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Our ref: 201119/Williamson G/PR/TF

Rt Hon Gavin Williamson, MP
Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

NASUWT

The Teachers' Union

Hillscourt Education Centre
Rose Hill
Rednal
Birmingham
B45 8RS

General Secretary
Dr Patrick Roach

Telephone: 0121 453 6150 Facsimile: 0121 457 6208

E-mail: nasuwt@mail.nasuwt.org.uk Website: www.nasuwt.org.uk

Dear Gavin,

Urgent clarification regarding Her Majesty's Revenue and Customs (Coronavirus Job Retention Scheme extension) Direction and supply teachers

I am writing to you regarding the provisions contained in the Treasury Direction published to coincide with the extension of the Coronavirus Job Retention Scheme (CJRS) until March 2021.

Noting the decision of the Government to extend the scheme as of August 2020 until March 2021 to provide further financial income and security for employees operating through PAYE, the NASUWT is concerned that there is a need for clarification in respect of the advice and guidance published on the CJRS, specifically relating to supply teachers, and that contained in the Treasury Direction published on 13 November.

The latest version of the advice and guidance regarding access and scope of eligibility for the CJRS states:

'Supply teachers are eligible for the scheme in the same way as other employees and can continue to be claimed for during school holiday periods provided that the usual eligibility criteria are met.'

However, the Treasury Direction, specifically paragraph 6.1 references that an employer can only claim for an employee if they have been instructed by the employer not to work for the employer during a claim period, or not work their 'usual hours', and that this is because of circumstances arising as a result of the coronavirus disease or measures taken to prevent or limit its further transmission.

We are concerned about the loss of earnings supply teachers may suffer as a result if they are not able to access the Job Retention Scheme due to the aforementioned clauses. We trust that this is not the intention of the revised Treasury Direction.

The NASUWT believes that this matter requires urgent clarification and I look forward to your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patrick Roach', with a stylized flourish at the end.

Dr Patrick Roach
General Secretary