects employee rights. 9(2)(j)

Out of scope

Financial Implications

19. There are no financial implications associated with releasing these discussion papers for public consultation. Costs of consultation will be met from baseline funding.

¹ The ability to strike under the Employment Relations Act 2000 and the Education and Training Act 2020 is restricted to protect public interest. This includes the need to provide notification of strikes.

Treaty of Waitangi analysis for Cabinet paper

20. The attached draft Cabinet paper includes a summary of the Te Tiriti or Waitangi / Treaty of Waitangi (Treaty) implications for the two proposals.
21. The table below provides a more detailed summary on the key Treaty risks and issues that arise from the two proposals.

Relevant Treaty article and principle	Advice on potential implications
Article 1 Kāwanatanga and partnership: The Crown has the right to govern (kāwanatanga). Good governance must protect Māori interests and ensure equitable Māori engagement and/or leadership in priorities and decisions.	Genuine engagement with Māori representatives on any new legislative requirement is critical to supporting Māori-Crown relationships and meeting our partnership responsibilities. The discussion papers would be used for public consultation on the two proposals. Strike notification proposal: • The public consultation will provide an opportunity for the kaupapa Māori education sector to engage with the Ministry on the proposals as well as the schooling peak bodies for Kaupapa Māori education (Te Rūnanga nui o ngā Kura Kaupapa Māori, Ngā Kura ā Iwi o Aotearoa), and interested Iwi. • School boards must give effect to Te Tiriti through achieving equitable outcomes for Māori students. • The Government has an obligation to actively protect Māori students to ensure that they have equitable achievement rates in the education system. Evidence shows a strong correlation between school attendance and academic achievement. • This proposal could improve the outcomes for Māori students if the notification for school strikes is extended to allow more time to make childcare arrangements if needed and for Māori students to continue with their learning. • The right to strike is a fundamental right which can be restricted to protect the public interest. This includes by requiring notification of strikes. • The interests of Māori staff and teachers will be affected by the strike notification proposal although they will still have the right to strike. Out of scope

Article 2 Tino rangatiratanga: Provides Māori with tino rangatiratanga or absolute sovereignty over all their whenua, kāinga and taonga.	Strike notification proposal: • Kaupapa Māori schools are required to operate under the regulatory and governance structure provided for in the legislation and therefore have limited agency and authority over how they deal with school strikes. Out of scope
Article 3 Ōritetanga, equity and active protection: Promises to Māori the benefits of royal protection and full citizenship. This article emphasises the rights of Māori to live as Māori in a manner consistent with whānau, hapū and/or iwi values and traditions.	Strike notification proposal: • The Government has an obligation to actively protect Māori students to ensure that they have equitable achievement rates in the education system. Evidence shows a strong correlation between school attendance and academic achievement. • Providing school boards more time to make arrangements for the supervision or teaching of students during a strike will better protect Māori students who would be impacted by a strike at short notice. • It would also provide more time for whānau to make childcare arrangements if needed. • The right to strike is a fundamental right under our international obligations. However, this can be restricted to protect public interests. • The interests of Māori staff and teachers will be affected by the strike notification proposal although they will still have the right to strike. Out of scope

Next Steps

22. Following agency and ministerial consultation, we will seek your approval to lodge a paper for Cabinet approval to release the discussion papers and undertake the public consultation in May 2024.
23. The key milestones for progressing these two policy proposals in ETAB2 are:

Proposed timeline

Milestone	Estimated timeframe
Agency and ministerial consultation on draft Cabinet paper	22 April to 6 May 2024
Lodge Cabinet paper	16 May 2024
Cabinet Committee SOU approval to release discussion paper for public consultation	22 May 2024
Cabinet approval	27 May 2024
Public consultation	28 May to 28 June 2024
Report to Ministers with final policy options for ETAB2	31 July 2024
Cabinet approval for policy decisions	23 September
Bill drafted	Late September to late December 2024
Cabinet approval to introduce the Bill	Early March 2025
Bill introduction	Early March 2025
1 st Reading	Early March 2025
Select Committee	Early March to September 2025
Remaining stages and enactment	October to December 2025

24. Out of scope
- 

Annexes

Annex One: Draft Cabinet paper: Public consultation on the notification period for school strikes and the use of National Student Numbers

In Confidence

Office of the Minister of Education
Office of the Minister for Tertiary Education and Skills
Cabinet Social Outcomes Committee

Public consultation on the notification period for school strikes and the use of National Student Numbers

Proposal

- 1 This paper seeks approval to release two discussion papers for public consultation on:
- 1.1. extending the three-calendar day notification period for school strikes to either no less than three working days or no less than seven days (“the strike notification proposal”); and
 - 1.2. Out of scope
- 2 These proposals are intended to be progressed in a bill to amend the Education and Training Act 2020 (the Act) which is expected to be ready for introduction in March 2025.

Relation to government priorities

- 3 The strike notification proposal is broadly related to Government’s proposal to lift school attendance as extending the notification period for strikes may have a secondary effect on the number of days students can attend school during a strike.
- 4 Out of scope

Executive Summary

- 5 This paper seeks approval to release the discussion papers on the strike notification proposal (Appendix 1) Out of scope They will be consulted on at the same time because the proposed changes are intended to be progressed via the Education and Training Amendment Bill (No 2) (“ETAB2”). Cabinet decisions on whether to progress the proposals through ETAB2 will be sought in September 2024.
- 6 The strike notification proposal seeks to amend section 589 of the Act to require unions to give more than three calendar days for school unions to notify the Public Service Commissioner (delegated to the Secretary for Education) and affected school boards before a school strike. The proposal is to amend section 589 to require a notification period of either ‘no less than three working days’ or ‘no less than seven days’. This proposed amendment addresses the problems caused by school strikes becoming more frequent and disrupting the live and learning of students and their families and whānau.

7 Public consultation is required to get feedback on the size of the impact of the short notification period for strikes on students and their families and whānau, and how much more notification is needed.

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Out of scope

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Background

10 The strike notification proposal is being progressed due to the increased impact of school strikes on students. This has been a problem since around 2018 when school strikes became more frequent. Since 2018 there have been two bargaining rounds in a row for primary and secondary school teachers which have been long and difficult with many strikes.

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Out of scope

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9(2)(f)(iv)

Analysis

Strike notification proposal

14 The strike notification proposal is to extend the notice period unions must give for a school strike from three calendar days to either no less than three working days or no less than seven days.

The current situation

15 The right to strike is an important part of the collective bargaining process. It is restricted in law by the need to give notice before the strike commences.

16 The current regulatory framework for industrial relations for schools is primarily based in the Employment Relations Act 2000 with some specific provisions in the Education and Training Act 2020. This framework has a strong emphasis on good faith collective bargaining with employees having 9(2)(g)(i) .

- 17 Under section 589 of the Education and Training Act 2020, unions are required to give three calendar days' notice of a strike to the Secretary for Education (under delegation from the Public Service Commissioner) and each school board. This is because there is a strong public interest in education, and it would not be acceptable or safe for teachers to leave the classroom without prior notification.
- 18 The notice must state the schools that will be affected by the proposed strike, the date and time the strike is to commence, and the date and time the strike is to end (or an event, on the occurrence of which, the strike will end).²
- 19 Once notification is given, schools need to consider whether they can remain open or would need to close. Schools are required to notify students and parents about the strike. If the school can stay open, the board organises extra supervision and notifies parents and caregivers about this.
- 20 Under the Employment Relations Act 2000, employees must give notice "before" a strike, but a minimum period is not specified for most.³
- 21 Some services known as "essential services" have longer notification periods under the Employment Relations Act 2000. These include employees working in the areas of public health and safety, the supply of water, the disposal of sewage, air and railway services, fire services, ambulance services, the interisland ferries, and the operation of prisons and welfare institutions which must give no less than 14 days' notice of strike action.

The problem

- 22 With only three calendar days of notification, if the notice is given on a Friday, this effectively only leaves one working day for parents, caregivers, whānau and schools to make suitable alternative childcare arrangements.
- 23 School strikes have large impacts not only on the students' health and safety and learning, but also on the parents, caregivers and whānau of the students who may have to miss work and potentially lose income or use annual leave to look after their children. The Ministry has received complaints on this from affected people.
- 24 As detailed in the discussion paper, this has been a problem since around 2018 when school strikes became more frequent. Since 2018 there have been two bargaining rounds in a row for primary and secondary school teachers which have been long and difficult with many strikes.
- 25 Extending the notice period would provide more time for schools and parents to make alternative arrangements while still allowing teachers to strike.

Options considered in the discussion paper

- 26 The Ministry seeks to consult on extending the notification period for school strikes to either:

² Education and Training Act 2020, section 589.

³ Employment Relations Act 2000 section 86A(1)(c).

- 26.1. no less than three working days; or
- 26.2. no less than seven days.
- 27 The purpose of the consultation is to seek the views of all affected people, including teachers, school boards, unions, parents, caregivers and whānau. This will help to inform the development of the policy before the legislation is introduced.
- 28 Consultation with affected teachers is particularly important given our international obligations to do meaningful consultation on any proposed legislation affecting employment rights. 9(2)(g)(i)
- The International Labour Organisation would expect the Government to consult with representative unions on the strike notification proposal before the introduction of the bill as it affects employee rights. 9(2)(j)
- 29 Both of these options will provide more time for parents, caregivers, and whānau to make childcare arrangements if needed. Both options will also provide more time for schools to make arrangements to potentially keep their school open for teaching or supervision during a strike. It may also provide more time for the parties to enter mediation or facilitation to work out a solution ahead of the strike.
- 30 The Ministry did not consider changing the notice period to 14 days' notice (or making schooling services an essential service), which is what essential services such as health services must give. Strikes by teachers are usually well publicised ahead of the formal notice so while more time would be beneficial, we do not think this needs to be as much as 14 days.
- 31 Non-regulatory options such as having informal agreements or protocols with the unions were considered unlikely to provide enough certainty for schools, parents, caregivers and whānau who need to make arrangements at short notice.

Out of scope

Out of scope

Out of scope

Out of scope

Implementation

48 Approval is being sought to release the two discussion papers in Appendix One and Appendix Two for public consultation in May and June 2024. The public consultation will help to inform proposals that will be considered by Cabinet in September 2024, ahead of any legislative amendments needed to implement the proposals.

49 The discussion paper on the strike notification will provide information on the size of the impact on students and their families and whānau of the short notification period for strikes, and how much more notification would lessen this impact.

50 Out of scope

51 The public consultation will be done through releasing the discussion papers on Ministry's website "Consultation Hub"⁵ with a short explanation on the purpose of the consultation. The consultation will be publicised through the regular newsletters and other communications we have with schools, kura and tertiary education organisations.

⁵ [Ministry of Education Consultation Hub - Citizen Space](#)

- 52 The key milestones and estimate timeframes subject to Cabinet approval of this paper are:

Milestone/Activity	Timeframe
Public consultation	28 May to 28 June 2024
Report to Ministers with final policy options for ETAB2	Late July 2024
Cabinet approval for policy decisions	Late September 2024
Bill introduction	Early March 2025
1 st Reading	Early March 2025
Select Committee	mid March to September 2025
Remaining stages and enactment	October to December 2025

Cost-of-living Implications

- 53 The strike notification proposal may have an impact on parents, caregivers, and whānau of the students if they have more time to make childcare arrangements if needed. With short notice they may have to miss work and potentially lose income or use annual leave to look after their children, where they have been unable to make alternative childcare arrangements at short notice.
- 54 The strike notification proposal will also affect teachers, principals and other staff whose union will need to provide an increased period of notification prior to a strike.
- 55 Businesses and productivity are also impacted by short notice of strikes as they may need to make arrangements if their staff suddenly have to take time off work due to a strike. The impact of this considered across the country is substantial considering a student population of over 800,000.

56 Out of scope

Financial Implications

- 57 There are no financial implications of the proposals in this paper.

Legislative Implications

58 Out of scope

Impact Analysis

Regulatory Impact Statement

- 59 The two discussion papers in Appendices 1 and 2 are in place of an interim regulatory impact statement.

- 60 The Ministry of Education's Regulatory Impact Analysis Quality Assurance Panel considered the two discussion documents (attached as Appendices one and two) function as interim Regulatory Impact Assessments. This panel has reviewed both discussion documents and confirms that they are likely to lead to effective consultation and support the delivery of Regulatory Impact Analysis that informs subsequent decisions. Out of scope

Population Implications

- 61 The strike notification proposal is likely to be contentious with school unions and some union members. It will affect:
- 61.1. children and young people, including disabled students, as they will be less impacted by a school strike and are more likely to have suitable care arrangements and continue with their learning if they cannot go to school;
 - 61.2. Māori students who would be impacted by school strikes;
 - 61.3. parents, caregivers and whānau as they will have more time to make childcare arrangements if needed if the school has to close;
 - 61.4. teachers and school staff who are members of unions that are required to provide more than the current three calendar days' notice of a strike to the Secretary of Education and school boards;
 - 61.5. school boards as they will be able to make arrangements to keep their schools open for supervision or learning.
- 62 Out of scope

Te Tiriti o Waitangi / The Treaty of Waitangi implications

- 63 As a partners to the Treaty of Waitangi, the Crown has a duty to actively promote and protect Treaty rights and interests and to develop education settings in a way that supports Māori-Crown relationships. This duty is recognised in section 4(d) of the Education and Training Act 2020.

Strike notification proposal

- 64 Having public consultation on the strike notification proposal will provide an opportunity for people with an interest Kaupapa Māori education to have meaningful engagement with the Ministry on the proposals.
- 65 The Government has an obligation to actively protect Māori students to ensure that they have equitable achievement rates in the education system. Evidence shows a strong correlation between school attendance and academic achievement.
- 66 This proposal could improve the outcomes for Māori students if the notification for school strikes is extended to allow more time to make childcare arrangements if needed and for Māori students to continue with their learning.

- 67 The right to strike is a fundamental right under our international obligations but can be restricted to protect public interests. The interests of Māori staff and teachers will be affected by the strike notification proposal although they will still have the right to strike.

Out of scope

Human Rights

- 71 These proposals appear to be consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. A final determination of consistency will be possible when the bill has been drafted.

Use of external Resources

- 72 These proposals will not require any use of external resources.

Consultation

- 73 A draft of this paper was shared with [Treasury, Department of Prime Minister and Cabinet, Te Kawa Mataaho Public Service Commission, Ministry of Business, Innovation and Employment, Education Review Office, New Zealand Qualifications Authority, Ministry of Justice, Te Puni Kōkiri, Ministry of Pacific Peoples, Ministry of Social Development, Oranga Tamariki, Statistics New Zealand, Whaikaha Ministry of Disabled People, Ministry of Youth Development, the Office of the Auditor-General, and Ombudsman New Zealand]. Their views are reflected in this paper.

- 74 This paper seeks approval to release two discussion documents and undertake public consultation on the two proposals to seek feedback on the options proposed in the paper. This will help to inform policy development prior to seeking approval from Cabinet.

Communications

- 75 The public consultation will be done through releasing the discussion papers on Ministry's website "Consultation Hub"⁶ with a short explanation on the purpose of the consultation. The consultation will be publicised through the regular newsletters and

⁶ [Ministry of Education Consultation Hub - Citizen Space](#)

other communications we have with schools, kura and tertiary education organisations.

Proactive Release

- 76 I intend to proactively release this Cabinet paper subject to redactions as appropriate under the Official Information Act 1982.

Recommendations

- 77 The Minister of Education and the Minister for Tertiary Education and Skills recommends that the Committee:

Strike notification

- 1 note that under section 589 of the Education and Training Act 2020 unions are required to give three calendar days' notice of a strike to the Secretary for Education (under delegation from the Public Service Commissioner) and each school board;
- 2 note the increased frequency of strikes has made the three-day notice period problematic due to the impact on students, their parents, caregivers, whānau and schools;
- 3 note that the attached discussion paper seeking public consultation sets out two options to extend the notification period for school strikes:
 - a) no less than three working days; or
 - b) no less than seven days;
- 4 agree that the discussion paper for the strike notification (Appendix One) is released for public consultation from late May to late June 2024;
- 5 note that the purpose of the consultation is to inform the policy proposals for the strike notification;

Out of scope



Out of scope

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Next steps

- 14 note that following public consultation, we will report back to you in September 2024 to seek your approval for the policy proposals for the strike notification proposal and Out of scope

Authorised for lodgement

Hon Erica Stanford

Minister of Education

Hon Penny Simmonds

Minister for Tertiary Education and Skills



Education Report: Strike notification Cabinet paper – incorporation of departmental and ministerial feedback

To:	Hon Erica Stanford, Minister of Education		
Cc:	Hon David Seymour, Associate Minister of Education		
Date:	19 June 2024	Priority:	Medium
Security Level:	In-Confidence	METIS No:	1330769
Drafter:	Daniel Kwon	DDI:	9(2)(a)
Deadline Date:	20 June 2024		
Key Contact and Hautū Deputy Secretary:	Casey Pickett & Andy Jackson	DDI:	9(2)(a)
Seen by the Communications Team:	No	Round Robin:	No

Purpose of Report

This education report seeks your agreement to lodge the attached Cabinet paper, ‘*Public consultation on the notification period for school strikes*’ before 10am on 20 June 2025 for consideration at the Social Outcomes Committee on the 26 June 2024 [Annex 1]. The attached Cabinet paper incorporates departmental and ministerial feedback.

Alignment with Government priorities

The Strike Notification proposal broadly relates to Government’s proposal to lift school attendance. The proposal seeks to extend the notification period for school strikes which may have the effect of reducing their impact on parents and students by allowing more time for parents to make alternative arrangements and for schools to contact and resource relief teachers.

Background

-
- 9(2)(f)(iv)
-
- Feedback obtained has now been incorporated into the revised Cabinet paper and discussion document for lodging for Social Outcomes Committee on 26 June 2024.

Key changes made to the Cabinet paper

5. Key changes following ministerial and departmental consultation include:

-

consult on a legislative amendment of this nature, rather than it being
9(2)(g)(i)

- **Focus on the 'impact' of strikes** – MBIE advised that the paper should place emphasis on the potential impact and mitigation of strikes on schools, parents, students, and whānau as opposed to a focus on the frequency of the strikes.
- **Strengthening the Te Tiriti implications section** – in paragraphs 44 – 45, the Ministry of Justice (MoJ) recommend incorporation of statistics to highlight the disproportionate impacts of school strikes on Māori, including greater declines in attendance rates compared to the general student population and the over-representation of Māori parents in manual labour, and the implications this may have on opportunities to find alternative care arrangements.
- **Clarification on potential Cost-of-Living and Human Rights implications** – in paragraph 36, MBIE recommended highlight the impact that businesses employing parents may be impacted by the need to make alternative arrangements for staff who have to look after children; and in paragraph 47, MoJ recommended highlighting how the proposal may affect the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990, including the rights to freedom of expression, peaceful assembly, and association.
- **Context of broader industrial action in the public sector** – in paragraph 9, the Public Service Commission (PSC) raised that context of wider industrial action currently occurring throughout the public sector should be provided as background;
- **Other minor changes** – other minor changes were made to the paper including correction to the alignment of options in the discussion paper and other wording changes to clarify intent, such as references to unions being clarified to be school unions. Some comments were not incorporated as they were considered out of scope. We have provided agencies with information about the changes made to the paper to respond to their comments.

Next Steps

6. This education report seeks your agreement to lodge the attached Cabinet paper, 'Public consultation on the notification period for school strikes' before 10am on 20 June 2025 for consideration at the Social Outcomes Committee on the 26 June 2024 [Annex 1].
7. Public consultation will commence on the 29 July to 6 September 2024. This period takes into consideration the Ministry's red-zone policy where we do not contact schools during the school holidays or in the first and last weeks of term.

8. A timeline setting out the lodging process for the final Cabinet paper (with associated discussion paper) is set out below:

Proposed timeline for lodging of the Cabinet paper on the Strike Notification proposal

Deliverable	Due
Cabinet paper to be lodged for Social Outcomes Committee	20 June 2024
Social Outcomes Committee (SOU) consideration	26 June 2024
Cabinet confirmation	1 July 2024
Public consultation	29 July – 6 Sept 2024
Final SOU policy decisions	23 October 2024

9. We will provide your office with Talking Points by 21 June 2024 to support your discussion of the paper at Social Outcomes Committee on 26 June 2024.

Annexes

The following are annexed to this paper:

- Annex 1: Cabinet paper – Public consultation on the notification period for school strikes
(attached separately)
- Annex 2: Discussion document – Proposal to change notice period for school strikes
(attached separately)

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that departmental consultation on the draft strike notification Cabinet paper and discussion document was undertaken from 23 – 31 May 2024
Noted
- b. **note** that ministerial consultation on the draft strike notification Cabinet paper and discussion document was undertaken from 10 – 14 June 2024.
Noted
- c. **note** that the attached strike notification Cabinet paper and discussion document (Annex 1 & 2) incorporate feedback received through departmental and ministerial consultation
Noted
- d. **agree** to lodge the final Cabinet paper before 10:00am 20 June to be considered at the Social Outcomes Committee on 26 June 2024
Agree / Disagree

Proactive Release

- e. **agree** that the Ministry of Education release this paper **in full** once Cabinet has made final policy decisions, subject to any redactions required under the Official Information Act 1982.

Agree / Disagree



Casey Pickett
Senior Policy Manager
Te Pou Kaupapahere | Policy

19/06/2024

Hon Erica Stanford
Minister of Education

___/___/___



Briefing Note: **Talking points: Cabinet Business Committee – Public consultation on the notification period for school strikes**

To:	Hon Erica Stanford, Minister of Education		
Date:	26 June 2024	Priority:	Medium
Security Level:	In-Confidence	METIS No:	1331287
Drafter:	Daniel Kwon	DDI:	9(2)(a)
Deadline Date:	27 June 2024		
Key Contact and Hautū Deputy Secretary:	Casey Pickett Andy Jackson	DDI:	9(2)(a)
Seen by the Communications Team:	No	Round Robin:	No

Purpose of Briefing

This paper provides you with Talking Points for your discussion of the Cabinet paper, ‘Public consultation on the notification period for school strikes’ being considered at Cabinet Business Committee on 1 July 2024 [Annex 1].

Alignment with Government priorities

The Strike Notification proposal broadly relates to Government’s proposal to lift school attendance. The proposal seeks to extend the notification period for school strikes, which may have the effect of reducing the impact of strikes on parents, students, and schools by allowing more time to make alternative arrangements.

Background

1. We previously provided you with a final version of the Cabinet paper, ‘*Public consultation on the notification period for school strikes*’ (Strike Notification paper) for lodging which incorporated departmental and ministerial feedback [METIS 1330769].
2. Talking points have been provided to support your discussion of this paper at Cabinet Business Committee on 1 July 2024 [Annex 1].

Annexes

The following are annexed to this paper:

- Annex 1: Talking Points: Discussion of the Cabinet paper, ‘Public consultation on the notification period for school strikes’

Proactive Release

- a. **agree** that the Ministry of Education release this paper **in full** once Cabinet has made final policy decisions, subject to any reductions required under the Official Information Act 1982

Agree / Disagree



Casey Pickett
Senior Policy Manager
Te Pou Kaupapahere | Policy

26/06/2024

Hon Erica Stanford
Minister of Education

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9(2)(g)(i)

Released under the Official Information Act 1982