



**Rhetoric or game changer:**  
Social dialogue and industrial relations  
in education midst EU governance  
and privatisation in Europe



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# **Rhetoric or game changer:** Social dialogue and industrial relations in education midst EU governance and privatisation in Europe

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# Introduction

Over recent decades, a global consensus has been reached around the centrality of teacher workforces for the quality of education systems and for effective education reform. The political attention directed towards teachers and teaching have intensified markedly on a global scale during the 2000s, including in the European Union (EU) (European Commission 2017; OECD 2014). At the same time, policies and instruments for the governing of teachers, their work conditions and pedagogical practices are flourishing, globally and locally (Robertson 2016).

The European context is characterised by a tension with regard to teacher and education policies during the recent decades. On the one hand, the education sector and the teacher workforce have been acknowledged as vital for sustainable economic recovery and growth. The reform pressure on EU Member States with regard to education systems and teacher workforce restructuring has accordingly been reinforced, also indicated in the context of the European Semester where education since 2011 has been the most often addressed sector in the Country Specific Recommendations (Stevenson et al. 2017). On the other hand, along with the political emphasis on quality education and reform, public spending and investment in education sectors are struggling to catch up with pre-crisis levels in many EU Member States. Austerity initiatives have had major repercussions for education systems and the teacher workforce across Europe.

This tension calls for further empirical study concerning the challenges involved for the provision of inclusive quality education for all students, and for the professional prerogatives of the teacher workforce. More broadly, considering the global drive towards the liberalisation of education sectors, one might ask whether the status of education as a public good is effectively being questioned and perhaps undermined by the combination of political attention, reform pressure, budgetary constraints and limited investment.

Industrial relations and social dialogue are at the heart of these processes, especially when considering recent initiatives in EU governance and the renewed emphasis on social dialogue. In the wake of the recession and austerity measures, the EU institutions have come to acknowledge that the social dimension needs to be prioritised to counter the experience of inequality, social distress and disaffection towards democratic structures in many European countries. One prominent example of such a 'social rebalancing process' is the recently endorsed European Pillar of Social Rights (Sabato and Corti 2018). Furthermore, the decade-long trend of unilateral decision-making by governments - at the expense of social partners' involvement - has been challenged by the EU institutions and European social partners' call to

governments to take the necessary steps “to closely involve national social partners in the design and implementation of national reforms and policies” (Presidency of the EU Council et al. 2016, p. 3).

The international research literature has come to emphasise the need for examining the restructuring of the education professions, the changing forms of teachers’ professionalism, teacher education and teacher evaluation (Normand et al. 2018; Paine et al. 2016; Seddon et al. 2013). However, it is remarkable and unfortunate that the amount of comparative research focused on industrial relations and social dialogue in education sectors remains limited. Studies of how industrial relations in education unfold at various scales within the context of EU governance are even scarcer. Although there is a widespread consensus that robust structures for the representation of the teacher workforce in policy-making, social dialogue and collective bargaining between employers and employees, are fundamental factors for effective reform and quality education, it appears that research concerning teacher workforces, industrial relations, and education reform has failed to keep up with the political developments in EU governance over the recent decade (Stevenson et al. 2020).

This is a significant research gap to be filled, especially because we know that there are large differences between the arrangements for social dialogue and industrial relations across countries, and that the multi-level nature of EU governance continues to pose new and complex challenges in terms of the actual influence of social partners, their representativeness at the European level, capacity-building, and the definition of common agendas (Erne 2015; Léonard et al. 2011; Sabato et al. 2017).

Accordingly, the main aim of the project “Social dialogue and industrial relations in education: The challenges of multi-level governance and privatisation in Europe” (IR-EDUREFORM) has been to analyse the development of social dialogue and industrial relations at the European as well as national scales since the onset of the financial crisis in 2008. In doing so, the project has considered the global drive towards liberalisation and privatisation in education reform, the strengthening of socio-economic governance resulting from the introduction of the European Semester, and the austerity and recovery measures affecting public policy and education sectors in many EU member states during the recent decade.<sup>1</sup>

With a focus on EU multi-level governance and the case systems of French-speaking Belgium, Italy, Poland and Sweden, this final report presents detailed analysis and findings addressing the project’s four research questions:

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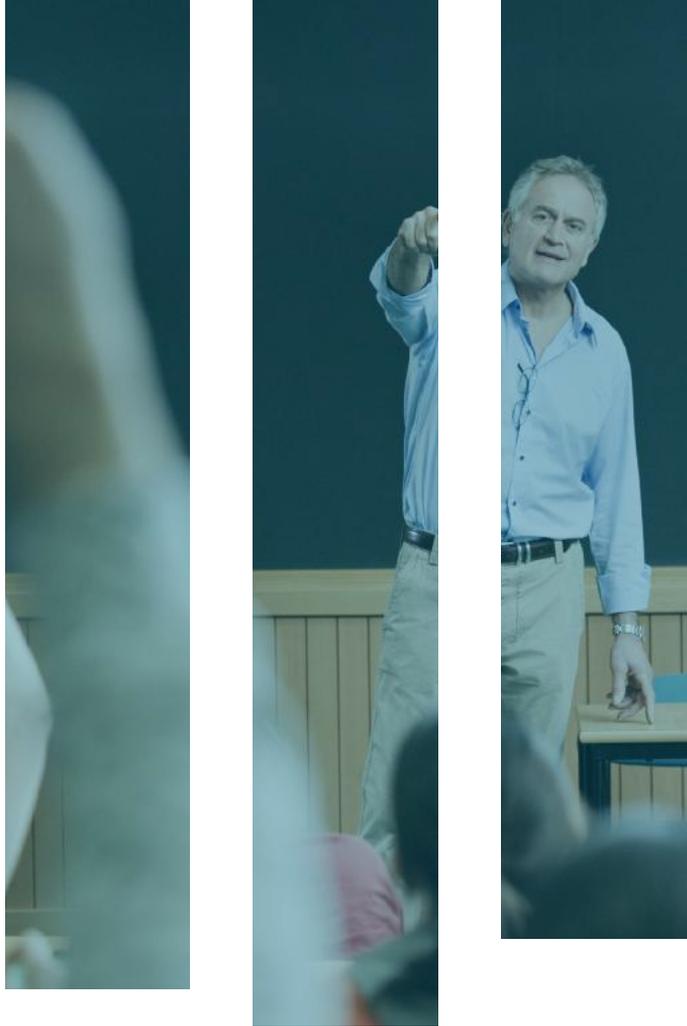
1 Please see Appendix A in this report for details about the theoretical framework and methodology of the project.

- How have IR and arrangements for social dialogue and collective bargaining in the education sector unfolded since 2008 – at the level of EU governance and in the four case systems?
- How are developments in IR at the European and national scales associated with patterns of education reform and privatisation?
- How are developments in IR at the European and national scales associated with the trajectory of EU governance, and especially within the context of the European Semester cycles under Europe 2020?
- What are the implications of our findings for the prospects of the mainstreaming of the European Pillar of Social Rights concerning education personnel's fair working conditions, professional prerogatives, social dialogue and education quality and equity?

More specifically, Chapter 1 reports the findings of the EU level study. This chapter examines how social dialogue, education reform and privatisation in education sectors have developed since the 2000s within the frame of EU governance and the Europe 2020 strategy. In this sense, the EU level study provides a contextualisation for the analysis presented in the subsequent case system chapters. In particular, the chapter about the EU highlights the role of the European Commission, the executive arm of the EU institutions, in setting the political agenda. In this respect, the chapter adopts the concept of educationalisation in the analysis of the European Commission's teacher policy over the period 2007-2020 in order to demonstrate that education, learning and teaching have been framed as central means to solve major economic and social problems in European societies. The chapter also identifies a tension between the ways that social dialogue and private sector involvement in education sectors are pursued in parallel by the European Commission.

Subsequently, chapters 2-5 present the results of the French-speaking Belgium, Italy, Poland and Sweden case studies. The chapters have a common focus and structure, which mirrors the four research questions of the project. First, they introduce the historical context of industrial relations, social dialogue and privatisation in education in the country. Second, with a focus on selected key reforms, each chapter addresses the patterns of change, with reference also to EU multilevel governance. The concluding sections about the case systems discuss the implications for teachers' working conditions, professional prerogatives and social dialogue and the prospects for the mainstreaming of the European Pillar of Social Rights in the country.

Finally, the Conclusions summarise the findings with reference to the project's research questions and discusses them in a comparative manner, within the framework of EU multi-level governance.



## Chapter 1. **The teaching profession, privatisation, and social dialogue in EU governance**

*By Tore Bernt Sorensen, UC Louvain*

# 1. Introduction

This chapter traces how European Union (EU) governance has developed since the 2000s with regard to social dialogue and privatisation in education sectors, with a focus on EU level institutions and organisations, primarily the EU institutions and European federations of social partners. Drawing on existing research, document analysis and interviews<sup>2</sup>, the chapter situates social dialogue, education reform and privatisation in Europe 2020 as a particular governance architecture (Borrás and Radaelli, 2011; see Appendix A about the project's key concepts) of Europe 2020. In doing so, the chapter highlights especially the role of the European Commission, the executive arm of the EU institutions, in setting the agenda for EU policy-making as a data hub and nodal point in expanding networks.

In terms of the teaching professions, the case study is mainly concerned with teachers working in primary and secondary education. In the EU-27 member states and the UK, the number of this workforce amounts to around 5.7 million, that is, 2.5 percent of the employed workforce. In total, the education sector makes up 9% of the labour force in the EU27 and the UK, amounting to a workforce close to 17 millions. There are major differences between countries, with education accounting for less than 6 percent of total employment in Romania and more than 12 percent in Sweden (Eurofound 2020).

The chapter identifies a tension between a declared commitment to social dialogue, inclusion and stakeholder involvement, on the one hand, and an embrace of performance-oriented policy instruments and privatisation, on the other. The chapter argues that this tension is associated with 'educationalisation', that is, a specific way of framing education, teaching and learning as means to solve major economic and social problems in societies (for example skills mismatches, youth unemployment, economic competitiveness, inclusion, social cohesion, and radicalisation and terrorism). Importantly, these discourses of educationalisation are not put forward in a vacuum. The prolonged period of 'poly-crisis' (Zeitlin et al. 2019) since the late 2000s - the economic recession, the Euro-crisis, the refugee and migration crisis, alongside Brexit and the current Covid-19 pandemic – have affected multiple policy domains and deepened the cleavages between the north-western, central, southern and eastern member states of the EU.

The analysis in this chapter of the European Commission's teacher and school policy 2007-2020 shows that it reflects a particular variation of educationalisation. This includes that the teaching professions are acknowledged to play an important role in the design and implementation of meaningful and effective reform, including through

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2 Please see Appendix B in this report for an overview of the empirical materials underpinning the EU level study.

social dialogue. At the same time, there are teacher shortages in many member states and long-standing concerns about the low attractiveness of the profession. Moreover, in line with the principles of new public management, public-private partnerships are encouraged, especially with regard to developing the framework conditions for a digital industry providing infrastructure and services to education sectors.

In this respect, the Europe 2020 strategy was underpinned by an array of new policy instruments that have advanced European integration, with implications for social dialogue, education governance and privatisation. The Commission has been very active in supporting networks of stakeholders, including ed-tech companies, foundations, interest organisations as well as public authorities. Another element associated with privatisation and education concerns the focus on the need for developing entrepreneurial skills and competences in the labour force.

In the sections below, the context of EU governance is first briefly introduced, with reference to the concept of educationalisation. The two subsequent sections present the project findings related to the trajectory of EU policies concerning the teaching professions, and social dialogue in education, respectively. The final section discusses how the findings in combination shed light on the main developments in EU governance since the late 2000s, and the implications for teachers' working conditions, professional prerogatives and social dialogue on the European level.

## 2. EU governance and educationalisation

An entry point for this project concerns that with Europe 2020, including the policy instruments of European Semester and the European Pillar of Social Rights, education became further entangled with economic and employment policy. What is the background for the ways that education and training have been incorporated into such wide-ranging policy problematisations? How might we make sense of the increased prominence of education and training on the EU agenda over recent decades? This section introduces the concept of educationalisation to make sense of the ways that education and teacher policy has been framed in EU governance over recent decades.

First, we should note that community cooperation in education and training has a long history, going back to the 1970s (European Commission 2006) and characterised by continuities that eventually led to the inclusion of education in the Maastricht Treaty of 1991 and its strong emphasis in the Lisbon Strategy that brought education from the periphery to the centre and opened the policy area to influences from other areas (Pépin 2011). In this respect, Delanty and Rumford (2005) identified a distinct ‘educational turn’ when the European Commission in 1995 harnessed the ideas of a ‘learning society’ and lifelong learning as means of building Europe. This educational turn was all the more remarkable since education policy formally remains in the hands of member states. The ideas of a learning society and lifelong learning subsequently served as a blueprint for the Lisbon Strategy’s ambition for EU being the ‘most competitive and dynamic knowledge-based economy in the world’. In this respect, we should note that the EU began to dedicate more attention and resources to teaching and teachers from the early 1990s onward, around the same time as the OECD and in line with global trends (Neave 1992; Nóvoa 2000; Sorensen and Robertson 2020).

With the ‘educational turn’, the EU used education, learning and teaching to position Europe in the wider global context, projecting a vision where lifelong learning, knowledge, economy and society are brought together (Delanty and Rumford 2005). This leads to the concept of educationalisation (see Box 1). The core idea is captured by Christian Ydesen (2019, 300):

*“Today, education has a role to play in the solution of all sorts of social problems. Every challenge facing contemporary society—such as economic growth, social cohesion, integration, inequality, attainments gaps, minority rights, climate changes, and hate crimes—has an unmistakable educational component.”*

**Box 1. The concept of educationalisation****Educationalisation - education as booster of virtuous cycles**

Historians of education such as Marc Depaepe and Paul Smeyers (2008) and Daniel Tröhler (2016) have used the concept of 'educationalisation' to describe the "*widespread perception of education playing the strategic role as a booster of virtuous cycles in society*" (Ydesen 2019, 300). They trace its emergence to the Enlightenment period and the formation of nation states in Europe in the 19th century.

As a governing strategy, educationalisation denotes the political management of tensions related to nation-building and capitalist developments by allocating responsibility to education institutions for solving social and economic problems (Tröhler 2016; Valiente et al. 2020). Acosta (2019) notes that educationalisation involves a discourse that is attractive to policymakers seeking a solution to social and economic problems, since it involves the promise that if you sow a seed in the form of education investment, you will reap higher economic returns in the longer term. By implication, the positive effects of well-managed education reform spill into an array of other societal domains. Educationalisation thus comes with an amount of 'pedagogical optimism' which emphasises the potential of reforming the capacities and motives of individuals to learn, become employable and adapt to changing skills demands (Valiente et al. 2020, p.529).

Educationalisation is a long standing feature of political discourse globally and forms part of the narrative of perpetual progress brought about by modernisation, science and the pursuit of individual freedom. Education hence comes to be invested with the hopes and fears of society at large. Whereas educationalisation of social problems initially served nation-states in their expansion of schooling as means of moral and social regulation as the feudal world fell apart over the course of the nineteenth century, and subsequently in the consolidation of educational systems in the 20th century, educationalisation remains highly relevant to understand more recent developments as well (Tröhler 2016). This includes the education politics and policy-making in multi-lateral international fora that gathered momentum from the latter half of the 20th century and enlarged the scope of educationalisation through the propagation of a 'global testing culture' focused on system performance indicated by the assessment of learning outcomes. The OECD stands out as a particularly influential agenda-setter in this respect, not least with its PISA programme from 2000 onwards (Acosta 2019).

The study by Oscar Valiente and colleagues (2020) provides a helpful example. They show how educationalisation served as a crisis management strategy of youth unemployment for member state governments to legitimise their political action with 'employability'-centred lifelong learning policies in a context of severe economic and employment crisis. Educationalisation here involves that instead of questioning the economic models and labour market dynamics that have caused the increase in youth unemployment, national governments have selected to focus on supply side lifelong learning interventions and getting unemployed youth into education and training; and thus to educationalise economic problems. Valiente and colleagues argue that ignoring the contextual economic factors that drive demand for skills and labour in the design of LLL policies is likely to deepen the inequality among European regions and member states. The argument to be pursued in the next sections concern that educationalisation has served to legitimise the presence and broadening scope of European Union activities in education and training.

### 3. The European Commission's teacher policy 2007-2020

This section traces the main themes in European Commission (EC) Communications and Staff Working Documents issued during the period 2007-2020 related to teachers and schools. First, the EC school policy introduced around 2007 is shown to frame teachers and teaching in ways that draw on educationalisation. The continuity and elaboration of these educationalisation discourses are subsequently traced in EC documents over the period 2007-2020. The third sub-section highlights the specific policy instruments of the Europe 2020 strategy, before the final sub-section discusses the implications for social dialogue and privatisation.

In short, this section demonstrates that the discourses about teachers and teaching have been relatively stable since the late 2000s, yet at the same time the capacity of the EC to bring about change with an array of policy instruments have developed dramatically in the same period. The argument emphasising discursive continuity and a strengthening of policy instruments resonates with Luce Pépin's (2011) analysis:

*“Education was taken on board in the Lisbon Strategy not only because this new process betted on the knowledge-based economy and society. This development must be seen as a continuation of the activities carried out and the stances taken so far. One cannot therefore talk of a rupture or change of direction, but rather of continuity, with, however, an unquestionable strengthening in the mode of cooperation as a consequence of the implementation of the Open Method of Coordination (OMC), the engine of the Lisbon Strategy. It was indeed quite logical to take education on board, given the developments in this sector at Community level, especially as from the 1990s when the concepts of the knowledge society and economy and, above all, lifelong learning emerged” (Pépin 2011, p.25)*

Pépin (2011) provided “a mitigated but globally positive assessment” (p.26) of education activities in the Lisbon Strategy. Her observations are worth keeping in mind also for this chapter about Europe 2020. According to Pépin, the Lisbon strategy suffered from low levels of participation and democratic deficits, reflected in the limited implementation of commitments taken at European level and the weak involvement of stakeholders. In this respect, Pépin astutely observes that EU strategies are condemned to inefficiency and remain the prerogative of a limited circle of decision-makers and experts without ownership at every level. The governance architecture

of Europe 2020 was indeed meant to mobilise such greater participation of social partners and stakeholders in policy development, implementation and evaluation.

### 3.1. The emergence of European Union school policy

While teachers and teaching were already then on the EUs political agenda, the launch of a distinctive school policy in 2007-2008 furthered the political attention given to the teaching profession and situated it as part of wide-ranging questions about the role of schools in European societies. Again, it is important to highlight the continuity from the frameworks put in place around the millennium. The strategic objectives of the ET2010 Work Programme (Council of the European Union 2002) also underpinned the subsequent school policy by calling for: i) improving the quality and effectiveness of education and training systems in the EU; ii) Facilitating the access of all to education and training systems; and iii) Opening-up education and training systems to the wider world. As the section below demonstrates, these objectives still resonate with the ways that education reform is framed in EU governance.

More specifically, the ET2010 Work Programme also included objectives related to teachers that are similar to those today, calling for “*improving education and training for teachers and trainers*”, by identifying required skills for teachers, supporting teachers’ lifelong learning, securing recruitment and retention of teachers across all subjects and levels, as well as making teaching and training more attractive. Furthermore, “*the quality of teaching*” was understood as an essential criterion for the acquisition of key competencies (Council of the European Union 2002, p.7). Twenty years later, these challenges also appear remarkably familiar with those of today.

The emergence of schools policy in EU governance around 2007 was given further direction and momentum by the relaunch of the Lisbon Strategy in 2005 which refocused priorities on jobs and growth and the mobilisation of all EU and member state resources. The European Council in 2006 included “*Investing more in knowledge and innovation*” as a specific priority action in the renewed Partnership for Growth and Employment. The priority action included education and training as a critical factor to develop the EU’s long-term potential for competitiveness as well as for social cohesion, calling for sustained investment in education sectors (Council of the European Union 2006).

Four EC documents together mark the launch of an EU schools policy (EC 2007a, 2007b, 2008a, 2008b). The EC (2007a) Staff Working Document (SWD) launched a consultation concerning “schools for the 21st century”. In the Introduction, the SWD (pp.3-4) states that:

*“Issues surrounding schools thus tend to have a central place in national policy debates about education. ... Until now, however, European Union initiatives and reflections in support of the Lisbon strategy have tended to focus on other aspects of education and training systems – for example, on vocational training and more recently on higher education. The school, despite being fundamental for the achievement of the common objectives set out in the Education and Training 2010 work programme has not up until now been comprehensively addressed”*

Issued one month later than EC (2007a), the Communication (COM) *“Improving the Quality of Teacher Education”* (EC 2007b) has a much broader thematic scope than its title would suggest. The themes and phrasing are similar to EC (2007a), but the COM is more detailed, with references to research and policy documents, and it situates the teaching profession as part of the Lisbon Strategy, with its focus on economic growth and competitiveness.

Issued a few months before the financial crash in September-October 2008, EC (2008a) *“Improving competences for the 21st Century: An Agenda for European Cooperation on Schools”* built on the consultation process launched with EC (2007a). EC (2008a) repeats the need for an EU level school policy, with ‘school’ referring to pre-primary, primary, lower and upper secondary institutions, including vocational training. The school policy concentrated on three areas: i) Focus on competences; ii) High quality learning for every student; and iii) Teachers and school staff. The former two areas are mainly concerned with pedagogy, personalisation, curriculum, competence and assessment policy, while the latter areas builds on EC (2007b) concerning teacher education. Finally, the accompanying SWD (EC 2008b) reports the consultation results (cf. EC 2007a) and presents evidence underlying EC (2008a).

The analysis of these four documents suggests that there are **seven central themes** in the EC’s schools and teacher policy. Overlapping each other, these seven themes have since remained central for the EC’s discourses, as the analysis further below shows.

First, the EC’s school policy emphasises **teachers as key agents for educational, economic and societal progress**, reflecting the strategic importance of teachers and teaching in the ET2010 objectives. EC (2007a, p.9) notes in the section *“Teachers – key agents for a change”* that the *“contribution of school staff, and especially of teachers, is key to the success of every school. It is teachers who mediate between a rapidly evolving world and the pupils who are about to enter it.”* Based on econometric research, EC (2007b, p.3) asserted: *“The quality of teaching is one key factor in determining whether the European Union can increase its competitiveness in the globalised world. Research shows that teacher quality is significantly and positively correlated with pupil attainment and that it is the most important within-school*

*aspect explaining student performance.*” EC (2008a, p.11) sharpened this statement further with what has since proven to be a key statement *“teacher quality is the most important within-school factor affecting student performance. As such, it is vital to the achievement of Lisbon goals.”* Finally, EC (2007b) anticipates the incorporation of education policy in socio-economic governance in the European Semester as part of Europe 2020, by observing that teacher education policy and the work of teachers is closely connected with social policy; innovation policy; research policy; enterprise policy; multilingualism; and professional mobility and the recognition of professional qualifications.

Second, the ***need for investment in education and training***, cf. the relaunch of the Lisbon Strategy in the mid-2000s. EC (2007a) pointed out that successive Joint Employment Reports had underlined education issues and call for more investment in human capital through better education and skills. EC (2007b, p.3.) referred to the Lisbon European Council in March 2000 which stressed that people are Europe’s main asset and that *“investing in people ... will be crucial both to Europe’s place in the knowledge economy and for ensuring that the emergence of this new economy does not compound the existing social problems.”*

The third key theme concerns that while education systems are characterised by ***diversity as well as common challenges***. This theme is important for legitimatising EU activities in education and the gradual building of a European education space. EC (2007b, p.12) thus suggests that the *“challenges facing the teaching profession are, in essence, common across the European Union. It is possible to arrive at a shared analysis of the issues and a shared vision of the kinds of skills that teachers require.”* Subsequently, EC (2008a p.4) points out that *“The Commission believes that, given the common nature of many of the challenges facing school systems and the importance of these issues for the Union’s socio-economic future, school education should be a key priority for the next cycle of the Lisbon process.”*

Fourth, the ***imperative of lifelong learning*** is also a strongly present theme in ET2010. The emphasis on lifelong learning is indeed so prominent that it sometimes appears to be understood as a sort of universal solution in ameliorating policy problems (cf. Valiente et al. 2020 about youth unemployment). In the four policy documents, the consultation question *“How can school staff be trained and supported to meet the challenges they face?”* (EC 2007a, p.10) is indicative of the strong focus on teacher learning, teacher education and professional development. EC (2007b) recapitulates the priorities of coordinated, coherent, and adequately resourced lifelong learning for teacher education and professional development. Moreover, the COM observed that research had identified positive relationships between in-service teacher training and student learning outcomes (EC 2007b).

Fifth, the ***increasing demands placed upon teachers*** as education and training systems are to be opened to the wider world (cf. ET2010). The SWD (EC 2007a) notes the more heterogeneous pupil groups, new technologies, individualised

learning, and additional decision-taking or managerial tasks due to higher levels of school autonomy.

Sixth, *the labour market issues of teacher shortages, recruitment and retention* across subjects and levels in many member states. The ET2010 Work Programme and EC (2007a, 2008a) noted these issues which have proved remarkably persistent since.

The seventh and final theme concerns the *status and attractiveness of the teaching profession*, also reflected in the ET2010 Work Programme. In this respect EC (2007b) calls for supporting the professionalisation of teaching, promote a culture of reflective practice and research, and promote the status and recognition of the profession. Furthermore, it refers to the ‘Common European Principles for Teacher Competences and Qualifications’ (EC 2005) which describes a vision of a European teaching profession as mobile, well-qualified lifelong learners that are able to innovate, use evidence, and based on partnership between teacher education institutions and schools, local work environments, workbased training providers and other stakeholders. The COM adds that as *“any other profession, teachers have a responsibility to develop new knowledge about education and training”* (EC 2007b, p.14)

The next section demonstrates that these seven themes to a very large extent define how teachers and teaching have since been framed in the EC’s discourses.

## 3.2. The continuity of teacher policy themes under Europe 2020

There has been a high degree of continuity in the EC discourses before and after the global financial crash in 2008. The seven themes mentioned above have been elaborated during the 2010s, and there have been changes in emphasis due to wider issues in European societies (e.g. austerity and financial constraints, youth unemployment in the early 2010s), yet the themes and the associated framing of teachers and teaching has been remarkably stable.

Due to the high stakes attributed to education, the sense of urgency and perpetual crisis is palpable in the EC documents, revolving around the same set of issues throughout the decade, including e.g. the lack of students’ basic skills as assessed by PISA, early school leaving, the level of system inequity, youth unemployment, skills mismatches, too little cooperation with business and employers, demands for higher level skills in labour markets due to technological and digital innovation (e.g. EC 2012a, 2017a, 2020a). In particular, the EC (2012a) COM *“Rethinking*

*Education: Investing in skills for better socio-economic outcomes*” encapsulates the educationalisation discourses and sense of crisis. The title itself reflects the strong focus on skills, investment, and (learning) outcomes, as well as the introduction of the European Semester (jf. ‘socio-economic’) as a major new policy instrument in EU governance. Under the headline “*Education and Skills – a core strategic asset for growth*”, the scale of the challenge is emphasised (p.2):

*“The massive increase in the global supply of highly skilled people over the last decade puts Europe to the test. The time when competition came mainly from countries that could offer only low-skilled work has come to an end. The quality of education and supply of skills has increased worldwide and Europe must respond.”*

In this respect, the COM acknowledges the broad mission of education in terms of promoting active citizenship and personal development. However, at the same time, the COM (EC 2012a, p.2) asserts:

*“... against the backdrop of sluggish economic growth and a shrinking workforce due to demographic ageing, the most pressing challenges for Member States are to address the needs of the economy and focus on solutions to tackle fast-rising youth unemployment. In this communication, emphasis is being placed on delivering the right skills for employment, increasing the efficiency and inclusiveness of our education and training institutions and on working collaboratively with all relevant stakeholders”.*

Applying an explicitly economic lens on education as human capital formation to resolve youth unemployment and deep-seated skills mismatches across Europe, the COM EC (2012a) thus epitomises how EU governance since the 1990s has emphasised the demand for more efficient relay mechanisms between education and training policy vis-a-vis economic and employment requirements. When the going gets tough in economic terms, the more emphasis is put on education as an instrument of geo-political strategic importance to resolve economic and societal crises (Antunes 2016; Traianou and Jones 2019). In this scenario, the key workforce of teachers faces several challenges (EC 2012a, p.10):

*“High quality and well trained teachers can help learners develop the competences they need in a global labour market based on ever higher skill levels, and evidence shows that a primary influence on learners’ performance is the quality of teaching and learning. However teachers now face unprecedented challenges. ... the increasing requirements of education, the massive retirement of teachers from the baby-boom generation ... and severe staff shortages in some subject areas will result in an increased demand for qualified educators at all levels and call for comprehensive actions to boost the attractiveness of the profession. These should include both financial and non-financial incentives. The crisis and the workforce currently available, also offer an opportunity to undertake skills renewal across the profession and attract new qualified staff.”*

The short paragraph is indicative in the way that it refers to most of the defining dimensions of the EC’s teachers and teaching discourses, including the central role of teachers for preparing the future workforce, the persistent issues of teacher recruitment, retention and shortages, and the associated need to make the profession more attractive. These issues were elaborated in the accompanying SWD (EC 2012b), and revisited in the COM “School development and excellent teaching for a great start in life” (EC 2017a), the accompanying SWD (EC 2017b), as well as in the Joint Report of the Council of the European Union and the Commission (2015) which retained “*Strong support for teachers, trainers, school leaders and other educational staff*” among the prioritised areas in ET2020 after reducing the number of these areas from 13 to 6.

Concerning the attractiveness of the profession, the imperative of lifelong teacher learning is merged with the careers and labour market perspective, resulting in a new emphasis on induction, mentoring, and the definition of professional standards and frameworks of competence levels (see also case study about Sweden in this report). The emphasis on the need for financial/salary as well as non-financial incentives (e.g. working conditions, career prospects and professional development) is retained throughout the 2010s, though employment issues such as working conditions or contracts are not addressed in any depth (EC 2012a, 2012b, 2017a, 2017b). Instead, the collective dimension of the teaching profession is elaborated with EC (2017a, 2017b) concerning collaboration in professional learning communities, appraisal and feedback, and classroom practices, as well as engaging teachers in distributed leadership and identifying themes and areas for development. The two sets of principles included in EC (2017b) about “shaping career-long perspectives on teaching” and “teachers’ collaborative learning”, an outcome from the ET2020 WG on Schools, are indicative of the discourse. The former of these two lists includes the following principles (EC 2017b, pp.38-39):

- Strengthen the continuum of teacher education
- Achieve continuity through institutional partnerships
- Define coherent competence levels for shared understanding and ownership
- Create a balanced offer of CPD with strong impact
- Encourage teacher responsibility - self-directed learning for their own needs
- Recognise a wide range of professional development opportunities
- Improve teaching practice through links with research
- Link teacher development with school improvement
- Recognise flexible career paths and multiple roles

Moreover, the quotation above refers to the “*increasing requirements of education*”, signaling the continuity of this key theme. Also during the 2010s, teachers are represented as having to respond to increasing demands and expectations due to wider societal developments, e.g. related to cultural diversity, inclusion, personalisation of learning, and ICT, technology and innovation. Especially the demands and opportunities of the “*digital revolution*” and the implied need to “*tap into the potential of ICT and Open Educational Resources*” are prominent, and perhaps forms the single strongest expression of ‘pedagogical optimism’ (cf. Box 1 in this chapter) in the EC’s educationalisation discourses (EC 2012a, p.9):

*“Technology offers unprecedented opportunities to improve quality, access and equity in education and training. It is a key lever for more effective learning and to reducing barriers to education, in particular social barriers. Individuals can learn anywhere, at any time, following flexible and individualised pathways.”*

Finally, the EC’s calls for sustaining education investment continued throughout the 2010s. Still, in the years following the global financial crisis, education budgets in many member states were cut. Budgets saw an overall decrease from 4.9% to 4.6% of GDP between 2014 and 2017. Over the same period, however, overall public expenditure as a ratio of GDP increased by 2 percentage points to 47.2%. The relative share of public education expenditure decreased from 11% in 2006 to 10.3% in 2015 (Eurofound 2020). Lamenting the salary cuts to teachers in some member states, EC (2012a) observes that the funding of education is a collaborative effort, involving the double challenge of prioritising public investment in education and training, and identifying more efficient ways of deploying financial resources. The COM suggests that cost-sharing between the state, business, individuals,

foundations and alumni in VET and HE could help public investment leverage private sector match-funding. Cost-sharing is not mentioned with regard to school education where public investment levels should be maintained, though the funding needs to be used more efficiently, also considering teacher recruitment and retention.

### 3.3. Policy instruments, privatisation and social dialogue

In the past fifteen years, an array of policy instruments have been added to EU institutions' toolbox. The Lisbon Strategy with the Open Method of Coordination involved policy instruments that continue to be used, such as National Reform Programmes, indicators and benchmark frameworks, Working Groups, and the Lifelong Learning Programme and the European Social Fund to support teachers' mobility and lifelong learning. These instruments have since become more targeted and interlocked. At the same time, the Europe 2020 governance architecture boosted the EU educationalisation discourses on teachers and teaching with new policy instruments that have built the Commission's capacity in terms of agenda-setting, framing policy problems in member states as well as how to address them on an increasingly practical level. The wider effects of the EU's policy instruments is a major theme that goes far beyond the scope of this study. However, considering this project's interests, the section below focuses on the implications of the main policy instruments related to education and teachers for social dialogue and privatisation.

#### 3.3.1. EU governance, education and privatisation practices

First, the policy instrument of *indicators and benchmark frameworks* enable monitoring and comparing standards across member states, and identification of areas in need of improvement. It is difficult to overestimate the importance for EU multi-level governance of the data infrastructure that the EC has put in place over recent decades. The series of "*Education and Training Monitor*", published annually since 2012 (EC 2012a), indicate that after indicators development and benchmarking for education and training gathered momentum during the 2000s, the consolidated infrastructure of indicators during the 2010s has enabled the EC to issue more specific recommendations to individual member states with reference to the Europe 2020 headline targets and the ET2020 benchmarks.

In this respect, the OECD remains a close collaboration partner of the EC. During the 2000s, indicator development was a main area for collaboration, and the EC has since drawn heavily on the OECD PISA and TALIS programmes (Lawn and Grek

2012; Sorensen and Robertson 2020). During the 2010s, their areas for collaboration have expanded to also include policy guidance about investment in school education, and setting up a “*demand driven technical support arrangement ... to design and implement major school education reforms*” (EC 2017a, p.10).

Indicators have ‘constitutive’ effects “*as they define categories that are collectively significant in a society*” (Dahler-Larsen 2014, p.976). More specifically, indicators provide a language and an interpretive frame, and when connected to incentives, peer pressure and sanctions, indicators are fundamental for institutional ‘lock-in’ (Dahler-Larsen 2014). The latter point is important as the ongoing collection of data has provided a foundation for other policy instruments, such as the European Semester and the Structural Reform Support Services.

Furthermore, we might understand the EC’s elaborate indicators framework as an expression of **endogenous privatisation** and more specifically New Public Management to render education systems more business-like in their operation (Ball and Youdell, 2008). Especially the EC’s heavy reliance on PISA data to create a sense of basic skills crisis stands out as a way of propagating a competitive and outcomes-focused spirit in the governance of European education systems. Roland Erne’s (2015) argument that EU governance has much in common with the corporate governance structures of multinational companies is worth considering in this respect. Erne thus suggests that EU governance control member states through coercive comparisons based on centrally chosen key performance indicators and benchmarking that incentivise mutual competition and pit member states, and their labour forces, against each other. Ultimately, the EU’s reliance on indicators frameworks therefore might erode the bargaining autonomy of social partners in member states.

Closely associated with such adoption of new public management techniques, a further expression of privatisation in the EC’s education governance concerns that the globally influential ‘McKinsey report’ (Barber and Mourshed 2007, see Coffield 2012 for a substantial critique), written by the British policy entrepreneur Michael Barber, was issued during the period when the EU school policy was launched. This report was a common reference in EC documents in subsequent years. To highlight the strategic importance of teachers, EC (2008b, p.44) for example adopted the report’s punchlines that “*the quality of an education system cannot exceed the quality of its teachers*” and that “*the only way to improve outcomes is to improve instruction*”. In addition, EC (2008b, p.45) adopts a figure and central claims from the McKinsey report that drew on William Sanders and June Rivers’ controversial research about value added measures (VAM) that have since been debunked but nonetheless has been very influential for the spread of standardised teacher evaluation frameworks in the US (see e.g. Amrein-Beardsley and Holloway 2019; Sorensen 2016). While it is thought-provoking that such research was used in launching the EU school policy, it is debatable whether references to the McKinsey report in themselves constitute ‘policy privatisation’ (Ball 2012; Grimaldi and Serpieri, 2013) since the report was

essentially used to underpin existing ET2010 policy priorities. However, the EC's references have conceivably helped in reinforcing the profile and influence of the global consultancy company.

Furthermore, the digital agenda has developed dramatically in scope, and the Commission has since around 2013 launched several ICT-based tools. As the previous section pointed out, these discourses about the need for schools and teachers to adapt to ICT and technology in general reach further back in time. What has changed during the 2010s is that the Commission has managed to pursue the digital education agenda and develop instruments that target schools and teachers directly. Launched already in 2005, eTwinning<sup>3</sup> was the first major ICT based instrument initiated by the EC. This was followed in the mid-2010s by:

- SELFIE<sup>4</sup> (Self-reflection on Effective Learning by Fostering the use of Innovative Educational technologies) designed to help schools embed digital technologies into teaching, learning and assessment. Funded through the Erasmus programme, SELFIE is available for primary, secondary and vocational schools in Europe and beyond, and in over 30 languages.
- The online platforms European Toolkit for Schools<sup>5</sup> and School Education Gateway<sup>6</sup>, available to all European schools, supporting peer exchange and helping to improve methods of organisation, teaching practices and learning experiences.

These instruments reflect the EC's interest in pursuing *public-private partnerships* in EU governance (see e.g. Council of the European Union and the Commission 2015; EC 2012a; EC 2013a). Since the early 2000s the EC has advocated a stronger connection between education, business and research, as well as the development of an enterprising spirit through education systems (Leffler 2009; Souto-Otero 2019). The EC's activities with regard to digitalisation constitute arguably the strongest single expression of this commitment, evident in the instruments mentioned above and the creation of networks such as the "Digital Skills and Jobs Coalition"<sup>7</sup>, which has more than 400 organisations from the public, private and non-profit sectors, including e.g. EFEE and European Schoolnet, a network of 32 European Ministries of Education. Formed by the European Commission as part of the Digital Single Market Strategy, the coalition works to tackle digital skills shortages across Europe, and follows the previous 'Grand Coalition for Digital Jobs' which operated from 2013 to 2016 (see EC 2013a).

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3 <https://www.etwinning.net/en/pub/index.htm>

4 [https://ec.europa.eu/education/schools-go-digital\\_en](https://ec.europa.eu/education/schools-go-digital_en)

5 <https://www.schooleducationgateway.eu/en/pub/resources/toolkitsforschools.htm>

6 <https://www.schooleducationgateway.eu/en/pub/index.htm>

7 <https://ec.europa.eu/digital-single-market/en/news/digital-skills-and-jobs-coalition-nutshell>

With regard to digitalisation and education, the COM “Opening up Education: Innovative teaching and learning for all through new Technologies and Open Educational Resources” (EC 2013a) stands out as it announced a series of initiatives at EU level and encouraged member states to create the conditions enabling open learning environments for institutions, teachers and learners; the production and diffusion of Open Educational Resources; and making partnerships for infrastructures, products and services. Notably, this involves a need for cross-border collaboration that puts the EC in a central place in terms of supporting “*the deployment and availability of digital technology and content through financial support, public-private partnerships and recommendations.*” (p.2). The EC envisions the benefits in terms of personalised learning, cost saving (“*deliver benefits from the economies of scale*”) as well as supporting the nascent education industry (EC 2013a, p.11):

*“...so that European digital apps and digital contents markets can grow. While worldwide investment in broadband and entrepreneurship is creating important business opportunities, the business potential for educational software and content in Europe remains largely untapped ... Encouraging growth and innovation-based entrepreneurship for a new educational ecosystem as well as mechanisms to scale solutions appropriately across education and training sectors is imperative if European companies are to be internationally competitive and create jobs.”*

The embrace of public-private partnerships, entrepreneurship and building a European ed-tech industry corresponds with the repeated calls for involving all stakeholders in policy design and implementation. In addition to business interests, this includes social partners and employers, with ETUCE and EFEE being mentioned in the EC documents (see Table 2 further below). The European Sectoral Social Dialogue in Education (ESSDE) is singled out in EC (2017a, 2017b), with regard to the EC reinforcing peer learning under Education and Training 2020 through a series of seminars linked with the ESSDE with a focus on teachers and school leaders' careers and professional development.

### 3.3.2. Educationalisation and the institutional lock-in of policy instruments

Three policy instruments should be highlighted for the way that they reflect educationalisation and ‘institutional lock-in’ (Dahler-Larsen 2014) in EU governance. First, the **European Semester** was introduced in 2011 as a main lever to realise the priorities of the Europe 2020 Strategy. A manifestation of how a range of policy areas and sectors are integrated in one mechanism of socio-economic governance,

the Semester involves a cycle of Annual Growth Survey, Country Reports, National Reform Programmes, and Country-Specific Recommendations (CSRs). The European Semester forms a *“policy space, in which a range of influences and policy actors seek to shape its outcomes and which continues to evolve in response to political influences and economic developments”* (Stevenson 2019, p.4). The interviews with EC policy officers and social partners confirm that the Semester has remained in a process of development since it was introduced, allowing it to adapt to changes in political objectives and circumstances on the ground. In its first cycles, the Semester was focused on imposing financial discipline, yet since 2015 and the European Commission proclaiming a ‘new start for social dialogue’ and the launch of the European Pillar of Social Rights in 2017, *“a partial but progressive “socialisation” of the Semester both in terms of its substantive content and its governance procedures”* have taken place (Zeitlin and Vanhercke 2018, p.152). While the scope has become broader in the Semester, fiscal responsibility and the constraints of the Stability and Growth Pact remain central in the policy instrument. Importantly, the Council of the European Union and the European Commission in a joint report (2012, p.8) called for increasing the contribution of Education and Training 2020 to Europe 2020 by incorporating the former more fully into the socio-economic governance of the European Semester. Education-related CSRs have featured prominently since then. In 2019, 20 member states received CSRs related to education policy, most of them related to *vocational education and skills development, but also general education, early childhood education and care, and higher education* (Stevenson et al. 2017; Stevenson et al. 2020).

Second, the **European Pillar of Social Rights** (EPSR) was launched at the Gothenburg Social Summit in November 2017. The EPSR includes twenty principles to *“deliver new and more effective rights for citizens”*, divided into three main categories: i) Equal opportunities and access to the labour market; ii) Fair working conditions; and iii) Social protection and inclusion. Several of the twenty principles address issues relevant to this project, especially principles 1 “Education, training and life-long learning” and 8 “Social dialogue and involvement of workers”. The EPSR encapsulates an array of policies and priorities that for the most part were already present in EU governance before 2017 (Stevenson et al. 2020).

Third, the tailored activities of the **Structural Reform Support Services** were launched in 2017 and upgraded with the separate Directorate-General for Structural Reform Support (DG REFORM) in 2020. Based on project applications from member state governments, this novel policy instrument helps member states in the design and implementation of reforms targeting job creation and sustainable growth. The Commission has since 2017 supported over 1000 reform projects in member states, including around 64 reforms especially focused on education, teaching and learning. The number of DG Reform supported reforms in member states vary widely (see Table 1).

**Table 1. Number of projects supported by the Structural Reform Support Services 2017-2020** (Source: EC “List of approved technical support requests under the Structural Reform Support Programme (annual budgetary cycles)”)

	Number of approved projects
<b>Belgium</b>	32 (including 6 related to education and training)
<b>Italy</b>	52 (including 2 related to education and training)
<b>Poland</b>	43 (including 2 related to education and training)
<b>Sweden</b>	5 (including 0 related to education and training)

With regard to the three policy instruments above, they are formally separate yet characterised by an increasing level of ‘institutional lock-in’ (Dahler-Larsen 2014), establishing more direct links between technical work and strategic priorities, e.g. evident in the “synchronisation” of the *Education and Training Monitor* with the Semester cycle (Council of the European Union and the Commission 2015), or the European Education Area and the European Semester needing “to work hand in hand” and to be aligned with the *UN Sustainable Development Goals* and the *European Pillar of Social Rights* (EC 2020b, p.61).

### 3.3.3. The mobilisation of public and private investment through European funding programmes

As a further expression of institutional lock-in, the document analysis and interviews suggest that Europe 2020 policy instruments were increasingly coupled with *European funding programmes*, a trend related to the educationalisation theme about the need for investment in education and training. In this respect, DG EAC policy officers during interviews observed that they understood it as an expression of the heightened status of education in EU governance that EU Ministers of Education and Ministers of Finance for the first time met for a joint policy debate on 8 November 2019 (EC 2020a). During the 2010s, the investment theme was elaborated into an agenda of “what works” in terms of how effective and equitable education investment and funding models, with the EC offering “tailor-made policy support” in collaboration with the OECD (EC 2017a, p.10).

The EU funding programmes most often mentioned with regard to school education are the different generations of Erasmus programmes (Erasmus+ annual budget 2019: EUR 3 billion), and the European Structural and Investment Funds, especially the Social Fund (ESF overall budget 2014-2020: EUR 120.4 billion).

Most recently, the 2020 COM about the European Education Area 2025 reflects the interlocking nature of EU level policies. EC (2020a) pointed out that the New Strategic Agenda for the EU 2019 – 2024 stresses that Member States “*must step up investment*

*in people's skills and education*". The ramifications of the current Covid-19 crisis is furthering the efforts of "*smart investment*" in education and training with the *European Recovery Instrument* (Next Generation EU) which includes new financing raised on the financial markets. Together with the reinforced *Multi-annual Financial Framework 2021-2027*, *Next Generation EU* will channel funds into education and training through the Erasmus Programme, Horizon Europe, Digital Europe, the Recovery and Resilience Facility, the Technical Support Instrument, and the European Structural and Investment Funds (including the European Social Fund Plus) and the European Regional and Development Fund (ERDF), as well as the InvestEU programme (EC 2020b, pp.64-65). In terms of **privatisation**, InvestEU (2021-2027)<sup>8</sup> is particularly interesting as it mobilises public as well as private investment, with the aim to raise at least €650 billion in additional investment. This was anticipated by the Joint Report (Council of the European Union and the Commission 2015) which called for exploring the potential of the Investment Plan for Europe ('the Juncker Plan'), the predecessor of InvestEU, in the area of education and training, including by promoting funding models attracting private actors and capital (see also European Court of Auditors 2018).

To summarise the developments in the institutional lock-in between EU policy instruments outlined in the sections above, the trend over the recent decade clearly suggest potentially wide-ranging implications also in the years to come, with an increased presence of private sector actors and capital in European education and training sectors, as a distinct expression of **exogenous privatisation** (Ball and Youdell, 2008), in addition to the new public management techniques adopted by the EC over recent decades (see section 3.3.1. above). To indicate the relative emphasis on references to policy actors, instruments and selected key terms, Table 2 provides an overview of the number of mentions in the EC policy documents (the numbers include in-text mentions as well as references to literature or sources). The exact number should not be compared directly with the numbers included in the next section about the European Sectoral Social Dialogue Committee for Education (ESSDE) since the EC document body is much larger.

**Table 2. Mentions in selected European Commission documents 2007-2020** (\*all words including the stated base are included)

Actors	Mentions	Specific documents with higher frequency
OECD	193	
PISA	106	
TALIS	47	
UNESCO	14	
United Nations (UN)	11	

8 [https://ec.europa.eu/commission/strategy/priorities-2019-2024/jobs-growth-and-investment/investment-plan-europe\\_en](https://ec.europa.eu/commission/strategy/priorities-2019-2024/jobs-growth-and-investment/investment-plan-europe_en)

<b>Actors</b>	<b>Mentions</b>	<b>Specific documents with higher frequency</b>
ETUCE	12	EC 2012b
EFEE	10	EC 2012b
McKinsey	6	5 mentions in EC 2008b
Education International	3	
<b>Instruments</b>		
European Semester	29	21 mentions in EC 2020a, 2020b
New Skills Agenda (launched 2016)	13	9 mentions in EC 2020a, 2020b
European Pillar of Social Rights	6	Mentions in EC 2017a, 2020a, 2020b
Erasmus programmes	106	
Structural and Investment Funds	13	
European Social Fund	11	
UN Sustainable Development Goals	7	EC 2020a, 2020b
<b>Key terms</b>		
quality	431	
perform*	161	
evaluat*	98	
competition/competitive/		
competitiveness	51	
accountability/accountable	36	
privat*	32	
business	72	EC 2012a, 2013a, 2013b
“public” and “private” (in single sentence)	21	
synergy/synergies	30	EC 2017b, 2020a, 2020b
holistic	16	EC 2013b, 2017b, 2020b
social partner/s	20	EC 2012a, 2013a, 2017b, 2020b
employer/s	25	
trade union/s	9	
social dialogue	2	EC 2017a, 2017b
European sectoral social dialogue in education (ESSDE)	2	2017a, 2017b
European Economic and Social Committee (EESC)	1	EC 2020b

## 4. European social dialogue and EU multi-level governance

This section situates European social dialogue as part of EU multi-level governance and the Europe 2020 strategy. To address the pertinent questions of how European social dialogue relates to the longstanding discourses of educationalisation and the array of policy instruments introduced as part of Europe 2020, the section first analyses the European Sectoral Social Dialogue Committee for Education before turning to the question whether social dialogue has the capacity to influence EU policies about teachers and teaching.

### 4.1. The European Sectoral Social Dialogue in Education: tempering educationalisation

This section identifies the main developments in the European Sectoral Social Dialogue Committee for Education (ESSDE), based on analysis of the joint text outcomes and interviews with the European social partners ETUCE and EFEE. First, it should be clarified that European Sectoral Social Dialogue (ESSD) has specific features that means that it should not be assessed from the same criteria as national collective bargaining. As part of EU multi-level governance, ESSD constitutes a mechanism meant to contribute to European policy coordination and the emergence of a multi-level system of industrial relations. In this respect, the currently 43 sectoral social dialogue committees gather representatives from across the EU. While the joint text outcomes from the committees are not comparable with collective agreements at the national level, the ESSD is more than symbolic window-dressing (though the level of activity vary between committees), since the committees serve as common advocacy and consultation platforms enabling the exchange of ideas and capacity-building over time. In this sense, the ESSD potentially supports the construction of a transnational advocacy network, with collective European identities transcending nationally-oriented memberships (Degryse 2015; Leonard et al. 2011), and hence a corporatist social policy community (Welz 2008).

Turning to education sectors, the ESSDE was set up by the European Commission on 11 June 2010 after six years of preparations. The ESSDE involves the main counterparts of the European Trade Union Committee for Education (ETUCE) and the European Federation of Education Employers (EFEE), both officially recognised as social partners by the European Commission. The establishment of European

sectoral dialogue had for many years been an aspiration for ETUCE, yet while the history of ETUCE goes back to the 1970s and the federation was recognised as a social partner for education by the 2000s, a counterpart of an education employer organisation did not exist. ETUCE engaged with European Centre of Employers and Enterprises providing Public Services and Services of General Interest (CEEP) which proved best placed to take part in the work of establishing an education employer organisation, and in 2009 EFEE was established. The Commission was supportive in this process, in contrast to employer organisations, which according to ETUCE (2007, p.143), were “*more reticent, not towards the principle, but rather its applications.*”

The outcomes of sectoral social dialogue refer to a formalised text typology (European Commission 2004a; 2010a). The typology includes four broad categories, each of which has sub-categories. The text types are of a different nature and serve various objectives, with different levels of obligation. Fundamentally, all ESSD text outcomes represent a joint text endorsed by both unions and employers and therefore in principle provide more leverage in influencing EU policy-making than statements issued by either of them. Moreover, the addressee matters, typically either European institutions, European social partners, or national social partners. For example, Joint Opinions often represent a response to a European policy or consultation, and the relevant EU institution is required to take the Joint Opinion from the ESSDE into account. An ETUCE policy officer pointed out that while it is not an obligation to implement Process-oriented Texts, unions and employers commit to take them into account, so if the same issue is debated nationally, the position agreed at EU level provides a floor and helps to push the national debate.

Table 3. Overview of ESSDE text outcomes 2010-2020 (Degryse 2015; EC 2017c)

Type	Description	Share in ESSDE	General share in ESSD
<b>Agreements</b>	Legally binding joint texts, negotiated between social partners and converted according to Article 155 of the Treaty on the Functioning of the European Union (TFEU) into directives or implemented in accordance with specific national social partner or member state practices.	0%	2%
<b>Process-oriented texts</b>	Joint documents in which the European social partners undertake to achieve specific goals at European or national level but without giving any binding legal nature to their commitment. Unlike 'declarations', these texts include a procedure for monitoring their implementation and may sometimes help to prepare the ground for future Community legislation.	15% (3/20)	8%
<b>Frameworks of action</b>	Policy priorities towards which the national social partners undertake to work. The social partners report annually on the action taken to follow-up.	0	
<b>Guidelines and codes of conduct</b>	<p>Guidelines to affiliates intended to serve as principles or minimum standards to be implemented at national or organisational level.</p> <ul style="list-style-type: none"> <li>■ <i>Joint Guidelines on Trans-regional cooperation in Lifelong Learning among education stakeholders (2011)</i></li> <li>■ <i>Joint Practical Guidelines on how to promote effective integration of migrant and refugee learners in the education and socio-economic environment of the host countries through joint social partner initiatives at national, regional and local level (2019)</i></li> <li>■ <i>Joint report from the Social Partners in the Education sector on the Implementation of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work (2013)</i></li> </ul>	3	

Type	Description	Share in ESSDE	General share in ESSD
<b>Joint opinions and tools</b>	Focused on the exchange of information, either from the social partners to the European institutions and/or national authorities, or by explaining implications of EU policies to national members. Instruments in this category do not entail any implementation, monitoring or follow-up provisions.	80% (16/20)	83%
<b>Joint opinions</b>	Positions submitted to the European institutions or member states with a view to influencing policy direction or a specific Community policy <ul style="list-style-type: none"> <li>■ <i>Statement on the amendments of the Professional Qualifications Directive (2005/36/EC) (2012)</i></li> <li>■ <i>Joint position EFEE and ETUCE: The Contribution of sectoral social dialogue to the strengthening of social dialogue (2015)</i></li> <li>■ <i>Joint ETUCE and EFEE Statement on improving Vocational Education and Training in Europe (2017)</i></li> <li>■ <i>Quo Vadis Europa, Quo Vadis Education (2019)</i></li> <li>■ <i>ETUCE and EFEE Proposal for a Quality Framework for an Effective Inclusion of Migrants and Refugees in Education (2019)</i></li> </ul>	25% (5/20)	56%

Type	Description	Share in ESSDE	General share in ESSD
Declarations	<p>Usually directed at the social partners themselves, Declarations outline future activities which the social partners intend to undertake, without provision for monitoring their implementation</p> <ul style="list-style-type: none"> <li>■ <i>Investing in the future. A joint declaration on education, training and research (2011)</i></li> <li>■ <i>A European Project by ETUCE and EFEE: “Recruitment and retention in the education sector, a matter of social dialogue”. Joint recommendations to the ESSDE (2012)</i></li> <li>■ <i>Joint Declaration “The promotion of self-evaluation of schools and teachers”(2013)</i></li> <li>■ <i>Joint Declaration “Supporting Early career researchers in Higher Education In Europe” (2015)</i></li> <li>■ <i>Joint Declaration “School Leadership” (2015)</i></li> <li>■ <i>Joint Declaration “Preventing and Combating Psychosocial Hazards in the Education Sector” (2016)</i></li> <li>■ <i>Joint Statement “Promoting the potentials of the European Sectoral Social Dialogue in Education” (2016)</i></li> <li>■ <i>Towards a Framework of Action on the attractiveness of the teaching profession (2018)</i></li> <li>■ <i>Joint Statement on the impact of the COVID-19 crisis on sustainable education systems at times of crisis and beyond (2020)</i></li> </ul>	45% (9/20)	16%

Type	Description	Share in ESSDE	General share in ESSD
Tools	<p>Guides and manuals providing practical advice to employees and employers, often with the assistance of Community grants.</p> <ul style="list-style-type: none"> <li>■ <i>How to Prevent and Mitigate Third-Party Violence and Harassment in Schools: Implementation Guide for the Education Sector of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work (2013)</i></li> <li>■ <i>Joint Practical Guidelines on How to Promote Joint Social Partner Initiatives at European, National, Regional and Local Level to Prevent and Combat Psychosocial Hazards in Education: Promoting decent workplaces in the education sector for a healthier working life (2016)</i></li> </ul>	10% (2/20)	11%
Procedural texts	<p>The rules of procedure for the ESSD committee in question</p> <ul style="list-style-type: none"> <li>■ <i>Rules of Procedure – Education (2010)</i></li> </ul>	5% (1/20)	7%

Table 3 provides an overview of the twenty joint text outcomes issued by the ESSDE 2010-2020, composed of a Procedural Text, sixteen Joint Opinions and Tools, and three Process-oriented Texts. The ESSDE have followed the general pattern that ESSD committees initially collaborate on projects and issue Joint Opinions and Tools, and with time move towards Process-oriented Texts which entail a commitment by the social partners to monitor and follow up on developments (Degryse 2015; EC 2010a; Léonard et al. 2011). However, the ESSDE is characterised by a relatively large proportion of Declarations rather than Joint Opinions (compare with Degryse 2015; EC 2010a, annex 4). In addition, ESSDE activities have been guided by biannual Work Programmes since 2014. The four Work Programmes have become more substantial over time, with the first (covering 2014-2015) being five pages and the current (2020-2021) twenty pages.

An ETUCE policy officer explained that the ESSDE Rules of Procedure (2010, see Box 2) has an unusually broad scope, addressing employment and labour market issues in education sectors as well as education policy issues. Other ESSD

committees tend not to have such a broad scope. This aligns with ETUCE's interests historically that since the foundation have encompassed both the development of public education as well as conditions and status of the teaching profession (ETUCE 2007). Furthermore, the Rules of Procedure emphasise the principle of subsidiarity in the policy area of education. The specific features of the education sector thus include that it is a European political priority, a national competence and a key sector of the labour market.

The ESSDE document analysis provides insights into how the ESSDE relates to EU governance. The analysis below distinguishes, like the main section above about the EC's schools and teacher policy, between the main themes and discourses about teachers and teaching, on the one hand, and policy instruments, on the other hand. In this respect, the analysis highlights the evolution of a common agenda in the ESSDE and among the membership of EFEE and ETUCE.

First, in getting at the policy instruments, the mentions of policy actors, text references and policy instruments in the body of ESSDE documents reveal important patterns. Keeping in mind that the ETUCE membership include also numerous trade unions from beyond Europe, and that ETUCE has been a 'Regional Structure' of the major global federation of teacher unions Education International (EI) since 2010, it should be noted that the ESSDE texts are strictly focused on the EU, EFTA and EU candidate countries.

**Box 2. Clause 1 - Objectives (ESSDE Rules of Procedure 2010)**

The Committee aims to:

- Advise the European Commission on initiatives relative to education and social policy and on developments in European policy which could impact on the Education sector, which is defined as Early Childhood Education, Primary and Secondary Education, Vocational Education and Training, Higher Education and Research.
- Encourage and promote social dialogue at all levels within the Education sector in order to contribute to the development of high quality education for all.
- Participate in social dialogue at European level, using the form of dialogue appropriate to the type of output that is intended, for instance joint opinions/ tools/declarations/procedural texts/process-oriented texts/agreements.

In terms of policy actors, the ESSDE is indeed strongly focused on the EU institutions, and especially the EC which is mentioned 78 times (including ‘DG’, ‘Directorate’, references to Commission documents and acknowledgments of project funding support). The EC tends to be treated as one organisation, usually without reference to a specific DG, such as DG EAC and DG EMPL. Documents issued by the Commission are also the ones most referred to. Moreover, the 11 references to the European Council are mainly concerned with the Education Council, indicative of an emphasis on education policy (see Table 4).

**Table 4. Policy actors and text references in the ESSDE body of documents** (\*excluding the ESSDE Work Programmes)

Policy actors	Frequency		Text references*	Frequency
European Commission	58		European Commission	13
Directorate	3		ESSDE documents and reports	13
DG DG EMPL 7 DG EAC 10	17		EU laws and rules (Treaty, Council Directive or Recommendations)	9
member state/s	41		Council of EU Conclusions	9
European Council	11		European Commission agencies	8
government/s	8		UN and UNESCO	7
United Nations (UN)	7		European social dialogue collaboration	6
European Parliament	3		ILO	2
UNESCO	3		Academic research	1
ILO	3		Council of Europe	1
Council of Europe	1		ETUCE	1
OECD	1		McKinsey	1
			OECD	1

The impression of the ESSDE’s strong focus on EU institutions and agencies is reinforced by the text references. We see that UN and UNESCO is much more prominent than the OECD whose PISA and TALIS are not mentioned. The single references to the OECD as well as McKinsey are found in “*Joint Declaration EFEE/ETUCE on School Leadership*” (2015). Moreover, the text references also show that the ESSDE builds on its own documents, commissioned project and research reports.

Concerning Europe 2020 governance instruments, the ESSDE started in 2016 to orient itself more towards such instruments. This applies for obvious reasons

to the EPSR and the European Education Area (both launched in 2017), the UN Sustainable Development Goals in 2015 (first mentioned in 2018), but also to the European Semester and ET2020. The vast majority of references are to be found in the Work Programmes from 2018 and onwards, indicating that these instruments are likely to remain a key fixture for ESSDE in the coming years. Importantly, it should be noted that funding – and European funding especially - is an increasingly prominent theme. Funding was first mentioned in the text corpus in 2015, and European funding programmes have been mentioned 8 times from 2016 onwards, including calls to make better use of such funding.

Appendix A to this chapter provides an overview of the number of mentions of selected key words in the ESSDE body of documents 2010-2020. The word analysis confirms the relative focus on professional issues and education policy, with high frequency of terms such as ‘learn’, ‘quality’, ‘professional’, ‘students’, ‘professional’ (often in the sense of professional development), ‘policy’, ‘profession’, ‘evaluat\*’, ‘inclusion’, and ‘equal\*’. The latter two terms are both used increasingly and usually with reference to students, as in the 2019 joint texts on migration.

In contrast, terms associated with industrial relations and the employment relationship, such as ‘wage’, ‘contract’, ‘workload’, ‘collective bargaining’ and ‘agreements’, are much less prominent in the ESSDE body of documents. The emphasis is illustrated by that industrial relations is not referred to in any substantial sense in the documents, whereas social dialogue is one of the most frequent key terms. Moreover, labour markets appear to remain national and apart from in the Joint Opinion “*Statement on the amendments of the Professional Qualifications Directive*” (2012), the creation of a European labour market is not a theme in the ESSDE. European mobility is only mentioned with regard to early career researchers. However, the analysis indicates the widening scope of the ESSDE text outcomes. Still little used, ‘collective bargaining’, ‘pay’, ‘career’, ‘working conditions’ and especially ‘employment’ are increasingly used since 2016. The Declaration “*Towards a Framework of Action on the attractiveness of the teaching profession*” (2018) stands out, as it includes references to the four latter terms.

This specific Declaration also stands out as the only one including references to all the governance instruments included in Table 5. The Declaration encapsulate major features in the trajectory of the ESSDE. As a matter of concern across the EU, an ETUCE policy officer observed that the theme of the attractiveness of the teaching profession brings together industrial issues (teacher well-being, healthy workplaces, working conditions, job satisfaction, salary, career progression), professional and education policy themes (teacher training, professional learning, equity in school systems, ICT and digitalisation, investment). In this respect, social dialogue is central for developing a common understanding of how these issues might be brought together with a focus on the attractiveness of the teaching profession. In line with the Work Programme 2020-2021, the ETUCE officer suggested that the Declaration could prove to be an important document in the coming years, as a foundation for

further discussions and the building of a “Framework of Action” – with a higher level of obligation. Second, this Declaration was the first text outcome to mention “fair pay”, and as such reflect the broader pattern where the themes have developed over time, from an emphasis on education policy to also include employment issues to larger extent.

**Table 5. References to governance instruments in the ESSDE body of documents**

Governance instruments	Mentions	Specific period with higher frequency
European Pillar of Social Rights	15	Mentioned since 2018
European Semester	11	Increasingly mentioned since 2016
United Nations Sustainable Development Goals	9	Mentioned since 2018
Europe 2020	7	
European Education Area	6	From 2018 onwards
EU Treaty	5	
Education and Training 2020 (ET2020)	4	Mentioned since 2016, mainly in Work Programmes

Considering the strong orientation towards the EU institutions and governance instruments, it is not surprising that throughout the lifetime of the ESSDE, the educationalisation themes of the Commission have served as major reference point for the ESSDE. There are major thematic overlaps with the Commission discourses including the focus on *investment*, the imperative of *lifelong learning*, *the increasing demands placed upon teachers*, the persistent issues of *teacher shortages, recruitment and retention*, and the calls for improving the status and attractiveness of the teaching profession. Furthermore, the central policy instruments of Europe 2020 have become increasingly prominent reference points, and like the EC documents, an increasing emphasis on coordination between policy areas is evident, indicated by the emergence of the terms ‘holistic’ and ‘synergies’. The crises facing the EU are also reflected in the ESSDE, with the economic and employment crisis in the early 2010s, the migration crisis and most recently the Covid -19 crisis.

To some extent, the ESSDE texts thus appear similar to the EC documents with regard to the main themes. Yet, the ESSDE tempers the EC’s discourses in two important respects, both of them related to privatisation. First, the new public management framing of competitiveness, indicators and benchmarks found in the EC documents is absent from the ESSDE. While the analysis found the terms of ‘quality’ and ‘evaluation’ to be also in prominent in the ESSDE body, the absence of OECD and PISA references which are abundant in the EC discourses, means that quality takes on a fluid and generic meaning, as in ‘quality education’ or ‘quality teaching’. Whereas ‘competitiveness’ and ‘benchmarks’ were both mentioned twice

in “*Investing in the future. A joint declaration on education, training and research*” (2011), they have since been virtually absent. Moreover, a term such as ‘standards’ is not used at all with regard to teachers and teaching. It is also symptomatic that nearly all 76 mentions of evaluation are included in the Joint Declaration “*The promotion of self-evaluation of schools and teachers*” (2013), complemented by references to a project about teachers’ work-related stress. Similarly, the 23 mentions of ‘perform\*’ mainly concern school performance, with only one mention after 2016. The work of teachers and other education personnel is thus effectively framed in a different way in the ESSDE documents.

Second, the issues of private investment, public-private partnerships and building a European ed-tech industry are relatively absent in the ESSDE documents. Nearly all mentions related to these forms of exogenous and endogenous privatisation are found in the Work Programmes, which indicate that the topic of “public/private education” has been on the agenda of the ESSDE since at least 2013. The two most recent Work Programmes (for 2018-2019 and 2020-2021) pointed out that the social partners would continue the discussion on effective investment, considering the multitude of EU funding instruments, with the expected outcome “Updated knowledge and peer learning and common understanding on investment in education and training, on privatisation and commercialisation patterns and public-private partnerships”. In contrast, these privatisation issues are not a theme in the ESSDE joint text outcomes, where one of the only mentions is found in the Declaration “*Investing in the future*” (2011). The term ‘public’ is more used in ESSDE joint text outcomes, including statements of education as a ‘public good’ and repeated calls for public investment. The analysis thus suggests that privatisation have been on the ESSDE’s agenda for several years, but that it has not yet been explicitly problematised and politicised in joint text outcomes.

The above finding that the ESSDE has tempered EC’s educationalisation discourses leads to the question how the arrangements for social dialogue during the 2010s have developed as part of EU multi-level governance and Europe 2020.

## 4.2. The challenges of capacity-building and coordination in European social dialogue

To which extent does social dialogue as a mechanism in EU multi-level governance have the capacity to influence and problematise EU policies? This section singles out three issues that together indicate the efforts and persistent challenges for social partners in building capacity, coordinate their activities, and being heard at European and national levels.

The interviews with EFEE and ETUCE support Leonard and colleagues' (2011) argument that defining a common agenda in the ESSD is complex, including discussions between employers and trade unions at the European level, exchanges with the European Commission, as well as much intra-organisational bargaining. Léonard and colleagues (2011, p.263) summarise the complexity:

*"the European sectoral social partners do not only have to represent national member organisations that live in different countries and speak different languages. They also have to represent member organisations that do not cover the same socio-economic reality and that have different missions, various types of structures and diverse roles in their domestic contexts of industrial relations. Therefore, defining a common interest involves much intra-organisational negotiation, in a context where it is highly difficult to find common ground among national member organisations, which have different missions and interests because they act in sectors that are defined differently from one country to another, that are structured differently and that play different roles."*

In each sector, the effectiveness of the European social dialogue depends on the strategies and capacity of the European-level organisations to act as representatives of their constituencies, since they have to identify common positions among their member organisations, and then they have to negotiate these positions with the other part of the industry (Léonard et al. 2011; Eurofound 2011, 2020).

The ESSDE with the repeated calls for actions at multiple levels in the joint text outcomes clearly aspires to contribute to EU governance, and the evolution of the ESSDE over the recent decade suggests much development in terms of the capacity to act as representatives as a basis for defining a common agenda for the committee.

In line with its priorities, the membership of EFEE has thus grown considerably over the recent decade. In November 2010, EFEE had 21 members from 16 Member States. 10 years later, 48 employer organisations from 23 EU member states are affiliated to EFEE, with the Polish Education Union (*sic*) being the most recent to join in 2020.<sup>9</sup> The membership of EFEE, initially a platform of government employers in education, is a mixture of government bodies, agencies, ministries as well as private employer organisations. ETUCE continue to have a very high number of affiliations. In 2020, ETUCE represents 11 million members from 132 education trade unions in 51 different countries, including 89 trade unions across all EU member states (Eurofound 2020).

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9 <https://educationemployers.eu/team-members/>

At the same time, the representativeness studies (Eurofound 2011, 2020) demonstrates the “*pronounced pluralism*” of the associational system for both education trade unions and employers. Across the EU, the number of employer organisations is relatively high, along with an “*extremely high number of trade unions*” which reflects the continued differentiation between numerous demarcated occupational, professional and institutional lines (Eurofound 2011, 54-55). In this respect, it is illustrative of both the relative novelty and the pluralism of the membership of EFEE and ETUCE that capacity building, between the social partners at European level and with affiliates in member states, has remained a continuous theme in the ESSDE. In the case of ETUCE, the federation had been involved in capacity-building before the launch of ESSDE, e.g. among trade unions in Eastern Europe (ETUCE 2007). The interviews indicate that capacity building in ESSDE has been a joint undertaking where ETUCE and EFEE together convene meetings with nationally-based social partners, both in countries where there is a tradition for social dialogue, and where it is more recent. Depending on the setting, the meetings are focused on basic information about social dialogue skills, resources, and topics, and the operation of European social dialogue.

Still, the interviews also suggest that the mobilisation of members for European social dialogue remains a challenge for both ETUCE and EFEE, indicated by varying degrees of commitment where some members are central for the dynamics of the committee, while others are mainly observers or do not participate. In this respect, the capacity of the member organisation in terms of human and financial resources matter, as do the legacy of corporatism and social dialogue in the member state contexts, in line with the findings of Léonard and colleagues (2011).

At the European level, the interviews indicate regular communication between EFEE, ETUCE and the Commission. In this respect, an ETUCE policy officer suggested that the reference to the ESSDE in Communication EC (2017a) (cf. previous section) shows that the European Commission is increasingly willing to take the view of the social partners into account on education issues. With regard to ETUCE, this precedes the launch of ESSDE, as ETUCE was member of the “Education and Training 2010 Coordination Group” created by the European Commission in 2005, composed of member states, EEA countries and social partners as the only stakeholder group (ETUCE 2007). ETUCE have also taken part in the successive generations of the ET2010 and ET2020 Working Groups set up from 2002 onwards (ETUCE 2007, pp.133-134, 274), with EFEE joining during the 2010s, including e.g. the Working Groups concerning Schools and Digital Education. Whilst participation in these groups does not qualify as social dialogue in the formal sense as defined in the EU Treaty, it shows that consultation and sharing of knowledge involving social partners go beyond fora formally designated social dialogue.

Situating the ESSDE and the social partners EFEE and ETUCE within the broader landscape of European cross-sectoral dialogue further reveals two sets of challenges related to coordination and being involved in policy-making. The cross-industry European social partners include:

- European Trade Union Confederation (ETUC), founded in 1973, represents 45 million members from 90 trade union organisations in 38 European countries, plus 10 European Trade Union Federations, including ETUCE. In 1985 made up of 35 national confederations from 21 countries.
- BusinessEurope (before 2007 called Union of Industrial and Employers' Confederations of Europe, UNICE), founded in 1958. There are now 40 employer organisations from 35 countries. In 1985 UNICE included 39 national employer organisations from 33 countries.
- European Centre of Employers and Enterprises providing Public Services and Services of General Interest (CEEP) founded in 1961. Currently 17 national sections and 3 European sectoral federations, including EFEE. In 1985 CEEP was made up of 20 national sections and 2 European sectoral federations. The CEEP membership has over time reflected the liberalisation of public services in Europe, from large national monopolies and companies towards a higher number of smaller organisations that include interest organisations as well as private companies (Lapeyre 2018). As a result, a CEEP policy officer pointed out that CEEP has one of the most complex memberships among European level organisations.
- SMEunited (formerly known as UEAPME), the association of crafts and SMEs in Europe with around 70 member organisations from over 30 European countries.

As a distinctive “*social innovation*” (Lapeyre 2018), the European social dialogue has incrementally developed towards a corporatist social policy community. The European social partners have themselves gone through reform and today occupy a unique position in European social policy-making, with increasing capacities to function as supranational actors, increasingly autonomous from EU institutions as well from national governments (Welz 2008).

Importantly, The EC in March 2015 organised a high-level conference to kick off a ‘new start for social dialogue’, thirty years after the “Val Duchesse” process involved European social partners in building the internal market (EC 2017d). This was much welcomed by the social partners. Europe 2020 had a troubling start, with the EU’s ‘new economic governance’ further demonstrating that the EU’s *acquis* in the social field remains overshadowed by the market-creating agenda. In the wake of the economic recession and the Eurozone crisis, the ‘Six-Pack’ and ‘Two-Pack’ in 2011 and 2013, respectively, thus strengthened the surveillance of fiscal policies and budgets for Eurozone member states, and altogether led to an unprecedented centralisation of political power as the European Commission, to the detriment of national parliaments, the European Parliament, and the social partners, was empowered to give detailed policy prescriptions and to sanction member states. This ‘new economic governance’ effectively curtailed the capacity and democratic voice of social partners, already shocked by the Eurocrisis, as the scope for democratic interest intermediation in national parliaments or collective bargaining rounds was reduced. In response,

ETUC several times opposed the Commission's proposals which implied that the EU's economic imbalances were caused by too generous social policies or wage increases in the Eurozone's periphery (Erne 2015).

According to interviews with the European social partners, the new start for social dialogue has led to improvements in terms of the level of consultation with the Commission, access to Employment, Social Policy, Health and Consumer Affairs Council (EPSCO), more structured cooperation with member state governments and engagement in the European Semester policy framework. All these areas were also reflected in the statement signed by the Dutch Presidency of the EU Council, the European Commission and the four social partners in June 2016 (Presidency of the EU Council 2016), in which the cross-industry and sectoral social partners committed to capacity building among their memberships, while member state governments were reminded of the Council Conclusions from the same month where they had agreed to involve social partners in relevant national policy-making, promote social dialogue and ensure the "timely and meaningful involvement" of social partners throughout the European Semester, including in the implementation of CSRs.

By all accounts, the 'new start for social dialogue' has had a positive impact on the quality of social dialogue at the European level. Concerning the Semester, there was barely any involvement of European level social partners in the Semester before 2014, but especially the European Commission has since sought to enhance their role by establishing more EU venues for involvement at both European and member state levels and providing earlier and more regular access to decision-making fora. European social partners have for example been consulted before the publication of the Annual Growth Survey. Trade unions and employers tend to agree on the importance of participating in the Semester, yet significant challenges in terms of meaningful consultation remain, due to structural constraints in the Semester itself, as well as the fundamental will in member states to deliver on their pledge of involving social partners in policy-making.

Regarding the former issue, the Semester tends to rely mainly on consultation with cross-industry social partners, at the European level with the Commission, and in member states with the government. In this respect, national employer and trade union organisations appointed European Semester 'liaison officers' around 2017 in order to interact with European social partners and the European Commission and produce timely input for the Semester. Still, the structures for social partner involvement on European and national levels are not clear-cut (Sabato et al. 2017).

On the side of trade unions, ETUCE intermediates with the confederation ETUC with regard to educational issues and seeks to build capacity by encouraging its members to consult with the European Commission representatives during their 'fact-finding missions', or with their national confederations concerning their demands for budgetary plans or reforms needed for teachers and education systems. Yet, given the number of CSRs associated with education and training over the years,

it remains a challenge in terms of coordination and capacity building to ensure that specific demands of teachers and other education personnel are asserted during the Semester process. Particularly critical points include consultation as part of the National Reform Programme (NRP) where large differences between member states remain in terms of public sector (including education) trade union involvement, and regarding the CSRs before they are adopted by the European Council (Stevenson et al. 2017; Stevenson et al. 2020; interviews).

On the employer side, the project interviews suggest that the cross-industry employer organisations tend to focus on vocational education and training in their education sector activities. While this education area is in fact the most prominent in the Semester in terms of CSRs, this might signal that other areas and levels of education are less addressed by the employer organisations as part of the Semester. Considering that joint employer and trade union positions are more effective, this would appear to be a problematic issue for employers as well as for unions.

While the vertical and horizontal coordination efforts remain an ongoing challenge for social partners, another hurdle concerns the varying levels of involvement of social partners in member states during the Semester cycle. On the one hand, national social partners are increasingly involved in EU-level initiatives, such as the ex-ante consultation on the Country Reports and nurturing direct contacts with Commission officers, e.g. through the EC's 'fact-finding missions'. However, with regard to relations with member state governments, the actual influence of national social partners remains limited since involvement tends to consist of mere information or consultation, with cases of genuine participation and the capacity to influence the process being sporadic. The influence of domestic social partners on the National Reform Programmes, the formulation and follow-up on CSRs, thus remain very limited in most member states (Sabato et al. 2017; Stevenson et al. 2020), a critical point also in the interviews with the employer organisations and trade unions conducted as part of this project.

With reference to the statement 'A new start for social dialogue' (Presidency of the Council et al. 2016) and "key messages on successful involvement of Social Partners in national European Semester processes" (Council of the European Union 2016), the *ETUC Trade Union Involvement Index* assesses the extent to which the Semester involves i) meaningful consultation; ii) at appropriate level, and iii) in a timely manner. In line with the research findings cited above, the Index shows that consultation with social partners at national level is becoming a recurrent practice in the European Semester, yet quality of involvement remains low. For the four case systems in our project, the ETUC Survey on trade union involvement led to very different results in 2017-2019 (see Table 6).<sup>10</sup> Italy is also noted for its lack of involvement in the recent study by Stevenson and colleagues (2020).

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10 ETUC Survey on trade union involvement (<https://est.etuc.org/index.php/tu-index>)

**Table 6. ETUC Trade Union Involvement Index and the project's four case countries**

	2017	2018	2019
<b>Belgium</b>	Improvable (14 points)	Poor (1.2 points)	Improvable (14 points)
<b>Italy</b>	no involvement	no involvement	no involvement
<b>Poland</b>	Improvable (10 points)	Improvable (12 points)	Improvable (13 points)
<b>Sweden</b>	Positive (28 points)	Positive (36 points)	Improvable (14 points)

These scores run counter to the requirements of the European Pillar of Social Rights (EPSR), principle 8, “Social dialogue and involvement of workers”, which calls for social partners to be consulted on the design and implementation of relevant policies. As a new EU social policy framework which seek to combine the various elements of a public policy from agenda setting to implementation, the EPSR has arguably helped to profile the social dimension in EU governance. Time will tell if the instrument will be able to steer social policies in member states in the direction of the EU's orientations (Sabato and Corti 2018). The aspiration is signalled by the fact that the Pillar has become a significant element of the Semester from 2018 onwards, reported in the Joint Employment Report and analysed at member state level in the Country Reports with reference to the Social Scoreboard.<sup>11</sup> There is some early evidence from the 2019 Semester cycle that the EPSR is feeding into CSRs, as 28 of the 39 ‘critical’ situations identified by the Social Scoreboard across member states were reflected directly or indirectly in CSRs (Stevenson et al. 2020).

In summary, the findings suggest that the recent decade, with the launch of the ESSDE and with the ‘new start for social dialogue’, has involved improvements in social dialogue in education as well as raised new challenges for the social partners in terms of capacity building, coordination and involvement. Together, they indicate the complex dynamic of multi-level EU governance and the need for analysis that is sensitive to the interdependencies of multiple levels of governance and the strategies of policy actors seeking influence within this space. The final section will wrap up the chapter with the discussion of the potential for social dialogue in terms of influencing and politicising EC and EU policies.

11 <https://ec.europa.eu/eurostat/web/european-pillar-of-social-rights/indicators/social-scoreboard-indicators>

## 5. Educationalisation, social dialogue and privatisation in EU governance: four challenges

This chapter has demonstrated the different ways in which educationalisation has become expressed in the EC's school and teacher policy 2007-2020 and the ESSDE since 2010. Based on an empirical material of policy documents and interviews (see appendix for details), the analysis showed that education sectors are meant to carry a heavy load in the modernisation of European societies. Accordingly, teachers have as the primary workforce in the sector over recent decades come to be perceived as key professionals responsible for bringing about educational, economic and social change. The chapter has identified seven central themes in the EC's educationalisation discourses:

- The strategic importance of education sectors and teachers as key agents for educational, economic and societal progress
- The need for investment in education and training
- The diversity as well as common challenges in European education systems
- The imperative of lifelong learning
- The increasing demands placed upon teachers
- The labour market issues of teacher shortages, recruitment and retention
- The status and attractiveness of the teaching profession

It is central to the argument that the educationalisation discourses have involved endogenous and exogenous privatisation components, specifically the EC's elaborate indicators framework propagating a competitive and outcomes-focused orientation in the governance of European education systems, the embrace of public-private partnerships, the support for a European ed-tech industry, and the increased mobilisation of private investment for education through EU financial instruments. Furthermore, the analysis pointed out that the ESSDE has 'tempered' the EC's discourses of educationalisation in the way that the new public management-inspired framing of the policy problems was virtually absent, while the balance of public/private interests in education constitutes a longstanding concern in the committee that has not yet been problematised in joint text outcomes.

The analysis highlighted that with the governance architecture of Europe 2020, the EC's educationalisation discourses were accompanied by an array of existing and new policy instruments that allows the European Commission to have a more hands-on approach and unprecedented capacity for instituting change. The inclusion of education and training in the European Semester and European Pillar of Social Rights reflect the increased prominence of this policy area in EU governance. Another venue that has not been addressed in the chapter but which calls for further analysis in terms of educationalisation and social dialogue is the European Economic and Social Committee (EESC). The EESC is a consultative body involving 329 representatives of employers, workers and civil society, nominated by member state governments and appointed by the Council of the European Union. The EESC was established already by the 1957 Rome Treaties, yet it remains a disregarded institution in research about EU governance. The main substantive outcomes are consensus-orientated 'Opinions', addressed to the Council, the European Commission and the European Parliament, relating to all major EU policy issues. Over recent years, the EESC has issued several Opinions related to education and skills, e.g. "Education package" (2018) and "Sustainable funding for lifelong learning and development of skills"(2020).

The analysis suggests that educationalisation implies that policy problems, causes and solutions, are increasingly understood as requiring cross-sectoral coordination. A policy officer in DG EAC indicated how education, learning and teaching have become relevant for economic policy as well as other policy areas:

*"I guess it's also an increasing topic in other DGs that do education, because everyone does a bit of education right now. DG Connect do it with digital skills of course, so they would also normally think about teachers at least. It's typically us who write about teachers, but I think everyone thinks about teachers. From their own perspective, you know."*

The concept of educationalisation is helpful in explaining the increased strategic importance of education, the integration of multiple policy perspectives, and that education in EU governance continues to serve multiple purposes, including also economic objectives and employability. Thereby, the perspective leads the debate beyond the question about the extent to which the economic and employment rationales for education are being emphasised, and it highlights the need for complementing the analysis of 'more or less' social dimension with tracing how 'the social', 'the economic', 'the educational', etc. change meaning over time and are appropriated in the discourses of EU governance.

Due to the complex dynamics of EU multi-level governance, we would expect the European level discourses of educationalisation to play out very differently in

member states, depending on the political, economic and social relations between EU governance and the member state in question. As the other case studies demonstrate, member states are very differently placed in responding to advice and recommendations from the EU institutions. Considering the array of EU policy instruments, it should be noted that the principle of subsidiarity continue to be mentioned in EC documents with due caution about the balance between EU and member state competences. In this respect, the framing remains focused on the voluntary cooperation and support that the EU stands ready to offer member states in their reform efforts by harnessing EU tools and processes, including the Semester, ET 2020, the Education and Training Monitor, ICT based programmes (e-Twinning, SELFIE, European Toolkit for Schools, School Education Gateway), financial and technical support for tailor-made reform through Erasmus+ (to support STEM and multilingual pedagogy in school education, and European school partnerships), the European Structural and Investment Funds, and the Structural Reforms Support Service.

At the time of writing, it remains unclear how EU governance will unfold in the coming years. The governance architecture of Europe 2020 has come to an end, and the ongoing Covid-19 crisis has sparked exceptional measures, some of which may stay in place. By all accounts, the European Semester is going to be transformed, prompting social partners to adapt to a new framework, again. While the main interest of this project is retrospective with its focus on developments during Europe 2020, the analysis has highlighted the longevity of the EC's educationalisation discourses, and recent Communications indicate that they will continue to provide direction to EU education governance. Therefore, looking forward on the basis of the findings in this chapter, four issues stand out in terms of the capacity of social dialogue to problematise and influence EC and EU policies.

First, with regard to the European Semester, the analysis pointed out the challenges of capacity building, the vertical and horizontal coordination required to raise specific demands concerning education, teachers and other education personnel, and ensuring involvement in the policy processes. It is here vital also to acknowledge the actual implementation rates of CSRs. The annual implementation rate of CSRs indicates that 'some' progress have been registered in the implementation of around half of the CSRs over the period 2012-2019. The share of CSRs with 'full' or 'substantial' progress was at its highest with 11 percent in 2012 and has since decreased<sup>12</sup> (Economic Governance Support Unit 2020). While the implementation record has been uneven across policy areas and countries, the picture for CSRs related to education sectors is likely to indicate low implementation rates. This resonates with Pépin's (2011) critical assessment of the Lisbon Strategy due to the low levels of implementation and lack of stakeholder involvement and ownership in the member

12 CSRs are associated with reforms that should be implemented within 12-18 months. In 2017, the EC introduced also a multi-annual perspective in addition to the year-by-year assessment. According to the multi-annual yardstick 'some' implementation progress has been achieved for more than two-thirds of the CSRs issued over the full period since 201 (Economic Governance Support Unit 2020).

states (cf. Introduction chapter in this report) and puts the reported findings (e.g. Stevenson et al. 2020) about the varying levels of involvement of social partners in the Semester in perspective. We do not know whether the low implementation rates of CSRs are related to a lack of involvement of social partners, but it suggests that this is an issue to be followed in future arrangements of socio-economic governance, including also the social policy framework of the EPSR.

Whereas the Semester during the 2010s came to be a highly profiled site of consultation in EU multi-level governance that offered the social partners (varying) scope for influencing policies, the other issues to be singled out appear to have been less discussed in European social dialogue, though they are no less fundamental for the trajectory of education sectors and the work of teachers and other educational personnel across Europe.

The second issue concerns the strong interest in recent years for effective models in education investment, including the mobilisation of private actors and capital in EU financial instruments. The similarly strong trend of institutional lock-in between financial instruments and other EU instruments is likely to amplify the implications of this form of exogenous privatisation in European education systems. The analysis indicated that this has been a concern in the ESSDE, but so far the committee has not been able to address this major development in joint text outcomes.

The third issue also concerns the burgeoning education industry (Verger et al. 2016), encapsulated by the multiple ICT based instruments initiated by the Commission that targets schools and teachers, such as the School Education Gateway. Based on public-private partnerships, these share features with the OECD PISA for Schools programme (Lewis, 2020), and reflect the ambition of the Commission to provide framework conditions supporting the ed-tech industry in Europe. In terms of social dialogue, the question remains where the contents and agencies involved in these policy instruments might be debated by the employers and trade unions representing the workforce being targeted. In a broader perspective, the ongoing Covid-19 crisis and the pivot to online learning have brought the private ed-tech industry further into the centre of education provision and highlighted how globalised education sectors have become in terms of digitalisation. Considering how globalised education as sectors for investment and profit-making have become, and the level of investment, we might well ask how the EU will be able to regulate this industry and involve the social partners in a meaningful manner (Verger et al. 2016; Williamson and Hogan 2020).

Finally, the tailor-made ‘technical’ reform support services launched by the Commission in 2017 and currently managed by DG Reform, constitutes yet another sample of the increasing levels of institutional lock-in in EU governance. The analysis demonstrated that these services affect member states differently. The instrument arguably reflects an innovation in EU governance, with member state governments

submitting requests to the Commission, raising questions about the extent to which social partners and private actors are included in the process.

Together, these four issues suggest serious challenges regarding social dialogue in the unfolding trajectory of EU multi-level governance. However, while the analysis of 'European level' policies and politics is fundamental, it cannot stand alone or be used to predict how the dynamics in EU multi-level governance play out in different member states. We need complementary analysis that to a higher extent is focused on developments at national and local levels, as provided in the subsequent chapters in this report.

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## Appendix for EU level study

### Mentions of selected key terms in European Sectoral Social Dialogue Committee for Education (ESSDE) body of documents

(\*all words including the stated base are included)

Key terms	Mentions	Remarks - specific period or documents with higher frequency
education	811	
work*	433	
teach*	292	
social partner/s	273	
learn*	169	
leader*	146	Mainly about school leaders Distributed leadership 3 mentions
quality	139	Generic meanings: "quality education" 40 "quality of education" 14 "quality in education" 11 "sustainable quality employment" 9 "quality teaching" 4 "quality of teaching" 3
social dialogue	130	
professional	91	Professional development 25 mentions
student/s	84	
policy/policies	80	
profession/s	79	Especially mentioned in " <i>Statement on the amendments of the Professional Qualifications Directive (2005/36/EC)</i> " (2012) 13 mentions in " <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> " (2018) 12 mentions in Work Programme 2020-2021
evaluat*	76	Nearly all mentions in " <i>The promotion of self-evaluation of schools and teachers</i> "(2013)

Key terms	Mentions	Remarks - specific period or documents with higher frequency
career	63	Vast majority mentioned in “ <i>Supporting Early career researchers in Higher Education In Europe</i> ” (2015). But, also in “ <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> ” (2018) and Work Programme 2020-2021.
inclusion	54	Increasing emphasis, especially present in 2019 texts on migration. Focus on students.
public	52	
stakeholder/s	52	
invest*	50	
equal*	49	Mentioned from 2011 onwards, with increasing frequency. Mainly focus on students’ equal opportunities, but also gender equality.
capacity	44	33 times mentioned with reference to capacity building. Nearly all mentions refer to the capacity building of social partners at European level and in member states, with references to three successive ESSDE capacity building projects. A third of the mentions are found in the Work Programmes. “ <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> ” (2018) refers 13 times to capacity building.
employment	40	Increasingly used term, with 30 mentions since 2015. “sustainable quality employment” 9 mentions Very present in Work Programme 2020-2021
parent/s	36	
qualified/qualification	29	Qualification 20 mentions. Qualified 9 mentions.
digital*	26	First mentioned in “ <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> ” (2018). Strongly featured in “ <i>Joint Statement on the impact of the COVID-19 crisis on sustainable education systems at times of crisis and beyond</i> ” (2020) and in Work Programme 2020-2021
privat*	25	Around 20 of the mentions in Work Programmes – not a theme in the ESSDE joint text outcomes.
autonomy	24	Professional autonomy 12 mentions. The rest of mentions relate to school autonomy and school leadership.
perform*	23	Mainly related to school performance, only one mention after 2016. Key texts “ <i>The promotion of self-evaluation of schools and teachers</i> ”(2013) and “ <i>School Leadership</i> ” (2015)

Key terms	Mentions	Remarks - specific period or documents with higher frequency
working conditions	21	Mainly related to wellbeing, health and safety, as featured in " <i>Preventing and Combating Psychosocial Hazards in the Education Sector</i> " (2016). But also in <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> (2018) with regard to employment and careers.
accountability/ac-countable	20	Nearly all mentions in " <i>School Leadership</i> " (2015)
labour market	18	Around half of mentions found in the ESSDE Work Programmes
fund*	17	Funding is an increasingly apparent theme. Since 2015, funding has been mentioned in the text corpus. European funding referred to 8 times, from 2016 onwards. The remaining 9 mentions refer to state, company, research or general funding.
industrial relations	11	Including references to support from DG EMPL budget lines. Very little used compared to social dialogue.
holistic	6	Mentioned since 2018, calling for holistic approaches to policy problems
temporary	6	Not related to contracts
competitiveness	5	Not mentioned after 2015. 2 mentions in " <i>Investing in the future</i> " (2011)
collective bargaining	5	Emerging term, used in " <i>Joint Statement on the impact of the COVID-19 crisis on sustainable education systems at times of crisis and beyond</i> " (2020) and Work Programme 2020-21
learner-centred	5	First time mentioned in " <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> " (2018)
standards	5	No mentions related to teaching or teachers specifically
benchmark*	4	Not used after 2013. 2 mentions in " <i>Investing in the future</i> " (2011)
contract	4	2 mentions in " <i>Supporting Early career researchers in Higher Education In Europe</i> " (2015)
human rights	4	Mentioned since 2019, including reference to UN Declaration of Human Rights. Also mentioned in Work Programme 2020-2021
synergy/synergies	4	Mentioned since 2019, usually with 'holistic', concerning synergies between policy fields
workload	4	(hour 0 mentions)
collective agreement	3	

Key terms	Mentions	Remarks - specific period or documents with higher frequency
pay	3	First used in <i>Towards a Framework of Action on the attractiveness of the teaching profession</i> (2018). Fair pay also mentioned in Work Programmes for 2018-2019 and 2020-2021
salary	3	All mentions in " <i>Recruitment and retention in the education sector, a matter of social dialogue</i> " (2012)
public good	2	
multi-level	1	



## Chapter 2. **Social dialogue strengthened by a managerial state: paradoxical or reinforcing logics in French-speaking Belgium?**

*By Juliette Fontaine and Xavier Dumay, UC Louvain*

# 1. Introduction

This case study shows how industrial relations and policies in the education sector have evolved over the last 20 years in French-speaking Belgium. We analyse these evolutions in line with the broader European context, especially the European Semester and the development of European sectoral social dialogue from 2010. To do so, our study focuses on the Excellence Pact, which is a systemic reform of the education system of the French-speaking Community of Belgium launched in 2015. This Pact affects the structure of social dialogue in the field of education and raises the question of liberalisation in school policy. Importantly for our purpose, the Pact was over the years the subject of Country Reports and recommendations within the European Semester. It is therefore particularly interesting to study it in the framework of this project. In addition, the Excellence Pact has not yet been analysed with a focus on the actors who participated in its elaboration [Cattonar and Dupriez, 2019]. Our study thus adds to the line of research on the trajectory of educational policy in French-speaking Belgium.

Several authors have aimed to characterise the evolution of industrial relations in Europe. Marginson [2017, p.2] argues, for example, that "*associational governance resting on collective bargaining and consultation, a defining feature of European industrial relations in comparison with other industrialised or industrialising global regions, has been weakened relative to governance by the market and by the state*". Meardi [2018] demonstrates a general shift from associational regulation to state regulation: Meardi's argument is that the European specificity of neoliberalism is the "social market", an integrated and state-protected form of the "social market". Finally, Jahn [2016] explains that there has been a cyclical "shift of guard" in corporatist countries, but no general decline in corporatism over the last five decades. By studying the evolution of social dialogue in the field of education in French-speaking Belgium from a dynamic and micro-situated perspective, we hypothesise that over the recent 20 years, the regulation of the teaching profession is conflated with three emerging logics that to some extent are in mutual tension: i) the logic of an evaluative and managerial state, ii) a bureaucratic logic of the administrative status of the teaching profession mainly pushed by unions, and iii) an employer logic advocating for more autonomy of employers (public or private). Our analyses thus show that state, profession, and market logics are playing together, and that managerial configurations of the teaching profession (visible in the reform of teachers' evaluation and in the contractualisation with schools) are quite accepted by the unions themselves for two reasons mainly. The first is that the support from the State, even managerial in its form, matters to resist employers' logics. The second is linked to the deployment of new public management (NPM) with the perceived neutrality of instruments related to evaluation and contractualisation, which is able to accommodate multiple logics (also the ones from unions and employers) [Lascoumes and Le Galès, 2005].

In order to report on the evolution of social dialogue and teacher policies in French-speaking Belgium, we conducted 10 in-depth interviews between October and December 2020 (approximately 18 hours) with key stakeholders involved in the Excellence Pact. One of them was conducted with a representative of the Ministry of Education in charge of leading the Pact, another one with a scientific expert involved into working groups formed in the context of the reform, and the eight others with employers' or unions' representatives (covering the diversity of employers' organisations and unions in French-speaking Belgium). In this way, we have gathered the views of the most important stakeholders involved in the current configuration of educational policies making in French-speaking Belgium. We also studied documents from the European Semester (country reports on Belgium, national reform programmes) and official texts relating to the Excellence Pact (legal texts and the working documents). We also included main documents describing other major reforms ("Missions" decree, "Titles and functions" decree, "Initial teacher training" decree) that are crucial to put the Excellence Pact in context.<sup>13</sup>

We shall see that despite a long historical tradition of social consultation mostly embedded into pillarised structure of the Belgian society<sup>14</sup>, the institutionalisation of social dialogue at the State level is quite recent (2). We shall then see that, from the 2000s onwards, social dialogue has been strengthened and institutionalised with the official entry of employers into negotiations (3). If the trajectory of educational policies since the communitarisation of education follows a logic of more State intervention into education matters that we define as a neostatic logic –, we observe that teacher and education policies have recently followed some paths of liberalisation (4). Finally, we argue in conclusion that, despite the increased involvement of employers' organisations in the negotiation, the combination of a stronger regulatory state and stronger unionism limits the capacity of employers' organisations to influence education and teacher policies (5).

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13 Please see Appendix B in the report for an overview of empirical material used for this case study

14 The pillarisation refers to the politico-denominational separation of a society into groups by religion and associated political beliefs. In the case of Belgium, the society was historically pillarised between catholic and liberal denominations, which were subsequently joined by a Socialist pillar.

## 2. A tradition of consultation and non-formalised social dialogue

The education system in Belgium was historically decentralised and fragmented into networks, marked by the history of school wars between the laity and the Catholics. A tradition of social consultation, supported by the state, has gradually developed between and within these two communities, giving Belgium a 'consociative' character [Lijphart, 1999].

### 2.1. A decentralised education system marked by the history of 'school wars'

The opposition between laity and Catholics – which is not exclusive to the world of education – goes back a long way in history<sup>15</sup>. In the past, education was not part of the prerogatives of the state: it was left to private initiative. Along the 19th century, however, a public school policy was developed and conflicts between the Catholics and the laity began to emerge. These 19th century conflicts culminated with the law of 1879, which no longer authorised public schools to teach religion, and gave rise to the "first school war". After the Second World War – and a period of relative calm – tensions between the laity and the Catholics resurfaced and gave rise to conflicts that were described as the "second school war". This ended with a major political agreement in May 1959: the School Pact. The duty of the state to expand its school supply to meet any demand for non-denominational education was reaffirmed, and measures extended to secondary education [Grootaers, 1998]. This resulted in the state subsidising schools managed by local public authorities (provinces and municipalities) – or by private organised actors – mainly Catholic education, but also non-Catholic denominational education and non-confessional public schools [Draelants, Dupriez and Maroy, 2011]. Two major educational networks were thus recognised: the official (or public) education and the free (or private) education, each subdivided into two sub-networks: the organised official (organised by the State) and the subsidised official (organised by the local public authorities), on the one hand, and confessional subsidised free education and non-confessional subsidised free education, on the other hand [See Annex 1]. The rights of families to freely choose

15 To trace this history, we refer to Draelants Hugues, Dupriez Vincent, and Maroy Christian, « Le système scolaire », *Dossiers du CRISP*, vol. 76, n°1, 2011, pp. 9-126; Cattonar Branka, Dumay Xavier, and Dupriez Vincent, "Old and new segmentations: The case of the teaching profession in French-speaking Belgium" (in press); Grootaers Dominique (dir.), *Histoire de l'enseignement en Belgique*, Brussels, Éditions du CRISP, 1998.

their schools was reasserted, while the state should guarantee the equivalence of salaries of educational personnel whatever the network. Importantly, the governing boards of schools, named as "organising powers"<sup>16</sup> (OP) in this text (which can cover from one school to dozens of schools in case of governing boards are local authorities such as provinces or municipalities) remained the actual employers of the teachers and retained responsibility for their recruitment and assignment to the schools.

In July 1988, the central government of the Belgian State delegated responsibility for education to the Flemish, French and German-speaking communities [See Annex 2]: this is known as the "communautarisation" of education<sup>17</sup>. The French Community thus now bears the bulk of the financial burden of French-language education.

## 2.2. Fragmented sectoral industrial relations yet peaceful social dialogue

The actors involved in sectoral industrial relations in French-speaking Belgium are the General Administration of Education, the "Federations of Organising Powers"<sup>18</sup> (FOPs) representing the employers, and the Trade Union Organisations (TUOs). The division of the school system between publicly organised and publicly funded education and publicly funded but privately organised education, is reflected into the structuration of main partners involved in the social dialogue. Indeed, the organising powers of the official and privately networks have grouped together in federations whose main objective is to ensure the defence of their members' interests. Teachers' unions are also structured along the divide between publicly and privately organised education, although unions affiliate members from both sides. Table 1 shows the diversity of these actors.

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16 « Pouvoirs organisateurs » in French. In French-speaking Belgium, the "organising power" (OP) is the authority (physical or legal person, public or private) that takes responsibility for a school (*Pacte scolaire*, 1959, Article 2). They are grouped under the educational networks that do represent their interests as federations of employers (FOPs).

17 As a result of the pressure exerted by the Flemish movement on the Belgian political authorities to guarantee Flanders real autonomy, three cultural communities were created in 1970. In 1980 these cultural communities had their competences extended to social matters and became the Flemish, French and German-speaking Communities. However, the main part of school management (teachers' salaries, school structures) remained in the hands of the central government until the constitutional revision of July 1988.

18 « Fédérations de pouvoirs organisateurs » in French.

**Table 1. Trade union organisations and federations of employers**

Employees: Trade union organisations	Employers: Federations of organising powers
<ul style="list-style-type: none"> <li>■ The « Confédération des syndicats chrétiens – Enseignement » (CSC - E), affiliates teachers from the privately network but also from the official network.</li> <li>■ The « Centrale Générale des Services Publics – Enseignement » (CGSP - E) attached to the « Fédération Générale des Travailleurs de Belgique » (FGTB) with a socialist tendency, affiliates only teachers from the official network.</li> <li>■ The « Syndicat des employés, techniciens et cadres – Syndicat de l'Enseignement Libre » (SETCa-SEL), integrated also into the FGTB, affiliates teachers from the privately confessional or non-confessional network who do not identify with the CSC.</li> <li>■ The « Syndicat libéral de la fonction publique » (SLFP), attached to the « Centrale générale des syndicats libéraux de Belgique » (CGSLB) with a liberal tendency, affiliates mainly teachers from the official network.</li> <li>■ The « Association professionnelle du personnel de l'enseignement libre » (APPEL), integrated also into the CGSLB, affiliates teachers from the privately confessional or non-confessional network.</li> </ul>	<ul style="list-style-type: none"> <li>■ « Wallonie Bruxelles Enseignement » (WBE) is a body representing official organised network. It is a public-interest body to which is delegated the role of organising powers exercised until 2019 directly by the French Community.</li> <li>■ The « Conseil de l'Enseignement des Communes et des Provinces » (CECP) is a body representing the organising powers of official subsidised network organising ordinary or special primary schools and special secondary schools.</li> <li>■ The « Conseil des pouvoirs organisateurs de l'enseignement officiel neutre subventionné » (CPEONS) is a body representing the organising powers of official subsidised network organising secondary schools.</li> <li>■ The « Secrétariat Général de l'Enseignement Catholique » (SeGEC) is a body representing the organising powers of privately confessional network, and specifically Catholic education.</li> <li>■ The « Fédération des Etablissements Libres Subventionnés Indépendants » (FELSI) is a body representing the organising powers of privately non-confessional network.</li> </ul>

In Belgium, the various social partners have been engaged in an institutionalised and non-confrontational dialogue with each other during the 20th century. For a long time, however, there was no formalised social dialogue at the state level, and discussions were often structured along a public/private divide. The federations of organising powers thus played only an informal role, trying both to serve their members and to guide political decisions according to the interests they represented [Draelants, Dupriez and Maroy, 2011].

## 3. Strengthening social dialogue in French-speaking Belgium

Since the end of the 1990s, a social dialogue formalised in legal texts has replaced the "tradition" of non-formalised consultation, pointing a rising involvement of the social partners in the making of education policies. This led progressively to a shift in the institutionalisation of negotiations, from discussions structured following the pillarised structure, to an employer's/employees logic. From 1997 onwards, the trade union organisations and then the FOPs were systematically consulted by the government before the vote on a text in Parliament (3.1.) and these partners were even called upon to co-produce these legal texts within the framework of the Excellence Pact in 2015 (3.2.). The European level supported the strengthening of the social dialogue at the state level (3.3.).

### 3.1. From communautarisation onwards: the formalisation of a sectoral social dialogue

The "Missions" decree of 1997 defined the priority missions of basic and secondary education and organised the structures needed to achieve them. This text responded, on the one hand, to severe diagnosis highlighting the extent to which the system is considered to be inefficient, relatively costly and inequitable, and, on the other hand, to powerful social movements of teachers and students in the 1990s [Draelants, Dupriez and Maroy, 2011]. This decree strengthened the Community's regulatory role by defining common standards for the various education networks, bringing the situation of subsidised networks closer to that of the official network. Importantly, this trend towards homogenisation was counterbalanced the valuing of local initiative and educational projects. The "Missions" decree imposed to any schools to set up an educational project, and establish a participation council bringing together the various stakeholders, including the OP, the management, teachers, parents and pupils (in secondary education). The decree confirmed and even reinforced OP federations as "bodies representing and coordinating the organising powers"<sup>19</sup>. However, it did not yet formalise social dialogue at the state level even if informal consultations were seemingly regular. This step was achieved with the 19 May 2004 decree setting up the sectoral social dialogue committee in education, under a bilateral negotiation form (government and trade unions only) every two years.

<sup>19</sup> Article 74 of the decree of 24 July 1997 defining the priority missions of basic and secondary education and organising the structures to achieve them.

Under the pressure of FOPs (Catholic in particular) to be consulted at the same level as unions, a formal tripartite structure between the public authorities, the unions and the FOPs emerged two years later, with the 20 July 2006 decree<sup>20</sup>. One employer representative explains: "the famous negotiation which was originally bilateral (...), had become trilateral". The procedure is the following: each partner (TU – FPO) submits its roadmap and the government negotiates, on the one hand, with the FOPs and, on the other with the TU organisations, which leads to a draft protocol submitted for everyone's opinion. The sectoral dialogue, in this way, paves the way for the preparation of decrees, which are then renegotiated in bilateral committees (Code'article 1.6.5/6). This means that any legal texts – after having been sent to the finance inspectorate for its opinion and to the government for a first reading – must be subject to formal bilateral consultation with FOP and the TU organisations. This is a formal and compulsory step before the text goes to the government for a second reading – which may amend the text in the light of these meetings – and is submitted to the vote of the parliament. The MPs receive the minutes of the formal consultations and can take into account the opinion of trade unions when voting. Although the concertation is not binding, it does have a certain power, since, as the Education Minister's representative for the Pact explains, "on each article you can see what the unions think". Once a legal text has been voted, joint committees are organised within each network to implement the texts. Each network has a central joint commission, and more specialised joint commissions: one for basic education, one for secondary education, one for specialised education, one for social promotion education, and one for psycho-medico-social centres (PMS).

## 3.2. The Excellence Pact: the social partners as co-producers of education policies

The Pact for Teaching Excellence is a wide-ranging reform of the school system, launched in 2015. This systemic reform of education, which aims at transforming together the governance, the educational and pedagogical orientations, and the working conditions of education personnel, has the objective of "reinforcing the quality of education for all pupils"<sup>21</sup>. It has also the particularity of calling on all the school's partners to participate in its elaboration. In terms of social dialogue, the Pact strengthened the role played by TU and FOP (but also that of parents<sup>22</sup>) in the

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20 Decree of 20 July 2006 on consultation between the representative and coordinating bodies of the education organising authorities and subsidised P.M.S. Centres.

21 The portal for education in the W-B federation: <http://www.enseignement.be/index.php?page=28280>

22 The parents' associations are not developed as part of this survey but it is important to keep them in mind. There is the « Union des fédérations des associations de parents de l'enseignement catholique » (UFAPEC) and the « Fédération des associations de parents d'élèves de l'enseignement officiel » (FAPEO).

formulation of education policies. The social partners formally become co-producers [Lagroye, 2007] of these policies<sup>23</sup>, called upon to give their opinion on all educational issues and even intervene ahead of the drafting of legislation that is to say (before the second reading by the Government).

In the opinion of all our respondents, all the players very quickly agreed to participate in the development of this systemic reform of education in French-speaking Belgium. "There was a willingness on everyone's part to get down to work, so we didn't waste any time on this," explains, for example, a Felsi advisor who took part in the Pact. Changes to the education system were expected and proposed by some organisations before the reform was launched, so "it was a good thing", explains a CSC trade union official. In order to encourage constructive social dialogue and the emergence of effective education policies, the actors were invited to participate in a collegial, and no longer just bilateral or trilateral, mode of discussion: "we couldn't leave [FOPs and trade unions] face to face: we really needed to decentralise the debate in order to avoid reproducing positions", explains the Education Minister's representative for the Pact. This participatory process involved several stages.

From February 2015, the "Pact Office"<sup>24</sup> co-chaired by the General Secretary of the French-speaking Community, and an Education Minister's representative, was composed with members of the cabinet and the administration. It launched two initial working groups aiming at posing the diagnosis of the educational system (WG1) and defining the framework of values, missions and objectives for the whole system (WG2). A Central Group (CG) responsible for monitoring the development and practical implementation of the Pact was then established and coordinated by the Pact Office, bringing together representatives of FOPs, unions and parents' associations. The first task of this Group was to agree on the reports prepared by the two first WGs (diagnosis and framework), and to define lines of discussion framing expectations for a new set of WGs covering four main axes (curriculum, educational inequalities, education personnel, and the governance) [See Table 2 for the full description of WGs]. The consulting firm McKinsey also participated in this work as technical assistance. Indeed, once this inventory had been established, the government asked this consultancy firm to carry out "specific analyses" on certain subjects in order to help the social partners to find solutions to the problems posed and concrete means of implementing the policies envisaged. From September 2015 to March 2016, the members of the CG met at least once a week to ensure the coordination and the monitoring of the Pact. On top of administration, employers', unions' and parents' representatives, WGs welcomed also scientists, in charge of leading the groups, and representatives from the civil society (e.g. pedagogical associations). In our study

23 Organised social groups here are not only 'partners of the State' but are, to the extent that their actions and activities help to define what public policies are, co-producers of public action. The interests and objectives pursued by the spokespersons of these groups are present throughout the interactions that produce the representation of a problem to be dealt with, the designation of the publics concerned, and the choice of means and actions to be undertaken and up to the form that must be given to the decisions.

24 « Bureau du Pacte » in French.

case, we focused more specifically WG III.2 about teachers' careers, professional development, and collaboration.

**Table 2. Working groups for the Excellence Pact**

Thematic Axis 1 21st Century Skills and Knowledge				Thematic Axis 2 Educational inequalities			Thematic Axis 3 Education personnel			Thematic Axis 4 Governance		
WG I.1. Learning frame- work, knowl- edge and skills con- tent, and priority action plans	WG I.2. Dig- ital tran- si- tion	WG I.3. VET	WG I.4. School culture plat- form	WG II.1. Pre- school edu- cation	WG II.2. Student guid- ance, School drop- out	WG II.3. Red- ucing ed- uca- tional inequal- ities	WG III.1. In-ser- vice teach- er train- ing	WG III.2. Teach- ers' ca- reers, pro- fes- sional devel- op- ment, collab- ora- tion	WG III.3. School man- age- ment	WG IV. 1. Gov- er- nance of school sys- tem	WG IV. 2. Re- sourc- es	WG IV. 3. School de- moca- cy

Importantly, each WG had some autonomy in preparing discussions based on the framework fixed the CG. Academic actors were centrally involved in the preparation of discussion agendas to reflect the state of scientific discussion in each domain covered. Concerning the analyses proposed by the consultant McKinsey, the Education Minister's representative for the Pact explains that each group could use them or discard them according to their preference. After each WG meeting, minutes were sent to all the participants who could validate it or notify their disagreements. Intermediary reports were shared with the CG. After months of discussion, a final report for each WG being validated by all its participants, was shared with the CG, and then, if validated, with the Pact Office, which gave or not a favourable opinion. In case of (partial) disapproval from the Pact Office, the draft was partly revised by the administration. The Pact Office was then tasked with making a general synthesis of all the WGs reports, where the policy "did not, again, change a line", explains the Education Minister's representative for the Pact – and resubmit it to the CG. This final reading gave rise to an important position paper (the Opinion No. 3, adopted on 17 March 2017), considered the "bible" of the Excellence Pact, since it was the result of a very long participatory process. The search for a consensus between all the partners was a constant driving force. For example, an FOP staff member explains: "The initial reflection that took place within each group was, over time, often – I will perhaps use a slightly exaggerated term – a little watered down in that the various interlocutors had to be treated with care".

As we will see now, this consensus appeared to be "fuzzy" when legal texts drawn in this huge preparatory work, had to be written. The Education Minister's representative for the Pact explains, "once you have Opinion No. 3, you still have nothing". Based on Opinion No. 3, the Pact Office defined 18 projects in order to draw up precise reform proposals [See Annex 3]. From these various projects, legal texts were drawn up by the operational committee for change (OCC), mainly composed with administration officers and led by the Education Minister's representative ensuring the continuity of the Pact. These legal texts were then presented to the cabinet and sent to the Consultative Committee (CC), which replaced the Central group after the adoption of Opinion No. 3. The role of this committee – a form of preparatory chamber for decrees – is to give its opinion on proposals for the operationalisation of reforms and thus to support the work of giving legal form to the consensus. The composition of this committee has remained the same as that of the Central group: it includes representatives of FOP, TU, parents' associations and members of the general education administration (more numerous compared with the Central Group). The Education Minister's representative for the Pact explains the merits and functioning of the committee: "It's very informal here, there are no minutes, the cabinet hears, it carries the file. (...) It's a way of ensuring that before the first reading in government, the actors have been heard". The CC "serves as a bit of a test", explains the president of a TU organisation, who continues: "The government throws the text to the CC; we tear each other apart, they modify it a little so that there is as little tension as possible and then off we go: it's off to the different legislative stages". The passage through the consultation committee therefore adds another stage of informal discussion here before the government's first reading. It is followed by the formal consultation stages that pre-date the Excellence Pact, namely the holding of bilateral negotiation committees (described above), the second reading by the government and the joint committees set up in the various networks to ensure that the text is implemented in practice.

### 3.3. The national social dialogue influenced indirectly by the European level

The European semester, we argue, has facilitated the evolution of the structuring of state level social dialogue. From 2013 onwards, the European Council has called for the involvement of the social partners in the European Semester process, which provided them even more space to be consulted on reforms. The Semester EU officers heard the CSC three times, with the last meeting also taking place with the CGSP head. The questions put to them concerned the Excellence Pact (e.g. its ability to reduce inequalities) and the need to find common answers has likely strengthened a "trade union front" at the state level.

The European Trade Union Committee for Education (ETUCE) mostly help unions to be more knowledgeable of the European/global debates on the teaching profession, although the national trade unions explained they lack time to deepen their relationships with ETUCE. The trade unions mainly consult the reports prepared by ETUCE and consider some of their analyses as inspiration. Trade union representatives also keep themselves informed by attending congresses. As ETUCE is affiliated to Education International, one representative explains: "Two years ago we were in Bangkok [at the EI World Congress] and all the trade union delegates from all over the world were sitting around the same table. 18,000 people discussing the same thing". For him, these international congresses "are really very, very rich" and make it possible to offer points of comparison and provide food for thought. ETUCE also helps trade union representatives to understand how the European Semester works [Stevenson and al., 2017]. All this helps to report to national trade unions on the diversity of ideas and representations on education available at European and international level.

For their part, some employers' organisations in French-speaking Belgium participate in the European Federation of Education Employers (EFEE), created in 2009, as part of the implementation of the social dialogue specifically dedicated to education in the European framework launched in 2010. The EFEE currently represents 24 employers' organisations in 16 countries, and its membership reflects the diversity of education employers: national ministries, associations of regional and municipal authorities, state agencies and associations of headteachers. Segec even participated in its constitution. One of its representatives explains: "I have attended meetings at the European Commission which wanted to set up a federal body of employers in education and Segec therefore very quickly embarked on this adventure". This representative also explains that she has had several meetings with ETUCE to launch the dialogue at European level. She continues: "And we've always been very present". This federation has enabled them to visit other countries with "interesting feedback". Here too, the international comparison can lead the FOPs in French-speaking Belgium participating in EFEE to see what unites them at national level and to take a common look at the policies to be pursued.

## 4. The Excellence Pact: towards a managerial state?

Through its 18 projects, which are at different stages of completion (some are completed, others are in progress), the Excellence Pact is reforming the most important aspects of the school system. Within the framework of this project, we have focused in particular on the measures intended to transform – or transforming more indirectly – the teaching profession, i.e. those covered by WPs 11 "Enhancing and empowering teachers and developing the pedagogical leadership of management teams (training)" and 12 "Valuing and empowering teachers". We argue these measures are part of the continuity of the model of managerial professionalism (inspired by the new public management) combined with a neostatic logic which has been developing in the education sector in Belgium since the 2000s (4.1.). Indeed, the individual and collective evaluations of teachers bear witness to the strengthening of this managerial logic which is supported by FOPs and the State (4.2.), and which the European level indirectly encourages (4.3.).

### 4.1. The development of managerial professionalism in a neo-statist trajectory

First, it is important to note the particular nature of 'semi-private' (so-called 'free') education in Belgium, which cannot be considered as a form of privatisation. While the Belgian education system has one of the highest levels of private enrolment in primary and secondary education in the OECD, the strong presence of private supply is not explained by the impact of neo-liberal ideology. Rather it is linked to the liberal and consociative nature of the educational system in Belgium. It can be explained by the division of the Belgian education system into networks, due to the weight of long-established religious institutions: the system provides public subsidies for private education providers that have to comply with public regulations on curricula, admission procedures and free tuition.

Different models of professionalism, which can be defined as "all the practices, attitudes and skills deemed necessary for the exercise of the profession" [Cattonar and Maroy 2000, p. 25], have succeeded one another<sup>25</sup>. The model of the "educated

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25 To trace this history, we essentially refer to Cattonar Branka, Dumay Xavier and Dupriez Vincent (in press), « Old and new segmentations: The case of the teaching profession in French-speaking Belgium ».

school teacher" of the second half of the nineteenth century, which gave priority to subject knowledge over pedagogical know-how, was succeeded in the course of the twentieth century by the model of the "pedagogical technician" in which mastery of the knowledge and skills to be taught no longer seems sufficient; education was regarded as requiring mastery of knowledge about teaching - i.e. pedagogical know-how [Paquay and Wagner, 1996]. In the 1980s and 1990s and in the context of the crisis in schools (inequalities in education, the cost of schooling in Belgium being higher than elsewhere), the idea emerged that teachers should question the meaning of the actions they undertake and build up "experiential knowledge" that would enable them to adapt to the situations they encounter and to work as a team: the idea was that a "reflexive" professionalisation of teachers [Cattonar and Maroy, 2000] could be a remedy for the crisis.

Another – more recent – rationale animates teachers' employment and working conditions: a model of managerial professionalism<sup>26</sup>, which emphasises the accountability of teachers. External evaluation policies were developed in the 2000s from a soft [Maroy and Voisin, 2014] or reflexive [Mons and Dupriez, 2010] type of accountability. However, it must be realised that these evaluation policies are controlled by the State, which is also taking more and more power – particularly over FOPs – in supervising the teaching profession. The reform of "Titles and Functions" of 2014 (with entry into force in 2016) – "titles" are used to designate the diplomas required to teach courses and "functions" to characterise jobs – for example aims to harmonise the qualifications required and the definition of jobs (positions corresponding to the subjects taught in primary and secondary schools) in all networks. Strongly supported by the teachers' unions and prepared in consultation with them, this decree is part of a regulation of the labour market for teachers: it regulates more strictly access to the profession (a teaching diploma is required for final appointment) and recruitment procedures, while progress in career stages remains conditional on seniority acquired in the environment of the organising powers in the education networks, thus allowing the latter to retain some form of control over staff.

## 4.2. Teacher evaluation in the Excellence Pact: a managerial logic supported by FOPs and the State

Currently, there is no systematic system for the individual evaluation of teachers in French-speaking Belgium: teachers acquire their tenure depending on a certain number of days worked (which varies according to the network) – a bureaucratic logic is at work – and teachers are not evaluated once they have been appointed on a permanent basis either. About collective evaluations, in 2019, Branka Cattonar

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26 As thematised by Demailly Lise [1998]. See also more generally, Garcia Sandrine and Montagne Sabine [2011].

and Vincent Dupiez wrote: "In FWB, until now, external evaluations have not had any formal consequences for educational teams (no impact on salary, career or school management, as in some Anglo-Saxon countries), but they are supposed to encourage them to think about ways to improve their practices (in particular through feedback sent back to the schools)". The Excellence Pact changes this situation.

#### 4.2.1. Individual evaluation of teachers: a 'touchy' issue in abeyance

The Pact has opened the debate of individual teacher evaluations on which trade unions and employers' organisations openly confront each other<sup>27</sup>. The issue of individual teacher evaluation was discussed in Working Group III.2., where different views were discussed. Here, opposition emerged between the trade unions and employers' organisations (particularly regarding the type of evaluation to be carried out and who should carry it out), while the experts put forward intermediate proposals. The majority of trade unions showed in favour of a formative type of evaluation only, i.e. one that does not lead to sanctions and therefore does not have any consequences for career development or work contract. One union staff member explained, for example, that if his organisation agrees that a teacher should be told "when he is dysfunctional", "the logic must be formative". He also suggested that evaluations could mainly concern "temporary teachers": given the difficulties often encountered by young teachers at the beginning of their careers, he suggested that experienced teachers should accompany them when they take up their posts and mentioned the possibility of a portfolio, a personal file in which the teacher's learning outcomes and experience are recorded in a self-evaluation and tutoring approach. For their part, the FOPs appeared rather in favour of a summative type of evaluation of teachers. For example, one employers' representative explains that it is "a problem for them that we are essentially in a formative evaluation". This representative said that she was in favour of a "performance review" of teachers (in order to be aware of what is happening in the classroom and the teaching methods taught), carried out by headteachers with greater authority. She also advocated for the possibility of delegating this task to an "expert teacher". Most importantly in the view of her federation is that individual evaluation can lead to dismissal. For their part, the experts proposed a peer evaluation when a teacher is finally appointed, an idea rejected by the other two parties.

The outcome of this discussion is controversial as the different partners disagree on whether a consensus has been reached at the end of the WG meetings. While the TU representatives and the experts mentioned that there was too much disagreement

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27 They are even more opposed on qualifying education, whose WG report on this issue was rejected by the Central Group. Since it is on this issue that the logic of privatization defended by the employers is most openly expressed (the employers want technical education to be taken over directly by companies).

to adopt a common position, FOPs pointed out that some consensus emerged among TU and FOPs that a teacher evaluation should be based on the OP, i.e. the employers – against the proposal made by the experts that the evaluation should be based on colleagues (page 17 of the supplement to the interim report of May 2016). In this respect, Opinion No. 3 agrees with FOPs, since while it explains that individual evaluations should be essentially formative, it also mentions that: "Only if the staff member has really and concretely been put in a position to evolve can summative evaluations take place"<sup>28</sup>. A trade union official, who considers that the question had not been properly settled, explains that "the Opinion does not exclude in a sufficiently clear manner a logic of individual evaluation".

Based on Opinion No. 3, a decree on teacher evaluation was recently drafted by the operational committee for change, which was then presented bilaterally to the unions and the FOPs. While the Education Minister's representative for the Pact considers the orientations of Opinion No. 3 on the issue of evaluation to be precise enough, the unions rejected the draft decree. A union representative explains: "we immediately refused, we dug our heels in, because we did not want to create junior "corporals" in schools who would be responsible for evaluating their colleagues". A second text was then proposed by the administration to the trade unions: "things were going better, but we found things that were not yet acceptable", continued an other representative. Publication of the first version of the draft law in the press enabled the unions to put pressure on the government. On the contrary, the text suited the FOPs and especially the Segec "very well". The Opinion No. 3 (on this point) "gives them satisfaction", explained one employers' representative. Another player in these negotiations concluded: "It is when they have the impression that they have done their utmost to try to satisfy both parties that they will present it to the consultation committee". Although the text apparently now satisfies all the partners, it has not yet been submitted to the CC and the Education Minister's representative for the Pact could hardly state on its passage within this committee.

More than in head-on opposition, the social partners finally seemingly agree on the principle of individual evaluation – which did not exist until then – and find themselves, to varying degrees, on a continuum between formative and summative type of evaluation. The FOPs are not opposed to the first type, while the trade unions do not reject the second. On this point, one trade union player explains: "We really insisted that the evaluation should be as formative as possible and that the summative aspect should come second and be carried out by direction". Another explains: "in this [the OPs that ask for evaluations] (...) they are not wrong in the absolute (...) there are indeed teachers who ... are not involved in the constraints of their contract". Moreover, the Education Minister's representative for the Pact says it well: "in all this, there is room for negotiation. The challenge is to see how far you can make these terms evolve without changing the paradigm, without going back on the key points". Even if the "affair" of the "evaluation" decree is not over, the outcome of this negotiation would seem a priori to be in favour of the FOPs.

28 Opinion No. 3, page 182.

### 4.2.2 The steering plans: an 'instrument' appropriated by the trade unions

While the unions openly fought against FOPs regarding individual teacher appraisals, this does not seem to be the case, or much less, regarding school-based evaluations, contractualisation and steering plans. This type of evaluation has already been developed in recent years but their logic has been strongly modified in the Pact. Evaluations are being reinforced with the introduction of "steering plans" for each individual school. Within each school, teachers collectively are expected to define shared objectives (improving student knowledge, reducing the differences between the best and worst pupils, strengthening the dynamics of the educational team, etc.) based on legally defined guidelines stating grand objectives for the whole education system. These plans are then analysed by the 'contract of objectives delegate', a local representative of the school administration – in terms of their "fit" with both general objectives and the singular situation of the school. Once accepted and signed by all the stakeholders, they become "contracts of objectives". Schools then have 6 years to reach their objectives (with an interim evaluation after 3 years).

An employer representative explains: "It is said that what will be analysed are the means implemented rather than the results". A school should therefore be mobilised to succeed – including with the help of a support and guidance counsellor – but would not be obliged to achieve its objectives. However, although the evaluations are designed "in a comprehensive and constructive manner, to provide an opportunity for dialogue on deficiencies and difficulties"<sup>29</sup>, the draft reform nevertheless stipulates that "as a last resort, possible sanctions could be pronounced in terms of reduction, or even elimination, of the means of operation and supervision (a condition of funding for institutions)". While accountability remains soft compared to the Anglo-Saxon countries, it is therefore clearly strengthened.

These steering plans are carried by the FOPs – in particular by Segec – and have been prepared over a long period with the consultant McKinsey. One player of Segec does not consider the steering plans as a form of evaluation but first as a "means of setting the teams in motion on the basis of observations". She continues: "Let the schools work ... let's fix together a framework, a line and we'll see in 6 years". Most importantly for her federation is that OPs save and even reinforce their autonomy beyond the capacity of the state to fix the rules of the game. The unions, although opposed to the model of managerial professionalism [Cattonar and Dupriez, 2020], seem to accept, or rather appropriate, the contractualisation. A trade union representative explains: "It was included in the theses of the Pact, so we couldn't say, we don't talk about it at all". Another representative explained that the presence of the consultant McKinsey had raised questions, "but, at the same time, we were starting from scratch: we were coming up with injunctions to build management plans with teams that had no experience of this (...) and, if you look at the decree,

29 FWB 2017, 120.

it doesn't impose anything, so the way of doing things, you do as you want (...) so there is no culture of this, no practice of this, so we could hardly reproach the OP federations for proposing methods". Interestingly, some union representatives also reframed the issue in a positive way, as an opportunity for teachers within schools to extend their jurisdiction through shared leadership (by opposition to the leadership of headteachers promoted by the main FOPs).

### 4.3. The Excellence Pact perceived positively within the European Semester

The European Semester has followed the Excellence Pact from the beginning. In Belgium, the interest of the European Semester officers in educational issues is recent (2015 country report). It is from 2016 onwards that they are of particular interest to the Semester, which highlights two major problems in the Belgian education system: teacher shortages and educational inequalities. The Education Minister's representative for the Pact testified to this evolution and explains that the country reports produced by the Semester that were initially centered on socioeconomic governance issues now include more substantial sections on "social, housing, education".

Although the interest from Europe in national education policies is becoming increasingly important over time, the relationship between the European and national levels keeps quite loose. The Education Minister's representative for the Pact explains that education issues often take a back seat in the discussions during the European Semester. In addition, the recommendations made on education for the states are quite broad and non-binding. The Education Minister's representative for the Pact explains for example: "the commission says: you have a problem of inequity, but they will never say that steering is more or less good". In return, Belgium (i.e. the office of the Prime minister) has very little interest in the recommendations made by the European level on education issues. The Education Minister's representative for the Pact explains once again: "when you are in education policies, European recommendations nobody reads them... it goes completely unnoticed". The Education Minister's representative also underlines the difference with the finance issues, "where when there is a European recommendation, everyone talks about it for months".

Importantly however, within the European Semester context, education policies tends to be evaluated in a logic of return on investment. The Education Minister's representative for the Pact explains this by the important role played by Finance: "Ministers of Education want to have a say in the Semester but... 10 years ago they were fighting against Ministers of Finance and today it is not necessarily obvious

how Ministers of Finance treat Ministers of Education". French-speaking Belgium is also accountable for the financing of the Pact (150 million euros). The Education Minister's representative for the Pact explains that the government had to explain the dimension of the return effects of the policies with a rebalancing of the budgets: "We have to be accountable to a lot of people: to the Commission, to the rating agencies, to the OECD".

## 5. Conclusion: social dialogue strengthened by a managerial state

This chapter sought to answer three main research questions. The first is about the evolution of sectoral social dialogue in education; the second about the link between this evolution and the trajectory of education policies in French-speaking Belgium (i.e. liberalisation of education policies); and the third about the role of EU governance mechanisms in shaping both social dialogue and the trajectory of education policies.

First, our analyses undoubtedly point to a strengthening of the social dialogue over the last 30 years. Whereas the social dialogue, until the communautarisation of education at the end of the 1980s, mainly followed the contours of the pillarised structure, it evolved substantially to be formalised at the state level. It was first instituted under a bilateral social dialogue among the government and the unions, but quickly, employers entered the game to make it tripartite (government, unions and employers). The rising role of the state (i.e. at the community level, the government of the French-speaking Belgium community, represented by the ministry of education) in the regulation of education matters was thus accompanied with accentuated importance of social dialogue involving *de facto* the rising importance of reform logics promoted by unions, but also by the federation of employers. The Excellence Pact increased this trend by even involving unions and employers into the preparation of reform packages, while enlarging the consultation to more stakeholders (parents' representatives, academic actors, consultancies and civil society) to reflect the particular status of such a systemic reform covering the main aspects of education policies (governance, education personnel, and curriculum) all together.

Second, our analyses of the Excellence Pact reveal very important insights on the trajectory of teacher policies (and its likely liberalisation) in French-speaking Belgium, linked both to the reinforcing regulatory role of the state in education and the strengthening of social dialogue. They show that at least three logics of reform (and actors) are playing together. The first logic is the one the State, which not only increased its intervention in education since the communautarisation, but also adopted progressively NPM arrangements visible with reforms of teacher individual evaluations (still under negotiation) and reforms of the governance structure currently more centered on the contractualisation with schools and federation of employers. The second logic is the corporatist logic of unions. The logic of unions was mainly, from an historical perspective, anchored in a bureaucratic vision of the teaching profession that defends the administrative status of the profession. While this vision keeps being very influential (see for instance how unions positioned against teacher evaluation as cornerstone of career advancement or the support to the bureaucratic reform of the labour markets for teachers), it has been recently completed with another logic that puts initial and continuous education issues more to the front. This explains

not only the important support provided by unions to the initial teacher education reform, but also the way some unions reframed reforms of the governance to make it more acceptable for their members. Finally, the third logic is the one of employers' federations. This logic is not per se pushing for market mechanisms, but rather for the defence of the autonomy of employers (and federations of employers) in a context of increased bureaucratisation promoted by the unions and stronger contractualisation pushed by the State.

The intriguing question is: how can those logics play together, while they obviously oppose on many points? Most specifically regarding our purpose, how can we explain that unions did accept the NPM turn on education and teacher policies, while it visibly contradicts their historically developed vision of the profession (and even, to a certain extent, the more recent "learning turn")? We argue that making sense of these issues needs to understand how the logics combine with each other to define and frame the configuration of powers among the State, the profession and the employers' federations (which logic does not subsume properly to a market logic). On the one hand, unions rely on the State to extend their bureaucratic corporatist logic or push for their newly framed professional logic (focused on education and learning). This was clearly noticeable, for instance, in the way unions pushed and supported bureaucratic reforms of the labour markets for teachers to reduce employers' autonomy, or in the way they advocated for reforms of the teacher initial education (which were supported to a lesser extent by employers' federations, in particular the Catholic). On the other, the State rely on unions not only because they are key players in the negotiation and the implementation of reforms, but also to position itself as the newly arrived regulator shaping common norms for the whole educational system, whatever the network each school or organising powers was historically attached to. In other words, both unions and the State have joint interest in resisting to the rising role of employers' federations, and this in part explains why unions do accept the newly managerial orientation taken by the State. Employers' federations, on their side, have an ambivalent position regarding this orientation. On the one hand, they clearly pushed for a new kind of teacher individual evaluation (having implications for work contracts of teachers), because it corresponds to their agenda on increased autonomy for employers. But on the other, they are less advantaged by the new school-based evaluation and contractualisation, mostly because the contractualisation happens between the schools and the State directly.

The case of contractualisation and steering plans is particularly interesting to reveal how instruments, and not only actors' relations, embed and permit the coexistence of the multiple reform and actors' logics shaping in return the social dialogue context in French-speaking Belgium. While steering plans clearly materialise the vision of the newly positioned State as key regulator, they are appropriated by some of the unions under the banner that contractualisation may be conceived as an opportunity to develop shared school-based leadership and extend the profession's jurisdiction (over the one of headteachers). On the side of employers' federations (Catholic in particular), the acceptance of school-based contractualisation is compensated with

more autonomy for schools and organising powers regarding the means to reach the objectives, and for FOPs to organise and regulate schools and teachers based on the structuration of middle management (headteachers and pedagogical advisors).

What about the role of Europe (Semester and ESSDE)? Our key result regarding this point is the two-sided relation between the EU and Bel FR. On the one hand, within the context of the EU Semester, social partners' participation in reforms is even increased by their consultation while the ESSDE help unions at being more knowledgeable of the European dimension of issues discussed in the current negotiation of the Excellence Pact. On the other hand, from the European side, Belgium FR, because its reform agenda and dynamics fit well in its scope and form with the EU agenda (better teachers and stronger governance for better and more inclusive education) likely represent national exemplar showing how key concerns at the EU level can find solutions. Meanwhile, however, this link appears to keep quite loose, even the tighter regulation from the Semester, which does not really seem to pressurise neither the government, nor the other stakeholders.

As a conclusion, we can see that the teaching profession is strongly framed by a logic of state-controlled administrative status and bureaucratic regulation. While this logic has been reinforced under the neo-statist reform trajectory (leading to more harmonisation of administrative statuses among the education networks for instance), it is gradually being articulated with a managerial logic that emphasises school-based contractualisation and the individual evaluation of teachers. Since these NPM inspired reforms are either in the first steps of their implementation (school-based contractualisation) or under negotiation (teachers' individual evaluation), it is premature to conclude about their effects on key variables such as the professional autonomy of teachers or the flexibilisation of employment conditions. We can only suggest the following hypotheses: the contractualisation could lead to a reduction of professional autonomy, while the schemes of individual evaluation of teachers could reinforce the power of employers and the precarity of teacher employment (in particular teachers in the early years of their career whose employment is already precarious). However, these effects will likely be heavily dependent on the evolution of the configuration of logics associated with the State, the teaching profession, and the employers' federations.

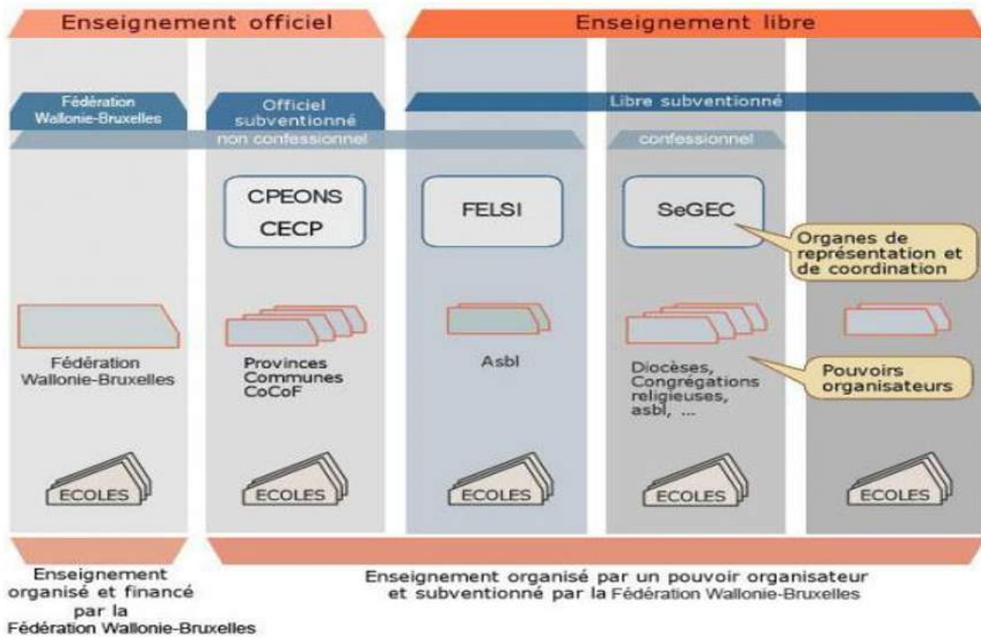
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# Appendix for French-speaking Belgium case study

## A1. The organisation of education in the French Community



## A2. The three communities of Belgium



## A3. The 18 Work Packages of the Excellence Pact

- WP 1: nursery education (including the first stages of free schooling and the development of language skills among the youngest children);
- WP 2: core curriculum (including strengthening language learning and combating grade repetition);
- WP 3: digital transition;
- WP 4: positive orientation;
- WP 5: VET;
- WP 6: governance and contractualisation with schools;
- WP 7: governance framework: the General Administration of Education;
- WP 8: Transform the WBE network;
- WP 9: Support schools with high performance gaps;
- WP 10: Pedagogical leadership of management teams;
- WP 11: Enhancing and empowering teachers and developing the pedagogical leadership of management teams (training);
- WP 12: Valuing and empowering teachers;
- WP 13: school dropout;
- WP 14: SEN pupils and special education;
- WP 15: Reform the CPMS;
- WP 16: School democracy and well-being at school;
- WP 17: Administrative simplification;
- WP 18: PECA - cultural and artistic education pathways.



## Chapter 3. **Industrial relations in the Italian education sector: industrial democracy and the challenges of privatisation(s)**

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# 1. Introduction

This case study shows how patterns of industrial relations (IRs) and social dialogue in the education sector have significantly changed in Italy since the 1990s in association with a set of processes of liberalisation and privatisation. In the Italian case these changes can be analysed examining three liberalising and privatising policy trajectories: the introduction of decentralisation and school autonomy in the 1990-1997; the New Public Management (NPM) reforms focused on merit and performance management in the 2007-2012; the establishment of the National Evaluation System (SNV) and the managerialisation of the autonomous school in the 2013-2016.

We identify a beginning in the early 1990s, where we locate the emergence of a set of ideas to reform the Italian education system through autonomy and decentralisation that were triggered by economic and political crises and the European Union (EU) and transnational pressures. Along that decade, powerful discourses around autonomy, decentralisation, managerialism and evaluation entered the Italian imaginary and opened the way for a radical critique to the centrally-managed and state-centred architecture of the education system. After a brief analysis of this first policy trajectory, the case study focuses on two following policy trajectories:

- a. the Brunetta Reform trajectory (Law no. 15/2009 and Legislative Decree no. 150/2009), interpreted as a key point in the introduction of the logic of the performance cycle management as an evaluative instrument for the modernisation of the whole Italian public administration, but also as the opening of a new wave of educational reforms;
- b. the Buona Scuola Reform (Law no. 107/2015) trajectory, which represents a further step in such a policy process, leading towards managerialisation and re-infrastructuring of the public education system through the mechanisms of public-private partnership (PPPs).

We analyse these trajectories as processes of selection and retention that unfolded in the space of possibilities opened by early 1990s criticism of the Italian welfarist education system. In analysing these three policy trajectories, the case study will mainly focus on changing patterns of IRs and, specifically, on the transformations of collective bargaining with a view to managerialisation and decentralisation.<sup>30</sup> The analysis will revolve around a set of reforms as structuring poles of a corporate and

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30 Please see Appendix A in this report for details about the theoretical framework and methodology of the project, and Appendix B for an overview of the policy documents and interviews analysed for this case study.

private approach to IRs in the public and education sectors. Decollectivisation and individualisation will be investigated as fundamental analytical keys to understand new directions in IRs and union mobilisation. The affirmation of a performance evaluation regime in education completes the picture that leads to a considerable accentuation of the individualistic features of mobilisation, which shifts the axis of trade union mobilisation towards forms of individual claiming. We use policy networks as visualisations to illustrate how the changes in the modalities in which social dialogue and collective bargaining are done and are related to policy privatisation and NPM reforms. The case study shows how changes in the restructuring and reculturing of the Italian education system and the regulation of its workforce have been characterised by an increasing presence and multiplication of private actors in the key sites of education policy-making as authoritative voices who were able to set and influence the educational agendas and reforms.

An underlying concern of the case study will be to highlight how the changing patterns of IRs and their association with privatisation processes can be understood if located within the dynamics of EU multilevel governance and the EU Semester as a tool of economic governance. They are the emergent effect of the interplay between contextual institutionalised features of the Italian system, EU pressures for the modernisation of education and their recontextualisation through national policy-making. Rather than identifying a causal nexus between IRs, liberalisation, privatisation and EU policy-making, the aim is to deepen our understanding of the associations and mutual influences among them.

Finally, the case study will discuss the implications of these transformations for teachers' working conditions, industrial democracy and the realisation of the principles of fair working conditions as outlined in the European Pillar of Social Right (EPSR).

## **2. Contextualising industrial relations, social dialogue and privatisation in education in Italy**

In the Italian context, the State has historically acted as the central integrating force and arbiter within society (Pollitt, 2007, 20). Key distinctive traits of the Italian public governance can be considered a legalistic tradition strongly rooted in public administration, a technocratic orientation towards decision-making and a prevalence of bureaucratic/formal modes of accountability, together with a pervasive control of judicial review (Painter and Peters, 2010, 21). Equally central in the Italian education system, the State was guarantor of public and mass education for all through a centralised, hierarchical and bureau-professional mode of regulation (Clarke and Newman, 1997), where a welfarist discourse combined legal and technical rationality. In relation to the two foci of this research project, we could observe how historically in Italy:

- societal actors have been involved in public governance mainly through corporative mechanisms (Painter and Peters, 2010, 21);
- grand corps and trade unions have been powerful actors when reforms of the public governance and public personnel management come at stake (Kickert, 2007, 27);
- only recently the significant differences between the public and the private spheres in terms of regulation and ethos are being partly reduced through the introduction of managerialism in the public sphere (Ongaro, 2009, 256).

Yet, these arrangements started to be eroded since the 1990s, with decentralisation, public-private partnership and privatisation policies that begun to challenge the above structural and cultural legacies and increased the pluralisation of the modes of involvement into public governance of a heterogeneous array of societal and private actors (Ongaro, 2009, 253). In this section, we attempt to briefly characterise the key features of the education system in terms of IRs arrangements, social dialogue and privatisation before the 2008 crisis.

## 2.1 Industrial relations in the education sector in Italy

In the second half of the 20th Century, IRs in education and the modalities of social dialogue significantly changed in the Italian context. In terms of *legislative and institutional framework*, the education sector has been influenced by cycles of reform that concerned employment and IRs within the wider public sector and promoted a shift from a state-centred system towards a gradual rapprochement to the private sector labour regulation (Bordogna 2016; Bordogna, Pedersini 2019). This re-regulation of IRs, aimed at introducing incentives toward productivity and spending restraint mechanisms, has been implemented in several stages, responding to external pressures (European integration, economic crisis and lastly EU new economic governance).

In education, the Italian State has been historically the only actor responsible in controlling labour demand, employing more than one million workers (Causarano 2017). A special status has been granted to education public employees, often with no or limited scope for collective bargaining. Nevertheless, recent shifts away from special status and some growth of collective bargaining are recognisable (Stevenson, 2019). *Collective bargaining* in education is organised on two levels: 1) a national level which involves the Agency for Bargaining Representation in Public Administrations (ARAN), and representative trade unions that participate to social dialogue to negotiate the content of individual employment contracts both in economic (salary, seniority treatments, etc.) and regulatory terms (working time, qualifications and duties, stability of the employment relationship); 2) an integrative level with three sub-levels (national - regional - workplace) each of them involving specific bargaining agents and issues. Unitary School Representatives (RSUs) are the space for negotiation on a school/workplace level.

Since the 1970s, the *organisation and representation of teachers*, traditionally based on the corporate model of the (non-unionised) professional associations, shifted towards a sectoral dimension. Sectoral unionism in education begins to assume a hegemonic position due to strong relations with the representative Italian trade unions and also to the support of a mass of precarious teachers during the seventies (Patroncini 2000). In the 1980s, the crisis of confederal trade unionism contributed to the return of the corporate model of professional associations and to the emergence of grassroots unionism (Causarano 2008). In such context, historically characterised by high organisational fragmentation and marked by the education privatisation reforms implemented since 2000s, new forms of “individualised unionism”. In 2008 Italian teachers’ unions featured a high density and fragmentation of the structure of representation (Bordogna, Pedersini 2019), as a result of a fragmented working culture (Causarano 2012). It is important to emphasise here that representativeness is achieved when a union reaches 5% of votes in the Unitary School Representations (RSUs). In fact, ‘unions in the public sector have to compete for members to achieve representative status’ (EFILWC, 2011, 27), which is a prerequisite to participate in

collective bargaining. This is why in this case study we focus only on representative unions, namely the Italian General Confederation of Labour (CGIL) and its educational branch the Federation of Education Workers (FLC), the Italian Confederation of Workers' Unions (CISL and its education branch – CISL Scuola); the Italian Union of Labour (UIL and UIL Scuola), the Teachers Guild (Gilda-UNAMS) and the National Autonomous School Workers Trade Union (SNALS-Confsal), and the National Trade Association of Teachers and Educators (ANIEF). Aware of the important role that also non-representative trade unions such as Cobas, Uni-cobas and UGB continue to play in representing education staff, we remand to further research on their important action.

In terms of *forms and prevalence of industrial action* (Stevenson, 2019), despite most industrial relations literature on collective action focus strikes (Kelly 1998), education workers have historically expressed their collective grievances through several methods with different degrees of formal organisation. Alternative expressions of conflict have been leveraging campaigns, employment tribunal applications, staff turnover, and so on (Gall and Kirk 2018; Gall 2013). In the Italian education sector alongside traditional forms of industrial action such as general strikes and boycotting at workplace level put in place by confederal and grassroots unions respectively, a new form of conflict emerged in the 2000s, at the intersection between education privatisation reforms and employment relations reforms with their impact on wages and collective bargaining. According to diverse commentators, this led to a deterioration of IRs in education and to an increasing conflict between the parties (Pedaci et al. 2020; Jones, 2010).

## 2.2 Linking changing industrial relations and privatisation in education in Italy

Since the late 1990s, changing pattern of IRs and social dialogue in the education sector have interacted with the three distinct processes of liberalisation/privatisation in the Italian context:

- NPM-inspired education reforms (*endogenous privatisation*) and the related attempts to liberalise the regulation of education workforce;
- the widening of the spaces for the development of PPPs in education (*exogenous privatisation*);
- the emergence of a coalition of private, philanthropic, advisory and transnational actors (*policy privatisation*) that have influentially promoted, designed and sustained these processes of education modernisation, being more and more involved in policy design, development and enactment, with 'the state playing

a key role in a paradoxical process of the destatisation of education policy' (Grimaldi and Serpieri, 2013, 445). We briefly outline here these three links.

First, the trends towards liberalisation and privatisation that are recognisable in the reform of the whole Italian public sector (and IRs as part of it) have been mirrored in more than a decade of intense education reform. Since the late 1990s, starting from the introduction of school autonomy, NPM reforms have changed some institutional pillars of the centralised Italian education system. Before the introduction of school autonomy, governance relationships and policymaking were mainly hierarchical, and the system was regulated through national legislation, input standards and procedures, whereas evaluation and mechanisms of control were formal and mainly focused on the input-side. Large autonomy was recognised to school heads and teachers within their professional space. In the late 1990s, as a result also of EU and OECD pressures, the reform of education governance became a priority in the Italian agenda, because of the claimed ineffectiveness of its centralised and bureau-professional mode of regulation and its incapacity to respond to the educational needs of the knowledge economy. Through the School Autonomy Reform (Law 59/1997), a NPM mix between autonomy, accountability, private sector management techniques, imitative competition and a system of incentives was referred to as stimuli for efficiency, efficacy and improvement. As we will see, these reform processes have significantly impacted on the education profession and its regulation and the forms of bargaining, creating relevant spaces of interaction between endogenous privatisation and changing forms of IRs in the education sector.

Second, the managerialisation of the Italian education system and the introduction of site-based management have also acted as picklocks for an intensification of the direct and indirect involvement of private actors in the provision of education services. In Italy the expansion of the private sector in education is not the result of a neoliberal revolution, but rather has a different and earlier origin (Verger et al. 2016, 104), being triggered by the constitution of PPPs as an institutional response to the presence of faith-based educational institutions (where the share of learners in private institutions at the ECEC level is higher than at other levels). However, with the school autonomy reform, the number and nature of PPPs have increased, in terms of contracting out services, the emergence of education services markets, commercialisation and the establishment of a significant educational philanthropy, supporting state schools with aid, subsidy, donations and payments. Interestingly, together with the role, nature, duties and prerogatives of private schools as teachers' employees, the regulation of working conditions in the hybrid spaces of PPPs has constituted another issue which is out of the reach of social dialogue, representative bodies and bargaining.

Third, in the pre-NPM reform public governance arrangement, given the clear boundaries between public and private in education policy-making, the imagination and design of education policy was formally carried on within the traditional field of public policy-making, with clear spaces for social dialogue and unions consultation.

In the NPM scenario, the landscape of education policy-making has profoundly changed, 'with private sector organisations being ever more involved in policy design, development and enactment and the state playing a key role in a paradoxical process of the destatisation of education policy' (Grimaldi and Serpieri, 2013, 445) that impacted on the role of unions, the forms of social dialogue and the possibilities for teachers' representative bodies to have a voice in the policy process.

This contextualisation of IRs, social dialogue and privatisation in education in Italy provides us with a picture of the historical, cultural and governance landscape of the Italian education sector, and in particular of IRs, social dialogue and privatisation arrangements in the early 1990s. It is in this socio-historical milieu that we can locate since the 2008 economic crisis the rising of a neoliberal and neomanagerialist critique of the key traits of the Italian welfarist educational systems and, importantly for our specific focus, of the IRs and social dialogue arrangements. It is to the analysis of this stage of policy variation and the following processes of selection and retention that we now turn.

## **3. Changing patterns of industrial relations and social dialogue in education in Italy in the context of privatisation reforms**

### **3.1. The changing institutional framework of industrial relations in the public sector: the NPM agenda in the 1990s**

In the Italian context, discourses of autonomy, decentralisation and evaluation began to emerge in the early 1990s, as a result of the economic crisis and the need to implement strong control of public spending to meet the Maastricht Treaty (1992) and European integration criteria. The 1990s were inaugurated by a set of reforms that Bordogna, (2016) has called ‘first privatisation’ (see the Law n. 241/1990) that re-organised the public sector according to the principle of efficiency, redesigning public administrations according to a division between political and managerial responsibilities and allowing the private sector to intervene in public administration activities.

In the field of education, a NPM approach to decentralised governance and autonomy of educational institutions became the magic recipe to make an ‘inhibited’ country dynamic, flexible and globally competitive. The underlying assumption was that modernising the education system would have involved a move from government to governance (Ball, 2016; Allan et al, 2020). A 1990 National Conference on Education was the first place in which the need for autonomy, evaluation, and alignment of Italian schools to the European trends were systematised, identifying as critical points the necessity of a strategic management of the education system, especially in the areas of innovation and educational organisation/planning; professional resources (teachers); economic and financial expenses; governance and organisational participation, and evaluation. School autonomy became the viable solution to de-bureaucratise the system (Benadusi and Serpieri, 2000). The Conference opened to the idea of education as a good delivered by institutions autonomous in their administration of economic and human resources, assigning to the central government the role of evaluation and assistance. These claims gained further centrality and strength in the public and policy debate when the OECD (Education at a Glance, 1992, 1996) published the first series of indicators to compare and analyse trends in performance, schools’ arrangements and outcomes and on education expenses across Europe, with the aim to compare countries and set quality standards.

In summary, in the mid 1990s the centralised and bureaucratic forms of coordination of the Italian education system became a policy problem and a powerful reform narrative emerged that can be interpreted, at least in part, as the transposition of key ideas from the EU level discourses on:

- the transformation of statehood and “governance without government”, intended as a mode of coordination where governance takes place by several formally autonomous but factually interdependent actors;
- changes in political structures and processes and, relatedly, the possibilities for such a governance model to work independently of the existence of a central authority and beyond the territorial congruence of those who govern with those who are subject to governance;
- action capacity and responsibility, together with the need to tighten the nexus between horizontal coordination and evaluation (Jachtenfuchs and Kohler-Koch, 1995). The rising of such a narrative at the cross-road between exogenous and endogenous pressures (economic and political crisis, austerity, the requirements of EU economic and political integration) can be interpreted as a key stage of variation in Italian education policy that has opened the space for the selection and retention of reforms of the Italian public administration and education system that have reconfigured IRs in the education sector, also through a liberalisation and privatisation of the education governance and organisational structures (see Figure 3.1).

### 3.1.1. Reforming education as part of a wider redesign of the Italian public sector: the 1997 School Autonomy Reform

Such a problematisation found a first moment of institutionalisation in the 1997 Bassanini Reform (Law. no. 59/1997) that introduced decentralisation and privatisation in the public sector (including education) and, in a NPM fashion, systematised the connection between autonomy, efficiency, institutional outcomes and personnel's performance.

In continuity with the Law n. 241/1990, the Bassanini reform is a turning point in the public sector IRs in Italy, that pushed forward the privatisation and contractualisation of employment relationships including also ‘top-level state managers’ (Bordogna, 2016, 91) and promoted a decentralisation of bargaining, allowing individual employers greater autonomy in pay-related negotiations. At the same time, it reformed the school system by formally establishing school autonomy and warranting head teachers with the status of ‘top-level state managers’, putting also a strong emphasis on education quality evaluation. Outcome-based evaluation began to be seen as an indispensable tool to monitor autonomous schools and rationalise public investment in education, aligning resources and objectives and guaranteeing public expenditure transparency.

At the crossroad between decentralised governance and administrative, didactic and organisational autonomy, schools were positioned as organisational units accountable for their performance, funding allocation and institutional decisions.

In summary, the Bassanini Reform institutionalised two reform drivers in the processes of education liberalisation and privatisation that intersected with changes in IRs and social dialogue (see figure 3.1). First, a discourse of autonomy, connected with decentralisation and managerialism; second, a discourse of performance evaluation and merit, connected with individualism and juridification. Through distinct processes of selection and retention, these two discourses informed two cycles of reforms: a) in 2007-2011 the Brunetta, Gelmini and Tremonti Reforms; and b) in 2011-2016, the Buona Scuola and Madia Reforms. These cycles pushed forward processes of liberalisation and endogenous privatisation of the Italian education system and, in doing so, relentlessly modified the ways of doing IRs and social dialogue in the education sector along the axes of decentralisation, individualisation, managerialisation and juridification. In the following pages we will analyse these processes of selection and retention, showing how policies of autonomy, decentralisation, merit and performance evaluation, linked to an economic rationale and a market reason, produced significant changes in IRs and social dialogue in education. In doing so, we will also maintain a focus on 'how teacher unions both shape policy and are shaped by policy' (Carter et al, 2010, 1).

Figure 3.1 - Interconnected cycles of variation, selection and retention in industrial relations and education

Variation	Selection	Retention
<p><b>Exogenous Pressures</b> Economic crises European integration Maastricht criteria</p> <p><b>Endogenous Pressures</b> Public debt Currency devaluation</p> <p><b>First and second cycle of privatization</b></p> <p><i>Contractualization/ ARAN</i> <i>Bassanini reform</i></p> <p><b>New Public Management</b> De-centralization Autonomy Evaluation Public spending control De-bureaucratization</p>	<p style="text-align: center;"><b>Third cycle of privatization</b></p> <p><i>European pressures</i></p> <ul style="list-style-type: none"> <li>• Economic crises</li> <li>• Austerity</li> <li>• European employment strategy</li> </ul> <p><i>Industrial Relations</i></p> <ul style="list-style-type: none"> <li>• Strong Managerialisation and Evaluation</li> <li>• Decentralisation               <ul style="list-style-type: none"> <li>◦ School autonomy</li> <li>◦ RSU</li> </ul> </li> <li>• Worsening education working conditions</li> <li>• National agreement               <ul style="list-style-type: none"> <li>◦ Reduction of matters for collective bargaining</li> <li>◦ Unions alignment to government managerialism</li> </ul> </li> </ul> <p><i>Education and Privatization</i></p> <ul style="list-style-type: none"> <li>• Labor-marketization of education</li> <li>• School autonomy and Decentralisation</li> <li>• Technocratization and system modernization</li> </ul> <p><i>European pressures</i></p> <ul style="list-style-type: none"> <li>• European Semester</li> <li>• Spending review</li> <li>• Education competitiveness and Labour market reforms</li> </ul>	<p><i>Industrial Relations</i></p> <p><i>Brunetta and Gelmini reforms</i></p> <ul style="list-style-type: none"> <li>• Strengthening of RSU</li> <li>• Mobilisation and renewal</li> <li>• School community fragmentation</li> </ul> <p><i>Education and Privatization</i></p> <ul style="list-style-type: none"> <li>• <i>Brunetta and Gelmini reforms</i></li> <li>• Public/private partnerships</li> <li>• Performance management cycle               <ul style="list-style-type: none"> <li>◦ Performance evaluation</li> <li>◦ Invalsi</li> </ul> </li> </ul>
	<p style="text-align: center;"><b>Fourth cycle of privatization</b></p> <p><i>Industrial Relations</i></p> <ul style="list-style-type: none"> <li>• Evaluation and merit</li> <li>• Review of the recruitment system</li> <li>• Freezing of national collective agreement</li> <li>• Closure of spaces of collective bargaining</li> </ul> <p><i>Education and Privatization</i></p> <ul style="list-style-type: none"> <li>• Managerialisation</li> <li>• Recruitment and management economic resources</li> <li>• Selection and evaluation of teachers</li> <li>• Weakening of collective bodies</li> <li>• Corporatization</li> <li>• From teaching of <i>knowledge</i> to teaching of <i>skills</i></li> </ul>	<p><i>Education and Privatization</i></p> <ul style="list-style-type: none"> <li>• <i>Buona scuola reform</i></li> <li>• Commercialization of education</li> <li>• Marketization through digitalization of education</li> </ul> <p><i>Industrial Relations</i></p> <ul style="list-style-type: none"> <li>• <i>Buona scuola reform</i></li> <li>• Juridification of IRs</li> <li>• Decollectivization</li> <li>• New forms of doing unionism</li> <li>• Subtractive rebalancing</li> </ul>

## 3.2. Managerialism and decentralisation: the displacement of collective bargaining in the school of autonomy

Changes in state systems are acknowledged to manifest in moments of crisis (Jessop, 2010). In 2008, external pressures, such as the incumbent economic crisis, austerity measures and a new EU governance, combined with internal pushes including an unstable political situation and difficulties in sustaining public debt, revitalised discourses on autonomy and evaluation initiated by the Bassanini Reform and acted as an accelerator of further changes in the institutionalised IRs and social dialogue arrangement in the education sector.

The processes of autonomy developed through processes of decentralisation followed by a series of economic, dirigiste reforms linked to austerity measures. The 2008 economic crisis represented at the same time a moment where a specific process of selection emerged, that we attempt to describe graphically in the network below (see Figure 3.2). A discourse attributing the responsibility for systemic inefficiencies to the bureaucratic nature of the public and education sectors gained terrain, invoking solutions inspired by managerial and private sector logics (see the bill n. 3423 deposited by the Education ministry to the Chambers in February 2008). Appealing to international standards to ameliorate the inadequacy of the Italian public administration, such a discourse encouraged the application of merit as a criterion of selection and reward, and the strengthening of effective managerial control in public administrations and education. Within this discursive frame, collective bargaining and the Collective Agreement were seen as a hindrance that penalised the most productive and meritorious businesses and employees, favouring free-riding by taking advantage of the employees system of protection.

This problem was structurally addressed by the series of reforms promoted by Brunetta, the minister of public administration under Berlusconi's government. The Brunetta Reforms (Law n. 15/2009 and legislative decree n.150/2009) promoted the private sector *modus operandi* (Martone, 2010) and initiated the so-called 'third cycle of privatisation' (Bordogna 2016) along four key operational lines:

- Strengthening of employers' power through evaluation;
- Promoting strong managerialisation and decentralisation in the public (including education) sector;
- Restricting the scope of collective bargaining and weakening of trade unions;
- Enforcing strong financial control on collective bargaining.

Managers were invested with the role of distributing economic incentives according to a 'selective criterium' that linked performance with merit; worked through objectives and



Alongside the Brunetta Reform, the Gelmini Reform (Law no. 169/2008) introduced this managerial culture in the education sector, combining cultural conservatism with economic neoliberalism, and linking educational restructuring to financial cutbacks (Jones 2010). It sought to apply the logic of merit to frugality by focusing on Merit, Autonomy and Evaluation<sup>31</sup> and aligning school governance to the reform of the whole public administration. Performance evaluation was seen as one of the crucial points for recruitment, retainment and promotion of teachers, connecting distributions of proportions of public resources 'to the performance results recorded by a third party' and 'strengthening organisational powers of school leaders, to facilitate full competition between schools'. The Gelmini Reform also enacted the financial restrictions of Law no. 133/2008 and rationalised funding to schools according to the three-year budgetary law, so to even the financial imbalances. It operated cuts on school time, with the direct effect of reducing the auxiliary, technical and administrative school workers (Art. no 64), in that it explicitly referred to 'reducing the school network so to contain expenditure on public servants' (Gasperoni, 2008, 192) and left a high percentage of precarious teachers without employment. These processes deteriorated teachers' working conditions, stimulating a series of effects on IRs and social dialogue.

While changes at school levels were deteriorating teaching conditions and freedom, a Pact<sup>32</sup> between CISL<sup>33</sup> (and CISL Scuola), UIL (and UIL Scuola), UGL and other minor unions was sealed on the 30th April 2009. The Pact, fiercely opposed by CGIL, saw an alignment of the signatory unions to the government privatisation plans. The signatory unions adopted here a rapprochement strategy (or pragmatic acceptance) in response to the governmental education reforms (Carter, et al, 2010; Verger et al, 2016), and attempted to maximise gains for their members within that. However, they 'reject[ed] the anti-public and anti-state rhetoric that surrounded it, and criticis[ed] the cuts in working time off and paid leaves for union activities' (Bordogna, 2016, 94). In that period IRs and social dialogue in education deteriorated significantly becoming very conflictive both at national and workplace level (Pedaci et al. 2020). The Pact, together with other decisions, promoted processes of decentralisation, as 'part of that tendency towards system fragmentation in which operational management decisions were decentralised to workplace level' (Carter et al, 2010, 15) and it planned a freezing of the Collective Agreement from 2010, initially foreseen for 5 years, although it lasted until 2018. This decision, coupled with the disempowerment of the integrative bargaining at the local level, and the deterioration of teachers' conditions following the enactment of the Gelmini Reform, had an effect on the re-aligning of power relations, and workers' decisions, at a local school level.

31 <https://dati.istruzione.it/opendata/opendata/catalogo/elements1/leaf/?area=Personale%20Scuola&datasetId=DS0600DOCTIT>

32 [http://www.cisiscuola.it/uploads/media/cisiscuola\\_IntesaAccQuadAssetContrat\\_30apr\\_09.pdf](http://www.cisiscuola.it/uploads/media/cisiscuola_IntesaAccQuadAssetContrat_30apr_09.pdf)  
[https://eprints.luiss.it/1171/1/La\\_contrattazione\\_interconfederale.pdf](https://eprints.luiss.it/1171/1/La_contrattazione_interconfederale.pdf)

33 [http://www.cisiscuola.it/index.php?id=5241&tx\\_ttnews%5Btt\\_news%5D=21062&cHash=8c6116c787c32c503411769a21bc2799](http://www.cisiscuola.it/index.php?id=5241&tx_ttnews%5Btt_news%5D=21062&cHash=8c6116c787c32c503411769a21bc2799)

### 3.3 Shifting levels and forms of bargaining: RSU as loci of decentralised mobilisation

School autonomy, decentralisation and the introduction of the managerial headteacher in charge of evaluating and allocating resources produced a shift in social dialogue to the workplace, strengthening local representation, organised in the RSUs. RSUs were established in 1991 and successively introduced in the public and education sectors through legislative decree n. 396/1997, following the enactment of the Bassanini Reform and School Autonomy. As described by A. Giannelli, chair of National Association of school Managers:

*"Industrial relations go hand in hand with the introduction of the figure of the manager... because if there is not a manager that exercises managerial functions, it makes no sense for there to be a RSU. Let's say that, depending on the needs, the RSU must somehow dialogue or argue with this [manager]. So much so that in the CCNL 98/2001, which straddled the introduction of management [in education], it was written that the RSU would have very mild trade union relations with the principal until he became a manager. Only then would it make sense to balance managerial prerogatives with union prerogatives (Interview 2, 07/2020)."*

Giannelli refers to the Collective Agreement issued in 2001, when, through social dialogue, it was agreed that 'collective bargaining happens on a national integrative level and, on a school level once autonomy is realised and enacted, whilst decentralised bargaining happens on a provincial level' (CCNL, 98/2001, Art. no.3). Connected to the decentralisation of IRs enacted through the National Agreement, and with the strengthened functions of the principal/manager to directly appoint teachers and evaluate their performance (Gasperoni, 2008, 190), RSUs became inscribed in 'that tendency towards system fragmentation in which operational management decisions were decentralised to workplace level' (Carter et al, 2010, 15). RSUs grew as new sites of discussion and bargaining (Bordogna, 2016). Moreover, as Patroncini, former national secretary of FLC-CGIL, further remarks:

*"RSUs were created precisely as a trade union balance of the power that school leaders gained through[school] autonomy. There is a certain difference, both logical and political, with collegial bodies in the 70s. These were professional bodies, and were inspired by a collegial logic of functioning, partly to mask the political conflict of the time and partly to support its collectivist spirit. RSUs and school leaders respond more to a "corporate" logic in keeping with*

*the neoliberal climate of the new millennium. The entire construction phase of this situation (1995-2000) sees endless debates against the "verticalisation of autonomy", the "privatisation of the employment relationship", the introduction of performance evaluation systems borrowed from the private sector. Etc. (Interview 4, 09/2020)"*

While integral part of decentralisation of collective bargaining, RSUs also followed a logic that departed from the collegiality underpinning unions' decisions in the 70s. They strengthened their position to counterbalance the increasing control operated by school leaders, de facto contributing 'to bring the public sector bargaining structure and processes even closer to those of the private sector' (Bordogna, 2016, 92). However, as a counterbalance to the control operated by principals and the processes of performance evaluation intensified in 2008-2011, RSUs also became loci of mobilisation and resistance. Patroncini aptly maintains:

*"The aggressiveness of the right-wing policies (2001-2005 and 2008-2011) forced union towards tough national battles of resistance, in which the RSUs became useful terminals of mobilisation rather than instruments of widespread bargaining... The main element of change was, in fact, the establishment of the management and the RSUs as counterbalance, plus a whole series of matters that can provoke dissent and conflict in schools, such as the management of the so-called incentive fund. This has greatly shifted the work of the peripheral trade union structures towards supporting RSUs in the process of bargaining. (Interview 4, 09/2020)"*

In a context in which austerity measures and performativity demands aimed to weaken IRs on a collective level, the struggles over premium funding, the individualising and divisive system of allocation of such funding to meritorious teachers, opened new ways of doing unionism and social dialogue on a local level. RSUs gradually became spaces that allowed mobilisation of staff and local discussions, in contexts in which teaching and administrative staff members were experiencing first-hand the liberalisation of the education sector and beginning to see the principal/manager as the immediate figure to hold accountable and resist for their worsened conditions.



- on strengthening processes of schools' accountability through INVALSI tests, implementing a restructuring programme for underperforming schools in 2012-2013
- valorising teachers' role (raising salaries and didactic involvement)
- introducing a new system of selection and recruitment

These ideas built on core evidence provided by international reports such as the EU Commission document 'Developing coherent and system-wide induction programmes for beginning teachers - a handbook for policymakers', which provided successful examples from selected European countries and stated that 'regular review and evaluation of induction policies and provision is considered to be essential ... require[ing] evaluation and monitoring programmes, both on the level of the school and of the programme as a whole' (EU Commission, 2010, 21). However, it was following the Teaching and Learning International TALIS survey (2013, 32), which identified Italy as having 'the highest shares in the EU of teachers who are never formally appraised (70%, according to their school leaders) and who have never received feedback in their current school (43%)' that the National Evaluation System (SNV) was established in 2013 (DPR n. 80). The establishment of the SNV was one of the many policy interventions realised by the Government of Experts (2011-2013), chaired by the economists Monti and called to realise those EU-supported structural reforms that the Berlusconi Government had not been able to implement. The SNV operational modalities and objectives were informed by international and European standards, and included the enhancement of the learning offer; the evaluation of efficiency and effectiveness of the education system through schools, teachers and principals self-evaluation and external evaluation; actions for improvement and schools' social reports.

When at the beginning of 2014 Renzi became Prime Minister, the national economy was recovering, and Italy was Presidency of the EU Council, therefore leading the Council meetings in different formations. In the wake of the EU Semester Country's Recommendations (2014, 17), which acknowledged limited 'recent efforts with respect to the challenge that Italy faces regarding human capital ... and delays in implementing the system for the evaluation of schools', the government decided for a new reform of the education system. To address those structural weaknesses identified by the European Commission as hindrances 'to the productivity challenge', the government focused on strengthening teachers' processes of merit evaluation, recruitment, and professional development. Moreover, it set to hire 150,000 teachers while planning to 'rethink' their careers, by focusing on enhancement of their 'competences' and 'adding differential elements based on the acknowledgement of their commitment and merit to the years spent in service' (Buona Scuola Report, September 2014, 48). Drawing upon the ontological space opened by the Brunetta Reform in 2009, the new education reform (law 107/2015), called 'la Buona Scuola' applied the managerial and evaluative regime in education and paved the way to

further processes of managerialisation and hierarchisation of the school governance. As part of this plan, a key idea was to evaluate teachers' performance and annually assign a monetary bonus to reward merit, becoming the only case, among all public and private employment relations, in which both receivers and extra-remuneration were decided unilaterally by one of the contractual parties. The proposed reform also introduced the possibility for headteachers to discretionally appoint teachers according to their expertise. This implied listing all permanent teachers on territorial registers so to be subjected to principals' direct-call nationally, further stimulating competition between teachers on a national level on a newly emerging 'education market'.

However, these changes could have happened only with 'a new legal status of teachers, which allow[ed] for economic incentives based on the quality of teaching and in-service training' (Report 2014, 48). This new legal status would have encountered some crucial problems identified with absent consultation on the matter with the unions on the national level, and with a change to the system of retribution, by law regulated by the Collective Agreement, with a premium system that would award just teachers that performed well according to the criteria set by the system of evaluation, overcoming the system of seniority. The regulation of staff mobility, traditionally based on both duration and continuity of service and qualifications, was radically changed and entrusted to the discretion of the head teacher without any possibility of consultation between the parties.

Bypassing a discussion with teachers' unions on matters that were traditionally regulated through the Collective Agreement and defining them as 'no longer a privileged actor' (Ministry of Education Giannini, 2014)<sup>35</sup>, the process of consultation and the preliminary report was made publicly accessible on an ad hoc online platform. 'The problem' as Scrima, President of CISL Scuola remarked,

*"[Implies that] we are actors who act in the social field by promoting sharing and cohesion, with a sense of responsibility that belongs to those who aim to unite, and not to divide, putting the common good before and above all sectorial interests. This is what entitles us, for the representation we express, to be actors in the reform processes, in a practice of social dialogue that is quite different from a simple consultation or some hasty survey<sup>36</sup>."*

What we can observe here is a set of intertwining processes: a) the reduction of space for collective bargaining; b) the weakening of labour organisations through cuts in working time off and paid leaves for union activities introduced by the government; c)

35 [https://www.repubblica.it/scuola/2014/09/15/news/intervista\\_giannini\\_maturita-95776177/](https://www.repubblica.it/scuola/2014/09/15/news/intervista_giannini_maturita-95776177/)

36 <https://www.orizzontescuola.it/riforma-scuola-cisl-proposta-merito-non-trova-riscontro-altri-paesigiannini-non-eluda-confront/>

the hiring and salary freeze due to austerity measures; d) cuts in public expenditure for educational personnel and teachers, that resulted in the firing of many precarious workers (Di Mascio et al., 2019). These are all elements that constitute the economic and industrial framework inside which practices of decollectivation and competition among teachers and the increasing power of principals took place. These changes had a crucial effect on the displacement on ways of doing bargaining, in particular towards the 'rising of individual claims' (Kirk, 2018, 641), which had an impact on the collective dimension, favouring the emergence of new juridical forms of addressing disputes and doing bargaining.

### 3.5 Changing forms of industrial action: decollectivisation and processes of juridification

The enactment of the Buona Scuola Reform, with its managerial practices in schools, and government's active intents to sideline traditional modalities of collective bargaining began to endanger the very nature of social dialogue. Benedetti, UIL Scuola, describes how this began to occur.

*"The Buona Scuola Reform was a blatant attempt to reduce the freedom of teaching and introduce a merit-based management of teachers' activities, leaving all decisions to the school head. In the reform, the school head is conceived as an employer of a private company... empowered to hire and fire staff through a series of mechanisms. As trade unions we have strongly contested the Reform and dismantled many of its parts.... We auditioned, lobbied, etc. The point is that we don't have the right to write reforms with them. If they are respectful of the forms of social dialogue they call us, give us information, listen and take our opinion into consideration. Technically, we can only have an impact by applying pressure, asking for hearings, asking for meetings with the Minister, presenting documents, proposals, etc. This is our mode of action. (Interview 1, 05/2020)"*

The changes brought by Law no. 107/2015 were playing on different levers than the traditional ways of doing social dialogue and conflict management. The processes of individualisation engendered by the demands of evaluation and individual merit, the competition sparked by the allocation of premium resources, and the hierarchisation of relations that placed principals in a strong position of power intersected with teachers' precarious working conditions and contracts' fragmentation. This has had and is likely to have in the future an increasing impact on the capacity of schools'

staff to think of themselves and feel like individuals that are part of a professional collective. First, processes of performance evaluation displaced responsibilities of outcomes and results on individual teachers, making them calculable, visible and thus accountable for. Second, those changes began to dismantle the capacity that traditional unions have to provide a universalistic protection to the profession. This resulted in growing processes of 'decollectivisation'. As Smith and Morton (1993, 108) argue, de-collectivisation is identified with 'the de facto redistribution of power to employers within new institutions for the management of employment relations in order thereby to counter any resurgence in labour's collective power'. This displacement of powers is neatly presented by Chiappetta, Chief of Department at Ministry of Education (MIUR)

*"In my opinion, one of the faults of the most representative school unions, i.e. the five unions that signed the national collective agreements, was that of not having engaged enough with some struggles. Smaller unions have instead chosen a different strategy. ... They intercepted the dissatisfaction of these workers for large traditional unions. The same thing happened in the school. The five-generalist school unions, in fact, having to defend everyone's interests end up forgetting those categories that the small unions instead defend and protect, such as precarious teachers (Interview 3, 07/2020)."*

Bringing the fight at the level of the individual, the changes enacted by Law no. 107/2015 had the effect of building on processes of fragmentation opened by the Gelmini Law, and began to 'unlock solidary relations in and beyond the workplace, breaking up older formations of 'work and community' (Clarke and Newman, 2017, 105) including traditional connections with confederal unions. Chiappetta puts it neatly:

*"The traditional union does not do this because perhaps it already has a number of more important issues to bring to the attention of the Ministry. So who does it? The niche unions, by activating the appeal machine. Today in the school we are witnessing the proliferation of small niche unions - the majority of which defend the precarious who in fact represent the most striking category - recognised as more credible than the large unions despite their power of action is significantly lower than that generalist trade unions. If traditional unions, for example, can be compared to a tank that has an impressive impact force, the small unions can be compared to a tricycle. The point is that the tank needs many elements to move, while for the tricycle, a simple pedal stroke is enough to start moving. This I mean by specialisation. (Interview 3, 07/2020)."*

Specialised forms of unionism, following a logic of agility (Gillies, 2011) and flexibility proper of a neoliberal understanding of work relations, began to protect individual schools' staff from the burden of evaluative demands and the deteriorating conditions of work. Since 2000s, small professional associations began to fill the space left empty by traditional labour organisations - these latter increasingly perceived as bureaucratic, centralised and detached from workers' demands – by engaging in the resolution of those labour conflicts generated from the neoliberal restructuring of school workforce and teaching activity and by the decrease of social dialogue on a national level. If the emergence of RSUs as sites of bargaining and mobilisation could be seen as a structural change, the emergence of new forms of professional unions can be read as an ontological shift in the collective nature of social dialogue. As Patroncini makes it clear:

*"With the raise of the neoliberal hegemony... [began to emerge] professional associations capable of replacing trade unions in the relationship between ministry and workers (which in reality does not exist: in schools all over the world fundamental dialogue is between ministries and trade unions, the latter more or less professional, but certainly trade unions). Ambiguous subjects such as Anief have entered this space. (Interview 4, 09/2020)"*

Among these professional associations, ANIEF needs to be mentioned, an association established in 2009 by teachers and researchers, with a strong emphasis on resorting to legal methods to solve the immediate problematics and disputes arising in the workplace. By addressing the specific issues that employees were facing, professional associations effectively began to put individual issues and interests before the collective ones, according to a logic that individual legal resolutions would bring collective improvement to the whole category by setting a legal precedent onto which reclaiming better working conditions for all.

In a context characterised by reduced spaces of collective bargaining, hiring freeze, salary freeze, weakening of unions power and increasingly conflict between government and unions (Di Mascio et al. 2019), processes of legalisation and resorting to courts to settle employment issues began to be increasingly recognised as an emerging, effective tool to both influence and change working conditions. The legal battle waged by three educational workers (two teachers and one auxiliary staff member) against the repetition of their precarious conditions through fix-term contracts reached the European Court of Justice, and effectively influenced the writing of Law 107/2015. However, this progressive 'legislation' on issues that were previously covered by the Collective Agreement and collective bargaining brought about a proliferation of juridical forms of workers protection seen as the only ways of securing teachers' rights and working conditions.

*"The result is that the lawyer or union that engaged in the legal battle ends up getting stronger. This was the genesis of Anief, for example. In this case it is a legal, rather than a trade union, representation (Interview 3, 07/2020)."*

New actors, such as Anief, emerged in the spaces created by a sort of 'denationalisation of the state' (Jessop, 2002, 2) and its traditional actors, such as the confederate trade unions, shifting and displacing the ways in which IRs and social dialogue were done on a state and government level opening new sites, new actors and new policy beyond the state itself (Ball, 2016).

However, the embracing of practices and forms of reason proper of the private sector, began to shift the modalities of addressing conflict and of doing IRs. As a result of the focus on individual merit, individual performance evaluation so to be comparable and visible, practices of unionism started to unfold through juridical processes and the individualisation of protection through services tailored on the employee rather than as part of a unionised category. However, in a discursive perspective of regeneration of new ways of doing unionism, Benedetti admits the failures of confederal unions, but also opens the doors for the perspective of their renewal:

*[However], it must also be said that the ideological basis on which the trade union organisations rested has been destroyed and there has been no renewal on our part. I believe that many people, when they understand that these organisations do not do 'union activities' but simply offer services, they will go back and join the union. (Interview 1, 05/2020).*

As seen with the discursive production of RSUs as loci of mobilisation and struggle, here Benedetti reflects on the failures of trade unions on a collective national level, acknowledging the difficulties in adapting modalities of bargaining to the changing social conditions. However, a line of hope can be heard from her considerations: despite the individual initiative of legislative claims, 'claims expressed individually also involve social construction, involving interactive formulation of discontents' (Kirk, 2018, 641), therefore bringing a return, or perhaps a renewal, of the ways of doing unionism, IRs and social dialogue in education.

## **4. Implications for teachers working conditions, professional prerogatives and social dialogue**

The reforms introduced since the 1990s identified in weakened practices of collective bargaining the solution whereby reducing costs and increasing productivity within the public sector (Bordogna and Pedersini 2019). The enactment of the three reform trajectories presented in the report followed the specific recommendations of the European Semester, according to the new EU multilevel governance architecture, with the aim to increase productivity and efficiency within Italian public administration both to reduce costs and respond to the rising global competitiveness. Within the public sector, a set of measures - such as the weakening of unions power, the shifts in industrial relations, the freezing of the Collective Agreement and of recruitment and salaries - implemented by the government through unilateral decisions profoundly undermined social dialogue between social parties (Bach and Bordogna 2013; Bach and Pedersini 2013) reducing the role of unions as economic and political actors (Hyman and Gumbrell-McCormick, 2010). The economic crisis and the entry of new actors, such as the EU, ECB and IMF, indeed further strengthened the power of the government but also of other private actors with a relevant voice in policy-making (see Box 4.1). The result has been a strongly reduced ability of unions to influence decision-making processes in the design and enactment of economic, employment and social policies (Hyman 2018; Pulignano et al. 2017; Bordogna 2016; Di Mascio et al. 2011; Stevenson 2019).

#### Box 4.1. Education policy privatisation in Italy

Due to space constraints, in this report we have not been able to document in detail how the transformations in IRs and Social Dialogue and their association to NPM education reform have been paralleled and influenced by the emergence of a coalition of private, philanthropic, advisory and transnational actors. These actors have influentially promoted, designed and sustained these processes of education modernisation, being more and more involved in policy design, development, implementation and evaluation (what we have called a process of policy privatisation – see Grimaldi and Serpieri, 2013). In this box, for the sake of brevity, we report some information about the most influential actors within this coalition, with reference to two policy drivers: managerialisation and digitalisation.

In the promotion and design of the NPM-inspired modernisation of the Italian education system, three philanthropic actors, namely the Compagnia di San Paolo School Foundation, the Treelle Foundation and the Agnelli Foundation have played a crucial role. They have been among the most active players in promoting policies and measures that favoured the reculturing of the Italian education system according to a 'private sector' ethos (i.e. endogenous privatisation of the Italian education system). The mission of the Compagnia di San Paolo School Foundation is to contribute to the definition of education policies, working in synergy with institutional and private actors, in the logic of subsidiarity. Its three priorities are inclusion, creativity and innovation for a better quality education and the valuing of school autonomy (<https://www.fondazione scuola.it/fondazione/presentazione-e-missione>). The promotion of an 'ecumenical dialogue' to bring forward school modernisation and improvement is the core mission of the Treelle Foundation, which notably declares its ambition to act as a bipartisan bridge between the different 'worlds and imaginaries' within the landscape of education policy, filling the gap that separates research, public opinion and decision-makers and hinders progress in modernising and improving our educational system (<http://www.treelle.org/english-site>). The quality of the human capital along with the development and competitiveness of the country and the social mobility of talents are, instead, the main concerns of the Agnelli Foundation whose commitment in the field of education, since 2008, is to produce research evidence for the improvement of education, on the basis of the belief that economic welfare and social cohesion of a country mainly depend on the quality of the competences and skills of its population (<http://www.fga.it/home/la-fondazione/programma-education.html>). In the case of the 2011-2013 policy trajectory that started with the 2009 Brunetta Reform and ended with the establishment of the SNV, for instance, their managers and experts engaged in direct policy writing activity and were involved in a variety of policy work such as assessing and reviewing and drafting education legislation, as well as producing ideas, policy technologies, tools and methods, reports and researches to legitimate policies, recipes and technologies. Their overall mission seems to be the selling of new policy recipes to introduce changes in the behaviour of the 'ineffective' and 'past-oriented' public education organisations. In 2021 they are still influent voices in the education debate in Italy, and have significantly turned their agendas to the digitalisation of education.

Digitalisation is another policy driver that has opened the way for policy privatisation in the Italian education system. The Buona Scuola Reform (Law no. 107/2015), in

particular, and the related National Plan for the Digital School, have represented another moment in which powerful private and commercial actors such as Microsoft Education, Google, Cisco and Hewlett-Packard and their national associates and partners (to quote only some key actors) have acquired a pivotal role in educational policy design in Italy, becoming constant interlocutors of the Ministry of Education. Given the focus of this report, in relation to this last set of ed-Tech and advisory global players it is worth to be noted that they have gained voice in the redesign of the technological and informational infrastructure of Italian schools and thus of the education personnel work. They are the designers and implementers of the technological solutions that will increasingly regulate and organise the head teachers, teachers and administrative staff work in the future and through which professionals will be monitored and evaluated.

As this case study has shown, in the field of education the shifts toward liberalisation in IRs and endogenous and policy privatisation in education have deeply reshaped employees' working conditions. The subtractive rebalancing process started in the 1990s intensified after economic crisis with 'the introduction of reforms that would deeply affect categories of workers ('insiders') largely untouched by previous reforms' (Sacchi 2015, 9). The neoliberal restructuring of teachers' workforce was part of the flexibilisation of the European labour market since the 1990s (European Union 2013; Geiger and Pivovarovova 2018; Dupriez et al. 2016). In the Italian education sector, this flexibilisation combined with privatisation processes brought to the re-regulation of employment relations according to the principles of NPM, and affected teachers' historically acquired professional prerogatives, mainly in terms of salary and job security, labour process teaching, workload and work-life balance, leading to an increasing deterioration of their working conditions (D'Onofrio and Orientale Caputo 2017; Argentin 2018; D'Onofrio 2020). In this final section of the case study, we will use the key dimensions of the Section II 'Fair Working conditions' of the EPSR as a blueprint to discuss the implications of our research findings.

### Wages and job security

In a sector in which wages are some of the lowest and wage progression the slowest among the European countries (Eurydice 2019), the freezing of salaries increased teachers' risk of falling into in-work-poverty. The push to contain public spending resulted in precarious employment contracts, which in 2020 have affected almost 30% of the total number of teachers (II Manifesto 2020). The historic lack of a stable mechanism for a gradual transition towards open-ended forms of employment (Colucci and Gallo 2017) further segmented teacher's workforce in terms of rights, wages, training, career, professional development opportunities and social protection (Gargiulo 2017).

## Labour process teaching

The need to respond to the global competitiveness through both the re-regulation of employment relations and the introduction of managerialist forms of governance affected both job satisfaction (Bogler 2001) and teaching practices, in terms of 'ever-greater control over the content and form of teaching itself' (Carter et al. 2010, 11). Pressures and control on teachers' work, through quantified/numerical outcomes, became crucial to ensure the proper working of the new knowledge-based economy and the success of each country in the global market competition.

## Workload

The aim to contain costs and maximise productivity resulted in the intensification of teachers' work both within and beyond the remunerated hours. The introduction of new tasks and the need to satisfy the demands arising from the new site-based school governance, combined with staff and services' cuts implemented after economic crisis, led to an increasing workload undermining the possibility to provide all students with effective instruction (Fiorilli et al. 2015).

## Work-life balance

Despite the need to contain costs and maximise productivity being the main forces that drove the deterioration of teachers' working conditions, school workforce's gender composition (made up for 80% by women) further exacerbated working conditions in terms of work-life balance. The welfare cutbacks implemented during the time of austerity weakened care services shifting care labour upon female teachers without providing them suitable mechanisms of work-life balancing. Alongside these processes, on an European level economic reforms and endogenous privatisation implemented in compliance with the new EU governance profoundly shaped working conditions and affected the democratic process of participation (Eurofound 2018) of employers and employees in terms of autonomy, representation, participation and influence in the governance of employment relationships, both at national and workplace level.

## Autonomy

The independence and the external/internal autonomy (Cella and Treu 1998) of collective bargaining became influenced by the unilateral decisions of the political authority on the basis of economic and political pressures resulting from European

bodies. In this sense, the Brunetta Reform affected external autonomy, from the regulation set by the law, through a re-juridification processes that structured the content of collective bargaining. On the other hand, the Brunetta and the following reforms undermined internal autonomy between the different levels and areas of bargaining, in such a way that integrative agreements were to be signed within the boundaries and areas set by the National Collective Agreement and according to the government budget constraints (Bordogna and Pedersini 2019). The centralisation of some decisions and the high level of control exercised by public authority over the costs of the agreements reduced the autonomy of the parties in the context of collective bargaining by influencing process, actions, actors and outcomes.

### Representation

The introduction of school autonomy decentralised workers' representation engaging RSUs to be in integrative collective bargaining. If the strengthening of RSUs initially resulted in the widened representation rights at a workplace level and a counterbalance of power relations with school heads, the cuts in working time off and paid leave for union activities during Renzi government have subsequently restricted representation rights and labour power at workplace level. Moreover, the decrease of social dialogue and the rising government unilateralism weakened traditional collective labour representation in education toward individualised forms of action and conflict (Kirk, 2018).

### Participation

At a macro level, the shift towards exercising authority instead of collective bargaining during the economic crisis (Carrieri and Treu 2013) and the scant of unions' involvement in the design and implementation of education reforms (Capano and Terenzi 2019) reduced levels of participation. At a school level, despite the restructuring of school governance and the increased role of RSUs managerialisation and evaluation processes affected unions' ability to participate constructively in decision-making, weakening processes of codetermination in terms of enactment of agreements. In particular, following the Brunetta Reform, principals further increased their power against workers to adopt unilateral decisions reducing matters that were previously addressed through collective bargaining at school level (staff and offices organisation, criteria for the allocation of additional pay, work schedule, etc.) exclusively matter of information.

## Power and influence

State budget constraints and privatisation undermined collective bargaining both at national and workplace levels. The struggles against the discretionary power of school managers and to the divisive system of allocation provided by school funding, on which 90% of all bargaining at workplace level is based, has been undermined by the cuts in local unions structures (D.L. 90/2014) which have always provided support to the RSUs in the bargaining process. At a national level, the State-centred nature of the education labour market and the reduced ability of teacher workforce as organised labour to exert influence over the employer narrowed the space for social dialogue and opened the way for the emergence of new ways (appeals) and sites (tribunals) where teachers' power and influence can be exerted.

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## Chapter 4. **Formal or real social dialogue?** Industrial relations and privatisation in education in Poland

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# 1. Introduction

Poland is a historically fragmented and state-centered country, where the industrial relations (IR) regime revolves around market-oriented governance. The prevailing bargaining style is acquiescent, also reflected in recent education reform trends. Whereas the economic crises of the late 2000s posed a challenge in many countries and influenced IR and the trajectory of privatisation, the participants of the education sector in Poland have hardly noticed austerity measures to be put in place as a consequence of economic crisis, or at least it is not linked with the introduced reforms of education and representation standards, which may result from a different understanding of the concept of privatisation. The introduced reforms are primarily associated with the beliefs of the ruling party.

This chapter seeks to provide a summary of trends and changes in IR, social dialogue, and the professional prerogatives of the teacher workforce since the financial crisis in the 2008, which posed various challenges on countries and their governance and social policy coordination. Special focus is put on the involvement of social partners in the reforms elaboration and implementation processes including policies of European Semester governance instruments of Country Reports, National Reform Programmes, and Country-Specific Recommendations, as well as the prospects of the European Pillar of Social Rights.

The continued drive towards liberalism, deregulation of the education sector, and privatisation policies becoming more common in Europe are traced and their impact on the education personnel's working conditions and professional prerogatives (particularly secure and adaptable employment, wages, information about employment conditions and protection in case of dismissals, work-life balance, healthy, safe and well-adapted work environment and data protection listed in European Pillar of Social Rights) is outlined. The analysis should shed some light on the key actors involved in the education policymaking in Poland and raise awareness among stakeholders of relation between the level/quality of social dialogue and working conditions and consequently education quality.

The information presented in this report is based on the qualitative analysis of existing policy documents (legislation, government publications) and statistical analysis of Eurostat and OECD data sources. Firstly, it allows to identify possible privatisation changes in the enacted law and adopted reforms, secondly examines if there are any changes in the working conditions of teachers.<sup>37</sup> Moreover, it allows to verify the scope of the opening of public education services to private sector participation and check if privatisation endangers fair working standards. At this point it should be emphasised that privatisation takes various forms (endogenous and exogenous

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37 Please see Appendix B in this report for overview of empirical material used for this case study

privatisation), and especially in case of education it does not always mean the transfer of ownership (Verger, Fontdevilla and Zancajo, 2016).

This report is structured in the five main sections. Chapter 1 (introduction) addresses the main purpose of the report. Chapter 2 aims to provide presentation of the historical and cultural legacies and governance arrangements in relation to the IR and privatisation and analyses the existing research in the aspect of the institutionalisation of IR and social dialogue arrangements. Chapter 3 is dedicated to patterns of IR and social dialogue. Chapter 4 addresses the path toward privatisation and trajectories of education reforms. The final chapter is a concluding section dedicated to the discussion of the implications of the patterns of change in IRs and privatisation for teachers' working conditions, professional prerogatives, and social dialogue.

## 2. Setting the stage: contextualising industrial relations, social dialogue and privatisation in education in Poland

The subject of the analysis described in this report is the discourse created around education, therefore it is worth paying attention to the education system at first. The last 20 years have been a time of many changes and transformations in Polish education system and become a subject of lively public debates. In the light of these educational changes, institutionalisation of IR and the social dialogue arrangement can be diagnosed at a national level.

The turn of the twentieth and twenty-first centuries is considered as the beginning of the process of decentralisation of education, which included transferring responsibility for schools to local governments. As a result, all the reforms of Polish education are implemented by local governments, including the financial aspects (Herbst, 2012). It was also a time of a thorough reform of school system - in place of the two-stage system, a three-stage system was introduced (establishment of *gimnazjum*) and curriculum was changed (Act of 25 July 1998 amending the act on the education system, Journal of Laws No. 117, item 759). Numerous stakeholders, including teachers, pointed to the shortcomings of this reform in terms of its financing, inconsistent and unclear assumptions, and late informing about changes. Most importantly, the consultation mechanism that could convince teachers and parents to reform was deemed to be ignored. *"The conflict of teachers with the opposition, although of low intensity, contributed to media criticism of the reform, giving rise to the "black legend of middle schools" as places full of threats and violence"* (Szelewa, Polakowski, Sadura and Obidniak, 2018). The reform was, however, solidly founded in terms of expertise and science, and resulted in the improvement of the performance of Polish students in PISA assessment (Jakubowski et al., 2016).

Another reform lowered the compulsory school age, which was first included in the PiS program of 2005 (Law and Justice 2005, p. 99), and then in the program of the PO (Civic Platform 2007, p. 53). The reform was finally announced in the 2008/2009 school year (Act of 19 March 2009 amending the Act on the education system and some other acts, Journal of Laws No. 56, item 458). This change was rather not associated with the commercialisation or privatisation of education, but with the intention to strengthen kindergartens. However, it showed how much the introduced changes result from a political game, and how it may limit the involvement of other actors. The reform was spread over several years, was the subject of a political struggle, and finally was withdrawn after PiS came to power. Prior to the introduction of the comprehensive education reform, initiated in the 2017/2018 school year, in the preceding year, the starting age for compulsory education was increased to seven

years (Instytut Spraw Publicznych, nd). The new school system was established by the Act of 14 December 2016 - Education Law, it changed the structure of schools – the gimnazjum was liquidated. After the announcement in February 2016 of the plan to implement the education reform, a series of debates were initiated. According to the data of the Ministry of National Education, during public pre-consultation, *"teams of experts analyzed nearly 800 opinions submitted by social partners, non-governmental organizations, institutions, representatives of the educational environment and citizens"* (In the period from January 2, 2017 to March 14, 2017, 815 meetings were held with over 35 thousand participants) (MEN, 2017). However, the social partners were skeptical about this consultative process, which was deemed to be rather formal, and limit the possibilities for having any real influence. The Szelewa, Polakowski, Sadura and Obidniak (2018) noted the quick pace of introducing the reform, which raised objections to its organisation. Dorczak (2019) underlined that doubts are also raised by the short period of public consultations and the authorities' attempts to influence the public debate by controlling the means of discourse, preventing the opposing side from speaking, and giving opinion.

The research showed that the introduced education reform had a large impact on the teachers' situation, who were often forced to change their place of work or retrain. Some teachers, who met the legal requirements, decided to retire (Instytut Spraw Publicznych, nd).

In any of the reforms, especially in the case of the latter, there was no real consultation/dialogue with the beneficiaries of the aforementioned reforms. Szelewa, Polakowski, Sadura and Obidniak (2018) state that in recent decades in Polish education sector there is a *"decisionism and imposing, patronizing-enlightenment style of implementing reforms; reluctance, inability or lack of will necessary to conduct professional and seriously treated social consultations and honest campaigns informing about the assumptions and goals of the reform, tendency to manipulate opinion, lack of monitoring and consequences of implemented solutions, lack of willingness of the main political actors to build broad cross-party and cross-class coalitions around social policy reforms"*. Rulers constantly follow the path of their predecessors and make the same mistakes.

The reforms influenced the teachers' working conditions - each change brought the necessity to adapt to new standards and increased the requirements. All studies analysing the education reforms highlighted the superficial nature of consultations and dialogue.

When assessing the overall changes related to education that have occurred in recent years, it must be admitted that the Polish social reality is characterised by instability, uncertainty, a multitude of events, as well as an unknown direction and an unpredictable pace of changes, and, above all, the impermanence of transformations (Zalewska-Bujak, 2010). The changes made to the education system and may form

the basis for an analysis of privatisation practices are reflected in the following documents:

- The Act of 7 September 1991 on the education system (Journal of Laws of 2018, item 1457, as amended)
- The Act of December 14, 2016 Education Law (Journal of Laws of 2018, item 996, as amended)
- The Act of 27 October 2017 on financing educational tasks (Journal of Laws, item 2203, as amended)
- The Act of 14 December 2016. Provisions introducing the Act - Education Law (Journal of Laws of 2017, item 60, as amended)
- Act of November 13, 2003 on the income of local government units (Journal of Laws of 2018, item 1530, as amended)
- Regulation of the Minister of National Education of March 28, 2017 on the framework teaching plans for public schools (Journal of Laws, item 703)

Apart the abovementioned documents the IR and privatisation practices can be also searched in the Teacher's Charter - a document that regulates the working conditions of teachers (promotion, remuneration, leaves, working Act of 26 January 1982 Teacher's Charter time all over Poland). The subject of the charter raises a lot of controversy also among teachers and trade unions, some consider it as a safeguard of teachers' rights, while according to others it is a relic and should be abolished.

In accordance with Polish law, the abovementioned changes to the regulations were made with the participation of social partners – in Poland there are formal mechanisms for the tripartite or social partners' discussion. The main partners of the dialogue are trade unions and employers' organisations. Article 59 of Constitution of the Republic of Poland of April 2, 1997 (Dz.U.1997.78.483) ensures *"freedom of association in trade unions, social and professional organisations of farmers and in employers' organisations". In accordance with the second point of this article, "trade unions and employers and their organisations have the right to bargain, in particular to resolve collective disputes, and to conclude collective labor agreements and other agreements"*.

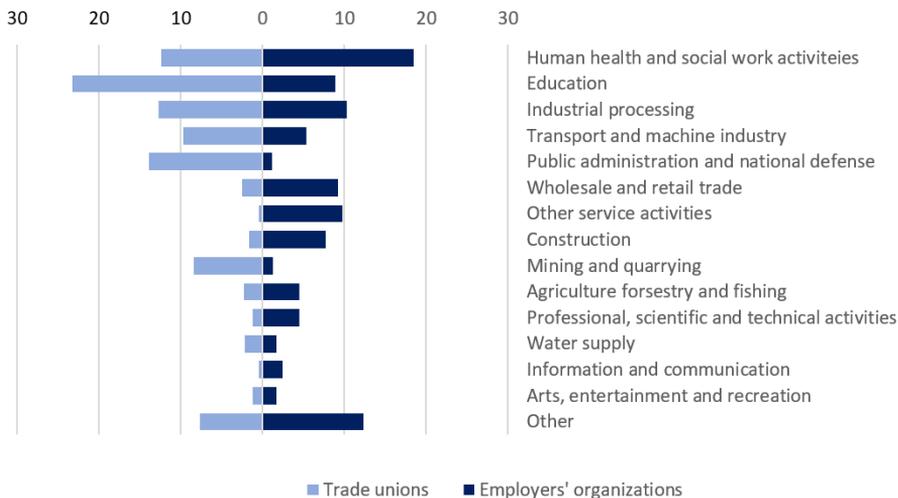
There are three trade unions for education sector in Poland, that differ in size and political ideologies:

- Polish Teachers Union (Związek Nauczycielstwa Polskiego ZNP) – the oldest and largest trade union organisation, taking a political position rather in opposition to right-wing ideology (current government), belonging to the Polish Alliance of Trade Unions (OPZZ),

- National Education and Upbringing Section of Independent Self-Governing Trade Union "Solidarity" (Krajowa Sekcja Oświaty i Wychowania NSZZ "Solidarność") - historically, the anti-communist opposition movement and currently in alliance with the right-wing government,
- Free Trade Union "Solidarity-Education" belonging to Trade Union Forum.

They are all representative within the meaning of the Act on the Social Dialogue Council. However, the first two are considered to be the most significant and influential. The Polish trade unions represent the teaching workforce and strive for universal education at all stages and levels. Their members are mainly from the public sector. It should be noted that the TU represents all workers regardless of their membership, which generally does not encourage union membership.

**Figure 1. Structure of members of company trade unions and employers' organisations by PKD section (in %).** Source: GUS (2019) Partnerzy dialogu społecznego – organizacje pracodawców i związki zawodowe w 2018 r. (wyniki wstępne). p. 5. Figure. 5



According to GUS data, in 2018, there were over 12.9 thousand organisations of social dialogue in Poland. About 0.4 thousand active employers' organisations (2.4% more than in 2014) had 19.1 thousand active employers' organisations members (2.4% more than in 2014), and up to 1.5 million people (1.1% less than in 2014) were affiliated in 12.5 thousand of trade unions (2.9% less than in 2014) (GUS, 2019), and the largest proportion of trade union members (23.2%) worked in education. This shows how strongly the education sector in Poland is unionised compared to other sectors.

The scope of tasks and goals of trade unions are defined eg., in their statutes<sup>38</sup>, but the main document regulating their functioning is the Act of May 23, 1991 on trade unions (Dz. U. 1991 Nr 55 poz. 234).

The currently binding legal regulations give the participants of social dialogue, including representative employees' and employers' organisations, a solid basis for permanent participation in the legislative process. The involvement and activities of these social partners result directly from the provisions of the Polish Constitution and are regulated in relevant acts:

- The Act of June 26, 1974, the Labor Code,
- Act of January 26, 1982 - Teacher's Charter,
- The Act of May 23, 1991 on trade unions,
- The Act of 23 May 1991 on employers' organisations,
- Act of 24 July 2015 on the Social Dialogue Council and other social dialogue institutions (Journal of Laws of 2015, item 1240), which replaced the Tripartite Commission for Socio-Economic Affairs, operating since 1994,
- Act of May 23, 1991 on resolving collective disputes,
- The Act of April 7, 2006 on information and consultation with employees.

The employers' organisations (pursuant to Article 16 of the Act of 23 May 1991 on Employers' Organisations) and trade unions (pursuant to Article 19 of the Act of 23 May 1991 on trade unions), representative within the meaning of the Act of 24 July 2015 on the Council for Social Dialogue and other social dialogue institutions<sup>39</sup>, are entitled to give opinions and agree on the content of assumptions and draft legal acts (does not apply to the assumptions of the state budget and the draft budget act). Authorities, government administration and local government bodies refer the assumptions or draft legal acts to the statutory authorities of the social partners, specifying the deadline for submitting an opinion, but not shorter than thirty days. Due to important public interest, this period may be shortened to 21 days, but it requires a specific justification. Failure to submit an opinion within the prescribed period is considered a waiver of the right to express it. The opinion is not binding, but the

38 <https://znp.edu.pl/assets/uploads/2020/11/Statut-ZNP-tekst-jednolity-z-23.11.2019.pdf>

39 Pursuant to the Act of 24 July 2015 on the Social Dialogue Council and other social dialogue institutions, representative trade unions are national trade unions, national trade union associations (federations) and national inter-trade union organizations (confederations) that meet the following criteria jointly: 1) associate more than 300,000 members who are employed persons referred to in art. 11 point 1 of the Act of 23 May 1991 on trade unions; 2) operate in national economy entities whose basic type of activity is defined in more than half of the sections of the Polish Classification of Activities (PKD) referred to in the provisions on official statistics. The conditions of representativeness are met by: NSZZ Solidarność, the Polish Alliance of Trade Unions and the Forum of Trade Unions.

rejection of whole or part of the trade union position requires a public authority written justification. In the event of divergence of positions, the union may present its opinion at a meeting of the relevant parliamentary, senate or local government committee.

Social partners also have the opportunity to participate in the preparation of positions presented by Poland in negotiations on the Community forum, i.e., they have the right to issue opinions on consultation documents of the European Union. The mechanism of consultation of European issues began on November 23, 2004, i.e. from the entry into force of the Act of October 8, 2004 amending the Act on the Tripartite Commission for Socio-Economic Affairs and Voivodeship Social Dialogue Committees and on amending certain other acts (Journal U. No. 240, item 2407)<sup>40</sup>, later replaced with Act of 24 July 2015 on the Social Dialogue Council and other social dialogue institutions. Article 19 of the Act on Trade Unions grants representative trade unions the right to issue opinions on consultation documents of the European Union, particularly white papers, green books and communications, and draft legal acts of the European Union on matters covered by the tasks of trade unions. As in the case of national authorities and state administration documents, documents and draft legal acts should be sent to the relevant statutory authorities of the union, specifying the deadline for submitting opinions. The main difference that distinguishes this mode of consultation from consultations on national regulations is the lack of minimum deadlines for submitting an opinion. According to the unions, the time allotted to consultations is too tight makes it difficult to analyse documents thoroughly.

Moreover, there is a lack of the obligation to justify the rejection of the trade union proposal or the possibility for the trade union organisation to present its opinion at the meeting of relevant committees. Pursuant to Art. 16 of the Act on Employers' Organisations, the representative employers' organisations have the same right to issue opinions on consultation documents of the European Union as trade union.

Summarising, the existing studies on social dialogue, engagement in law creation, etc. at a national level (Kopińska, Makowski, Wagłowski and Wiszowaty 2014; Patyra, 2014; Szelewa, Polakowski, Sadura, and Obidniak, 2018; Zalewska-Bujak, 2010; Śmietański, nd) suggest that decision-making process, consulting bills by social partners is treated by political decision-makers as simply one of the stages of the procedure but not particularly important. The government does not treat trade unions as real social partners; it only gives the impression of being in dialogue with them. There are even some attempts by the Council of Ministers to bypass the obligation to conduct consultations by introducing changes as projects of parliamentary clubs that do not require prior opinion from social partners.

The scope of research on the involvement and effectiveness of social partners, including trade unions, in the education sector only is rather limited but can be assessed when introducing specific laws. When it comes to the general activity of

40 <http://www.dialog.gov.pl/czym-jest-dialog-spoeczny/strony-i-instytucje-dialogu-spoecznego/partnerzy-spoeczni/uprawnienia-partnerow-spoecznych-w-procesie-legislacji/>

trade unions, according to the CBOS (2019) survey, every third Pole believes that the influence of trade unions on the decisions of the authorities is too small, while every tenth - that it is too large. Compared to the previous survey conducted in 2017, the percentage of adult citizens who believed that trade unions currently have too much influence on the decisions has not changed, while the number of respondents claiming that this impact was too small decreased (by nine percentage points). The opinions of the respondents differed mainly due to their political views - respondents with right-wing views most often believed that trade unions had a sufficient influence on the decisions of the authorities in Poland (35%), while those who identify with the left and the center said that it was too small (48% and 37% respectively). Poles are much more likely to claim that Polish trade unions defend workers' interests ineffectively than that they are effective in these activities (40% compared to 27%).

When it comes to the involvement of national social partners in the European Semester process, the quality of public consultations requires improvement and deepening, especially at the national level. The education sector is not an exception. According to the ETUC (2015) report, although the involvement of social partners was noted, it was considered as formal and ineffective.

Eurofound reports indicate that the social partners' involvement in CSRs and NRP is limited. It can be said that the lack of effective functioning of social dialogue in the country also affects the participation of social partners in EU semester. It is also worth to mention that in the process of preparing the NRP for the implementation of the Europe 2020 strategy, Update 2020/2021, no consultations took place, the government omitted the social side, which was explained with the Covid-19 pandemic. Also, the European Commission once again recommends that Poland restore the proper role of social dialogue and increase the autonomy of social partners in the Social Dialogue Council (OPZZ, 2020). Although the analysis mentioned above relates to social partners in general, it can be assumed that the education sector's situation is not very different.

When analysing privatisation and liberalisation issues and their trajectories/paths in education, Szelewa, at al. (2018) emphasised that since 1989, market solutions have been implemented in Polish education, which can be noted in:

- using the term "client" to refer to a student
- talking about educational services instead of education and upbringing
- application in pedagogical supervision for the assessment of schools and teachers of procedures known from Total Quality Management, i.e., from comprehensive quality management
- emphasising the need to diversify educational institutions and universities so that they can compete with each other on market principles

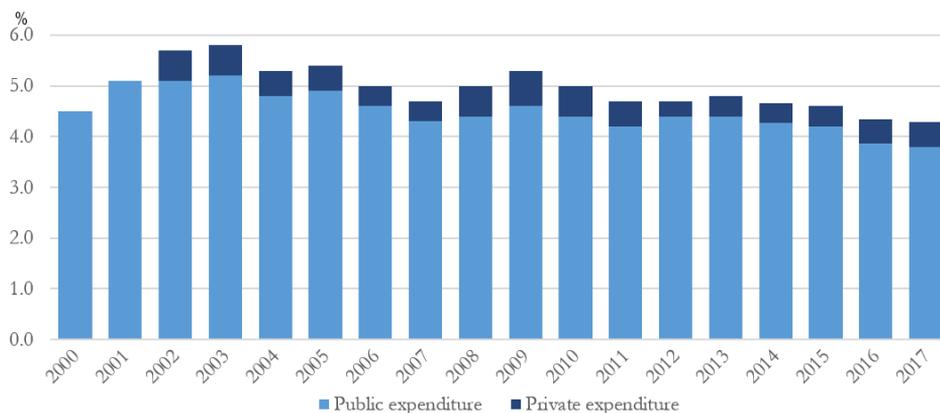
- an attempt to limit the scope of public education in favor of non-public education, to facilitate the transfer of educational institutions to other, non-public entities
- attempts to change the professional status of a teacher

All this was to help shape the education system in such a way that would enable the transfer to education and learning of methods and practices typical for the private sector: competitiveness, orientation on narrowly understood results, following the client's interest, decentralisation and pro-market attitude". According to the authors, this is to be achieved by reducing education expenditure and introducing institutions and forms of outsourcing. Each such practice is justified by the requirements of decentralisation.

The below Figure presents how the share of expenditure on education in GDP has changed since 2000. While in the year after the crisis the share of expenditure on education in GDP increased, in the following years we observe its decline. According to EAG 2017 data, in the period between 2008 and 2014, Poland's GDP grew by 19%, and expenditure on education by only 15%, so the share of expenditure on education decreased (Evidence Institute, 2017). The share of private expenditure has been increasing in the last few years. In general, financing education from private funds in Poland plays an insignificant role in comparison to public expenditures.

The financial crisis impacted budgets for education, some cuts were made. The central or local level expenditure on construction, maintenance and the renovation of educational buildings were reduced, however they represent a small share of the total education budget, also some reductions in the funding for providing subsidised meals were noted, and the most important funding mechanisms at local authority level were reformed in ways that have strengthened the number of closures and school mergers. Some of these changes are also related to demographic changes, however in Poland financial and economic crisis is also among the main reasons especially in case of the merger and closure of educational institutions. At the same time, in 2011 and 2012 teachers' salaries increased due to a reform of the salary structure to increase the attractiveness of the teaching profession (Eurydice, 2013), which remains a challenge to this day.

**Figure 2. Total expenditure on educational institutions as a percentage of GDP, by the source of funds** (Source: OECD Education at a Glance reports)



In Poland, non-public education is not very common, but this is gradually changing and some regulations even favor it. It should be noted that there are two types of non-public schools – private and community schools. The main difference is the founding body. In the first case this is a legal person/company. In the second, these are associations, foundations, social organisations or religious unions, usually operating as non-profit institutions. The idea of community schools accompanied the process of decentralisation of education management, they aimed to save rural schools from liquidation. The solution introduced in 2009 of transferring schools to a non-public entity, when the school has no more than 70 students, according to some, made it possible for local government units to dispose of the obligation to run schools, which was favorable for them, taking into account the rules of dividing the educational part of the general subsidy for local governments (Majchrowicz-Jopek, nd). It is also related to a change for teachers, i.e., it results in different employment and remuneration rules (transition from the Teacher's Charter to the less favorable regulations of the Labor Code). According to data presented by Majchrowicz-Jopek based on the estimates by the Ministry of National Education and Educational Information System, from April 2009 to September 2015, local governments handed over 270 education institutions, mostly primary schools. While between the school year 2016/2017 and 2017/2018, 177 educational units were transferred to non-public institutions. As Obidniak (2014) pointed out when analysing the cases of specific communities carrying out this type of silent privatisation, local government units openly admit that such actions are taken to get free from the Teacher's Charter.

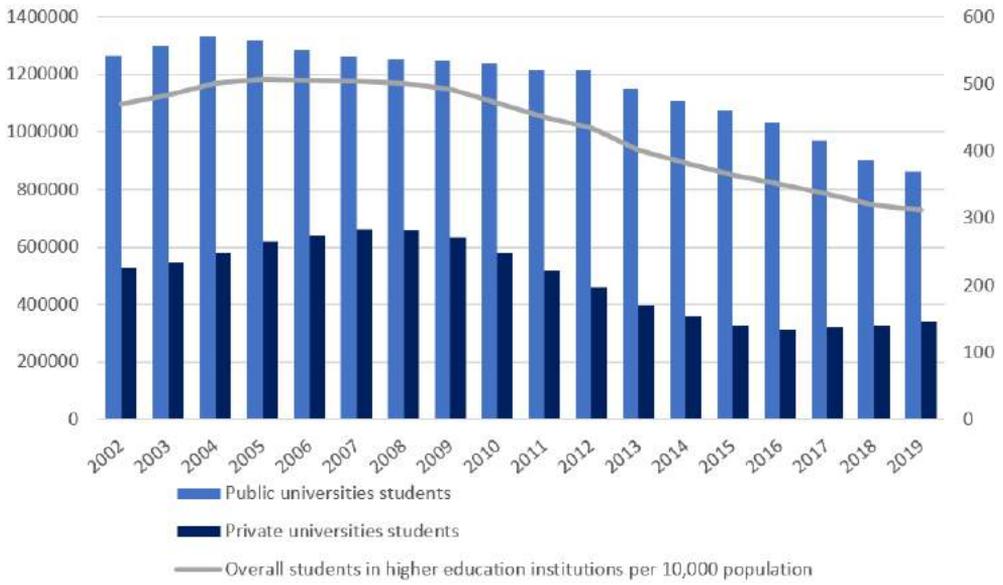
The analysis of the number of educational institutions from 2014 to 2018 shows that both the number of non-public educational institutions and the number of students attending them increased (in the first case by 17.15% - from 8 502 to 9 960, and in the second by 29.73% - from 393 211 to 510 111). In 2018, these institutions accounted

for 20.1% of all educational institutions, which is an increase of 13.32% compared to 2014. At the same time, there was an increase in public schools by 0.39% and decrease by 0.51% in the number of children attending them. Non-public education is considered to develop very dynamically. The increase in non-public schools (especially primary schools) is mainly claimed to result from educational reform and associated liquidation of middle schools (Our kids, 2019).

In the case of higher education, changes are going in the opposite direction. The sector is still dual, in the private part, strongly marketed, but it is radically changing. Kwiek (2017) emphasises that in the period from 1990 to 2005, there was predominant privatisation in Poland, which was a consequence of the under-financing of state universities due to political transformations, demand for public funds, and the need to limit expenses. The developing private sector influenced the functioning of the existing public sector and led to a wider educational offer. Moreover, the emerging private universities used the resources of the teaching staff of the public sector, which was considered as a reduction of teaching and research potential of public universities. Commercialisation also appeared at the state universities, which developed extramural studies (Godłów-Legiędź, 2016). This dynamic commercialisation and privatisation were assessed rather negatively, especially from the perspective of students and faculty teaching staff (the latter mainly because of overloading with teaching duties) (Kwiek, 2012). Godłów-Legiędź (2016) indicated that the main consequence of the privatisation and commercialisation was a reduction of the academic community pressure to reform the public universities. What is more, the possibility of taking additional employment in private universities limited pressure on the authorities to improve salaries in public universities.

The period until 2006 was generally associated with the expansion of higher education, but in the following years, the higher education sector began to shrink, partly due to demographic changes, which translated into a decline in the role of private universities and an increase in public sector participation. While in the years 2006-2015 the share of non-paying students increased by almost a half, the number of students in the private sector also decreased by half. As a result, the number of private institutions and private sector students in the total student population has diminished. Kwiek (2017) presented the process of the evolution of higher education in Poland - the years 1945-1989 are the public period, 1990-2005 - public-private, 2006-2024 - a system subject to deprivatisation and hypothetically after 2025 - a deprivatised sector. The higher education system increasingly relies on public institutions and public research funding. In recent years, the processes that are taking place indicate that the share of private funds is systematically decreasing and public financing is growing. Once again, it should be stressed that the processes we are dealing with in higher education after 2016 mainly result from the demographic changes.

**Figure 3. University students (Source: GUS data)**



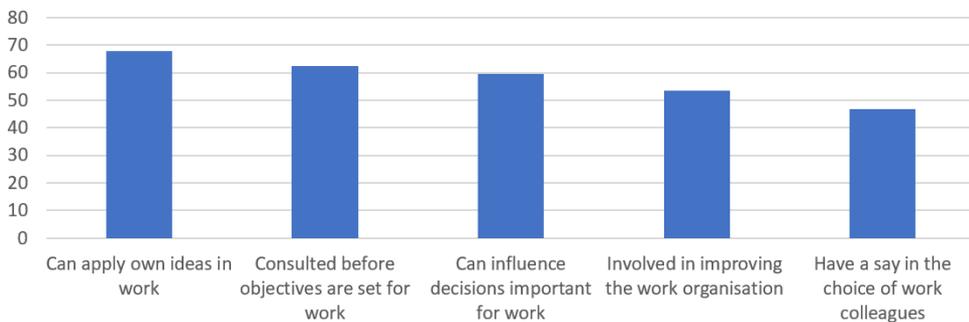
### 3. Analysis I: changing patterns of industrial relations and social dialogue

In Poland, the social partners are formally invited to participate in policy debate and the way of conducting social dialogue is regulated by law. However many social partners are dissatisfied with practice of social dialogue. The image of dialogue partners varies among the stakeholders of the education sector. There are both large member organisations and smaller local associations, which do not have the possibility to provide opinions on legal acts as trade unions but can also participate in less formal discussions or submit their suggestions and comments.

The trade union activity/representation is present in public education at national, regional, local, and institutional levels of government (at each of these levels the social dialogue in public education is run). They are rather not involved in social dialogue on the working conditions and professional prerogatives of teachers and other education personnel employed in privately managed education institutions.

Although the trade unions are the main actors of dialogue, teachers can directly impact the workplace activities and decision making at the school level. According to the EWCS 2015 data, more than half of Polish teachers are involved in improving the work organisation or work processes of their department or organisation, about 60% can influence decisions that are important for their work and is consulted before setting work objectives. In addition, the majority of workers can apply their own ideas. Every second teacher reported that they always or most of the time have a say in the choice of working colleagues.

**Figure 4. Teachers influence on decision at their workplace (% of 'always' and 'most of the time' responses)** (Source: EWCS 2015 data)



The capacity of teachers to influence decisions individually rather than through the representatives differs by sector, gender or their working hours. Apart from being consulted before setting work objectives greater proportion of teachers employed in public sector reports that they always or most of the time take part in organisational decisions affecting their work. Those with contracts for indefinite period and male teachers are more likely to be involved in decision making.

The quality of dialogue between individual stakeholders can be assessed by analysing the way in which certain changes are introduced in education. After the change in the education system in 1999, the last significant reforms took place in 2009 and 2016, respectively. In the first case, we were dealing with a lowering of the compulsory school age. In this case, more criticism and fears came from parents engulfed in a wave of moral panic, which the contemporary opposition took advantage of. This situation also revealed different positions of the trade unions, while the ZNP was definitely in favor of lowering the schooling age, the Education and Upbringing Section of NSZZ "Solidarność" was skeptical about the change.

Much bigger problems with dialogue were revealed during the 2016 reform, which was considered as devastating educational system. The reform proposal raised a lot of controversy, with teachers not being unanimous in this matter. Those who were positive about the liquidation of lower secondary schools were secondary school teachers who admitted that teaching in secondary school should be extended. However, most teachers and parents were against the reform. Drafts of legal acts related to changes in the education system were subject to wide public consultations, the authorities conducted a series of information conferences, trainings, and meetings. A team for the implementation of the education reform was also appointed to coordinate the implementation of changes in the education system, including legislative activities and information policy. It should therefore be stated that the consultation obligation arising from the provisions has been fulfilled. However, according to the social partners, the authorities created an appearance of a dialogue and only tried to persuade the society that they were working closely with parents, teachers, and trade unions, creating a vision in which the reform responded to the needs of all. Meanwhile, the social partners saw it quite differently. Unions came up with their own proposals to modify the proposed change, but these met with no response. Participants of the organised conferences admitted that they had no opportunity to express their opinions, ask questions or start discussions, all meetings were rather informative, questions or postulates were not addressed in most cases. The same negative image of dialogue is presented by the interviewee speaking on behalf of parents. The government was not interested in consultations, there was lack of any real dialogue, no substantive arguments were submitted to the government, various attempts for dialogue were made but the government did not want to answer any questions and arguments to any doubts. The government part often was opposed to certain solutions or ideas, not fully understanding their essence or operation, which in turn resulted primarily from the lack of willingness to enter a real dialogue. This situation shows that legal regulations alone do not guarantee high-quality dialogue,

above all, the will of the rulers is needed, as the other partners are very willing to engage in consultation.

In February 2017, when the laws that implemented the reform were adopted by the Parliament, an idea appeared to collect signatures on a citizens' motion to stop the reform. Over 900,000 signatures were collected, and the application was submitted to the Parliament, which, however, rejected it. The vast majority of social partners expressed dissatisfaction with the ongoing dialogue, this discontent led to the strike, but it did not change the attitude of those in power.

When it comes to the dialogue between trade unions and the government, a certain duality is visible. The trade unions show a certain political orientation, which may shape their opinions. Both trade unions admit that the dialog needs improvement, but the ZNP expresses more negatively about cooperation with the government and feels ignored. At this point it should be stressed that the complaints and dissatisfaction may result either from formal involvement in dialogue or lack of the agreement with the content of reforms and conflict of interests. Some argue that the opinion of trade unions is stronger than they claim, and they are always taken into account as serious and strong partners.

The right of unions to opinion the projects of reforms, allows them to react to changes that are inconsistent with the law and the interests of teachers. There are, however, individual cases of infringements, e.g., failure to submit a draft of legal act in a timely manner, shortening the deadline, using the parliamentary path, which does not require the trade union opinion. In addition to giving opinions, the unions also propose their own solutions as part of civic initiatives.

Some interviewees pointed to the lack of solidarity and dialogue among trade unions. At this point, the attention should be paid to the strike in 2019, from which NSZZ "Solidarność" withdrew (it cost the union some members). This again shows differences in the attitude of teachers' unions, yet the unions consider themselves closer to each other than to the government side.

Regarding the changes in the quality of social dialogue, opinions are also divided. Some see a clear deterioration of this dialogue, especially in the last few years, while others assess it as stable. These views may depend on the political orientation of the actors. When it comes to engaging in a dialogue at European level, the main problem is the short deadlines for consultations. Trade unions are also interested in increasing the number of meetings, often in a smaller group, which would facilitate the dialogue. When referring to the principles of the European Pillar of Social Rights, trade union members agree to some extent that social dialogue is promoted and encouraged, social partners are encouraged to negotiate and conclude collective agreements in matters relevant to the workers they represent while respecting their autonomy and the right to collective action and negotiate and conclude collective agreements in matters relevant to the workers they represent while respecting their autonomy and the right

to collective action. Moreover, the workers and their representatives are informed in good time on matters relevant to them, education trade unions participate in the design, implementation, monitoring and evaluation of policies. There is transparency in the range of actors involved and processes impacting education personnel and accountability of all actors involved in decisions impacting education personnel.

## 4. Analysis II: trajectories of education reforms and privatisation *in and of* education

As already pointed out, many of the changes and educational reforms took place out of a search for savings, not necessarily as a result of the crisis, the privatisation process in Poland is often associated and explained with deregulation. Privatisation involving both the change of ownership and the import of practices and management models from the private sector to public education (endogenous privatisation) may be mainly conducive to changes in law, including the Teacher's Charter and education reforms.

Starting the analysis with the Teacher's Charter, it should be emphasised that it raises a lot of controversy. According to some, it is an outdated document that limits and acts to the disadvantage of teachers, while others believe it is *"the most important guarantee of high-quality education and a barrier against its complete commercialisation. (...) The Teacher's Charter guarantees that teachers with the same level of professional promotion must receive the same basic salary rates in all parts of the country, in the affluent commune and in the less affluent area. It also describes the teacher's career promotion path, which means that local authorities cannot withhold this promotion, (...) if they had such a possibility, they could make financial savings on this account. (...) The advantage of the teacher's card is that it guarantees the same standard of educational work participants in different parts of the country, in different local governments."*

As one of the interviewees noted, politicians from the next options presenting generally divergent views often quite surprisingly have collective, critical views on the Teacher's Charter. For ideological and economic reasons, they would like to lead to a certain liberalisation and deregulation of teachers' labor relations, and the Teacher's Charter prevents them from doing so. For 30 years there have been postulates of local government communities aimed at repealing some of the provisions of the Teacher's Charter or even the liquidation of the entire act so that the local authorities could shape remuneration and employment relationships on their own, at their own discretion, making some savings, which meets with strong opposition from ZNP. Politicians with a liberal orientation would like to deliberate the Teacher's Charter, also so that it would be possible to introduce more and more private sector entities into education.

In 2019, subsequent changes entered into force will sometimes be a gateway to solutions from the past, e.g. the obligatory evaluation of the teacher's work was abandoned, the path of professional promotion of teachers shortened again, the return to the evaluation of professional achievements for the internship period, keeping the limits of fixed-term employment contracts, depriving the local government

unit of the possibility to freely determine the amount of the functional allowance for class education, statutory determination of the upper limit practical apprenticeship teachers, establishing a new one-off social benefit "to start".

Some of the changes introduced in the charter, such as the appraisal of teachers' performance, can be considered a typical practice for the private sector. It should be noted that there is clearly no consistency and sometimes purposefulness of the changes introduced in the Teacher's Charter regulations.

Very often entities would like to exclude specific schools and institutions or specific groups of teachers from the Teacher's Charter (it was proposed to exclude the so-called non-board teachers - librarians from the Teacher's Charter, the idea collapsed under pressure from circles). For about 20 years, there have been activities aimed at transforming educational institutions in such a way that they do not fall under the provisions of the teacher's charter on remuneration and working time, and the gateway is the transfer of running Local Government Schools to non-public entities. This solution was supposed to be a rescue measure for small school (up to 70 students), in practice it often meant a reduction in the salaries of teachers who were no longer subject to Teacher's Chart protection. For some schools this was the only way to survive, but in many cases it was illegal. Some local governments have transferred the all their educational institutions to non-public entities, which is inconsistent according to the ZNP with Art. 70 of the Polish Constitution. Attention should be also paid to the change in the distribution of the educational subsidy, because the communes that did not run schools and did not employ teachers received a radically reduced subsidy, *"the Civic Platform government introduced such a factor in the subsidy distribution algorithm, which meant that the commune that got rid of all schools received subsidies at the same level as before when she ran the school (...) this meant that some communes could start paying for the transfer of these schools"*, despite the opposition's opposition, the mechanism was not lifted<sup>41</sup>. In the case of schools with more than 70 students, the school transfer mechanism required that a special procedure would be respected, including obtaining a positive opinion from the Education superintendent, however it was abolished. There were also some positive voices about social schools, as they give a chance for greater autonomy and involvement of the local community and parents in its operation, but very often it was not local communities but national associations that took over these schools.

Also, some reforms of the education system have led to the development of the privatisation sector, the main attention should be paid to the reform liquidating *gimnazjum*. Firstly, the organisational chaos in public schools caused an outflow of some students to non-public schools, which in response created new departments and employed new teachers, sometimes taking over the best teachers from the public sector, offering them, better working conditions. The reform thus helped to fill the classrooms in many private schools and gave an impulse to enrich their offer. The tutoring sector also strengthened in response to the impoverishment of the offer

41 <https://znp.edu.pl/men-dzieli-subwencje-opinia-znp/>

in overcrowded primary schools. Thus, the opposite happened than the author of the reform had declared before its implementation. As a result of the reform, many teachers had to leave their schools, some of them lost their jobs, and some of them lacked full-time hours, which forced them to teach in more than one school, and still others decided to change their profession or retire.

Statements by the authors of this reform: "We want the school to be flexible enough, so that it can earn for itself, so that the student can learn how to function in a real company, workplace" can be and were considered by some as a postulate of the commercialisation of education. One of the interviewees representing the parents' environment also emphasised that the vision of education presented by the government assumes that the role of the school is to prepare students for the role of employees. Meanwhile, as some noticed, not everything can be converted into profit.

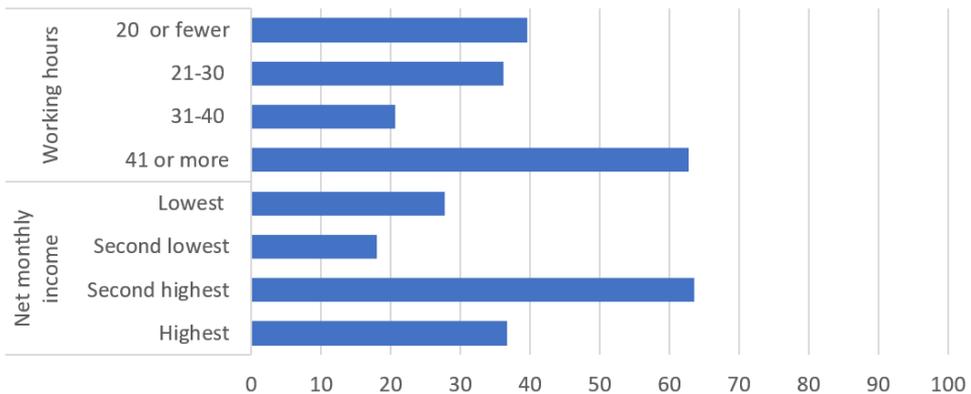
The abovementioned changes, that may be considered as privatisation were rarely associated with the crisis, it was agreed that some of them were driven by savings, but the political interest was most often mentioned. Commercialisation activities that did not liberalise labor relations, but were aimed at generating savings, focused mainly on the liquidation of school canteens, the introduction of external companies in place of service employees dealing with cleaning, standardisation, and these practices in turn have sometimes been linked to the crisis.

According to the declarations of members of trade unions in Poland the following privatisation practices exist: tax incentives to private education institutions at all levels provided by government and vouchers and similar competitive formulas in higher education. It was also noted that privatisation practices such as: the quasi- independent schools which are fully publicly funded but privately managed, government providing funding directly to private fee-charging schools and private fee-charging schools providing education at different levels in this country are very common and have expanded over the last 10 years, while schools run for profit or are fully public funded and governed, but with education ancillary services subcontracted to private providers are rather rare.

When it comes to the private-public partnerships the following features become more common in education system: private organisations (including faith-based) managing publicly funded education institutions, outsourcing support services (e.g., canteen, transport, etc.) and assessment to private providers, private providers providing initial and continuous professional development training to teachers and other education personnel, private firms co-financing and co-managing research within public universities and research institutions. Among the actors engaged in education PPPs were domestic NGOs and faith-based organisations and international NGOs and faith-based organisations. One of the NGO representative pointed out that the cooperation with private institutions is much more fruitful and presents a more serious approach to NGOs as a partner than public schools. Moreover, if a private school teacher decides to cooperate with an NGO, it is usually much more thoughtful. In

public institutions, the organising classes by other institutions is often used by some teachers as an opportunity to take a break. The same person points to the problem of communication and lack of transparent information about the offer and the possibility of using NGO services at schools. Usually, it is the teachers or the NGOs themselves who come out with the offer to the school principals, whereas a wider communication channel is needed.

**Figure 5. Working in free time daily, several times a week or several times a month, by income quartile and usually weekly hours in main paid job (%)** (Source: EWCS data)



The wages that have been a subject of a dispute between the government and trade unions for years have obviously been seemed as not decent regardless of the sector ownership. The data show that there are some differences between the salary components of private and public sector teachers. In both cases the remuneration mainly includes basic fixed salary, but there are also some other components, which are usually more common in private sector (the only exception were extra payments for additional hours of work and income from shares in the company). The commonality of additional pay components has changed over the years. In both 2010 and 2015 the most frequently reported were extra payments for overtime, however, they considerably decreased in importance in 2015. It should be stressed that while in public sector a 10-percentage point decrease was observed, in private sector 38-percentage point increase was noted (in 2010 nobody declared the existence of extra payments for additional working hours in their remuneration). Similarly, the proportion of teachers reporting payments based on the performance of team or company and advantages of other nature appeared in 2015 in private sector, while in public sector we are dealing with a decline. Generally, private sector teachers more frequently tend to agree with the statement that they feel they get paid appropriately. This is somewhat inconsistent with the concerns of trade unionists, who emphasise that transforming schools into non-public institutions usually reduces salaries.

The interviewees underlined that the main difference between the private and public sector is the stability and it is in line with the teachers' responses. This stability takes

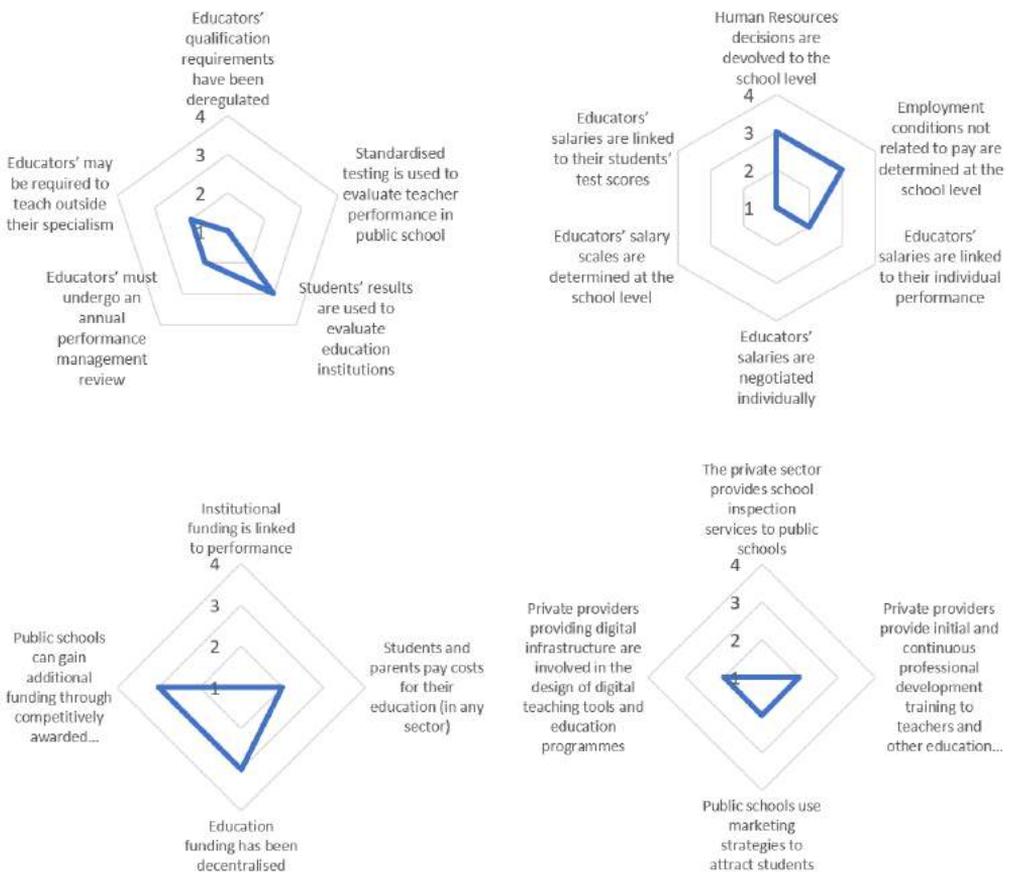
various dimensions. When it comes to the type of contract there are no greater differences, the contract of unlimited duration is most common, regardless of sector but the differences emerge due to the working time for example, being employed full time was more frequently declared among private sector teachers. The lack of stability may be also understood as a high risk of losing job. According to data from 2015, every fifth teacher was afraid that she/he may lose job in the coming 6 months. It was more often declared by teachers employed in the private sector. Here, we should remind that it may result from the regulations, the Teachers' Chart, which covers public state schools' teachers, specifies that the termination of an indefinite period employment contract of a pedagogical and non-teaching worker requires the opinion of the trade union. We observe the opposite in case of employability – the private sector teachers are more likely to admit that they would not have problem to find the equally paid job if they teachers were to lose or quit current workplace. Comparing the EWCS data from 2010 to 2015 it can be noted that both job security and employability worsened over the years and this applies to both the private and public sectors. Although the staff turnover is more often indicated by the trade unionist to take place in private schools, the numerical data shows that the restructuring or reorganisation that substantially affects teachers' work more often concerned public sector than private sector workers.

From the point of view of job satisfaction and job quality and effectiveness, it is important to ensure employees an autonomy and opportunities for self-development. In case of public education, that is covered by the activity of trade unions, the trade unions representatives agree to some extent that educators enjoy a high degree of professional autonomy/academic freedom. When referring to the data, it should be noted that private sector employees indicate the need to meet precise quality standards more often than their counterparts from public sector. This may suggest that private sector employees are more often burdened with greater responsibility for their tasks, these persons also less frequently point to little task variation at their job. When it comes to the professional development opportunities, they do not differ much between sectors but vary considerably according to the type of contract – teachers with contract of unlimited duration more often agree that their job offers good prospects for career advancement, than those with fixed-term contract. The attention should be paid to the source of funding the trainings, in the public sector employees were more likely to participate in the training provided by an employer. Considering the changes taking place in the Polish education system - both structural and curricular, training for teachers is necessary. As interviewees pointed out after the 2016 reform, many teachers retrained on their own to keep employment or to be able to move to other school. The EWCS data reveals that we can observe a situation when individuals perform tasks below their abilities or conversely, when the skills are below the job requirements, which often translates into lower productivity. For most teachers their skills correspond with their duties, but nearly 43% of teachers are either over- or under-skilled. In both sectors we have an advantage of over-skilled teachers but, but generally the skill mismatch is larger in public sector, than the private. Between 2010 and 2015 there has been a slight increase in the proportion

of workers whose skills do not corresponded with their duties, mainly an increase in proportion of over-skilled teachers was reported.

**Figure 5. The occurrence of practices characteristic to endogenous privatisation in Poland, according to the trade union representative**

Explanatory note: 4-Very common, 3-Fairly common, 2-Rare, 1-Not at all (how common the specific form of endogenous privatisation is in Poland). (Source: own elaboration based on the survey on trade union representatives)



The analysis also shows that in Poland we are dealing with endogenous privatisation. The figure 5 depicts how common specific practices are. Some of them, such as the form of setting remuneration, reflect the provisions of the Teacher's Charter or the Education Law Act. According to the one of the trade union representative's observations the most common privatisation practices are: using the students' results to evaluate institutions, determining employment conditions not related to pay at a school level and devolving HR decisions to school level. In case of financing, the most common practices are decentralised funding and gaining additional funding through competitively awarded government funds. Except for the paying costs for education by students and parent, which become less frequent, the remaining issues listed in the Figure 5 remained stable over the last 10 years.

Apart from the changing working conditions of teachers as a result of privatisation, it is also worth noting that the privatisation policies also worsened the position of the trade unions as they *"do not have their representation in non-public education at all levels"*.

## **5. Discussion: implications for teachers' working conditions, professional prerogatives and social dialogue in Poland**

Although industrial relations and social dialogue are legally regulated in Poland, in many cases social partners are only informed and consulted without a real impact on final decisions. Education sector is not an exception. In many cases the process is a facade which leads to a dissatisfaction expressed by social partners. Numerous changes and reforms in the education sector were not only implemented without consent of trade unions, but ignored important elements that were proposed in the consultation process. There is a consensus that it negatively affected the reform outcomes. The process is also highly politicised with governments searching for agreement outside the formal consultation processes and with individual trade unions rather than working towards finding a consensus with all social partners. This diagnosis is also confirmed by international indices of industrial relations. Eurofound's industrial relations index is a composite index that comprehensively measures country performance in four dimensions – industrial democracy, industrial competitiveness, social justice, and quality of work and employment – and in industrial relations systems as a whole. Among the European countries, Poland, with 39 points, takes the penultimate position.

The private sector in education is still limited. Involvement of private institutions varies between education levels with large and growing involvement at early stages (pre-primary and primary), steady situation at the secondary level, and relative decline (after rapid growth) in tertiary education. In school sector, the gradual process of exogenous and endogenous privatisation has been visible for several years and it is explained in literature by decentralisation, but also by striving to improve the quality of education. In the case of higher education, after a period of dynamic privatisation, which lasted until 2005, the dominance of the public sector returns mostly due to demographic decline which limited demand for tertiary education provided by private institutions.

The employment conditions in the private sector are different from the public sector, while competition for workforce between public and private institutions make both sectors similar in many aspects. The main difference between sectors lies in the stability of employment with less secure contracts in the private sector. Also, teachers are less often employed on full-time contracts in the private sector. Overall, the private sector mostly often serves as a complement to the public sector offer.

The analysis of working conditions in both sectors based on the trade union representative, revealed that in each sector the physical environment is considered

as safe and does not expose educators to health risks. The EWCS 2015 data shown that over 60% of teachers do not find association between job and their health, while one in four teachers admits that job affects their health negatively, while it is rather more related to excessive working time than the sector ownership. The trade unionist also indicated that educators work in an extra time. Again it is consistent with EWCS survey, where about 11% of respondents reported having rarely or never enough time to get the job done. In order to meet the work demands some teachers decide to devote their free time for work, which blurs the boundaries between job and private life and may result in poor work–life balance. On average. As for a role of income level, working in an unpaid extra time to meet work demands is more common among those with the highest level of remuneration.

Apart from the changing working conditions of teachers as a result of privatisation, it is also worth noting that the privatisation policies also worsened the position of the trade unions, which are rarely represented in private institutions in education sector.

Summing up, in Poland, social dialogue is to a large extent politically conditioned, very often it creates only a façade of a dialogue, whereas in reality partners do not have much impact on the implemented policy changes. When referring to the principles of the European Pillar of Social Rights, trade union members agree to some extent that social dialogue is promoted as social partners are encouraged to negotiate collective agreements in matters relevant to the workers they represent. At the same time, they emphasise that with strong political interest, policies are implemented despite disagreements with social partners. In some cases, even the consultation process serves as a façade for rapid policy changes, which was evident during last wave of reforms changing the school structure.

Overall, one could say that while social dialogue institutions exist in Poland and are similar to other countries with more developed industrial relations, the process suffers from the lack of social norms that encourage partners to engage in a deep dialogue and look for consensus instead of pushing their political agendas. At the same time, teachers in Poland, both at the school and tertiary education level, benefit from large autonomy in terms of their professional duties. They also have some influence over employment and work conditions at their work places, in schools and tertiary education institutions. In a sense, social dialogue is more effective at lower levels of decision making in Poland.

The data show that the private sector of education is developing, at this point it should be emphasised that not all social partners perceive the privatisation of education as something negative, but as an opportunity to improve its quality standards.

In the same time, it seems that most forms of privatisation in the education system was not related to actual ownership of schools. The changes occurred at the level of language (using the term "client" to refer to a student, talking about educational services), use of Total Quality Management Tools (application in pedagogical

supervision for the assessment of schools and teachers), introduction of the idea of market competition between educational institutions aimed at improvement of quality of education and continuous attempts to change the professional status of a teacher. In this context, privatisation of education in Poland is not a topic of heated debate. The number of private institutions is slowly growing but they have little impact on the overall shape of the system. Private institutions provide similar conditions to teachers as they use public sector as a point of reference for employment contracts. The main difference is lack of employment stability, which encourages teachers to keep employment in the public sector. On the other hand, as privatisation is progressing, the situation might change. As trade unions are not present in the private sector, social dialogue institutions might be further weakened and teachers employment conditions will be left to individual decisions and to the market forces.

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## Chapter 5. **The dynamics between organised corporatism and privatisation:** the ‘first teacher’-reform in Sweden

*By Tore Bernt Sorensen, UC Louvain*

# 1. Introduction

Over recent decades, the interest in establishing new roles and career stages for teachers have increased internationally. Designed to enhance whole-school improvement, and teachers' professional competences, the new specialised teacher roles tend to combine wage increases with reduced instructional time and are meant to create career paths and raise the attractiveness and status of the teaching profession. Often labelled teacher coaches, teacher leaders, or mentors, the new categories of teachers typically engage with a wide range of activities, including classroom support, collaboration with stakeholders, leading data-driven instruction, and professional development. The models introduced in Australia, England and Scotland are some of the more well-known examples of such teacher roles. More recently, the phenomenon has also reached continental Europe. In Scandinavia, the introduction in Sweden from 2013 onwards of "first teachers" ("förstelärare") in primary and lower secondary schools, and "lecturers" ("lektorer") in upper secondary schools, stands out as the most prominent example of such new teacher roles, having directly inspired similar initiatives in Norway (Alvunger 2015; Lorentzen 2019).

This case study focuses on the first teacher reform and situates the reform within Swedish and EU multi-level governance, industrial relations and social dialogue, and privatisation in education sectors. The chapter adopts the translation "first teacher" of the Swedish term "förstelärare" (Alvehus et al. 2020; Alvunger 2015). This is not self-evident; translations such as "advanced teacher" (Bergh et al. 2019) or "lead teacher" (Bång and Auno 2016; Hirsh and Bergmo-Prvulovic 2019; Ideland et al. 2021) have also been used in English language research literature and allude to the advanced skills, management and educational (middle) leadership associated with the new category of teachers.

The case study focuses on teachers in comprehensive schools (primary and lower secondary education, ISCED levels 1-2) where the first teacher reform has had most implications. Based on interviews, policy document analysis<sup>42</sup> and existing research, the case study demonstrates how the reform has been implemented in a specific context where 'organised corporatism' in industrial relations coexist with expansion of privatisation *in* and *of* education. The efforts to situate Swedish reform within European Union multi-level governance adds further complexity to the analysis, and the case study suggests that the established trajectory of organised corporatism in Swedish industrial relations has been extended into the relations with the European Commission and the European Semester.

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42 Please see Appendix B for an overview of policy documents and interviews analysed for this case study

The entry point for the case study is that the first teacher reform introduces a new role differentiation as well as a specialisation of knowledge and skills (Lorentzen 2019). The first teacher reform thus entails major changes in the division of labour, horizontally in terms of the distribution of tasks and assignments between first teachers and other teachers, and vertically with regard to the status and power of the new 'middle-leader' position vis-à-vis colleagues (Hirsh and Bergmo-Prvulovic 2019). In this respect, the case study addresses the question to which extent first teachers constitute a new occupational category, and how this might be reflected in their employment relations and contracts.

With regard to the issue of privatisation, the case study highlights that edu-business has developed solutions for the assessment of first teachers that have become widespread across Sweden, and therefore influential in the implementation of the policy.

The next section focuses on the liberalisation and decentralisation in the Swedish welfare sector since the 1980s in order to provide an overview of the trends of industrial relations, education reform and privatisation. The subsequent section analyses the first teacher reform in depth, and the final section discusses the findings within the context of EU multi-level governance.

## 2. Liberalisation and decentralisation in Sweden: the implications for industrial relations and privatisation in education

### 2.1. Industrial relations

Like the other Nordic countries, Sweden is routinely characterised as having a technologically advanced, innovative and dynamic business environment. The World Economic Forum in 2010 declared Sweden the second most competitive economy, and Sweden continues to perform well in such global comparisons. At the same time, Sweden is a leader in Eurofound's Industrial Democracy Index,<sup>43</sup> providing a high standard of living conditions and social protection, exemplifying 'flexicurity' with expansion of the market domain and employer discretion in the labour market, with social protection for those outside. While the Social Democratic Party has suffered in recent years, the social democratic welfare state thrives and enjoys very wide support in the public, based on high taxes and high spending (Steinmo 2013).

As part of the Nordic cluster of member states, Sweden remains one of the few countries in Europe with a 'national model' of industrial relations, with strong cross-sectoral similarities (Bechter et al. 2012). Belonging to the cluster of 'organised corporatism' systems (Eurofound 2018b, pp.27-37), Sweden has since the mid-20th century been lauded as the preeminent example of a Nordic model social democracy with well-consolidated collective bargaining arrangements.

Even though consultations and information sharing regarding labour market issues between the government, the parliament and social partners have a long tradition, the nature of industrial relations in Sweden remains essentially bipartite, based on powerful employer organisations and trade unions that enjoy strong autonomy vis-à-vis government. As employer at the central and local authority levels, the state is involved in social dialogue, but through their respective employers and trade union organisations. Tripartite social dialogue also exist in Sweden, resulting in collective agreements or legislation (Anxo 2017).

While Sweden continues to compare favourably with most other systems in Europe and globally with regard to the level of social dialogue, industrial relations have since the 1990s been transformed along a liberalising trajectory involving decentralisation, individualisation, flexibilisation and corresponding expansion of employer discretion

43 <https://www.eurofound.europa.eu/data/Industrial-relations-index?period=2013-2017&breakdown=d1&mode=all&country=all>

(Baccaro and Howell 2017; Jahn 2016). Collective agreements now tend to be minimalist framework agreements, establishing procedures for bargaining, sometimes setting some limited wage targets, but permitting wide discretion at the firm level. Two main principles:

1. Sectoral coordination, enforced primarily by employer organisations and state mediation, operates to implement a tight wage norm derived from the competitive needs of the export sector across the bulk of the economy.
2. Decentralisation and individualisation of collective bargaining has displaced solidarism. The decline in confederal involvement in bargaining has permitted greater scope for local bargaining and higher levels of differentiation and individualisation in wage setting among workers and firms as well as greater flexibility available to employers in the deployment of labour and the organisation of work. This process has gone furthest in the public sector and among professional workers, with few or no minimum wages or guarantees.

It is in this light that we should understand the comments in the OECD (2005, p.146) *Teachers Matter* report that Sweden provides “an interesting example of a country that has attempted to combine a strong tradition of teacher unionism and consultative processes with opportunities for flexible responses and nonstandardised working conditions at the school level”. The OECD’s influential policy review notes that an individual teacher pay system in 1995 replaced the centrally bargained fixed-pay scheme as part of a package designed to enhance local autonomy and flexibility in the school system. Without any fixed upper limit, the teacher and employer negotiate the compensation packages of salary and working conditions, when the teacher is hired. The pay system has increased teacher mobility and competition for teachers between public and private schools, and between municipalities, and led to much greater variety in teachers’ pay and working conditions, depending on local demand and the track record of the teacher, similar to the systems in the United Kingdom and Canada (OECD 2005).

**Table 1. Union density in %** (Source: Kjellberg 2020, p.134)

Sector	1990	1993	2000	2006	2008	2010	2015	2019	1993-2019
Blue collar	82	86	83	77	71	69	63	60	- 26
White collar	81	83	79	77	72	73	74	72	- 11
All employees	81	85	81	77	71	71	69	68	- 17

**Table 2. Union density by sector in %** (Source: Kjellberg 2020, p.135)

Sector	1990	1993	2000	2006	2008	2010	2015	2019	1993-2019
Private	75	78	74	71	65	65	64	63	- 15
Public	91	94	92	88	84	85	81	79	- 15
Both sectors	81	85	81	77	71	71	69	68	- 15

Decentralisation and individualisation of wage bargaining have not simply been imposed upon the trade union movement, and Swedish trade unions retain real strengths. Almost nine out of ten Swedish workers are covered by collective agreements, Sweden has one of the highest union densities in the world, and negotiation remains the dominant mechanism for managing relations between workers and employers (Baccaro and Howell 2017). Yet, the trajectory of labour movement strength is unquestionably towards decline. There has been a long-term decline in overall union density, from a peak of 85 percent in 1993 to 68 percent in 2014 (see Table 1). That decline reflects the changing composition of the labour force and a more critical view of unions among workers, but also a failure on the part of most trade unions to invest heavily in organising. While density in the public sector remains high at 79 percent, it has declined to 63 percent in the private sector (see Table 2). The density of employer's associations (the share of employees employed by employers affiliated to an employer organisation) are high in Sweden as well, consistently 100 percent in the public sector, and steadily increasing from 77 to 83 percent from 1995 to 2018 in the private sector (Kjellberg 2020, p.137).

### Box 1. Social partners in Sweden

#### Social partners in Sweden in primary and secondary education

##### **Main employer:**

Sveriges Kommuner och Regioner (SKR) /SALAR (Swedish Association of Local Authorities and Regions)

On European level, SKR/SALAR is member of European Federation of Education Employers (EFEE) and European Centre of Employers and Enterprises providing Public Services (CEEP)

##### **Main education trade unions covering comprehensive school (ISCED levels 1 and 2):**

Läraryrbundet (Swedish Teachers' Union): 234,000 members, covering pre-school to higher education.

Lärarnas Riksförbundet (The National Union of Teachers in Sweden): 92,000 members, covering compulsory education (years 1–9, ISCED level 1-2), upper secondary schools (ISCED 3), higher and adult education.

Both Läraryrbundet (Swedish Teachers' Union) and Lärarnas Riksförbundet (The National Union of Teachers in Sweden) are members of ETUCE

##### **Confederations**

Läraryrbundet (Swedish Teachers' Union) is affiliated to Tjänstemännens Centralorganisation (TCO, Swedish Confederation of Professional Employees) which generally organises white-collar workers

Lärarnas Riksförbundet (The National Union of Teachers in Sweden) is affiliated to Sveriges Akademikers Central-organisation (Saco, Swedish Confederation of Professional Associations) which generally organises professionals with higher education background

On European level, TCO and Saco are members of European Trade Union Confederation (ETUC), along with a third confederation LO (founding ETUC member since 1973) which organises blue-collar workers

TCO is also a founding member of ETUC, and Saco has been ETUC member since 1996

### 2.1.1. School education trade unions in Sweden

There is a distinct form of multi-unionism in Swedish school education (ISCED levels 1-3), with two major education trade unions *Lärarförbundet* (Swedish Teachers' Union) and *Lärarnas Riksförbund* (The National Union of Teachers in Sweden) competing for members. Their memberships reflects that the former has historically catered to teachers working with younger children, while the latter has focused on teachers working with older ones. This focus is also reflected in their affiliation with the cross-industry social partners of TCO and Saco, respectively. The multi-unionism can be traced to the bifurcation between grammar school teachers and elementary school teachers in the late 19th century. The latter were graduates of a teachers' college and were mainly recruited from the rural population and the peasant class and hired as municipal functionaries. Meanwhile, grammar school teachers had university qualifications and taught at the state-run grammar schools (Ringarp 2012). The two different occupations prompted the emergence of two unions that in different ways worked in trying to raise teachers' professional status (Nilsson-Lindström and Beach 2013). Later, the introduction of a nine-year comprehensive school in the 1960s for all children, and joint teacher training for comprehensive school teachers (ISCED levels 1-2) in the mid-1970s, disrupted the parallel school system, blurred the boundaries between the two groups of teachers, and gave rise to a recruiting struggle between the two education trade unions (Ringarp 2012).

In this way, multiunionism in Swedish school education has been shaped by the broader efforts from the 1940s onwards to unify and raise the status of the teaching profession around a shared knowledge base. This unification has been understood as an important element in developing the Swedish welfare state. As one of the 'welfare professions', the status and professional prerogatives of teachers have thus in Sweden historically been entangled with the establishment of the welfare state and its development over time. Hence, when the welfare state changes, teachers' professional prerogatives change as well (Nilsson-Lindström and Beach 2013; Ringarp 2012).

## 2.2. Decentralisation, education reform and privatisation

The liberalising developments in industrial relations have also been evident in education reform over recent decades. Antoni Verger and colleagues' typology (2016, 2017) associates Sweden with the path of "Education privatisation in social-democratic welfare states", where the strong emphasis on the public provision of universal welfare and social equality from the 1980s onward has been contested by conservative forces calling for the dismantling of the welfare state and social

democratic parties advocating its modernisation. In this respect, Sweden is the Nordic country that has gone furthest towards pro-privatisation in education, involving exogenous as well as endogenous forms of privatisation. In short, Sweden went in the 1980s and 1990s through a radical transformation from strong central state governing of education and very few private schools to a highly decentralised system promoting school choice and competition between public as well as private actors (Alexiadou and Lundahl 2016; Beach 2008; Ozga et al 2011; Rönnerberg 2015).

In this respect, it is indispensable to note the decentralisation reform of 1989. As the culmination of years of debate, the Social Democratic government increased the responsibilities of municipalities with regard to schools, including the management of school leaders and teachers which had previously been state employed, and passed legislation enabling municipalities to outsource services, including education. This 'municipalisation' ("kommunalisering av skolan") also involved that earmarked state subsidies were abandoned for a resource allocation system based on lump sums, shifting the responsibility for prioritising between different policy areas from the state to the municipalities. The decentralisation reform aimed at promoting local and democratic control in education, opening up for more diverse pedagogies, and giving more space for professionals to take decisions in schools (Lundahl et al. 2013; Ringarp 2012).

In terms of the two education trade unions, the issue of decentralisation is important, since the *Läraryrket* (Swedish Teachers' Union) and the *Lärarnas Riksförbund* (The National Union of Teachers in Sweden) have tended to adopt different stances concerning the role of the state level in education. Prior to 1989, the education trade unions were opposed to municipalisation; however, conditions changed after 1989, and the *Läraryrket* (Swedish Teachers' Union) began to see the support of municipalisation as an opportunity to acquire the same working conditions, salaries and status as the high school teachers affiliated with the *Lärarnas Riksförbund* (National Union of Teachers). The latter education trade union has since remained critical of the capacity of the municipalities in meeting their responsibilities (Ringarp 2012).

The 1989 decentralisation reform paved the way for the conservative-led government (1991–1994) to adopt a school choice reform in 1992, despite opposition again from the education trade unions. With reference to the European Convention on Human Rights, and especially the article enshrining parents' right to ensure that their children receive education conforming with their own convictions, the reform introduced a voucher system, with a fixed sum of public funding following each student, and allowed privately managed schools — so-called 'free schools' — to receive public funding according to student demand (Lundahl 2002; Wahlström 2009).

Since then, an educational quasi-market has been consolidated, including school chains, marketing of a multitude of programs and schools, venture capitalists and profit-making. With the voucher system, education has become a profitable sector

in Sweden. By allowing profit-making without demands on re-investment in schools, education has increasingly attracted large limited liability companies. This makes the Swedish case outstanding in an international comparison (Lundahl et al. 2013; Alexiadou et al. 2019). The numbers of tax-funded free schools and students attending such schools have increased dramatically. The number of students attending free schools have increased steadily since the 1990s, from 1-2 percent in 1992 to 15 percent in ISCED level 1-2 schools ("*grundskola*") and 28 percent in ISCED level 3 schools ("*gymnasieskola*") (Ekonomifakta 2020). In the largest urban areas, the rates are even higher, up to around 25 percent of ISCED level 1-2 school students and 55 percent of ISCED 3 level students (Lundahl 2016).

Contrary to the stated intentions of the school choice reform, what has happened is that the for-profit schools owned by limited liability companies ("*aktiebolag*") has come to dominate. While the school categories are overlapping to some extent, the number of independent idea-driven schools ("*idéburna skolor*") constitute a diminishing share of the independent school sector. Among the students attending ISCED levels 1 and 2 independent free schools, the number of students attending for-profit schools have increased from 57 to 70 percent from 2009 to 2017. The legal framework favors the latter, since they have the aspiration to expand and pursue economies of scale, and the size of the larger school companies enables them to advocate their interests more effectively to decision-makers (Svensson and Wingborg 2019).

The shift towards neoliberalism in Sweden has also been reflected in the dramatic decline of social investment (public spending on education, research and development, family policy, and active labour market policies) from 13 percent to 10.3 percent of GDP over the period from 1981 to 2007. More specifically, public education expenditure declined sharply from 8.5 percent in 1980 to 6.1 percent in 2007, with the 1980s involving continuous cuts of 2 percentage points annually (Streeck and Mertens 2013). Furthermore, public expenditure on private providers in welfare service skyrocketed over the period 2003-2014. This was in particular the case in education, where expenditure increased from around 14 to 37 billion SEK (approx. 1,4 to 3,7 billion EUR), the bulk of it allocated to for-profit actors. Along the same lines, the increase in welfare sector staffing largely concerns the for-profit part, where the number of employees increased by 65 percent between 2000 and 2015, compared to a 20 percent increase in welfare services as a whole (Svallfors and Tyllström 2019).

Decentralisation tends to be accompanied by new forms of regulation, and in this respect new public management techniques including quality assurance and evaluation have been instrumental. Sweden has a long history of statistical data collection and quality assurance and evaluation, with a web of interrelated activities of national inspection, national tests, national evaluations, and municipal audits of quality assessment, legislation and budgets (Ozga et al. 2011).

The transformation from one of the most government-dominated and unified educational systems towards a market- and competition-oriented system goes beyond privately managed school provision. Like in other countries, there has historically been some room for private sector interests also in Swedish education, for example with regard to teaching materials. Yet, the celebration of 'the market' means that the public and private are now fundamentally intertwined in Swedish education also in terms of a widening range of training, consultancy and support services sold to municipalities and schools (Player-Koro et al. 2019; Rönnberg et al. 2021; Svallfors and Tyllström, 2019). Ideland and colleagues (2021) identified hundreds of hundreds of companies that are active in the Swedish education sector. These 'edupreneurs' come in different forms and have different agendas. Some work internationally, like Apple, Google, Microsoft, McKinsey & Co. and Pearson Education, while others focus on the national level. Quality assurance tools, digital portals for schools, and digital documentation for managing assessment, curriculum, and personalised learning, are particular business areas of growth, where commercial actors promote their products with reference to the formal requirements of state authorities. Especially for teachers, a number of companies have been successful in combining these areas in the offer of ICT-based online professional development (Alexiadou et al. 2019; Andreasson and Dovemark 2013; Rönnberg 2015).

The development towards for-profit organisation of welfare policies since the 1980s in Sweden has been exceptionally rapid by international standards, despite conflicts between political camps, and public opinion on the for-profit issue has remained largely negative. The resilience of the privatisation of the Swedish welfare state is indicative of a new political landscape where the importance of strategic organised action arguably has increased while mass parties, corporatist arrangements and peak-level negotiations play less of a role. An increasing range of commercial actors, NGOs and philanthropic organisations thus now influence the policy cycle, from what is put on the political agenda to policy design and implementation (Svallfors and Tyllström 2019). Edu-business has over time become taken for granted in the Swedish education system reflecting that the neoliberal "*logics have become dominant and common in a way that we think with them rather than about them*" (Ideland et al. 2021, p.84; original emphasis).

For teachers and other education personnel, the school as a workplace has changed considerably, due to the decentralisation and school choice reforms, and research have found that they also influence the attitudes and behaviour of teachers. Teachers in for-profit free schools are for example more market oriented than those managed by local authorities, involving more obedience to school leaders, compliance with the school 'mission' and more reputation management towards students and parents (Beach 2008, 2010; Fredriksson 2009; Ringarp 2012).

## 3. The trajectory of the 'first teacher' reform

All the issues introduced in the previous section relates directly to the reform in focus for this case study, the first teacher reform ("*förstelärare*" in Swedish) launched in 2013. The first teacher reform is essentially an attempt to strengthen the profession and the status of teachers by introducing a new career step. Based on document analysis and interviews, this analytical section will focus on how this reform has evolved over time. Since introduced in 2013, the reform has been subject to a substantial research body, conducted by governmental agencies (Skolverket 2013, 2015; Statskontoret 2015, 2016, 2017; Swedish National Audit Office 2017), including an effect study concerning teacher mobility (Grönqvist et al. 2020)<sup>44</sup>, as well as academic research. Though it has not had a focus on social dialogue and industrial relations, or relations to EU multi-level governance, the existing research provides a useful resource for the case study.

### 3.1. The attractiveness of the teaching profession: Sweden in international context

As indicated in the chapter introduction, the timing and orientation of the first teacher reform in many ways reflects the increased level of attention being directed towards teachers and teaching on a global scale in the political as well as research fields. In this sense, the reform resonates with the educationalisation discourses analysed in this report's chapter about the EU that represent teachers as key agents for change, a message put forward by influential reports such as the OECD's major policy review *Teachers Matter* (OECD 2005) as well as the 'first McKinsey report' (Barber and Mourshed 2007).

Regarding the OECD policy review, Sweden was one of the 25 countries that took part in the OECD policy review "*Attracting, Developing and Retaining Effective Teachers*" conducted over 2002-2004. The review pointed to a number of similar issues in many countries. For Sweden, the review identified a specific confluence of trends suggesting serious challenges in the years to come (OECD 2005):

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44 The Swedish National School Agency Skolverket has created a website dedicated to the work of first teachers: <https://www.skolverket.se/skolutveckling/leda-och-organisera-skolan/leda-personal/forstelararens-uppdrag>

- Growing student population: the number of 15- to 19-year-olds was projected to increase by at least 15 percent
- An ageing teacher workforce: a relatively high proportion of teachers above 50 years
- High teacher attrition rate: Sweden in the group of countries where more than 6 percent of teachers leave the profession
- School leaders experience serious difficulties in recruiting teachers
- More than 10 percent of teachers in primary and secondary public schools were not fully qualified
- Relatively low average teacher salaries

The late 2000s were also an important period in Sweden as the 'international argument' started to become more prominent in education policy discourse. Previously international reference points were hardly ever used as an argument for reform in policy-making, e.g. in the major reports of government committees ('Statens Offentliga Utredningar', or SOU), yet from the 2000s, there have been increasing openness towards considering especially the findings and views of the OECD, triggered by declining PISA results (Ringarp and Waldow 2016). While Swedish stakeholders are confident about the system, especially the OECD PISA programme has come to be a major reference point for policy-makers, civil servants, education trade unions, etc. with a direct influence on the political agenda (Grek et al. 2011). Sweden reached a nadir with PISA 2012 which showed that the country had the worst outcome development among OECD countries and growing ethnic and socio-economic school segregation (Alexiadou and Lundahl 2019).

### 3.2. An unprecedented reform

Characteristically, the first teacher reform was part of a larger government curriculum reform package. The reform was introduced by Minister of Education Jan Björklund. Party leader of The Liberals, Björklund served as Minister of Education 2007-2014 (as well as Deputy Prime Minister 2010-2014) in the successive governments of a centre-right political alliance headed by Prime Minister Fredrik Reinfeldt of the Moderate Party. Previously, Björklund had served on the Stockholm City Council's board of education, where he had launched initiatives similar to the first teacher reform.

The reform was first hinted at in the Education Act of 2010 which called for establishing career pathways for teachers in the schooling system to make the teaching profession

more attractive and to enhance student outcomes. We should note that the two major education trade unions also called for reform in the area (Läraryrket 2010; Lärarnas Riksförbund 2011). In 2012 followed the Parliamentary Memorandum ("*promemoria*") "*Karriärvägar för lärare i skolväsendet*" (Department of Education 2012)<sup>45</sup> which provided the foundation for the subsequent law proposal ("*proposition*") (Department of Education 2013). The Memorandum introduced the main ideas of career steps or paths for teachers, linked with improving student achievement, raising the status of the profession, and making it more attractive to prospective candidates. In drawing on the OECD's Teacher Matter report (OECD 2005) and punchlines from the 'McKinsey report' How the world's best-performing school systems come out on top (Barber and Mourshed 2007) about the importance of teacher quality for student and system performance, the Memorandum was in keeping with the dominant global discourses at the time, centred on new public management techniques of standards-based measurement and accountability (Alvunger 2015).

This Memorandum also situated the proposal for career steps for teachers in the political context of the EU, observing that teachers are high on the EU's agenda, reflected in the themes for the ET2010 and ET2020 Working Groups, and "Schools for the 21st century" (European Commission 2007a) labelling teachers as key agents for change. The Memorandum also refers to other early key documents of the EU's school policy, including "Common European Principles for Teacher Competences and Qualifications" (European Commission 2005) and "Improving the quality of teacher education" (European Commission 2007b) (see the EU chapter in this report). Finally, the Memorandum pointed to similar initiatives in England, New Zealand, Scotland, Australia, and Poland (Department of Education, 2012; see also Bergh and Englund 2016).

As a large scale reform concerning the teaching profession that introduced a new teacher category, the first teacher reform was unprecedented in Swedish education. Yet, unlike most recent reforms in Sweden that have been centrally controlled and mandatory, the reform is actually optional. Still, the reform illustrates the paradoxical character of the decentralised system Swedish school system, with the state so engaged with system audit and evaluation that it amounts to a process of 're-centralisation' (Alvunger 2015).

The details of the first teacher reform was presented with Regulation 2013:70 ("*Förordning om statsbidrag till skolhuvudmän som inrättar karriärsteg för lärare*") issued in February 2013. Translated the title of the Regulation means "state funding contribution to school authorities who create career steps for teachers". The Swedish term "*skolhuvudman*" relate to those with the responsibility of managing schools, either local authorities, individual schools or enterprises managing several schools. The term "school authority" is adopted in this chapter for this specific entity. The reform involved the following principles and requirements:

<sup>45</sup> Please see Appendix B for list of policy documents analysed for this case study

- The reform gives school authorities (“*huvudmännen*”) the possibility to apply for state subsidies for “first teachers”.
- Requirements: First teachers must be certified, minimum 4 years of documented excellence in teaching, and the ability to improve student achievement and teaching (Skolverket, 2013).
- Salary increase: First teachers receive 5,000 SKR extra per month (approx. 500 EUR), i.e. a 15-20 percent salary increase.
- The work of first teachers: Minimum 50 percent of first teachers’ working hours should consist of teaching and tasks associated with teaching (Skolverket, 2015).
- The school authority decide how many first teachers and lecturers to apply for and appoint, how to recruit them, and what their tasks should be. Therefore, there is variation between municipalities regarding the number of first teachers, their positions and assignments, recruitment and the organisation for first teachers.
- In broad terms, the state subsidies are distributed among the applying “*huvudmännen*” on an annual basis (though the school authority might apply every six months), according to the national share of students they are responsible for. The subsidies are earmarked for first teacher salaries. The “*huvudmännen*” then determines how the appointments should be distributed between schools and the teachers to be appointed (Grönqvist et al. 2020; Statskontoret 2017).

Statskontoret (2017) identifies a causal chain, that is, the core assumptions underpinning the reform, and how they together are supposed to bring about positive change.

**Figure 1. Causal chain assumed by the first teacher reform (modified from Statskontoret 2017, p. 12)**



The scope of the reform is underlined by the fact that it was meant to lead to 17,000 first teachers, that is, one out of six school teachers in Sweden (Alvunger 2015). The number of first teachers depends on the size of the state subsidy. In 2013, the state subsidy covered up to 4,000 appointments (187 mio SEK), in 2014 around 14,000 appointments, and since 2017 onwards around 16,000 appointments (SEK 1.442 billion annually). The funding has increasingly been put to use, with 3000 first teachers appointed in 2013 to more than 14,000 in 2016, that is, around every seventh teacher in year 1-9 schools. The current number is around 17,000 first teachers, in line with the intentions of the reform (Grönqvist et al. 2020). Since the launch in 2013, the number of applying municipalities have been over 90 percent. In recent years, all 290 Swedish municipalities have applied. Meanwhile, the share of applicants among

privately managed free schools is lower, yet increasing from less than 40 percent to nearly 68 percent, that is, 505 free school providers, in 2016/2017 (Statskontoret 2017).

It should be noted that the reform also sought to introduce "lecturers" in upper secondary education (ISCED level 3). These were to receive 10,000 SKR extra per month (approx. 1000 EUR). However, only few lecturers – around 150 annually - have been appointed due a lack of candidates meeting the requirements, a perceived lack of need for lecturers among "*huvudmännen*", and because "*huvudmännen*" could appoint two first teachers for every lecturer (Statskontoret 2015, 2017).

### 3.3. Room for interpretation: the duties and roles of first teachers in practice

Although the Regulation included general selection criteria and suggested work tasks, the reform included a scope of interpretation and flexibility in its implementation. The municipalities and other actors responsible for schools could implement the reform according to their priorities, and this subsequently lead to very different circumstances and conditions for first teachers across Sweden. The job duties of first teachers thus came to include a wide array of tasks, in addition to classroom teaching, such as introducing newly employed teachers, supervising colleagues, school development responsibilities with regard to school subjects, leading pedagogical discussions, and project management aimed at improving teaching, etc. (Alvehus et al. 2017; Alvunger 2015; Alvunger and Trulsson 2016; Bång and Auno 2016).

Importantly, while first teachers in practice involved components of educational leadership, first teachers are as 'middle-leaders' (Hirsh and Bergmo-Prvulovic 2019) not responsible for the budget, staffing or other formal tasks. These responsibilities remain those of the school leaders, in accordance with Swedish School Law (Alvunger 2015).

In the light of the room for interpretation locally in the implementation locally, and the variety of tasks, a research consensus has stressed the need for clarity, both in terms of distinct targets and tasks for the first teachers along with the actual authority to carry out these tasks, as well as transparent and structured recruiting processes. This should serve to integrate the first teachers into the school organisation and its day-to-day work. In these respects, school leaders have a key role with regard to the first teacher reform. While not having the status as employer, they are along with the local school authorities involved in identifying the potential first teachers as well as in clarifying the role of the first teachers. At the same time, school leaders have been put in a peculiar situation, since the 5000 SEK salary increase might

mean that first teachers earn more than school leaders, without having any formal leadership responsibilities. Studies show that a lack of coordination between the local school authority and school leaders has sometimes led to uncertainty considering how the reform should be interpreted in terms of the first teachers' status, position and assignments in schools. In practice municipalities' targets have often been indistinct, and some first teachers have experienced themselves as expected to meet different expectations from school leaders and the employer, while others felt left in a limbo without clear directions about their supposed contribution and their relation to colleagues (Alvunger 2015, 2017; Alvunger and Trulsson, 2016; Bång and Auno 2016; Skolverket 2015; Statskontoret 2017; Swedish National Audit Office 2017).

### 3.4. A new division of labour: 'more' or 'less' professionalism?

The existing research suggests a mixed reception of the reform. On the one hand, the reform was positively received as it sought to address longstanding issues. Locally, municipalities, school leaders and teachers have tended to engage constructively with the reform, though the employers are more positive than the school leaders and the teachers. At the same time, the reform was perceived to complicate the collegiality of teachers by introducing career stages in an organisation deliberately designed as 'flat' and egalitarian (Alvunger and Trulsson 2016; Statskontoret 2017).

Introducing a new role differentiation as well as a specialisation of knowledge and skills (Lorentzen 2019), the first teacher reform has entailed major changes in the division of labour, horizontally in terms of the distribution of tasks and assignments between first teachers and other teachers, and vertically with regard to the status and power of the new 'middle-leader' position vis-à-vis colleagues (Hirsh and Bergmo-Prvulovic 2019). In this perspective, tensions were to be expected. Alvehus and colleagues (2019, p.1) summarise the challenge:

*"Imagine an egalitarian profession in one of the world's most egalitarian countries, subjected to an intervention intended to create stratification within that profession, based on criteria that are experienced as arbitrary. What happens?"*

The reform has sparked a debate concerning the implications for teachers' professionalism. This lens is a useful entry point for understanding how the introduction of first teachers as a new teacher category has affected the division of labour in schools.

The more critical research has focused on the tensions that the reform has generated among teachers and between the local and national levels of decision-making, due to the room for interpretation and uncertainty associated with the reform (Alvunger 2015, 2017). A study found that national policy aims on enhancing student learning as measured by PISA scores conflicted with municipal and school priorities in terms of school development, thereby reinforcing the sense of ambiguity and uncertainty. Furthermore, the reform has been found to lead to a new and sometimes conflictual emphasis on hierarchy and roles among staff rather than the intended collaborative learning. In this respect, the substantial salary increases for first teachers have, rather than merely instrumental vehicles for recognition and enhancing teaching and student outcomes, involved complex and perverse effects. The salary incentives have also fed into wider issues of teacher mobility in a system where workers negotiate their salaries individually, and where mobility between school authorities for some decades de facto has been rewarded as a means to secure higher pay (Hardy and Rönnerman 2019). Such findings underline the tensions between managerial policies, local interests, and the introduction of the career stage of first teachers as potentially detrimental for teachers' collaboration and collective efforts to provide quality education for students.

In contrast, Johan Alvehus and colleagues (2020) argue that the first teacher reform has strengthened professionalisation among teachers and the profession's position in schools and within municipalities. The introduction of first teachers strengthens the idea of distributed leadership (Alvunger 2015), and in this way, the reform has challenged existing collegial structures and contributed to the fragmentation or stratification of the profession. However, organisation and professionalisation do not necessarily come at the expense of each other, and a teaching profession that is more organised might help to strengthen schools in facing complex challenges and demands from parents, students, the wider public and authorities. The new division of labour has led to an enhanced capacity to organise the profession, and in this sense, stratification is a way for a profession to strengthen their position in relation to other professions and domains (Alvehus et al. 2020).

Johan Alvehus and colleagues (2020, p.174) thus argue that "*The increase in organization did not lead to an increase in control of the profession but an increase in control by the profession*". They have found that the new category of first teachers have sparked relatively little tension and conflict. With reference to parallel studies about the medical profession, they observe that this might have to do with that the introduction of first teachers – when clearly defined by the employers and school leaders – has not challenged the dominance over the core domains of teachers (classroom practice) or school leaders (administration). By taking on a number of tasks, some of which were previously responsibilities of teachers and school leaders, and some of which might have been managed by personnel external to the profession, the introduction of first teachers has led to more focus and less hybridised roles in the school organisation, and the teaching profession has as a whole taken more control over their work. In fact, Alvehus and colleagues suggest that the relative

success of the first teacher reform indicates that the profession and the school organisation previously were undercoordinated, with ordinary teachers performing a too wide range of tasks and school leaders overwhelmed by administration lacking the capacity to perform pedagogical leadership. Therefore, the first teacher reform demonstrates that the introduction of a new career stage might effectively strengthen the professional autonomy among teachers and led to an upgrading, rather than degradation, of professional work (Alvehus et al. 2017, 2019, 2020).

The debate about the first teacher reform and teachers' professionalisation is bound to continue, and it demonstrates the wide-ranging implications of the initiative for school education overall. The debate raises further questions discussed in the next sections, concerning how first teachers are selected, and how the employment conditions and career prospects associated with this new category of teachers relate to industrial relations and social dialogue.

### 3.5. The business of creating transparency in first teacher selection

With the first teacher reform followed the questions of 'who' are these especially skilled teachers, and 'how' to identify them. In this respect, existing research suggests that private actors have been influential in shaping the implementation of the reform. The room for interpretation and associated ambiguity about how to identify first teachers thus created a market for standards and evidence-based solutions that could deal with the uncertainty and complex challenges raised by the reform. In particular *Arete Meritering* ("Arete Qualifications") has been singled out as a successful edu-business in terms of developing solutions for the assessment of first teachers. With explicit reference to the first teacher reform and the need for strengthening the legitimacy of first teachers, Arete Meritering has for several years offered a six-month professional development programme leading to a certification. Individual teachers are selected for the programme by their school leader, and during the programme the teacher builds a credit file which is assessed by a group of experienced teachers. The qualification programme thus focuses completely on individual teachers, not on teacher teams or the school as an organisation. The programme is based on a definition of a competent teacher summarised in seven criteria: 1) excellent results with all students; 2) planning for cohesion and understanding; 3) leading learning unwaveringly forward; 4) making learning visible; 5) giving every student a voice; 6) creating a classroom atmosphere for hard work; and 7) cherishing all students' rights to a good education (Ideland et al. 2021).

Targeting teachers, schools and municipalities, the qualification programme sold by Arete Meritering clearly met a demand since the programme has been adopted across

Sweden to an extent where it has also inspired some municipalities' own frameworks for identifying strong first teacher candidates (Bergh et al. 2019). The major research reports from *Statskontoret* (The Swedish Agency for Public Management) on the first teacher reform puts the use of such assessment programmes into context. According to its survey, the most used approaches to appoint first teachers are the school leaders' own assessment, along with the skill profiles from local school authorities setting out requirements to first teachers, whereas 15 percent of school leaders indicate that they apply assessment systems, either standardised (such as the one sold by Arete Meritering) or self-developed. At the same time, a quarter of the school leaders state that they need more support in the assessment of competences (Statskontoret 2017).

Together, these findings illustrate some of the possibilities for edu-business that the first teacher reform, and decentralisation more generally, has created in Sweden. The popularity of Arete Meritering's qualification programme aligns with Svallfors and Tyllström's (2019) observation that private actors in Swedish welfare services have found a lucrative market in offering standards-based solutions that seek to create transparency and a 'level playing field' in welfare provision. In the process, Arete Meritering has furthered the legitimacy of for-profit services in Swedish education and managed to position itself as an expert in professional practices, with implications for the scope of professional autonomy and judgment among teachers (Andreasson and Dovemark 2013).

The criteria underpinning the selection of first teachers is entangled with the notion of professionalism. While this is a notoriously slippery concept (cf. previous section), a central feature that tends to be generally endorsed concerns that the status of a profession is dependent on the profession's control of its knowledge base (Ringarp 2012). In this perspective, it ought to be the teaching profession that sets the criteria for the assessment of first teachers. In an interview (Larsson 2018), the researcher Johan Alvehus suggested that the teaching profession could have been more proactive in the reform process and as a collective put forward relevant criteria, rather than leaving it to authorities and enterprises external to the profession. However, the interviews conducted for this study suggest that the strong emphasis on decentralisation and local autonomy in Sweden in recent decades shaped the implementation of the reform. In line with legal requirements and collective agreements stipulating that employers should listen to employees before they take decisions, the education trade unions were lobbying locally to make sure that the professional aspects of the reform were developed as well, urging local school authorities, employers and school leaders to develop clear criteria, job descriptions, and transparent procedures for the appointment of first teachers, reflecting the recommendations in the research literature reported above. Yet, the attempts to establish social dialogue have turned out in different ways locally, since employers have been left free to decide how much to listen to education trade unions. At the same time, there were on the national level much consultation between government and social partners during the preparation and the implementation of the reform. This

leads us to the question of how to understand the first teacher reform in employment and career terms.

### 3.6. First teachers in employment and career terms

The sections above demonstrate the wide-ranging implications of the new division of labour and the introduction of new teacher categories into a historically 'flat' organisation. The first teacher reform has thus raised fundamental questions about professional as well as employment issues. However, apart from the substantial salary incentive, the existing research have tended to focus on the professional aspects (cf, section 3.4).

Given the implications of the reform for the entire school system and its workforce, and the legacy of organised corporatism in Sweden, the analysis conducted as part of this case study suggests remarkably little national level coordination with regard to the employment status and terms of first teachers. In a similar manner, Alvunger (2015) observes that the introduction of the new category of teachers was undertaken without any analysis of the implications for educational leadership and the school organisation (Alvunger 2015). Furthermore, the appointment of first teachers as 'middle-leaders' career stage has been hampered by a shortsighted view fixed on the new role as a destination in itself, without sufficient consideration given to how meaningful and attractive career pathways for teachers in the longer term might look like, including the needs for support over time for first teachers while in the position, and as they move on to other positions (Hirsh and Bergmo-Prvulovic 2019).

The analysis confirms that there in the design and initial implementation of the reform on the national political level was a strong focus on widening the wage spread with salary raises to reward the 'good' teachers (see Grönqvist et al. 2020), leaving the specifics of job duties and working conditions to be decided locally. In this respect, the first teacher reform has been separate from the collective bargaining and agreements between social partners, and in many ways the reform appears to have been on the fringes of the Swedish industrial relations regime. The fact that the state intervened in school matters with a funding model of earmarked subsidies for first teacher salaries, thereby deviating from the established principle of local autonomy in prioritising funding, was in itself controversial for some social partners. This funding model where local school authorities apply for state funding on an annual basis has indeed proven decisive for how the reform has played out in terms of first teachers' employment terms.

A main issue of contention in this respect has concerned the temporary versus permanent nature of the first teacher appointments, where the application model has led to uncertainty among local school authorities, whether public or private

(“*huvudmannen*”). Many employers were essentially concerned whether the earmarked state subsidies for first teachers that they would receive one year would also be available for the following year. This has tended to result in temporary, rather than permanent (that is, without a specified time limit), employment of first teachers, although the trend is moving towards permanent status. In 2014, merely 10 percent of first teachers were appointed permanently. By 2016, the share had increased to 38 percent (Statskontoret 2017).

It was indeed the stated intention of the government that long-term first teacher positions would increase the likelihood of meeting the reform's objectives. Both *Lärarförbundet* (Swedish Teachers' Union) and *Lärarnas Riksförbund* (The National Union of Teachers in Sweden) had also during the early preparations of the reform and in its subsequent implementation strongly advocated that appointments should not be time-limited to support the idea of career pathways and to generate more positive attitudes towards the reform among staff (Lärarförbundet 2010; Lärarnas Riksförbund 2011; Statskontoret 2017; Stridsman 2014). However, as in the case of setting criteria and clear job descriptions for first teachers (cf. previous section), employers have effectively been able to decide the extent to which they wished to consider suggestions from the national political level guidelines. It should be mentioned that according to a union official from *Lärarförbundet* (Swedish Teachers' Union), it remains uncommon that appointed first teachers lose their position and salary raises, arguably because the state subsidies are earmarked. Yet, this does not alter the time-limited and project-oriented character of most first teachers' employment status and conditions that, in turn, creates a sense of uncertainty surrounding this new category of teachers.

With regard to their calls for explicit selection criteria, job descriptions, and transparent procedures for the appointment of first teachers, the two education trade unions have more specifically advocated that everyone meeting the basic requirements should be able to apply for the first teacher positions to counter situations where school leaders would select their preferred staff for the positions. This has been a sizeable issue, indicated by the frequent lack of application procedures. In 2015, 17 percent of school authorities thus reported that they did not use application procedures for all appointments, and 11 percent reported that they did not use it for any first teacher position. Hence, around 70 percent of school authorities reported that they used application procedures, a share that increased slightly (with 4 percentage points) from 2013. The dominant reason for not using any application procedures has been that school authorities and school leaders found it self-evident who should be appointed first teachers (Statskontoret 2017; see also Stridsman 2014 for a more critical analysis by a senior official from *Lärarnas Riksförbund*). Moreover, it should be noted that the recruitment of first teacher positions remains very internally oriented since the vast majority (85–95 percent depending on the year) of first teachers worked in the same school in the year before they were appointed (Grönqvist et al. 2020).

The suggestion that most first teachers' employment status and conditions remain project-oriented is reinforced by the observation that the appointment to first teacher does not usually lead to a new employment contract. The conducted interviews indicated that first teachers tend to continue to have a contract as teachers, with a temporary addendum. In line with the principle of decentralisation, there is not one single system for the employment contracts for first teachers. The picture is thus different across Sweden, without any general standard criteria included in the contracts for first teachers.

To strengthen the implementation of the reform locally and its results in terms of making the teaching profession more attractive, the education trade unions have called for more explicit directions from national state authorities. In particular *Lärarnas Riksförbund* (The National Union of Teachers in Sweden) has criticised local school authorities for not implementing the reform in line with the intentions (see *Lärarnas Riksförbund* 2015), a stance that reflects the trade union's historical preference for a relatively active state and centralised governance in education. Interestingly, *Läraryrket* (Swedish Teachers' Union) has also recently called for national state authorities to take on more responsibilities in school policy (Åstrand 2020), signaling a potential re-consideration of the high levels of decentralisation and local autonomy in decision-making that this education trade union has generally supported over recent decades.

Meanwhile, the average wage level as well as the wage spread among teachers continue to increase, partly fueled by the first teacher reform (Grönqvist et al. 2020; Swedish National Audit Office 2017). These increases are not surprising given how many teachers have been appointed first teachers, and the substantial salary increase that comes with the appointment itself (approx. 15-20 percent) – which is nearly comparable to the average wage increases for teachers over their whole career. While stakeholders support that competent teachers should receive higher wages, there is also concern that the wage spread is becoming excessive (Statskontoret 2017; Swedish National Audit Office 2017). In this respect, it should be noted that first teacher reform was followed by the "Teachers' Salary Boost" (*Läraryrket*), expected expenditure SEK 3 billion annually, that is, double the expenditure for the first teacher reform), introduced in 2016 as another initiative involving government grants for teachers that local school authorities apply for. The average monthly 'salary boost' is SEK 2500-3500, and compared with the first teacher reform, this recent reform is more focused on rewarding teaching skills, less on project management and leadership, and the level of local autonomy in terms of setting criteria and selecting teachers is even higher. Meant to work in parallel to increase the attractiveness of the profession and the quality of education, the two reforms have unfortunately furthered dissatisfaction among staff teams due to the widespread perception that the reforms in combination create too sharp divisions between 'first', 'second' and 'third' rate teachers, with the latter group not benefitting from any of the two government grants. In this way, the very objectives of the reforms might be undercut by the perverse

effects stemming from the strong focus on salary increases as a policy lever (Swedish National Audit Office 2017).

Moreover, the reform has also lead to uncertainty regarding the local impact if the financial model of state subsidies should be abolished by the government. One may speculate that the increasing proportion of permanent first teacher positions (involving legally binding agreements between the employer and the first teacher) could signal that the municipalities are becoming more committed to support first teachers in the longer term regardless changes in the financial model. However, it is clear that the repercussions for the local provision of other education activities and welfare services would be serious, if the local school authorities were forced to take over the funding of first teachers due to their contractual obligations towards permanently appointed first teachers (Statskontoret 2017).

## 4. Increasing the attractiveness of the teaching profession: a complex challenge

In light of the analysis above, this final section discusses the complex challenges involved in raising the attractiveness of the teaching profession. First, the still ongoing reform efforts in Sweden are introduced, before the reform is situated as part of EU multi-level governance.

### 4.1. An unfolding reform trajectory

As indicated above, the first teacher reform has developed since 2013, and its implications have been shaped by other reforms, such as the "Teachers' Salary Boost" (*"Lärlönelyftet"*). The first teacher reform itself has been subject to revised Regulations (*"Förordning"*). While these Regulations do not appear central in terms of the case study's main interests in privatisation and social dialogue, two of them should nonetheless be noted since they are directly associated with other key policy issues in Sweden, equality and segregation. In 2014, Regulation 2014:145 thus introduced additional provisions for pre-schools or schools (years 1-9, i.e. ISCED levels 1-2) in fifteen specific urban areas characterised by high levels of segregation and socio-economic disadvantage (*"utanförskapsområden"*), where first teachers were to receive SEK 10,000 per month in salary increase.

In 2019, Regulation 2019:1288 integrated the different strings of the first teacher reform that have developed since 2013, yet retaining the core distinction between 'standard' first teachers and those working in schools with many socio-economically disadvantaged students. An important change in the 2019 Regulation is that the latter group of pre-schools or schools (now expanded to year 1-12, i.e. ISCED levels 1-3) do not have to be situated in one of the specific areas singled out in the 2014 Regulation. With the 2019 Regulation, more schools are hence eligible for the provisions related to the SEK 10,000 premiums. In addition, the 'standard' first teachers continue to receive SEK 5,000 monthly. While it goes beyond the scope of this case study to discuss these Regulations in detail, they do underline that introducing career stages have wider implications, e.g. the segregation of students as well as teachers, and general school funding models (Statens Offentliga Utredningar 2020), as well as the profound challenges involved in managing the implications of the reform in a labour market where teachers moved to secure higher pay already before the salary reforms of the 2010s.

Overall, the analysis suggests that the first teacher reform has emphasised the financial incentives and left the professional as well as employment aspects of the reform largely to the discretion of local school authorities. Accordingly, the concept of a first teacher 'career stage' underpinning the reform is skewed and underdeveloped (cf. Hirsh and Bergmo-Prvulovic 2019). There is consensus that policies to raise the attractiveness of the teaching profession need to go beyond offering financial incentives, so it is unlikely that the first teacher reform in isolation would do much positive difference in this respect. By 2017, there were not any signs of an increase in applicants to teacher training programmes or an improvement in their qualifications. At the same time, there are indications that the first teacher reform may positively influence the willingness of teachers to stay or return to the profession. However, any effects will have to be assessed over the longer term (Swedish National Audit Office 2017; see also Grönqvist et al. 2020).

In this respect, the recent government initiative of a "Professional Programme" ("*Professionsprogrammet*") for preschool and school teachers as well as school leaders is indicative of the national state authorities' increasingly direct involvement in teacher policy. This Programme is likely to result in a more elaborate national framework of professional standards and career steps, thereby strengthening the professional aspects that have been largely absent in the first teacher reform. The Professional Programme was mentioned in the political agreement between the new government parties in January 2019 as a means to increase equity in schools (Socialdemokraterna et al. 2019). In September 2020, the Swedish government allocated substantially more funding for the Programme, with the annual funding reaching a threshold of SEK 181 millions from 2023 onwards (Regeringskansliet 2020). The main social partners and an array of interest organisations have been strongly involved in designing this initiative, e.g. through the meeting cycle "Gathering for more teachers" ("*Samling för fler lärare*") convened by the government (Regeringskansliet 2019). The coming years will tell whether the Professional Programme succeeds in defining a shared knowledge base for the teaching profession. In this case, it would mark a step towards realising the longstanding ambition - associated with the building of the welfare state from the 1940s onwards and inspired by developments in the medicine and law professions - to strengthen the cognitive legitimacy of teaching and unifying the profession across educational levels (Nilsson-Lindström and Beach 2013). However, we should note that the legal and medical professions that also in Sweden tend to serve as reference points have seen their professional autonomy shrink due to new public management and the associated standardisation of procedures and control mechanisms for quality assurance and cost effectiveness. Even though they remained in state government service, the legal and medical professions have thus experienced increased control and a shift from professional responsibility and autonomy, conditioned on being accountable to the professional community, towards a new emphasis on being accountable to government and the market on the basis of standardised measures (Ringarp 2012).

More generally, it will be important to follow whether and how the first teacher reform, the Teachers' Salary Boost and the Professional Programme together might improve the attractiveness of the profession in Sweden, and the degree to which the introduction of career stages is constructive. Ringarp (2012) reminds us of the scale of the challenge with her observation that the status of teachers declined throughout the twentieth century, as the economy and labour market were transformed along with the welfare system's expansion of the higher education system. The status of the teaching profession had thus already been circumscribed by the 1980s – before decentralisation and privatisation.

A main reference point in the design of the Professional Programme have been the major school commission report about teaching skills and frameworks for teachers' and principals' professional development (Statens Offentliga Utredningar 2018, pp.198-218). The report reflects the legitimacy of for-profit services as experts in Swedish education (Andreasson and Dovemark 2013 Svallfors and Tyllström's (2019), as the edu-business Arete Meritering is singled out as a distinctively Swedish initiative for improving teaching skills, alongside major frameworks for defining quality of teaching and teacher competences in Singapore, the US, Australia, and Ontario.

## 4.2. The absent presence of EU governance

The attractiveness of the teaching profession, professional development, career stages, teacher shortages and retention are issues which have been high on political agendas internationally for numerous years. This is certainly also the case with regard to EU governance. The careers of teachers and how to make the profession more attractive have been major topics in EU school policy, the ET2020 Working Group on Schools, and the European Sectoral Social Dialogue in Education (ESSDE). In this way, the first teacher reform is an excellent example of the growing interdependence of transnational, European, national and local policies in contemporary education governance, including the political commitment over recent decades to open up spaces for commercial actors to offer solutions (Bergh and Englund 2016; Bergh et al. 2019; Leffler, 2009; see EU chapter in this report).

**Box 2. Key issues Sweden Country Analysis in European Commission's Education and Training Monitor 2019**

**Highlighted areas**

- Tertiary educational attainment and graduate employment rates are high
- The population's digital skills are among the best in the EU
- School segregation and inequality are serious and growing concerns

**Specifically about teachers**

- Serious teacher shortage
- Initial teacher education programmes vary with the level of education
- A high proportion of teachers lack formal qualifications
- Several major continuous professional development initiatives have been introduced in recent years
- Teachers' salaries are lower than those of other tertiary graduates, and wage progression is very limited

Yet, while the Swedish and EU discourses are similar with regard to teacher and education policy, the connections remain opaque. The identification of key issues in Sweden in the European Commission (2019) *Education and Training Monitor 2019*, which had a main focus on teachers, illustrates how persistent the challenges surrounding teachers are (see Box 2; compare with OECD (2005) findings reported in this chapter's section 3.1). While the European Commission's point about limited wage progression is hard to reconcile with the findings reported in section 3.6 above, the point to be pursued here concerns that the document analysis or interviews conducted in this study do not suggest any explicit or direct influence or dynamics between Swedish governance and the European Commission or other European level political fora with regard to the design or implementation of the first teacher reform, apart from the references to EU school policy documents in the Memorandum initiating the reform (Department of Education 2012). In this way, the EU is highly present in terms of the apparent alignment with Swedish teacher policy discourses, but it is absent as an agency exercising influence on education politics and policies in Sweden.

When it comes to the EU, Sweden in this case thus remains a "reluctant policy learner" (Alexiadou and Lundahl 2019), with little interest or willingness to point to European influences on Swedish reform. Vice versa, the interview participants did not identify any substantial sharing of experiences concerning the first teacher reform in EU institutions or the ESSDE. This is remarkable given the deepening European interest in the associated themes, and the distinctive Swedish contextual

conditions of organised corporatism, decentralisation and privatisation in education would appear to add further interesting aspects to the first teacher reform as an effort to increase the attractiveness of the teaching profession. In this respect, the fact that the reform, as an unprecedented and wideranging effort in Sweden to introduce a new category of teachers, has not had major implications for industrial relations or collective agreements is a particularly interesting dimension. It should be noted that with regard to European level social dialogue, the main social partners in education engage with EU developments through ETUCE and EFEE, respectively. The same is the case for the cross-industry social partners TCO, Saco and SKR/SALAR that are affiliated with ETUC and CEEP at the European level (see Box 1). While there are constraints especially for sectoral social partners in terms of limited personnel and resources that force them to prioritise their activities, also in light of the perceived relevance for their membership, the Swedish social partners as a whole appear relatively active in European social dialogue (cf. Leonard et al. 2011).

The ambiguity of the first teacher reform in terms of EU multi-level governance becomes further pronounced within the framework of the European Semester. Since 2014, the first teacher reform, later followed by the "Teachers' Salary Boost", has been repeatedly mentioned in the European Commission's annual Country Reports for Sweden (as well as in the Swedish Government's National Reform Programmes), as important measures to improve financial incentives for teachers and increase the attractiveness of the teaching profession, though "*so far with mixed results*" (European Commission 2018, p.40), acknowledging the divisions between teachers created by the two reforms, as reported by the Swedish National Audit Office. A policy officer from the European Commission made during an interview the general observation that only reforms that also the European Commission considers important for addressing key issues are included in the Country Reports. In this perspective, we might understand the repeated references in the Country Reports as endorsements of the reform initiatives, yet it remains unclear whether the inclusion of the first teacher reform in the European Semester cycle has had any impact on the reform's trajectory in the Swedish context.

Education and training is by default covered by the Semester also in Sweden, monitored and reported upon by the European Commission and the Swedish government respectively. Over the period 2011-2020, the Council of the European Union has issued 24 Country-Specific Recommendations (CSRs) to Sweden, six of which have been associated with education, skills and research. None of the CSRs have directly addressed teachers or teaching. In line with recent research (Jansson et al. 2019), this study suggests that government and social partners perceive the Semester to have little influence on agenda-setting in Sweden in the field of education or concerning industrial relations and social dialogue, for teachers and more generally. Yet, it should be noted that the investment guidance issued by the European Commission to Sweden in 2019 on cohesion policy funding 2021-2027 included priority investment areas related to education. Currently, there are not any education and training activities in Sweden supported by the European Social Fund

Plus, but in light of the findings reported in the chapter about the EU, the increased use of European financial instruments as a policy lever is an issue to follow also in the case of Sweden.<sup>46</sup>

The European Semester has in Sweden involved increasingly extensive consultation with social partners. In this way, the established trajectory in Sweden of organised corporatism has in the context of the Semester been extended into the relations with the European Commission. In this context, the Swedish government tends to be in a central position for mediating the relations between Swedish social partners and the European Commission. It is mainly the confederations that are consulted as part of the European Semester. The National Reform Programmes have as a rule included an appendix by the social partners, and the Swedish government initiated at the launch of the Semester a council with social partners (mainly the confederations) that have developed into an established cycle of meetings. This has involved council meetings between officers at least three times annually, as well as two meetings on political level between government and leaders from the social partner confederations in Sweden, thus including for example SACO, TCO and SKR/SALAR. In both cases, it is the Swedish government that convenes the meetings.

While the extensive social dialogue conducted as part of the European Semester in Sweden might be understood as illustrating the quality of social dialogue in the country (Anxo 2017), this case study has also demonstrated that the developments in Swedish education over the recent 30 years provide an intriguing example of how organised corporatism coexists with expansion of privatisation *in* and *of* education and other welfare services. As long existing 'facts on the ground', privately managed school provision and edu-business have by now become normalised. Education trade unions remain strong and so does their main counterpart in SKR/SALAR. However, considering the liberalising trajectory involving decentralisation and individualisation over recent decades (Baccaro and Howell 2017; Jahn 2016; cf. section 2.1. in this chapter), the case study raises the question whether organised corporatism in Sweden might with time become further undermined by the continued blurring of public–private boundaries and the increased influence of international and domestic commercial actors in education provision and services (Rönnerberg et al. 2021). This might in turn raise the attention towards the European Pillar of Social Rights which currently is not an important reference point domestically - although it was launched at the Social Summit in Gothenburg in November 2017 - since Sweden continues to perform relatively well on most of the parameters. However, the case of the first teacher reform demonstrates that also Sweden, a country with a strong legacy of industrial democracy and social dialogue, faces complex challenges in constructing new and robust career pathways that work for teachers individually, for the profession as a collective, and towards quality and inclusive education for all.

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46 The ESF Rådet in Sweden has a website with an overview of projects supported by the European Social Fund Plus. <https://www.esf.se/>

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## Conclusions

# 1. Introduction

Within the framework of EU multi-level governance (Hooghe and Marks 2001), this report has traced how industrial relations, social dialogue and privatisation have developed in education sectors in the recent decade. In this concluding chapter, we highlight the main findings of the project.

Although the project has focused on transformations in industrial relations and social dialogue in the education sector since the onset of the 2008 economic crisis, our findings show that in order to understand current developments we need to consider the longer trajectories. Education sectors are deeply affected by broader societal and political developments, and the studies in this report demonstrate that the 1990s were an important turning point at the EU level as well as in the countries or member states (keeping in mind that Poland joined the EU in 2004) that we have had a focus on in this project, due to ideological shifts in European and national policy priorities. The implications of these shifts were so profound that the results are still with us today.

In the chapter about the EU level, we adopted the concept of educationalisation to emphasise the importance of paradigms such as the knowledge-based economy and the learning society. The rise of such paradigms in political and public debate have been crucial for putting education sectors and the work of teachers, school leaders and other education personnel much higher on political agendas today than they were twenty years ago. With increased strategic importance attributed to education comes also more political and public scrutiny, for better or worse. In this way, the concept of educationalisation highlights that how we think about ‘the social’, ‘the economic’, ‘the educational’, etc. – and not least the ways that these perspectives are related – change over time.

In relation to the project’s main focus, the EU study identifies a tension between two developments. On the one hand, our findings indicate a reinforced emphasis on stakeholder involvement at all levels, in the education sector and beyond, including social partners as well as interest organisations, business, etc. In this respect, the teaching professions and their representatives are acknowledged to play an important role in the formation and enactment of meaningful reforms, including through social dialogue. The launch of the European Sectoral Social Dialogue in Education (ESSDE) in 2010 was a significant event in this perspective. The increasing emphasis in EU governance on listening to and including teachers in governance corresponds with the OECD’s discourses over the recent decade that also stress that effective education reform requires that teachers are on board. Yet, there is more to this story, because on the other hand, EU governance has since the 2000s come to apply an ever-widening array of benchmarks and performance indicators. These frameworks are

coupled with measures and sanctions that drive structural reform agendas in member states, in education sectors and beyond. In other words, EU governance currently combines a discourse of apparent inclusion and social dialogue, with competition and performance-oriented policy instruments comparing and pitting member states against each other, in line with corporate management techniques (Erne 2015).

With a focus on education sectors, the project indicates that this tension plays out very differently in member states depending on their economic and political circumstances. Among the case studies, Italy stands out as a member state where the bargaining autonomy of social partners have effectively been eroded, in the context of the economic recession and the subsequent Euro-crisis, and fueled by the EU governance regime. The result is that the EU discourses about inclusion and social dialogue appear hollow since they are contradicted by the political measures of the European institutions, particularly from an Italian perspective, but also from a general European-wide perspective. Studies about other member states not included in this study (e.g. Greece) would be likely to show similar discrepancy between the rhetorics and realities of EU governance.

In the current context of the Covid-19 pandemic, the ways that the tensions between a discursive commitment to inclusion and social dialogue and a competition and performance-oriented governance framework play out differently across member states is an issue to be followed closely in the years to come. In this respect, our findings concerning the increasing levels of institutional lock-in between EU policy and financial instruments, partly based on the mobilisation of private capital, call for closely following the patterns and sources of investment in EU financial instruments as well as in member states, with a particular focus on education and training sectors. While considering foreign direct investment in any detail has gone beyond the scope of this project, existing research suggests that such investment is an important factor for shaping industrial relations in Europe (Meardi 2018). This reminds us that the EU is part of larger global flows and developments that it needs to accommodate and negotiate, including not least an increasingly globalised education industry that includes an array of the major ed-tech companies whose momentum have been reinforced by the ongoing Covid-19 crisis (Verger et al. 2016; Williamson and Hogan 2020).

The contemporary debate about social dialogue and social policy and education and learning in the context of EU governance often continues to refer to the binary of economic and social policy dimensions and their relative emphases (e.g. Traianou and Jones 2019; Zeitlin and Vanhercke 2018). In this respect, our findings highlight the importance of moving beyond the analysis of the balance between economic vis-à-vis social policy dimensions. The EU chapter demonstrates that ‘the social dimension’ has become more prominent in EU governance during the recent decade, as reflected in the procedures of the European Semester cycle and the launch of the European Pillar of Social Rights. Yet, this observation of ‘more’ social dimension in EU governance needs be followed by the question what ends or objectives the social

dimension is meant to serve. The findings of our national case studies, especially Italy and Sweden, offer some support to the thesis that the social model is becoming subordinated to economic imperatives. However, other findings do not correspond with the idea of neoliberal convergence across Europe (see Baccaro and Howell 2017).

Accordingly, this report suggests a complex dynamic of EU multi-level governance in terms of policy-making, orientations and results. The chapters are preferably read together in order to get at this complexity as well as the very different outcomes. The findings together highlight the need for situating member state developments in the context of EU multi-level governance. This is an important point since much of the comparative research about industrial relations continue to have a strong focus on national systems represented as more or less separate and self-contained units, without taking the EU context and 'vertical coordination' between member states and EU institutions into account. Our specific focus on education sectors has enabled us to demonstrate empirically the multi-level nature of EU governance, including the poly-centric sharing of decision-making by actors at different levels, the relative loss of control for individual member state governments, and that political arenas are interdependent rather than nested, with policy networks including actors with various horizons of action from the local to the global. In this respect, the interdependencies between European Union institutions and national and regional politics and policies appear to be much more evident and tangible in some member states than others.

The sections below discusses in a comparative manner the project findings in relation to the four key questions of the project, with a focus on the commonalities and differences across the four case systems within the context of EU multi-level governance.

## 2. Changing patterns of industrial relations and social dialogue in education sectors

A comparative reading of the four case studies offers a complex picture of changing patterns of industrial relations and social dialogue in the education sectors. As observed in the Introduction chapter of this report, the four case systems represent different traditions in industrial relations and social dialogue. Taking these historical legacies into account, the case studies together reveal a set of diverse changes emerging from the interplay between national and EU-level politics and policies.

In **French-speaking Belgium**, industrial relations and social dialogue in the education sector have been strengthened over the recent 20 years. The social partners, especially the General Administration of Education, the Federations of Organising Powers (FOPs), and the trade union organisations) have become more engaged in an institutionalised and consensus-oriented dialogue about education reform. Previously, there was not any formalised social dialogue at the state level of French-speaking Belgium, and the FOPs played only an informal role in trying to influence policy-making according to the interests of their membership. The case study identifies the emergence in the end of the 1990s of bilateral consultations between the government and trade unions that was quickly extended to a tripartite form of social dialogue. Specifically, the case study demonstrates that the involvement of the social partners of trade unions and employers in education policy-making has been strengthened, indicated by the replacement of the previous practice of non-formalised consultation with social dialogue leading to legislation. From 1997 onwards, the trade union organisations, and subsequently the FOPs, have been systematically consulted by the government before the vote on legal texts in Parliament. The social partners were even called upon to co-produce legal texts within the framework of the major 2015 reform the “Excellence Pact”. At the same time, the state has become increasingly active in its regulation of FOPs and the teaching profession, including new public management techniques of ‘contractualisation’, that is, performance management systems established between state authorities and schools, whether they are publicly or privately organised. Furthermore, an initiative of individual teacher evaluation is debated currently. In this perspective, the government's call in French-speaking Belgium to involve social partners in policymaking might be understood as a manner to legitimise the increasing level of state intervention in the education sector.

**Italy** offers a very different case, where it is possible to observe significant changes. Historically, the grand corps and trade unions were powerful actors when reforms of public governance and public personnel management were at stake. However, our analysis suggests that the economic recession from 2008 onwards accelerated a series of changes in industrial relations and social dialogue arrangements. The education sector has traditionally provided a so-called ‘monopsonistic’ labour market,

where the state is the sole actor responsible for controlling labour demand and education public employees are granted a special status, often without or with only limited scope for collective bargaining. The case study shows that during the second half of the 20th century a series of reforms concerning public sector employment and industrial relations promoted a gradual shift from a state-centred system towards private sector-like labour regulation. In particular, the need to contain public spending in compliance with austerity and performance demands at European level have since the 1990s resulted in a set of reforms increasing the level of government control and restricting the scope and costs of collective bargaining. The case study identifies three interconnected processes of change:

- In the context of decentralisation and increasingly autonomous schools, collective bargaining has been displaced by Unitary School Representatives (RSUs) as the most important forum for mobilisation and bargaining. The RSUs have been created by trade unions to balance the power that school leaders have gained, and they are now the main space for negotiation on a school/workplace level
- The juridification of social conflicts with an increasing frequency of individual claims to settle problems and disputes in the labour market and workplace
- The emergence of new forms of professional unions in Italy indicates a shift away from the collective dimensions of social dialogue. By addressing the specific issues that employees were facing, professional unions effectively prioritise individual interests before collective ones, based on the assumption that individual legal resolutions will bring collective improvement by setting a legal precedent on the basis of which better working conditions for all might be reclaimed.

The case study demonstrates that these changes are associated with: a) the EU push for austerity measures and the politics of fiscal control enacted through EU economic governance; b) the introduction of new public management, modelled on private sector and business management techniques, in the public Italian education system; c) the politics and policies of quality assurance, standardisation, evaluation and accountability measures promoted by the EU (see Sections 3, 4 and 5 of this Conclusion).

**Poland** provides another case where social dialogue is suffering. The recent history of industrial relations in Poland revolves around market-oriented governance, with an acquiescent bargaining style. The case study shows how social partners tend to be merely informed or perhaps consulted without having any real influence on final decisions, although industrial relations and social dialogue remains legally regulated. Therefore, social dialogue in Poland often remains a facade, and accordingly, social partners frequently express their dissatisfaction with the status quo. Our analysis highlights that numerous reform initiatives in the education sector have been implemented without considering the input from social partners during consultation

processes. Furthermore, the case study indicates that social dialogue to a large extent is conditioned by day-to-day politics. In this respect, meaningful social dialogue is undermined by informal practices, where governments strike deals with individual trade unions outside the formal consultation processes, rather than seeking broader agreements with the relevant social partners.

Finally, the legacy of 'organised corporatism' in **Sweden** appears to have been stable in the education sector over recent decades. The teacher unions remain strong and so does their main counterpart in the Swedish Association of Local Authorities and Regions (SALAR). The case study confirms existing findings about the commitment of the social partners to the established Swedish model, centred on bipartite social dialogue and collective bargaining. Yet, the case study raises the question whether organised corporatism in Sweden with time might become further undermined by the continued blurring of public–private boundaries and the increased influence of international and domestic commercial actors in education provision and services. The Swedish case study focuses on the 'first teacher' reform which was initiated in 2013, an unprecedented initiative to increase the attractiveness of the teaching profession by introducing a new career stage of first teachers. Although the reform has wide-ranging implications for all schools across the country, the study demonstrates that the reform did not have substantial implications for industrial relations and collective bargaining in Sweden. The reform has been driven by the strong political commitment to grant salary raises to the individuals appointed first teachers, whereas other employment and professional issues are left little developed, such as questions regarding temporary vs. permanent employment, the career perspectives, and the nature of first teachers' specific expertise and skills. The focus on salary incentives in the first teacher reform has, in combination with another reform, the *Teachers' Salary Boost*, had negative effects on the sense of collegiality among teachers. In this respect, the study also demonstrates that the reform due to the high level of decentralisation in Swedish education was not accompanied by national level criteria for how to identify the new category of first teachers. This opened the door for vast differences in how the reform has been implemented locally, leading to further confusion and conflicts in schools. However, the recent (2019/2020) government initiative of a 'Professional Programme' for teachers and school leaders is likely to result in a more elaborate national framework of professional standards and career steps, and the social partners have been strongly involved in this initiative. With regard to European level social dialogue, Swedish cross-industry and sectoral social partners are relatively active, although constraints in terms of resources and personnel force them to prioritise activities, in light of the perceived relevance for their Swedish membership. Specifically, experiences from the first teacher reform in Sweden has not been the subject of debate in European social dialogue although it addresses issues that are widely discussed across Europe, a fact reflected in the repeated references to the reform in the European Semester documents. Vice versa, EU level governance (including European social dialogue) does not appear to have influenced the design or implementation of the first teacher reform.

### 3. Industrial relations, social dialogue and their association with patterns of education reform and privatisation

The four case studies demonstrate how the patterns of industrial relations and social dialogue are associated with education reform and privatisation. As mentioned in the Introduction chapter, the cases also represent different historical legacies with regard to privatisation *of* and *in* education

In **French-speaking Belgium**, the recently formalised tripartite social dialogue has been shaped by three distinctive logics: i) the logic of an evaluative and managerial state; ii) a bureaucratic logic concerning the administrative status of the teaching profession mainly promoted by trade unions; and iii) an employer logic advocating for more autonomy of employers (whether public or private). Our analyses show how these three logics are playing together in mutual tension, where the new public management introduced by the state to regulate the teaching profession and schools tend to be accepted by the trade unions because it counters the logic of employers and the perceived neutrality of the management techniques.

In **Italy**, industrial relations have been shaped by three new public management-inspired policy trajectories: a) the introduction of decentralisation and school autonomy during the period 1990-1997 reduced the matters for collective bargaining, as schools are now positioned as organisational units accountable for their performance, funding allocation and institutional decisions. A key step in these processes was the warranting of head teachers with the status of 'top-level state managers' and the strong emphasis on quality assurance and evaluation; b) performance management reforms in the period 2007-2012 for the modernisation of the entire Italian public administration, including education sectors; c) the establishment of the National Evaluation System and the managerialisation of the autonomous school during 2013-2016. Together, these reforms have led to: a) the reduction of space for collective bargaining (which implies a weakening of labour organisations; b) practices of decollectivisation and competition among teachers; c) the increasing powers of headteachers; d) restructuring of the public education system with the introduction of public-private partnership. These changes have fundamentally displaced collective bargaining towards the 'rise of individual claims'.

In **Poland**, it has not been possible in this project to identify a clear association between industrial relations and privatisation patterns. Generally speaking, the privatisation of education in Poland is not a topic that is debated. The number of private institutions is slowly growing but they have little impact on the overall conditions in the system. Moreover, the stakeholders in the education sector hardly notice austerity

measures put in place as a consequence of the economic crisis, or at least it is not linked with the introduced reforms of education and the level of representation. While private sector involvement in education is still limited, and private institutions provide similar conditions to teachers as the public sector is used as a point of reference for employment contracts, the analysis significantly points out how privatisation policies have worsened the position of trade unions, since they are rarely represented in private institutions in the education sector. Evidence from the Polish case suggests that as privatisation is progressing, the situation might change and as trade unions are not present in the private sector, the already weak social dialogue institutions might be further weakened and teachers' employment conditions will be left to individual arbitrary decisions and market forces.

Finally, **Sweden** stands out as an intriguing example of a country where the strong trajectory of organised corporatism coexists with the remarkable expansion of privatisation *in* and *of* education, in a system that until the 1980s used to endorse publicly managed and uniform educational provision. While the trend of privatisation (especially for-profit school providers) remains contentious for the social partners, the existence of privatised school provision and other edu-business have as long existing 'facts on the ground' become normalised. In the context of the first teacher reform, the local room for interpretation and associated ambiguity about how to identify the first teachers created a market for standards and evidence-based solutions that could deal with the uncertainty and complex challenges raised by the reform. By setting criteria defining desirable features of first teachers that have been widely adopted in Sweden, the enterprise Arete Meritering have effectively shaped the implementation of the reform and managed to position itself as an expert in professional practices.

## 4. Industrial relations and education privatisation within the context of Europe 2020

Different pictures emerge also in relation to the influence that the Europe 2020 governance architecture, and not least the European Semester, has played for education reform, industrial relations and social dialogue in the four cases. In the case of **French-speaking Belgium**, the Semester has thus involved meetings with trade union leaders concerning ongoing reforms, prompting the strengthening of a "trade union front" at the state level. Within the European Semester, educational issues were not directly addressed before 2015. As part of the Semester, education policies in **French-speaking Belgium** tend to be evaluated according to a logic of return on investment. Although the interest of the European level in education policies is becoming increasingly important over time, our analysis suggests that the relationship between the European and domestic level is not strong. Yet, the major reform of the Excellence Pact has been followed and endorsed from the beginning by the European Commission as a systemic reform addressing issues of governance and inequality.

In the case of **Italy**, industrial relations and endogenous privatisation in education have been shaped by the interplay between EU governance and domestic policy-making. From 2008 onwards, external pressures in the forms of the global economic recession, austerity measures and the 'new economic governance' of the EU, in combination with an unstable domestic political situation and difficulties in sustaining public debt in Italy, led to privatisation reforms of education and transformations of the labour market. Within the Semester framework, several Country Specific Recommendations (CSRs) issued over the years have called for labour market reform as well as human capital-oriented reform of the education system. The impact of the Semester on industrial relations and education reform has been considerable. In particular, the Semester CSRs have played a key role in the creation of a National School Evaluation System (2012-2013) and the reinforcement of the school managerialisation through the Buona Scuola Reform (2014-2015).

Finally, the organised corporatism in **Sweden** is to some extent reflected in the relations with the European Commission during the European Semester, with the cross-industry social partners actively engaged. The Swedish government appear to be in a central position for mediating the relations between social partners and the European Commission. The European Semester have also served as an occasion for Swedish government to establish a meeting cycle with social partners. Persistent policy issues regarding student performance gaps, teacher shortages and the attractiveness of the profession, including also the key reform concerning

first teachers, have been continuously addressed in the European Semester, yet the direct influence of the EU institutions on education, industrial relations and social dialogue, remains difficult to detect in Sweden.

## 5. Implications for the prospects of the mainstreaming of the European Pillar of Social Rights

The case studies also shed light on the implications of the case study findings for the prospects of the mainstreaming of the European Pillar of Social Rights (EPSR) concerning education personnel's fair working conditions, professional prerogatives, social dialogue and education quality and equity.

In **French-speaking Belgium**, the administrative status, working and employment conditions of the teaching profession have become more homogenised among the education networks, as the state has become more active in the regulation of schools and teachers, gradually being articulated with a managerial logic that emphasises school-based contractualisation and the individual evaluation of teachers. The new public management inspired reforms in the form of school-based contractualisation and teacher evaluation are either so recent or still being designed that it is difficult to predict the implications for teachers and other education personnel in terms of their professional autonomy or the flexibilisation of employment conditions. Yet, we suggest that contractualisation might lead to a reduction of professional autonomy, while the schemes of individual evaluation of teachers could reinforce the power of employers and the precarity of teacher employment, in particular for teachers in the early years of their career whose employment is already precarious.

In **Italy**, the government has since the late 2000s and the onset of the economic crisis unilaterally introduced a set of measures profoundly undermining social dialogue and reducing the role of trade unions and employers as political actors. These reforms have been undertaken to comply with EU recommendations and requirements, yet at the same time they contrast with the calls by the European institutions to renew social dialogue and the endorsement of the European Pillar of Social Rights (EPSR). Liberalisation and privatisation in education have affected teachers' professional autonomy, working conditions, salary, job security and workload negatively. Effectively, the regime previously used to regulate employment relations with workers in the periphery of the labour market has been expanded to the core workforce ('insiders') that was largely untouched by previous reforms.

Within the context of EU multi-level governance and the pressure to modernise labour markets and education in Italy, the subordination of collective bargaining to the law has weakened the autonomy of employers and employees and thus the level of industrial democracy, shifted representation towards individualised forms of action and conflict, while the scope for worker participation is shaped by the increasing

powers granted to principals, and new ways and sites where teachers might seek to exert influence on employment relations.

In **Poland**, while social dialogue institutions exist and are similar to other countries with more developed industrial relations, the process suffers from the lack of social norms that encourage partners to engage in dialogue. Furthermore, policy making in Poland tends not to be based or informed by evidence. At the same time, teachers in Poland, both at the school and tertiary education level, benefit from large autonomy in terms of their professional duties. They also have some influence over employment and work conditions at their workplaces, in schools and tertiary education institutions. In a sense, social dialogue is more effective at the local levels of decision making in Poland. When referring to the principles of the European Pillar of Social Rights, trade union members agree to some extent that social dialogue is promoted as social partners are encouraged to negotiate collective agreements in matters relevant to the workers they represent. However, the consultation process serves as a façade for rapid policy changes, which was evident during last wave of reforms changing the school structure, indicated by the recently introduced reforms which are primarily rooted in the beliefs and sentiments of the ruling party.

Finally, the EPSR has had little influence domestically in **Sweden**. This might appear as a paradox, since the EPSR was launched at the Social Summit in Gothenburg in November 2017. Yet, since Sweden is doing relatively well on most of the EPSR parameters, it is not a prominent reference point in Swedish governance. In line with existing research findings, we might therefore consider the EPSR as an example of how Sweden has sought to influence social policy and models of social dialogue more widely in Europe. While the principles of the EPSR are supported by the main policy actors in Sweden, the case of the first teacher reform demonstrates that also Sweden, a country with a strong legacy of industrial democracy, faces complex challenges in constructing new and robust career pathways that work for teachers individually, for the profession as a collective, and towards quality and inclusive education for all.

Together, the findings of this project suggest that serious and complex challenges lie ahead in terms of meeting the principles of the EPSR across Europe. Furthermore, it is more than likely that social dialogue and industrial democracy (Eurofound 2018) will be put under further pressure in the years to come due to the implications of the ongoing Covid-19 crisis and the associated economic recession.

## **Appendix A. Project aims, key concepts and methodology**

# 1. Project aims, research questions and work packages

The project *Social dialogue and industrial relation in education: the challenges of multi-level governance and of privatisation in Europe* (IR-EDUREFORM) has examined how industrial relations (IRs) and social dialogue in education sectors have unfolded in the multi-level governance of the European Union (EU), and in French-speaking Belgium, Italy, Poland and Sweden, since the onset of the financial crisis in 2008. The project addressed the following research questions:

1. How have IR and arrangements for social dialogue and collective bargaining in the education sector unfolded in Europe at various scales since 2008 – at the level of EU governance, and in French-speaking Belgium, Italy, Poland, and Sweden?
2. How are developments in IR at the European and national scales associated with patterns of education reform and privatisation?
3. How are developments in IR at the European and national scales associated with the trajectory of EU governance, and especially within the context of the European Semester cycles under Europe 2020?
4. What are the implications of our findings for the prospects of the mainstreaming of the European Pillar of Social Rights concerning education personnel's fair working conditions, professional prerogatives, social dialogue and education quality and equity?

The project activities have been organised into three Work Packages (WP):

## WP1 On-line survey on education trade unions and personnel's experiences with privatisation patterns across Europe

An on-line survey addressed to 132 ETUCE member organisations across EU/EFTA has been realised to map education trade unions' experience with the patterns, definitions and impact on the work of teachers of privatisation across different EU countries. The results of this survey are presented in a separate report.

## WP2 A study on IR and Social Dialogue at the European scale

Through the realisation of a case study, that opens this report, major trends in IR and social dialogue at EU level in the education sector have been analysed in light of post-financial crisis austerity measures, trends of education reform and privatisation, and developments in EU governance, especially the European Semester, ESSDE, and the European Pillar of Social Rights.

## WP3 Four case studies on IR and Social Dialogue in French-speaking Belgium, Italy, Poland and Sweden

Four case studies of French-speaking Belgium, Italy, Poland and Sweden to trace and map trends and changes in the processes, discourses and policy networks since 2008 associated with IR, social dialogue, and the professional prerogatives of the teacher workforce, with a particular focus on how these have been shaped by austerity measures, privatisation in the education sector, and developments in EU governance. Case studies have also been focused on how the trends in IR and education personnel's working conditions and professional prerogatives relate to the European Pillar of Social Rights, and its principles on 'Fair Working conditions' and 'Social dialogue and involvement of workers', as outlined in detail in Section 1.3.

The four case systems have been selected due to their contrasting IR models (European Commission 2009, Eurofound 2018) and trajectories of education reform in terms of liberalisation and privatisation (Verger et al. 2016). Specifically, the labels for IR regimes referred to below draw upon Eurofound (2018), which demonstrates that our four case systems represent different clusters in terms of "industrial democracy":

- *Belgium* has been selected as a country because of its IR regime based on social partnership and its peculiar history of education reform. The prevailing bargaining style is integrating, yet the State has a stronger role than in organised corporatism. The distinctive traits of Belgian education reform include the introduction of some aspects of the education privatisation agenda since the 1990s, although with different degrees of intensity over the period.
- *Italy* represents a relevant case because of its historically polarised IR regime associated with state-centred associational governance, where the prevailing bargaining style remains conflict-oriented. In terms of education reform, the distinctive traits of the Italian case include a significant trend of endogenous privatisation with NPM reforms and the promotion of PPPs. This is shared with other European countries with a long tradition of religious schooling, including the Netherlands, Belgium, and Spain, where the political influence of faith-based institutions have strongly conditioned the design and architecture of the education systems during the educational expansion in the 20th century.

- *Poland* is a historically fragmented and state-centred IR regime revolving around market-oriented governance, like in the UK and Estonia. The prevailing bargaining style is acquiescent. The features of this IR regime appear to be reflected also in education reform trends where the Polish case involve advanced education privatisation policies as part of a broader strategy of structural state reform according to neoliberal principles.
- *Sweden* has been selected as an organised corporatism IR regime, similar to Germany, Denmark and Finland. The prevailing bargaining style is integrating. On the education reform side, the distinctive traits of the Swedish case involve the remarkable expansion of private school provision, including on a for-profit basis, since the 1990s in a system that before used to endorse publicly managed and uniform educational provision.

These research questions and work packages indicate the project's interest in three areas: i) EU multi-level governance; ii) IRs and social dialogue; and iii) privatisation and liberalisation. Whereas the existing literature suggests that developments in the three areas have mutual implications, these associations and patterns have not been analysed before and compared with a focus on education sectors and the teacher workforce.

This project has benefited from the existing research about each of the three areas, and for some of their combinations. The drive towards liberalisation, New Public Management (NPM) and privatisation, public-private partnerships in public policy across Europe since the 1980s is thus well-documented in political economy, political science, and sociology (Fourcade Gourinchas and Babb 2002, Hood 1995, Schäfer and Streeck 2013), including contributions specifically related to the implications for IRs (Baccaro and Howell 2017, Gumbrell-McCormick and Hyman 2013, Traxler et al. 2001). In its annual report series on *Industrial Relations in Europe*, the European Commission has also discussed the balance between the market-building and social agendas of the EU (e.g. European Commission 2009, p. 9). In terms of context, the project has considered the politics of austerity that became further pronounced across Europe in the wake of the financial crisis and subsequent economic recession in the end-2000s (Schäfer and Streeck 2013).

However, this literature tends to have a broader scope and does not provide detailed comparative studies on the dynamics between IR and liberalisation in European education sectors. Moreover, whereas the trend of liberalisation has been analysed in the research literature specifically focused on education policy and reform - often with reference to notions such as global education reform (Adamson et al. 2016, Gunter et al. 2016), and privatisation (Ball 2012, Verger et al. 2016), the implications for IRs and social dialogue have not been subject of detailed comparative analysis. There indeed exists several detailed studies of IRs in national education sectors (e.g. Bascia 2015, Carter et al. 2010), but international and comparative studies remain scarce.

Furthermore, the knowledge base is limited concerning European-level governance in the domains of education and social dialogue. Substantial studies on the Europeanisation of education sectors do exist (e.g. Lawn and Grek 2012, Normand and Derouet 2017, Nóvoa and Lawn 2002), yet they do not consider IRs and social dialogue in any depth. Vice versa, the education sector is not singled out in the otherwise burgeoning research literature on EU employment and social policy and the socio-economic governance associated with the Open Method of Coordination (Heidenreich and Zeitlin 2009) and the European Semester (Bekker 2013, 2015, Verdun and Zeitlin 2018, Zeitlin and Vanhercke 2018), and the implications for IRs and social dialogue (Erne 2015, Meardi 2018). However, recently a few studies addressing IRs in education at the European scale have been conducted - some of them commissioned work for ETUCE (Stevenson et al. 2020; Stevenson 2019).

Drawing on a combination of theoretical sensibilities and methods, the project analyses and discusses developments in these three distinctive areas since 2008, and how they relate to each other, with a focus on education sectors, the teaching profession, and implications for teachers' employment and working conditions, at the European level and the four case systems mentioned above. Below, we define the key concepts underpinning the project and subsequently outline the research methodologies and theoretical sensibilities.

## 2. The project's key concepts

### 2.1. Industrial relations and social dialogue

The main focus of the case studies has been the changing patterns of IRs and social dialogue (RQ1). In the context of this project, the concept of IRs has been understood in relation to liberalisation and privatisation, and fair employment and working conditions.

IRs and social dialogue are often associated with norms, ideals and ideology, in terms of democratic representation, rights, welfare, and fair working conditions (cf. the EPSR). It has been pivotal for this project that we understand the concept of IRs and social dialogue as analytical tools which allow us to trace and explain trajectories and changes over time in the arrangements for IRs and social dialogue in different socio-cultural contexts. In the analysis of IRs trends in education sectors at the EU and national levels, the project has been guided by a broad and descriptive conception of IRs:

*“Industrial relations” concern the collective – rather than individual – aspects of the employment relationship between workers, employers and their respective representatives. This includes the tripartite dimension where public authorities (at different levels) are involved. As such, industrial relations refer to the set of rules governing employment and relations at the workplace, together with the ways in which the rules are made, changed, interpreted and implemented by trade unions, employers and the state.” (European Commission 2019, p.4).*

This definition might be re-worked into three dimensions: a) the sets of rules directly governing or indirectly affecting employment relations in the workplace; b) governance arrangements for defining and changing these rules; c) the ways in which the rules are interpreted and enacted by trade unions, employers and state authorities. Developing this analytical grid, Stevenson (2019, 15) points out that six dimensions are typically included in the study of how IRs ‘systems’ function, and how IRs differ between national contexts and/or economic sectors within national contexts. We have paid particular attention to the following dimensions:

1. forms of employer organisation
2. forms of employee organisation
3. legislative framework
4. institutional frameworks
5. collective bargaining and workplace representation
6. forms and prevalence of industrial action

Within the frame set by this definition, in this project we have focused on the following aspects of IRs in the attempt to analyse their changing patterns:

- In terms of multi-level governance, we assumed that developments at European level as well as state and local levels are important to take into account in the analysis of industrial relations. These levels are entangled and have mutual implications. One of the challenges in the project has been to clarify the dynamics between European and member state governance when it comes to industrial relations and school workforces, and where possible of the networks of policy actors involved.
- In the perspective of political economy and the transformation of the state in global and European governance, we looked at IRs as entangled with liberalisation and privatisation in a number of ways: a) the enhancement of the flexibility of labour markets and the creation of flexible, enterprising workers suited to a globalising, knowledge-based economy together with a reduction in wages; b) the move from hierarchy as a mode of governance towards network-like or heterarchical modes of governance, where networks and 'self-organisation' are established as alternatives to the failures of both social planning and free markets; c) a shift of the role of the state towards meta-governance, that is the creation of the favourable conditions for the re-articulation of different modes of governance on the basis of a well-tempered mixing between hierarchy, markets and networks (Jessop 2002, p. 168-70; p. 240-44).
- We have assumed that identifying the specific variations of unionism and multi-unionism is crucial for making sense of IRs and understanding the capacities in teacher unions' engagement with policy reform. In the project, this has involved tracing and comparing the processes and structures of teacher unionism regarding the orientation of teacher unions (emphasis on professional association vis-à-vis labour union), and the variation of multi-unionism present. In parallel, these features also concern the employer side in education. Most teachers and other education personnel in European education sectors are employed by public sector employers, often by local authorities. Yet, as pointed out e.g. by Verger and colleagues (2016, 2017), in some systems, private providers and public-private partnerships have a long history or have become more prominent in

recent decades. Features to consider on the employer side concern the public–private mix of education provision, and how this translates more specifically into the employment of teachers, and how this has developed over the recent decades. Moreover, the arrangements for political representation of employers at various levels in terms of industrial relations and social dialogue are important. In this respect, one particular aspect concerns the privatisation of policy-making, that is, the voice of private enterprises in the formation of policy. Considering the six main dimensions mentioned previously (Stevenson 2019), these features of teacher unionism and education employers are directly relevant in addressing forms of employer and employee organisations. Moreover, they are likely to have implications for the other dimensions as well (legislative and institutional frameworks, collective bargaining and workplace representation, and forms and prevalence of industrial action).

Projecting this conceptual definition of IRs and their changing patterns on the 4 cases discussed in this report, Belgium (FR), Italy, Poland and Sweden, we have identified a set of specific systems’ features that, complemented with literature review of the national systems and their relations to EU governance, have provides an entry point for analysis in the project.

## 2.2. Liberalisation and privatisation

Another central concern for the project has been to examine the changing patterns of IRs and social dialogue in their relation to processes of liberalisation and privatisation (RQ2), on the basis of the recognition that ‘the existing research evidence demonstrates that this set of policies significantly changes how education services are coordinated, financed, and controlled, with strong implications for the teaching profession (Verger et al. 2016). As in the case of the conceptualisation of IRs, we refer to Marginson (2017, p. 2), who argues that “associational governance resting on collective bargaining and consultation, a defining feature of European industrial relations in comparison with other industrialised or industrialising global regions, has been weakened relative to governance by the market and by the state”.

In particular, analyses of changing patterns of IRs has been carried on in the context of the global drive towards liberalisation, as defined in the comparative political economy literature (Thelen, 2012; 2014; Hall and Thelen, 2009; Streeck and Thelen, 2005; Schäfer and Streeck, 2013) recognising that liberalisation ‘can take many forms and occur under the auspices of different kinds of social coalitions—with implications for distributive and other outcomes’ (Thelen, 2012, p. 147). Thus, we have identified the broad categories of policies associated with liberalisation as:

- policies aimed directly at market opening;
- policies combining deregulation and regulation to create favourable conditions for competition;
- structural reorganisation (typically, vertical separation)
- privatisation, as both sales of public enterprises and services contracting out.

This project, thus, has considered privatisation as ‘a particularly controversial element of any liberalisation agenda’ (Dunne, 2017, p. 9) that can involve sales of public enterprises, a shift to private provision through contracting out with public funding and regulatory reform and market-opening. However, in the case studies we have paid attention to Verger (2020, p. 1) who has recently noted that if it is true that ‘privatization tends to correlate to liberalization and deregulation as well’, conceptually and analytically liberalisation and privatisation require to be treated as ‘phenomena with distinct meanings and policy implications’.

Drawing on the works of Ball (2007), Ball and Youdell (2008), Verger et al. (2016; 2017), Cone and Brøgger (2020), we have adopted a set of definitions concerning education privatisation as a complex set of processes that involve multiple modalities, distinguishing between two main types of education privatisation (exogenous and endogenous) with the related set of associated policies, and adding to this a focus on policy privatisation, i.e. the increasing role of private actors in the agenda-setting and the design of education policy. Drawing on the literature above, here some more detailed definitions of these three types of privatisation(s) that contextualise these definitions of the multiple modalities of education privatisation in relation to IRs and workforce regulation in the education sector:

- *Exogenous privatisation – privatisation of education*: The involvement of private business, not-for-profit companies, voluntary and community organisations, and NGOs in public sector provision and services.
- *Endogenous privatisation – privatisation in education*: the reform of the public sector based on the private sector as a generic model
- *Policy privatisation*: The development of network- and partnership-like models of political governance, where private actors are involved in the agenda-setting and design of policy.

The project report explores the relation between changing patterns of IRs and social dialogue, liberalisation and privatisation with a focus on one or more of the following dimensions:

- the altering of the structure of educational and school governance
- the weakening of employee representation structures
- the creation of new attitudes among the workforce.

We have drawn on existing literature (Verger et al. 2016; Gunter et al. 2016) to characterise the four countries in terms of trajectories or patterns of privatisation and have used national characteristics as entry-points for the analysis in each case:

Belgium	Introduction of some aspects of the education privatisation agenda since the 1990s, although with different degrees of intensity over the period.
Sweden	Large-scale expansion of charter schools-like legislation and voucher programs through a gradual yet uneven privatisation process since the 1990s
Italy	The distinctive traits of the Italian case include a significant trend of endogenous privatisation with NPM reforms and the promotion of PPPs. This is shared with other European countries with a long tradition of religious schooling, including the Netherlands, Belgium, and Spain, where the political influence of faith-based institutions have strongly conditioned the design and architecture of the education systems during the educational expansion in the 20th century.
Poland	Advanced education privatisation policies as part of a broader strategy of structural state reform according to neoliberal principles

### 2.3. Understanding industrial relations and social dialogue in the context of EU multi-level governance and privatisation

The aims and research questions imply that IRs, social dialogue and their association with liberalization/privatisation are situated within EU governance. In this respect, the project adopts the notion of multi-level governance (Hooghe and Marks 2001) to understand the dynamics of EU governance arrangements and mechanisms during recent decades as encapsulating *“the re-scaling of the complexities of government and governance, rather than the re-scaling of the sovereign state or the emergence of just one more arena in which national states pursue national interests”* (Jessop (2007, 2010). It also serves to point out that the European Union plays a central role as ‘a nodal point’ in the reconfiguration of statehood. In terms of multi-level governance, Jessop observes that the EU with and through networks mobilise new methods of multi-scalar metagovernance applied to specific policy areas (Jessop, 2007, 204):

*“[T]he EU functions... as a nodal point in an extensive and tangled web of governance operations concerned to orchestrate economic and social policy in and across many scales of action with participation of a wide range of official, quasi-official, private and economic interests, and representatives of civil society“.*

This would appear as an accurate observation not least in the policy areas of education and industrial relations. In this project, it has raised the issues of how these networks grow in scope and power, mobilising new actors, strategies, directions *within* and across state policies and politics, and across local, national and European levels. Jessop (2007) advocates the notion of ‘multiscalar metagovernance’ to capture the reflexive meta-steering of the EU. This notion of multi-scalar metagovernance – his synthesis of the state- and governance-centric approaches - is thus meant to highlight the “complex, tangled, and interwoven nature of the relevant political relations, which include horizontal and transversal linkages – indicated in notions such as ‘network state’ or ‘network polity’ - as well as the vertical linkages implied in multilevel governance”. In a similar vein, Kjaer (2010) also observes that the EU must be understood as a hybrid consisting of governing structures characterised by legal and organisational hierarchy - Commission, Council and EP - as well as governance structures of legal and organisational heterarchy. Considering that education under Europe 2020 has moved further towards a mature phase, with a stronger emphasis on mutual surveillance, performance monitoring and benchmarking (Grek 2016), as well as being incorporated in the socio-economic governance of the European Semester, this argument about the implications and ‘bias’ of complexity-reduction in EU policy-making has been pertinent for the project.

### 2.3.1. The EU governance architecture of Europe 2020, the European Semester and the European Pillar of Social Rights

In disentangling the complexities of EU multi-level governance, the analysis has also drawn on Susana Borrás and Claudio Radaelli’s (2011, p.464) concept of governance architecture:

*“... strategic and long-term political initiatives of international organizations on cross-cutting policy issues locked in commitments about targets and processes. They are specific forms of institutional arrangements, characterized by three main features; namely, they address complex problems in a strategic, holistic, long-term perspective; they set substantive output-oriented goals, and they are implemented through combinations of old and new organizational structures within the international organization in question.*

*They often entail a renewed approach to the raison d'être of the international organization in question, with symbolic, normative and structural implications. Constellations of actors involved in the creation of a governance architecture engage in strategic and discursive interaction with the aim of defining a collective frame of reference for their action."*

In between the more abstract 'multi-level governance' and the less abstract 'policy programmes', the governance architecture concept is helpful in the analysis of how policy problems and strategies to resolve them are defined and framed in EU governance. In this respect, the EU Lisbon Agenda and the subsequent strategy of Europe 2020 are distinct governance architectures. Governance architectures include ideational and language related (discursive) as well as organisational components (see Box 1).

**Box 1. The components of governance architectures (Borrás and Radaelli, 2011)**

**Ideational components**

1. *Ideational repertoires* without a clear-cut meaning ('governance', 'competitiveness', 'sustainability', the 'knowledge-based society', the 'market') that might be infused with different norms and contested by political actors who seek to shape the attribution of meanings and create consensus around these meanings.
2. *Discourses* drawing on the ideational repertoires to organise and legitimise the hierarchical relationships between the strategic goals and the policy instruments. Implicitly or explicitly, discourses reflect causal ideas and normative beliefs about how to progress towards the strategic goals and output-oriented targets (e.g. enhancing competitiveness, social dialogue, fair working conditions, etc.).

**Organisational components**

3. The *political and organisational machinery* of formal and informal multi-level governance arrangements through which political decisions concerning the architecture and its ideational repertoires and discourses are taken.
4. *Policy instruments and procedural requirements* that together define and enable the political and administrative processes, including how different (EU, national, subnational) levels and policy actors are to be involved.

Governance architectures, with their ideational and organisational components, will be more or less successful in mobilising policy actors at multiple levels for specific frames of reference and agendas and delivering on the strategic goals and targets. In this respect, the Lisbon Strategy emphasised the importance of framework conditions for economic growth and competitiveness, and accordingly broadened the scope of EU public action across a wider set of policy areas represented as interconnected (Borrás and Claudio Radaelli, 2011).

The first ETUCE General Secretary and subsequent Head of the EU Eurydice network on education systems and policies in Europe, Luce Pépin (2011), who was also directly involved in the European Commission's "Education and Training 2010" work programme, offered "*a mitigated but globally positive assessment*" (p.26) of education activities in the Lisbon Strategy. However, the strategy suffered from low levels of participation and democratic deficits, reflected in limited implementation of commitments taken at European level and the weak involvement of stakeholders. Pépin astutely observes that EU strategies are condemned to inefficiency and remain the prerogative of a limited circle of decision-makers and experts without ownership at every level. The governance architecture of Europe 2020 was indeed meant to mobilise such greater participation of the stakeholders and social partners in policy development, implementation and evaluation.

In this respect, the project, as evident in the research questions (RQ3), has singled out two components of particular importance: the **European Semester** and the **European Pillar of Social Rights**.

The European Semester was introduced in 2011 as a main lever to realise the priorities of the Europe 2020 Strategy. The Semester concerns the socio-economic governance and involves a cycle of Annual Growth Survey, Country Reports, National Reform Programmes, and Country-Specific Recommendations. It has remained in a process of development since it was introduced, allowing it to adapt as political objectives change. As a major site of consultation between policy actors with different capacities and resources, the Semester encapsulates the key tension that also plays out more widely in contemporary debates about the EU's purpose concerning the dynamic relationship between the drive towards an economic single market based on the free movement of capital, goods, services and people, and the commitment to a 'European social model' and social dialogue (Stevenson 2019; Stevenson et al. 2020).

The Gothenburg Social Summit in November 2017 committed to the European Pillar of Social Rights<sup>47</sup> which includes 20 principles to "deliver new and more effective rights for citizens", divided into three main categories: i) Equal opportunities and access to the labour market; ii) Fair working conditions; and iii) Social protection and inclusion. Several of the 20 principles address issues relevant to this project,

47 [https://ec.europa.eu/info/european-pillar-social-rights-0/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/info/european-pillar-social-rights-0/european-pillar-social-rights-20-principles_en)

especially principle 1 “Education, training and life-long learning” concerning “the right to quality and inclusive education, training and life-long learning” and principle 8 “Social dialogue and involvement of workers”, stipulating e.g. that “social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices.” The Pillar encapsulates an array of policies and priorities that for the most part were already present in EU governance before 2017 (Sabato and Corti, 2018).

### 2.3.2. Education and social dialogue in EU governance

With its dual focus on the policy areas of education and social dialogue, the project relates to different sets of EU competences. The key distinction is “support competence” (education) and “shared competence” (social dialogue). Accordingly, education and social dialogue are addressed under different sections in the legislative basis of EU governance, the EU Treaty and the Treaty on the Functioning of the European Union (TFEU).

Education was first inscribed in the EU’s legislative basis with the Maastricht Treaty. Education and vocational training remain amongst the policy areas subject to the “support competence” of the EU, where “The Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States” (Article 6 of TFEU). In the consolidated TFEU, education and vocational training are addressed under Title XII, Article 165. Since 2000, the activities have been defined by the Work Programmes of Education and Training 2010 and Education and Training 2020 which have been managed by DG Education and Culture (DG EAC) and include monitoring and benchmarking. Grek (2016) suggests that EU education governance in recent decades has moved from an early phase, when indicators development, data collection and soft governance were introduced, towards a mature phase, with a stronger emphasis on mutual surveillance, performance monitoring and benchmarking, and where cooperation with the OECD has also been strengthened. At the same time, knowledge and policy exchange and development in Working Groups have been retained (Grek 2016).

Launched in 1985 by Commission President Jacques Delors’ (1985-1995), European social dialogue is a longstanding feature of EU multi-level governance that underpin but also go beyond particular governance architectures such as Europe 2020. The European Commission (2017) guidelines adopt the ILO’s notion of social dialogue for a broad definition as “*including all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers on issues of common interest relating to economic and social policy*”. Consultation with the social partners was first mentioned in the European Single Act of 1986, and the foundations of cross-sectoral social dialogue were included in the annex to the Treaty of Maastricht in 1991 and ratified by all member

states in the Treaty of Amsterdam in 1997. Since then, social partners are to be consulted on all initiatives related to social issues, and for some sectors they are able to pass agreements with legal force, as social dialogue is an integral part of the system producing European legislation. However, while inter-sectoral, sectoral and multi-sectoral agreements have been concluded, the vast majority of European social dialogue outcomes consist in declarations, joint positions and recommendations without any legally binding effect, addressed to the European institutions, member states or national social partners (Welz 2008). As a distinctive “*social innovation*” (Lapeyre 2018), the European social dialogue has involved the incremental creation of a corporatist social policy community (Welz 2008).

Currently, the framework for European social dialogue is defined by Articles 152, 154 and 155 of the Treaty on the Functioning of the European Union (TFEU) (EU 2016). European Social Dialogue include bipartite as well as tripartite forms on cross-industry, sectoral and company levels.

The European *tripartite social dialogue* involves the European Commission, the European Council, as well as the social partners. The Tripartite Social Summit is the highest level for cross-industry social dialogue on diverse policy areas, such as macroeconomics, employment, social protection and education and training. It brings together the President of the European Council, the Head of State or Government of the rotating Council Presidency and the two subsequent Presidencies, the Commission and the social partners BusinessEurope, ETUC, CEEP, and SMEunited.

*Bipartite social dialogue* concerns the autonomous dialogue between employers and workers' organisations, based on the work programmes adopted by the EU social partners. Existing bipartite structures include cross-industry social dialogue between the ETUC and the employer organisations BusinessEurope, CEEP and SME United. They meet in the Social Dialogue Committee 3-4 times annually to discuss, adopt texts and plan initiatives. The Social Dialogue Committee has existed since 1992.

Meanwhile, *European Sectoral Social Dialogue Committees* are bi-partite fora for consultations between European social partners who may develop joint actions and conduct negotiations on issues of common interest, thereby potentially contributing to shaping EU labour legislation and policies. There are currently 43 Sectoral Social Dialogue Committees, many of them going back several decades. The running and secretarial costs of these committees are borne by the European Commission's Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL). In this respect, the agency Eurofound has the key task of researching the representativeness of social partners in the sectoral social dialogue.

Concerning education sectors, the *European Sectoral Social Dialogue in Education (ESSDE)* was established in 2010 after six years of preparations. The ESSDE involves the counterparts of the European Trade Union Committee for Education

(ETUCE) and the European Federation of Education Employers (EFEE). Both are officially recognised as social partners by the European Commission.

Both cross-sectoral and sectoral social dialogue bring together a maximum of 66 representatives of the social partners and representatives of national member organisations, equally divided between the employers' and the workers' representative organisations (European Commission 2017).

During the governance architecture of Europe 2020, education and social dialogue became further entangled with economic and employment policy, not least due to introduction of the ES as a main mechanism of socio-economic governance. In the policy area of employment, the EU has the mandate to adopt measures and define guidelines to ensure coordination of Member States' policies. The EU may also take initiatives to ensure coordination of Member States' social policies (Article 5 TFEU). Title IX in the TFEU specifically concerns employment, stipulating that Member States and the EU “work towards developing a coordinated strategy for employment and particularly for promoting a skilled, trained and adaptable workforce and labour markets responsive to economic change” with a view to the EU aims and objectives (TFEU Article 145).

## 2.4. Employment and working conditions in education sectors

The final research question that has been addressed in the project relates to the implications of the identified changing patterns of IRs and social dialogue for the prospects of the mainstreaming of the EPSR concerning education personnel's fair working conditions, professional prerogatives, social dialogue and education quality and equity. There are several normative IR frameworks included in European Commission and Eurofound reports that we could have referred to in the discussion of the project findings. In the case studies and the concluding chapter, we have selectively referred to the following, depending on the peculiarities of the cases and the specific research findings.

First, we have looked at the European Pillar of Social Rights (EPSR), with particular reference to Principle 8 “Social dialogue and involvement of workers” (which forms part of Chapter II: Fair working conditions):

*“The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.*

*Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.*

*Support for increased capacity of social partners to promote social dialogue shall be encouraged.”*

Second, we have referred to the ‘institutional pillars’ of the European IR model (EC 2009) and Eurofound (2018) industrial democracy dimensions of autonomy, representation, participation and influence. These two models have provided us with other main references to interpret the research findings. In particular, we have directed our attention to the four ‘institutional pillars’ of IR in Western Europe in the post-WWII period:

1. Strong or reasonably established and publicly guaranteed trade unions
2. Solidarity wage-setting based on co-ordination at the sectoral level or above
3. Generalised arrangement of information, consultation and perhaps co-determination based on the rights of workers to be involved
4. Routine participation of unions in tri-partite policy arrangements (EC 2009, pp. 20-24).

Moreover, we have referred to Eurofound (2018) notion of “industrial democracy”, defined by four sub-dimensions:

- Autonomy of social partners in collective bargaining
- Representation rights at both macro (collective bargaining, social dialogue) and company level (works councils, etc.)
- Participation, understood as mechanisms for involving employees in management decision-making at company level

In line with Eurofound (2018, p.1), we have considered ‘industrial democracy to be the core dimension of industrial relations and the most desirable model of work and employment governance’. The definition of industrial democracy is suggested to

be comprehensive, covering both the macro or institutional level, and the micro or company level, as well as both direct and indirect forms of participation. In this respect, industrial democracy is understood to be an end in itself and a means to achieve other valuable ends. The report defines industrial democracy as “encompassing all the participation rights of employers and employees in the governance of employment relationships, either directly or indirectly, via trade unions, works councils, shop stewards or other forms of employee representation at any level.” (Eurofound 2018, p.9).

### 3. Theoretical and methodological toolbox

In addressing the key research questions of the project, the cases presented in this report have selected theoretical and methodological approaches, depending on the historical, political, institutional and educational peculiarities of the specific contexts of the analysis. These choices have been made, however, within the wider frame of a ‘critical policy sociology’ (Ozga, 2019), which has acted as an overall sensitising framework for the analyses of the EU and national cases.

In understanding changes in the patterns of IRs and social dialogue, and their relations to EU governance and liberalisation/privatisation, the analyses have been historically-informed and have been inspired by a fundamental concern for ‘the underlying assumptions that shaped how a ‘problem’ in the field of IRs, social dialogue and education governance was conceptualised and how ‘solutions’ were selected. The cases have also directed their attention to the coalitions and networks of actors who did play a role in those processes of policy problematisation, agenda setting, design and implementation, asking fundamental questions about institutions, and social and power relations in the field of IRs in the education sector. To recall Ozga (2019, 6) words, the cases have attempted to understand transformations in IRs and education governance since the onset of 2008 financial crisis at the EU level and in Belgium (FR), Italy, Poland and Sweden focusing on:

- how problems in the field of IRs and social dialogue have been (re)defined in the education sector;
- how mechanisms of power and knowledge production have been mobilised in particular forms to defining those problems and finding their solutions;
- how those policy processes could be located in a wider (education but not only) policy frame and in relation wider transformations in society.

Consistently with this overarching theoretical sensibility, the historically-informed enquiries presented in this report have selectively mobilised the following theoretical and methodological resources.

### 3.1. Cultural political economy

In the attempt to recognise how changing patterns of IRs are associated with liberalisation and privatisation, some of the case studies presented in this report (Italy and Sweden) have drawn upon Verger and colleagues (2016, 2017) adaptation of cultural political economy (CPE) based on Jessop (2010) and others. CPE is an emerging post-disciplinary approach engaging with ‘the cultural turn’ and the renewed concern with semiosis or meaning-making in political economy, and the analysis of the articulation between the economic and the political and their embedding in broader sets of social relations. CPE has been instrumental for the project in addressing the role that culture – understood in a broad sense as semiotics, discourses, and sets of values – assumes in the elaboration and resolution of political problems in institutional and political processes. Like other versions of CPE, the entry point in this version is concerned with the interdependence and co-evolution of the semiotic and material dimensions of social reality. In this perspective, policy adoption and change can be explained by the iterative interaction of material and semiotic factors through the mechanisms of variation, selection and retention (Jessop 2010; Verger et al. 2016, 2017):

- *Variation* concerns the contingent emergence of new practices, and the process by which dominant discourses or practices have to be revisited due to the emergence of new 'narratives' that problematise social processes by referring to external or internal challenges.
- *Selection* implies the identification of the most appropriate interpretations of existing problems as well as relevant policy solutions. These solutions change according to the different economic-political configurations and predominant 'imaginaries' which include ideological components. Not least in moments of crisis and uncertainty, scientific evidence has become more central for policy makers both in framing and constructing problems and their causes, as well as in dealing with the complexity of educational change. However, some forms of research and some organisations are considered more relevant in terms of policy knowledge than others. In this respect, the OECD and the EU has developed a working partnership over the recent decades.
- *Retention* concerns the institutionalisation of policies through their inclusion in regulatory frameworks and governance technologies. Their implementation is analysed with reference to acceptance, reinterpretation or resistance by policy actors at various levels.

According to Verger and colleagues (2016, p.27):

*“The variation, selection, and retention categories can contribute to identifying more systematically the sequence of contingencies, events, and actions involved in adopting new policy models, as well as the specific factors—of both a semiotic and a non-semiotic nature—that conduct or inhibit policy change.”*

In short, according to CPE policies always reflect selective interpretations of problems, which influence the framing and explanations of their causes and the choice of possible solutions. The CPE is oriented towards the study of these pre-existing interpretations in the form of political discourses, their translation into strategies and projects and their institutionalisation into specific structures and practices. CPE and the concepts of variation, selection and retention have served, in the case studies cited above, as analytical categories, giving direction and framing the employed research methodologies.

## 3.2. A mixed-methods approach

All the cases have used a mixed-method research design, considering the nature of EU multi-scalar governance and combining quantitative and qualitative data in the form of policy document, interviews, survey data and statistics. In terms of data collection and analysis, the following activities have been realised:

- Statistical analysis has been conducted on time series of data with a focus on teachers’ professional prerogatives and quality of work and the configurations of IR in the education sector.
- Policy document analysis: the most relevant policy documents have been collected and analysed, employing diverse theoretical and methodological sensibilities, while in all cases focusing on forms and values, actors’ inclusion or exclusion of actors and the socio-political context of production.
- Semi-structured interviews with key stakeholders (e.g. policy-makers, government departments, trade unions, employers, and private sector business and enterprises) have been conducted at the European and the national levels. The sample of interview participants has been identified on the basis of desk research and snow-balling. The thematic focus of the interviews has concerned the key project issues: IRs, social dialogue, education policy-making, education privatisation and teachers working conditions.
- In one case study (Italy), policy networks analysis and network ethnography (Ball et al. 2017; Ball and Junemann, 2012) have been adopted as methodologies to

analyse the functioning of IR and social dialogue at the national levels. Based on document analysis and interviews, PNA has allowed to ‘trace’ how policies have been created and identify the public and private sector organisations involved in IR, social dialogue, and education reform.

In line with the notion of mixed methods, methods and analyses in the project have informed each other in the way that the preparation of interview guides and selection of interview participants have benefited from the policy document analysis, statistical analysis and on-line survey, while the interviews vice versa have lead to important documents that have been included in the analysis.

The Table below provides an overview of the project’s key questions, work packages and methodological components. The multiple combinations between the methodologies and techniques that have been adopted in each case of this report have to be understood in the light of Fairclough’s (2013) invitation to: i) address the relationship between semiotic and extra-semiotic factors; and ii) go beyond focusing on specific texts in particular events and contexts to the analysis, discussion and explanation of social change.

Research questions	Work Packages and Research Activities	Methodology and data
<p>1. How have IR and arrangements for social dialogue and collective bargaining in the education sector unfolded in Europe at various scales since 2008 – at the level of EU governance, and in Belgium, Italy, Poland, and Sweden?</p>	<p>WP1. On-line survey</p> <p>WP2.1. Statistical analysis about teachers’ professional prerogatives and quality of work and the configurations of IR in the education sector</p> <p>WP2.2. EU-level policy document analysis</p> <p>WP2.3. EU-level fieldwork and interviews</p> <p>WP3.1. National-level policy document analysis</p> <p>WP3.2. National-level fieldwork and interviews</p> <p>WP3.3. National-level policy network analysis (Italy)</p>	<p>On-line survey</p> <p>Statistical analysis</p> <p>Policy document analysis</p> <p>Semi-structured interviews</p> <p>PNA (Italy)</p>

Research questions	Work Packages and Research Activities	Methodology and data
<p>2. How are developments in IR at the European and national scales associated with patterns of education reform and privatisation?</p>	<p>WP1. On-line survey</p> <p>WP2.2. EU-level policy document analysis</p> <p>WP2.3. EU-level fieldwork and interviews</p> <p>WP3.1. National-level policy document analysis</p> <p>WP3.2. National-level fieldwork and interviews</p> <p>WP3.3. National-level policy network analysis (Italy)</p>	<p>On-line survey</p> <p>Policy document analysis</p> <p>Semi-structured interviews</p> <p>PNA (Italy)</p>
<p>3. How are developments in IR at the European and national scales associated with the trajectory of EU governance, and especially within the context of the European Semester cycles under Europe 2020?</p>	<p>WP2.2. EU-level policy document analysis</p> <p>WP 2.3. EU-level fieldwork and interviews</p> <p>WP 3.1. National-level policy document analysis</p> <p>WP 3.2. National-level fieldwork and interviews</p> <p>WP 3.3. National-level policy network analysis (Italy)</p>	<p>Policy document analysis</p> <ul style="list-style-type: none"> <li>- EU governance (European Commission policy documents about education, European Semester documents)</li> <li>- The European Sectoral Social Dialogue in Education documents</li> <li>- 4 member state case studies (<i>National Reform Programmes</i> – direct link between EU and case studies)</li> </ul> <p>Semi-structured interviews</p> <p>PNA (Italy)</p>

Research questions	Work Packages and Research Activities	Methodology and data
<p>4. What are the implications of our findings for the prospects of the mainstreaming of the European Pillar of Social Rights concerning education personnel's fair working conditions, professional prerogatives, social dialogue and education quality and equity?</p>	<p>WP1. On-line survey</p> <p>WP2.2. EU-level policy document analysis</p> <p>WP2.3. EU-level fieldwork and interviews</p> <p>WP3.1. National-level policy document analysis</p> <p>WP3.2. National-level fieldwork and interviews</p>	<p>On-line survey</p> <p>Statistical analysis</p> <p>Policy document analysis</p> <p>Semi-structured interviews</p>

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## **Appendix B. Overview of data sources and empirical materials**

## EU level study

### Policy documents – European social dialogue

In-depth analysis of joint text outcomes from the European Sectoral Social Dialogue in Education (ESSDE) 2010-2020, and four Work Programmes for the ESSDE (2014-2015, 2016-2017, 2018-2019, and 2020-2021)

(the ESSDE joint text outcomes are available on the Social Dialogue Texts database on the European Commission website <https://ec.europa.eu/social/main.jsp?catId=521&langId=en>)

Year	Title
2010	<i>Rules of Procedure - Education</i>
2011	<i>Joint Guidelines on Trans-regional cooperation in Lifelong Learning among education stakeholders</i>
2011	<i>Investing in the future. A joint declaration on education, training and research</i>
2012	<i>Statement on the amendments of the Professional Qualifications Directive (2005/36/EC)</i>
2012	<i>A European Project by ETUCE and EFEE: "Recruitment and retention in the education sector, a matter of social dialogue". Joint recommendations to the ESSDE</i>
2013	<i>How to Prevent and Mitigate Third-Party Violence and Harassment in Schools: Implementation Guide for the Education Sector of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work</i>
2013	<i>ESSDE Outcome Joint Declaration EFEE/ETUCE on "The promotion of self-evaluation of schools and teachers"</i>
2013	<i>Joint report from the Social Partners in the Education sector on the Implementation of the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work</i>
2015	<i>ESSDE Outcome Joint Declaration EFEE/ETUCE On "Supporting Early career researchers in Higher Education In Europe"</i>
2015	<i>ESSDE Outcome Joint Declaration EFEE/ETUCE On "School Leadership"</i>
2015	<i>Joint position EFEE and ETUCE: The Contribution of sectoral social dialogue to the strengthening of social dialogue</i>
2016	<i>Joint Practical Guidelines on How to Promote Joint Social Partner Initiatives at European, National, Regional and Local Level to Prevent and Combat Psychosocial Hazards in Education: Promoting decent workplaces in the education sector for a healthier working life</i>

- 2016 *Joint ETUCE/EFEE Declaration on Preventing and Combating Psychosocial Hazards in the Education Sector*
- 2016 *Joint ETUCE/EFEE Statement on Promoting the potentials of the European Sectoral Social Dialogue in Education*
- 2017 *Joint ETUCE and EFEE Statement on improving Vocational Education and Training in Europe*
- 2018 *Towards a Framework of Action on the attractiveness of the teaching profession*
- 2019 *ETUCE-EFEE Joint Practical Guidelines on how to promote effective integration of migrant and refugee learners in the education and socio-economic environment of the host countries through joint social partner initiatives at national, regional and local level*
- 2019 *ETUCE and EFEE Proposal for a Quality Framework for an Effective Inclusion of Migrants and Refugees in Education*
- 2019 *Quo Vadis Europa, Quo Vadis Education*
- 2020 *Joint ETUCE/EFEE Statement on the impact of the COVID-19 crisis on sustainable education systems at times of crisis and beyond*

### Policy documents – contextualization of European social dialogue

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## Policy documents – teacher and school policy

In-depth analysis of key European Commission Communications and Staff Working Documents related to teachers and teaching:

- European Commission (2007a). *Commission Staff Working Document: Schools for the 21<sup>st</sup> Century*. Brussels, 11.07.2007. SEC(2007) 1009.
- European Commission (2007b). *Improving the Quality of Teacher Education*. Brussels, 3.8.2007. COM(2007) 392 final.
- European Commission (2008a). *Improving competences for the 21st Century: An Agenda for European Cooperation on Schools*. Brussels, 3 July 2008. COM(2008) 425 final.
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- European Commission (2017a). *School development and excellent teaching for a great start in life*. COM(2017) 248 final. Brussels, 30.5.2017
- European Commission (2017b). *Commission Staff Working Document Accompanying the document Communication on school development and excellent teaching for a great start in life*. SWD(2017) 165 final. Brussels, 30.5.2017
- European Commission (2020a). *On achieving the European Education Area by 2025*. Brussels, 30.9.2020 COM(2020) 625 final.
- European Commission (2020b). *Commission Staff Working Document Accompanying the document Communication on achieving the European Education Area by 2025*. Brussels, 30.9.2020 SWD(2020) 212 final.

## Policy documents – contextualisation of teacher and school policy

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- Council of the European Union (2006). *Presidency Conclusions. Brussels European Council 23/24 March 2006*. 7775/1/06. 18 May 2006.
- Council of the European Union and European Commission (2012). *2012 Joint Report of the Council and the Commission on the implementation of the Strategic Framework for European cooperation in education and training (ET 2020): Education and Training in a smart, sustainable and inclusive Europe*. (2012/C 70/05).\* [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012XG0308\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012XG0308(01)&from=EN)
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- European Commission (2005). *Common European Principles for Teacher Competences and Qualifications*.
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## Interviews

24 interviews with representatives of key stakeholders to deepen the understanding of EU multi-level governance with regard to education reform, privatisation and social dialogue. 13 of the interviews were conducted as part of the TEACHERSCAREERS project (based at UC Louvain) during February-November 2019. The remaining 11 interviews were conducted during October 2020-January 2021. The interview participants are affiliated with these organisations:

- European Commission:
  - Directorate-General for Education and Culture (DG EAC)
  - Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL)
  - Secretariat-General
- European Trade Union Committee of Education (ETUCE)

- European Federation of Education Employers (EFEE)
- A nationally based education trade union
- European Trade Union Confederation (ETUC)
- European Centre of Employers and Enterprises providing Public Services (CEEP)
- BusinessEurope
- European Schoolnet
- European Economic and Social Committee (EESC), Workers' Group
- European Economic and Social Committee (EESC), Employers' Group

# French-speaking Belgium

## Policy documents

- Country reports – European Semester – from 2015 to 2019 for Belgium
- National Reform Programmes – European Semester – from 2015 to 2019 for Belgium
- Décret du 24 juillet 1997 définissant les missions prioritaires de l'enseignement fondamental et de l'enseignement secondaire et organisant les structures propres à les atteindre.
- Décret du 19 mai 2004 relatif à la négociation en Communauté française.
- Décret du 20 juillet 2006 relatif à la concertation des organes de représentation et de coordination des Pouvoirs organisateurs de l'enseignement et des Centres P.M.S. subventionnés.
- Note au gouvernement de la Communauté française – Lancement d'un Pacte pour un enseignement d'excellence, le 19 janvier 2015.
- Note au gouvernement de la Communauté française – Orientations en vue du lancement des travaux relatifs à la définition des objectifs spécifiques [...] du Pacte, le 11 mai 2016.
- Note au gouvernement de la Communauté française – Cadre participatif du Pacte, le 28 août 2017.
- Avis n°3 du Pacte (367 pages).
- Groupe Central du Pacte pour un Enseignement d'excellence – Audition par la Commission Education du Parlement de la FWB, le mardi 28 mars 2017 de 10h à 16h.
- Groupe Central – Réunion du 7 mars 2017.
- Comité de concertation – Liste des personnes invitées.
- Liste des membres du Groupe de travail III.2.
- Cahier des charges de la première étape de la troisième phase des travaux – 1er octobre 2015-15 février 2016.
- Note du Groupe central relative au Rapport d'orientation du Groupe de travail – Novembre 2015.
- Initiatives proposées par le GT – État d'avancement.
- Rapport d'orientation du groupe de Travail – Novembre 2015

- Rapport Intermédiaire – Janvier 2016 (86 pages).
- Complément au Rapport intermédiaire – Note de synthèse – Mars 2016 (18 pages).
- Décret du 11 avril 2014 réglementant les titres et fonctions dans l'enseignement fondamental et secondaire organisé et subventionné par la Communauté française.
- Circulaire du 31 août 2020 intitulé : « Régime des titres et fonctions – Nouvelles règles relatives à la priorisation des titres applicables dans l'enseignement secondaire de promotion sociale à partir du 1/9/2020 ».
- Décret du 7 février 2019 définissant la formation initiale des enseignants.
- <https://www.pfwb.be/le-travail-du-parlement/doc-et-pub/documents-parlementaires-et-decrets/documents/001626408>
- Comité syndical européen de l'éducation – Région européenne de l'IE
- <https://www.csee-etu.org/fr/a-propos/organisations-membres> (liste des syndicats belges membres d'ETUCE).
- EFEE : <https://educationemployers.eu/team-members/> (liste des membres d'EFEE pour l'enseignement en Belgique).
- « A Voice For European Teachers : 30 Years of ETUCE Action for Europe's Teachers and Education » – Publié par le Comité syndical européen de l'éducation, Bruxelles 2007.

## Interviews

10 interviews (duration 1-2 hours) were conducted in the period October-December 2020 with representatives working for either regulatory powers, experts, trade unions or federations of organising powers. Most of the interview participants have taken part in relevant Working Groups of the Excellence Pact (mainly WG III.2 and III.3):

- Senior civil servant, education minister's representative for the Excellence Pact, French community regulatory power
- Researcher, UC Louvain
- Trade union representatives from:
  - Syndicat des employés, techniciens et cadres - Syndicat de l'Enseignement Libre
  - Centrale Générale des Services Publics – Enseignement
  - Confédération des syndicats chrétiens – Enseignement
  - Syndicat libéral de la fonction publique

- Representatives from federations of organising powers:
  - Secrétariat Général de l'Enseignement Catholique (SeGEC)
  - Fédération des Etablissements Libres Subventionnés Indépendants (FELSI)
  - Conseil des pouvoirs organisateurs de l'enseignement officiel neutre subventionné (CPEONS)
  - Wallonie Bruxelles Enseignement (WBE)

# Italy

## Policy documents

- Regulation (Law No 29 - 3 February 1993) "Rationalization of the organization of general government and revision of the rules on civil service, in accordance with Article 2 of Law No 421 of 23 October 1992"
- Regulation (Law No. 59 - 15 March 1997) "Delegation to the Government for the assignment of functions and tasks to regions and local authorities, for the reform of public administration and for administrative simplification"
- Regulation (Law No 396 - 4 November 1997) "Amendments to Legislative Decree No 29 of 3 February 1993 on collective bargaining and trade union representation in the civil service sector pursuant to Article 11(4) and (6) of Law No 59 of 15 March 1997"
- Regulation (Law No. 58 - 6 March 1998) "Rules governing the managerial qualifications of school heads of autonomous educational institutions, in accordance with Article 21(16) of Law No 59 of 15 March 1997"
- Regulation (Law No. 275 - 8 March 1999) "Regulation laying down rules on the autonomy of educational institutions pursuant to Article 21, Law No. 59 of 15 March 1999"
- Regulation (Law No. 150 - 27 October 2009) "Implementation of Law No 15 of 4 March 2009 on the optimization of public labour productivity and the efficiency and transparency of public administrations"
- Regulation (Law No. 133 - 6 August 2008) "Conversion into law, with amendments, of Decree-Law No 112 of 25 June 2008 laying down urgent provisions for economic development, simplification, competitiveness, stabilization of public finances and tax equalisation"
- Regulation (Law #107 - July 13, 2015) "Reform of the national education and training system and delegation for the reorganisation of existing legislative provisions"
- Regulation (National Collective Agreement - Education Sector - 19 April 2018) "National collective labour agreement in the education and research sector three years 2016/18"
- European Semester Country Reports, National Reform Programmes and Country Specific Recommendations for Italy from 2012 to 2020

## Interviews

15 interviews were conducted in Italian during the period June 2020-January 2021. Due to the Covid-19 pandemic, all interviews were undertaken online. The 15 individuals had direct work experience with industrial relations, education reform, and/or EU governance in Italy from current or previous positions in:

- FLC-CGIL (Italian Teachers' Union)
- CISL-Scuola (Italian Teachers' Union)
- UIL-Scuola (Italian Teachers' Union)
- MIUR (Italian Ministry of Education)
- ANP (Italian Head Teachers Union)
- INVALSI (Italian National School Evaluation Agency)
- USR (Ministry Regional Education Offices)

## Poland

Quantitative as well as qualitative data analysis were undertaken for the case study.

First, available quantitative data from the following sources were analysed:

- The *European Working Conditions Survey* provides an overview of working conditions of both employees and the self-employed across Europe, and it includes the teaching workforce. The survey provides an overview of teachers' working conditions, analyses the relationship between their various aspects, monitors trends and identifies groups at risk to contribute to improvement of job quality. Special attention was given to the work environment, organisation, financial issues, possibilities for development and job satisfaction. Due to the small sample resulting from the fact that the questionnaire is addressed to a wide range of professions, the obtained results should be interpreted with some caution.
- Domestic data collected by the Central Statistical Office (GUS) allowed us to determine the share of the private and public education sector in Poland.
- Survey results conducted among European education trade union representatives were analysed, with the main focus on the situation in Poland, based on the observations of a representative of an education trade union.

The second stage involved a qualitative analysis of legal acts (including manuals for the preparation of regulatory impact assessments and public consultations) regulating the working conditions of teachers, social dialogue and the functioning of the education system:

- Constitution of the Republic of Poland of April, 2 1997 (Journal of Laws 1997 No. 78 item 483)
- The Act of 7 September 1991 on the education system (Journal of Laws of 2018, item 1457, as amended)
- The Act of December 14, 2016 Education Law (Journal of Laws of 2018, item 996, as amended).
- The Act of 27 October 2017 on financing educational tasks (Journal of Laws, item 2203, as amended).
- The Act of 14 December 2016. Provisions introducing the Act - Education Law (Journal of Laws of 2017, item 60, as amended)

- Act of November 13, 2003 on the income of local government units (Journal of Laws of 2018, item 1530, as amended)
- Regulation of the Minister of National Education of March 28, 2017 on the framework teaching plans for public schools (Journal of Laws, item 703)
- Act of 26 January 1982 Teacher's Charter (Journal of Laws of 2019, item 2215 and of 2021, item 4)
- The Act of June 26, 1974, the Labor Code (Journal Of Laws 1974 No. 24, item 141)
- The Act of May 23, 1991 on trade unions (Journal of Laws 1991 No.55, item. 234),
- The Act of 23 May 1991 on employers' organizations (Journal of Laws 1991 No.55, item. 235)
- Act of 24 July 2015 on the Social Dialogue Council and other social dialogue institutions (Journal of Laws of 2015, item 1240)
- Act of 6 July 2001 on the Tripartite Commission for Socio-Economic Affairs and Voivodeship Social Dialogue Commissions (Journal of Laws of 2001, No. 100, item 1080)
- Act of May 23, 1991 on resolving collective disputes (Journal of Laws 1937 No.31, item. 242)
- The Act of April 7, 2006 on information and consultation with employees, (Journal of Laws 2006 no. 79 item 550)

In addition, existing literature on social dialogue and privatisation in Poland were reviewed, allowing for identifying major turning points in the Polish education system.

On this basis, semi-structured interviews were conducted with social partners. Respondents were identified on the basis of recommendations from previous interview participants and verified in terms of their experiences with the analysed topic. 12 interviews were conducted and transcribed. Due to the Covid-19 pandemic they were undertaken online.

List of interview participants:

- International policy office (ZNP) (Polish teachers' Union)
- Editor-in-chief of an educational magazine
- Member of the Board of NZSS Solidarność (Polish teachers' Union)
- Member of the Board of NZSS Solidarność (Polish teachers' Union)

- Former high-level official of the Ministry of Education
- Former member of the government working in the Ministry of National Education
- Trade Union high-level official (Polish teachers' Union)
- Former Undersecretary of State, responsible for the dialogue with local governments
- Educational rights activist, NGO leader
- Former high-level official of the Ministry of Education and member of numerous national and international committees
- Legal Counsel NSZZ "Solidarność" (Polish teachers' Union)
- NGO leader
- Management of Trade Union Board (Polish teachers' Union)

# Sweden

## Policy documents

- Department of Education (2012). "Promemoria. Karriärvägar m.m. i fråga om lärare i skolväsendet." 24 September 2012. U2012/4904/S.
- Department of Education (2013). "Proposition. Karriärvägar för lärare i skolväsendet." 21 March 2013. 2012/13:136.
- Regulation (2013:70) "Förordning om statsbidrag till skolhuvudmän som inrättar karriärsteg för lärare"
- Regulation (2014:145) "Förordning om statsbidrag till skolhuvudmän som inrättar karriärsteg för lärare i förskoleklasser och grundskolor i utanförskapsområden"
- Regulation (2019:1288) "Förordning om statsbidrag till skolhuvudmän som inrättar karriärsteg för lärare"
- European Semester Country Reports, National Reform Programmes and Country Specific Recommendations for Sweden from 2012 to 2020

## Interviews

18 interviews with altogether 20 individuals were conducted in Swedish and English during the period October 2020-January 2021. Due to the Covid-19 pandemic, all interviews were undertaken online. The 20 individuals had direct work experience with industrial relations, education reform (typically the first teacher reform and other teacher policies), and/or EU governance in Sweden from current or previous positions in:

- Lärarförbundet (Swedish Teachers' Union)
- Lärarnas Riksförbund (The National Union of Teachers in Sweden)
- Tjänstemännens Centralorganisation (TCO, Swedish Confederation of Professional Employees)
- Sveriges Akademikers Central-organisation (Saco, Swedish Confederation of Professional Associations)
- Sveriges Kommuner och Regioner (SKR) / SALAR (Swedish Association of Local Authorities and Regions)

- Skolverket (Swedish National Agency for Education)
- Utbildningsdepartementet (Ministry of Education)
- Regeringskansliet (Prime Minister's Office, Government Offices of Sweden)
- Sveriges Skolledarförbund (The Swedish Association of School Principals and Directors of Education)
- Friskolornas riksförbund (Swedish Association of Independent Schools)
- AcadeMedia
- European Commission, Directorate-General for Employment, Social Affairs and Inclusion

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