



## **Good Work Plan Published**

The Government published its much delayed *Good Work Plan* in December outlining details of how it intends to take forward a number of the recommendations set out in the *Taylor Review of Modern Working Practices* and feedback from recent Government consultations.

In respect of some of the specific recommendations, the Union notes that the following will impact on supply teachers as agency workers:

- the extension of the remit of the Employment Agency Standards (EAS) Inspectorate to cover intermediaries and umbrella companies;
- the abolition of the Swedish Derogation or pay between assignment (PBA) contracts which are frequently used to deny supply teachers access to equal pay under the Agency Workers Regulations (AWR);
- the extension of a statement of rights on appointment so that a written statement of employment particulars must be given to workers, from day one of employment;
- changing the rules for the calculation of a week's pay for holiday pay so that the reference period for variable pay is increased from 12 weeks to 52 weeks;
- increasing penalties for aggravated breaches of employment law;
- enforcing holiday pay for agency workers is to be managed by the EAS Inspectorate and the GLAA;
- greater clarity in respect of withholding payment or unclear deductions for agency workers.

The *Good Work Plan* can be found at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/766167/good-work-plan-command-paper.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/766167/good-work-plan-command-paper.pdf).

The NASUWT made a critically important contribution to the outcome of the *Good Work Plan*, ensuring that the concerns of supply teachers were heard and taken seriously, particularly in pressing for the ending of the Swedish Derogation which gives employers the ability to pay agency workers less than their own workers under certain circumstances.

The Government has laid before Parliament the first statutory instruments which will come into force from 6 April 2020. These take the form of:

- the **Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018**, which provides that the written statement of employment particulars must be given from day one of employment. It also changes the rules for calculating a week's pay for holiday pay purposes, increasing the reference period for variable pay from 12 weeks to 52 weeks;
- the **Agency Workers (Amendment) Regulations 2018**, which abolishes the Swedish Derogation for agency workers. It also comes into force on 6 April 2020;
- the **Employment Rights (Miscellaneous Amendments) Regulations 2019**, which extends the right to a written statement to workers (previously employees), increases penalties for aggravated breaches of employment law, and lowers the percentage required for a valid employee request for the employer to negotiate an agreement on informing and consulting its employees.

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## Supply Teacher Pay Award 2018/19

Following the publication of the 2018 School Teachers' Pay and Conditions Document (STPCD), the NASUWT has written to supply agencies requesting that uplifts to pay for supply teachers mirror those for permanently employed teachers effective from 1 September 2018, as follows:

Main Pay Range – a minimum 3.5% increase;

Upper Pay Range – a minimum 2% increase;

Leadership Pay Range – a minimum 1.5% increase.

The letter to supply agencies can be found at [www.nasuwt.org.uk/advice/supply-teacher.html](http://www.nasuwt.org.uk/advice/supply-teacher.html).

## Supply Teachers and 'Free Trials'

The NASUWT has been made aware that some supply agencies are asking supply teachers to undertake supply teaching on an unpaid basis as part of job interview processes used by some schools.

Supply teachers as agency workers are entitled to be paid for the work they undertake, irrespective of whether or not it is an hourly, sessional or daily assignment.

This should form part of the terms and conditions which are agreed when you sign up with an agency. The *Conduct of Employment Agencies and Businesses Regulations* make it clear that the terms and conditions should be explained up front and agreed in writing with the supply teacher.

An agency cannot therefore expect you to undertake a free trial.

The NASUWT has written to the Secretary of State for Education to highlight this issue and to request action from the Government to end this exploitation of supply teachers.

The NASUWT will continue to shine a light on this issue, so if you have experienced something similar as a supply teacher, please let us know by emailing [supply@mail.nasuwt.org.uk](mailto:supply@mail.nasuwt.org.uk).

## Supply Teachers' Conference and Consultation Forum

The next Supply Teacher Conference is taking place on 2 March at Warwick Conferences, the University of Warwick.

The Conference provides a number of continuing professional development (CPD) workshops, as well as an opportunity to network with other supply teachers.

For further details, contact the Conferences and Events team at [conferencesandevents@mail.nasuwt.org.uk](mailto:conferencesandevents@mail.nasuwt.org.uk).



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