

The Rt Hon Nick Gibb MP
Minister of State
Department for Education
20 Great Smith Street
London SW1P 3BT

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8 January 2020

Dear Mr Gibb

Unions call for better income protection for school supply staff

We are writing regarding the operation of the Job Retention Scheme during the current national lockdown announced on January 4 and the closure of schools to the vast majority of pupils.

Tens of thousands of supply staff play a critical role in delivering education in this country.

They will be an essential part of the education system's recovery from the pandemic and efforts to ensure that the impact on the nation's children is minimised.

Currently, significant numbers of supply staff are unable to work, have had work cancelled, or have drastically reduced employment opportunities. This will leave hardworking and dedicated supply staff facing increased financial uncertainty or even hardship.

Some education workers are self-employed, which brings its own challenges.

However, the vast majority of education supply staff are employed by agencies and our members tell us that very few are prepared to place them on furlough, often citing the costs, notably National Insurance and pension payments, borne by the employer under the current version of the scheme.

The terms of the Job Retention Scheme places no obligation on employers, such as employment agencies, to access the furlough scheme on behalf of staff.

This situation has been compounded by the lack of advice and guidance from the DfE in anticipation of the school closures that began this month.

Previously, the Department for Education referenced Cabinet Office/Crown Commercial Services (CCS) advice and guidance on the use of contingent labour in the public sector

to assist schools when making decisions in respect of supply staff. Disappointingly, this came to an end in autumn 2020.

In addition, previous advice and guidance from the Department for Education stated that supply staff on a live assignment should continue to be paid from the existing budget of the school, and those supply teachers who had their assignments terminated early reinstated on the original terms of their contract.

As a result of this situation, we are deeply concerned about the wellbeing of experienced and dedicated education workers who in many cases have seen their income dry up overnight.

We are also concerned about an exodus of skilled staff from our sector, hindering the important work that will have to be done as schools and other educational institutions reopen.

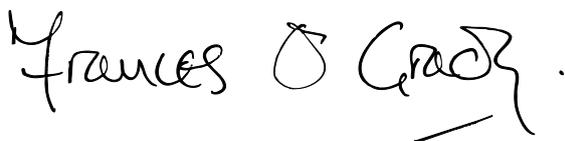
We urge that:

- the Department for Education send a direction and provide adequate funding to ensure that supply staff on a live assignment continue to be paid from the budget of the school, with those who had their assignments terminated earlier than the original terms reinstated on the original terms
- the Department for Education send a strong signal to employment agencies operating in the education sector that they should place staff on furlough when there is no demand for their services
- ministers assess whether the current employer contributions within the Coronavirus Job Retention Scheme, covering National Insurance and pension contributions, are acting as a disincentive for agencies to furlough workers
- that agencies do the right thing and place education workers on furlough to allow them to weather these particularly difficult times and ensure they are available to work in what will undoubtedly be challenging months ahead.

We look forward to receiving your response.

This letter will be copied to The Rt Hon Rishi Sunak MP, Chancellor of the Exchequer.

Yours sincerely

A handwritten signature in black ink that reads "Frances O'Grady". The signature is written in a cursive, slightly stylized font. The first name "Frances" is written in a larger, more prominent script. The surname "O'Grady" is written in a smaller, more compact script. There is a small horizontal line under the end of the signature.

Frances O'Grady
General Secretary, TUC

Patrick Roach
General Secretary, NASUWT

Dave Prentis
General Secretary, UNISON

Mary Boustead
Joint General Secretary, NEU

Kevin Courtney
Joint General Secretary, NEU

Warren Kenny
Acting General Secretary, GMB

Kate Fallon
General Secretary, AEP

Mike Clancy
General Secretary, Prospect

Paul Whiteman
General Secretary, NAHT

Gail Cartmail
Assistant General Secretary