

## Return to school

With the start of the new academic year, the NASUWT has produced a suite of guidance documents for members ([www.nasuwt.org.uk/Covid19AdviceScotland](http://www.nasuwt.org.uk/Covid19AdviceScotland)).

A summary of and advice on the COVID safety measures which should be in place in all schools can be found in the August Members Bulletin ([www.nasuwt.org.uk/Covid19AdviceScotland](http://www.nasuwt.org.uk/Covid19AdviceScotland)).

Ensuring adequate ventilation will be one of the key mitigations in the autumn term. While each local authority has taken a different approach to the installation of CO2 monitors, all school buildings, including all learning and teaching spaces, should be assessed for ventilation issues with a view to remedial action being taken where required. This assessment work should be completed by the start of the October break, wherever possible, subject to any issues regarding supply of CO2 monitors. NASUWT guidance for representatives on risk assessment and ventilation can be found at: [www.nasuwt.org.uk/Covid19AdviceScotland](http://www.nasuwt.org.uk/Covid19AdviceScotland).

The NASUWT has also produced guidance on contingency arrangements, to deal with outbreaks of COVID-19 ([www.nasuwt.org.uk/Covid19AdviceScotland](http://www.nasuwt.org.uk/Covid19AdviceScotland)). In discussions with the Scottish Government, the Union has argued for more detailed guidance and direction to react to localised outbreaks – for example, automatic reductions in staff/whole-school meetings and the maintaining of two-metre distancing – as practical, simple steps which could be quickly enforced and mandated within centralised guidance. The Union is also calling for local authorities to be required to agree Local Outbreak Management Plans to improve and streamline responses to local outbreaks.

The NASUWT has also updated its COVID Health and Safety Checklist, which can be downloaded from: [www.nasuwt.org.uk/Covid19AdviceScotland](http://www.nasuwt.org.uk/Covid19AdviceScotland).

If you have any concerns about your school's approach to controlling COVID-19, these should be raised with school management in the first instance. If you do not receive a satisfactory response, contact your NASUWT Health and Safety Representative, or NASUWT Workplace Representative. Otherwise, contact the NASUWT for further advice.

## Close contacts/outbreak management

Following concerns raised by the Union on the clarity of contact tracing advice for schools, the Scottish Government working with Test and Protect and Public Health Scotland produced additional guidance on 16 August 2021, *Self isolating and contact tracing: information sheet for schools and registered childcare settings* (<https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-reducing-the-risks-in-schools/documents/>).

While welcoming the clarification provided on the Government's self-isolation and contact tracing policy, the Union believes that this policy should be kept under constant review and that the distinct nature of school settings may necessitate a deviation in approach to wider society. The Union has raised with the Scottish Government the concern of teachers that the bar for identifying close contacts within a school setting, which would necessitate self-isolation and a polymerase chain reaction (PCR) test, has been set too low and is campaigning for a more precautionary approach.

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## Pay

Negotiations for the Teachers' Pay Award 2021 continue. At the Scottish Negotiating Committee for Teachers (SNCT) Extended Joint Chairs meeting on 19 August 2021, the Convention of Scottish Local Authorities (COSLA) made a revised offer of 1.22% across the board for all those covered by SNCT terms and conditions. This replaced the previous differentiated offer of 1%, or 2% depending on your position on the scale.

The offer of 1.22% has been rejected as unreasonable and sub-inflationary, both misjudging the value of the profession and ignoring the incredible response that the profession made to the national emergency from March 2020 and the dedication of teachers to provide a quality education in the most challenging of circumstances.

The offer also represented no additional funding being provided by either COSLA or the Scottish Government, but simply a repackaging of the same overall amount of money. The NASUWT will continue to campaign for an above-inflation pay award.

It is imperative that the NASUWT holds up-to-date information on you, to assist us in communicating with members. If you have changed home address or workplace since joining the NASUWT or last updating your details, then please either log on to the website at: [www.nasuwt.org.uk/e-Login](http://www.nasuwt.org.uk/e-Login) or email [rc-scotland@mail.nasuwt.org.uk](mailto:rc-scotland@mail.nasuwt.org.uk) with your updated information to enable us to amend our records.

## **£400 additional payment for teachers supporting the delivery of the Alternative Certification Model**

Responsibility for the payment of up to £400 for teachers supporting the delivery of the Alternative Certification Model (ACM) was devolved from the Scottish Government to local authority employers. The directions provided by the Scottish Government at the end of the summer term introduced the possibility that the payment would be made on a pro rata basis, which was contrary to reassurances that the NASUWT had previously received from the Scottish Government. The NASUWT had significant concerns that this was potentially discriminatory and that contracted working hours would not necessarily reflect the contribution made towards the ACM by an employee.

The NASUWT wrote to individual employers at the end of last term reminding them that headteachers were able to exercise their discretion as to the payment, and setting out the NASUWT expectation that all teachers who had contributed to the ACM should be provided with the full £400 payment. The Union also wrote to all part-time secondary members asking for individuals to contact us with any concerns.

Not all teachers will have yet received the additional payment and indeed not all local authorities will have completed the relevant paperwork for Scottish Government. The deadline for this is 30 September.

The NASUWT position remains that all local authorities should pay the full £400 to all teachers who have supported the delivery of Nat 5/H/AH, regardless of part-time status. Delineating contribution based solely on part-time hours takes no cognisance of the relative contribution of full-time teachers. If you have any concerns about either not receiving a payment or receiving a payment which falls short of the full £400, please contact [rc-scotland@mail.nasuwt.org.uk](mailto:rc-scotland@mail.nasuwt.org.uk) immediately.

## **Potential detriment to pregnant teachers due to changes in the school calendar**

In August 2020, the Scottish Government announced that all schools were to reopen in the week beginning 10 August, regardless of their varying scheduled return dates. This meant that some local authorities commenced the new term up to a week earlier than agreed through Local Negotiating Committees for Teachers (LNCTs). Compensation for the loss of non-working days was devolved to LNCTs who generally determined that this early commencement would be compensated with an early finish in June 2021, effectively meaning that teachers would have an 'extra' week in the summer break of 2021. If you have worked continuously for a local authority from August 2020 to August 2021, which did not amend its start date for the 2020/21 school year, then this information will not apply to you.

The NASUWT has identified a potential pitfall with this approach in terms of teachers who started the term early but subsequently have gone on maternity leave and, therefore, may not have benefited from the extra week in

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summer 2021. This could be easily remedied by the employer simply adding the five days paid leave on to the teacher's annual leave calculation following the period of maternity leave. However, in individual cases brought to our attention, employers are seeking to argue that there is no detriment to the individual teacher. The NASUWT believes such cases to have legal merit for potential sex discrimination and unlawful deduction of wages claims. The Union encourages any member who believes they have been negatively affected by this position to contact us immediately. This will be any member working in a local authority where term commenced earlier than originally planned in August 2020, whose maternity leave commenced during the session 2020-21 and who is returning subsequent to the summer break of 2021. Please contact [rc-scotland@mail.nasuwt.org.uk](mailto:rc-scotland@mail.nasuwt.org.uk) if you fit this criteria and are concerned you have suffered a detriment.

## **NASUWT events**

### **McCloud briefing 6pm, 8 September**

The Westminster Government has introduced its remedy for unlawful age discrimination in the transitional protections in the Scottish Teachers' Pension Scheme (STPS) into the UK Parliament, This is also known as the McCloud remedy. This will affect current and former teachers who began teaching before 1 April 2012 and also have service in the STPS from 1 April 2015 onwards. In total, 88% of serving teachers in Scotland are affected by the McCloud remedy.

The NASUWT is currently negotiating the implementation of the McCloud remedy on the STPS Advisory Board and will brief members on the implementation of the remedy for Scottish teachers. If you wish to book a place on the briefing, please email [rc-scotland@mail.nasuwt.org.uk](mailto:rc-scotland@mail.nasuwt.org.uk).

### **SAVE THE DATE 2021**

23 September: Supply workers' meeting

1 November: Primary sector meeting

2 November: Secondary sector meeting

3 November: ASN sector meeting

16 November: School leaders' roundtable

Further information will be circulated nearer the time.



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