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# NASUWT

## The Teachers' Union

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

Dear Gavin

### **Coronavirus Job Retention Scheme and Supply Teachers**

The NASUWT is, like you, very proud of the vital work of dedicated and committed teachers across the country, particularly at this moment of national crisis when teachers and school leaders are at the forefront of the response to the COVID-19 pandemic.

Whilst the Government has rightly lauded teachers' efforts in response to COVID-19, one group of staff that may be facing a disproportionate impact as a result of school closures, self-isolation procedures and other associated arrangements is supply teachers who provide such a valuable service to schools.

As you will appreciate, supply teachers are committed and dedicated professionals. However, the majority of supply teachers are subject to the vicissitudes of intermittent and insecure work at well below the pay levels of teachers in substantive posts because of the practices of employment agencies, which are often the only source of work for a supply teacher. The COVID-19 pandemic has compounded this as they may also suffer an adverse impact as a result of school closures on their ability to secure work.

The introduction of the Job Retention Scheme and associated advice and guidance has sought to allay some of the concerns by confirming that employment businesses can apply for the grant to cover up to 80% of wages (up to a cap of £2,500 per month) and furlough agency workers, such as supply teachers, provided they are paid through PAYE.

However, for those supply teachers working through umbrella companies, the way their pay is structured means that there are serious concerns about the level of remuneration they may receive if they are furloughed by their umbrella company.

For example, some supply teachers working through an umbrella company may receive a significant proportion of their income paid as a bonus scheme and the rest paid at National Minimum Wage (NMW).

The criteria applied for the Job Retention Scheme could limit what an umbrella company is able to reclaim and pay the supply teacher. The current government guidance states that a person's monthly salary, for the purposes of calculating furlough pay, does not include discretionary bonuses (e.g. tips), commissions and fees.

In some cases, depending on the nature of the contract, this may result in some supply teachers receiving just 80% of the NMW if they are furloughed, a situation which I am sure you will agree, is wholly unacceptable.

As supply teachers earn more than the NMW, the NASUWT is deeply concerned about the potential loss of earnings for those supply teachers who have their pay processed through an umbrella company.

This has been compounded by the reticence of some umbrella companies to furlough supply teachers working for them until they have clarification on this issue.

The NASUWT would welcome particular consideration is given to how Government is able to support these teachers and would welcome an assurance from you that this will be looked into as a matter of urgency and raised with colleagues in the Treasury and Her Majesty's Revenue and Customs.

In addition, the Cabinet Office/Crown Commercial Services (CCS) produced guidance on the use of contingent labour in the public sector. Under this separate scheme, contingent labour working in the public sector who are long-term or have an assignment which naturally ends in the future, should have 80% of their salary paid for up to a maximum of £2,500 per month. However, in respect of the advice and guidance provided regarding the Job Retention Scheme, the Union would welcome greater clarity on the scope and applicability of the Cabinet Office/Crown Commercial Services (CCS) guidance on the use of contingent labour in the public sector.

The NASUWT would welcome urgent clarification on the scope and applicability of the Cabinet Office/CCS guidance to contingent labour working within schools and colleges, such as supply teachers, particularly given the recommendation that public sector bodies will follow this guidance in the vast majority of cases.

I look forward to your positive response on these important matters.

Yours sincerely



Dr Patrick Roach  
**General Secretary**