23 June 2011

This email is an official communication to the Principals of academies and CTCs from the Department for Education, copied to their Chairs of Governors and Sponsors.

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Industrial action in schools - letter to academies and CTCs from the Secretary of State for Education

Dear colleague,

You will be aware that the ATL and NUT unions have both voted for industrial action following national ballots. It is therefore likely that action will take place on 30 June.

The source of the current dispute is the Government's proposals for the reform of public service pension schemes, including the Teachers' Pension Scheme. The dispute is, therefore, with the Government and not with schools or employers.

The Government has suggested proposals for the reform of pensions so they can be made sustainable and affordable for the future, whilst remaining fair to the workforce and the taxpayer.

I am aware that there are very strong feelings in the teaching profession about teachers' pensions and I am personally committed to working openly, honestly and constructively to ensure that teachers continue to receive the high quality pensions that they deserve and value. The Government's proposals on pensions are currently the subject of continuing discussion with national trade unions, including teaching unions. Against this background, the Government's view is that industrial action, with the attendant risk of disruption to pupils' education and family life, is not justified.

In the current situation both the public and parents will expect all of us to put the interests of pupils first. My view is that we all have a strong moral duty to pupils and parents to keep schools open, and the Government wants to help you achieve that. I am confident that you will take effective steps to do so where possible and I am aware that a number of our best school leaders are already putting in place contingency arrangements to ensure that their schools remain open, notwithstanding any industrial action taken on 30 June.

In reaching a decision, I know you will also consider the following issues:

- Opportunities to be flexible:
  a. Changes could be made to the structure of the school day;
  b. There are no maximum general pupil-teacher ratios set out in law; with the exception of the infant class size limit; and
  c. Senior management and support staff may fall within the definition of a “school teacher” for the infant/teacher ratios.

- Maximising your resources:
  a. Seeking information in advance about how many of your staff will be taking industrial action, so that deployment decisions are well informed;
  b. Considering the full range of local resources available to you from within your school staff and the wider school community to ensure that wherever possible your school remains open; and
  c. The need to communicate clearly with parents in the event that closure or partial closure becomes necessary.

Further general advice for schools on the issues they should consider in the case of industrial action is available from employers, from headteachers' associations and from a number of other sources, including the following:

- http://www.bis.gov.uk/policies/employment-matters/rights/trade-unions
- http://www.bis.gov.uk/assets/biscore/employment-matters/docs/10-923-industrial-action-
To enable us to support schools to stay open, I am keen to understand both the local and national picture. Officials will therefore be asking you to tell us the position in your school. Our initial voluntary request will be for an early indication of whether your school will remain open, by 3pm this Friday. Officials will contact you about this and we will ask you to update us next week, when you are able to confirm the position.

MICHAEL GOVE

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