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Date: 5th March 2019

Our Ref: 190305/SWINNEY J/CK/TF

John Swinney MSP
Deputy First Minister and Cabinet Secretary for
Education and Skills
Scottish Parliament
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

Dear John

Re: Trade dispute over pay, workload, ineffective management of pupil indiscipline and other adverse management practises affecting the health and welfare of NASUWT members

The NASUWT has been writing to you and raising in meetings with you for a considerable period of time our deep concerns about the deterioration in the pay and conditions of members.

The NASUWT has participated fully in the flawed SNCT process to seek to secure improvements to members' working conditions but the process is not conducive to making the tangible and urgent progress required. We have made positive, practical suggestions to you about how teachers' excessive workload could be reduced, raised our growing deep concerns about pupil indiscipline in schools and presented to you, year on year, our detailed evidence of the growing teachers' pay gap.

In consulting members as part of the protracted discussions on teachers' pay, it has been made clear to us by members that while teachers are angry about their pay, they are equally, if not more, angry about excessive workload, pupil indiscipline and a range of other adverse management practices, including the growing culture of bullying management in schools.

This response from members validates the year on year evidence the Union has collected from our annual Big Question Survey and shared with you and your officials each year since the survey started in 2011.

I am, therefore, notifying you that the NASUWT is now lodging a formal dispute with the Government over pay, workload, ineffective management of pupil indiscipline and adverse management practices.

The NASUWT will be balloting its members in furtherance of the above trade dispute, in accordance with Section 234A of the Trade Union and Labour Relations [Consolidation] Act 1992.

In accordance with the requirements of the legislation, the NASUWT intends to issue a notice of ballot to employers and individual schools, as a result of this formal dispute, by 8th March 2019.

I regret that this course of action has proved necessary and the NASUWT remains committed to working constructively with the Government and employers to resolve the issues of dispute.

We have sought to engage with the Government and COSLA over pay to close the significant teachers' pay gap, which has grown as a result of the year on year cuts to pay, through agreements reached in the SNCT.

The NASUWT has raised repeatedly with the Government the problem of excessive workload, which is distracting teachers from their core role of teaching and learning and blighting their professional lives.

We co-operated fully with your national initiatives on teachers' workload and supported a number of the strategies and recommendations which have emerged from national working parties but these have not been implemented widely at school level and are too often ignored because they lack a statutory basis. Consequently, little tangible improvement has been made. There is no evidence to show that employers or schools generally are taking tackling teachers' workload seriously.

The NASUWT suggested, in response to your workload challenge, ten practical steps which could have been taken immediately, at little or no cost, and which would have made a real difference to alleviating workload burdens. Regrettably, these were not acted upon.

With regard to pupil indiscipline, the NASUWT has been dealing with an ever growing number of issues in schools where teachers are facing daily verbal and physical abuse and constant disruption. Too many of our members are facing stress, anxiety and physical and mental injury as a result of a growing, unacceptable culture in schools that being physically or verbally abused is all part of the job.

Engagement with employers to seek to resolve these issues is invariably met with hostility and threats either against our members or the Union through legal action.

Your own response to the NASUWT explaining the plight of members in relation to a particularly serious case of pupil indiscipline where our members were, for their own protection, refusing to teach certain pupils was to state that teachers could not 'pick and choose' who they taught, a comment which could not be reconciled with your subsequent welcome statement that you recognised that teachers were entitled to a safe working environment.

Teachers are dedicated and committed professionals who are simply requesting that Government and employers recognise and reward them as highly skilled professionals and provide them with working conditions which enable them to focus on teaching and learning. Teachers' pay and conditions are inextricably linked to high quality education for children and young people.

The failure to tackle these issues now has led to a serious industrial relations problem. To resolve the problems, teachers need a New Deal which embraces and addresses all of these serious concerns which are impacting adversely on their health and well-being.

I will write to you separately with more detailed suggestions of the action the Government can take to address and resolve these issues and the dispute and the NASUWT continues to remain willing to engage in constructive and meaningful dialogue.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris', with a long horizontal flourish extending to the right.

Chris Keates (Ms)
General Secretary

Campaigning for a NEW Deal for teachers