To: local authority Directors of Children’s Services, Chief Executives and Lead Members  
CC: ADCS, SOLACE, LGA

Industrial action in schools – letter to local authorities 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.

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 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 and families first. We all have a strong moral duty to pupils and parents to keep schools open and the Government wants to help you to fulfil that. I am particularly concerned that school closures would cause great inconvenience to working families and single parents who will have to make ad hoc childcare arrangements and whose own working lives will be disrupted. I am confident that you will take effective steps to support schools in staying open and to minimise the impact on pupils and parents.

There are a number of ways in which you should, with our help, support schools to stay open. You should do everything possible:

- To be flexible:
  Changes can be made to the structure of the school day; opening/closing times can be altered and half day sessions can be run with different groups of pupils;

- To be pragmatic:
  a) There is no statutory requirement to teach the National Curriculum every day of the school year;
  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.

- To maximise their resources:
  a) Schools should seek information in advance about how many of their staff will be taking industrial action, so that deployment decisions are well informed; and
b) Schools should deploy all available staff and consider the full range of local resources available to them, both from within the school staff and the wider school community to ensure that wherever possible they remain open.

I therefore seek your co-operation in considering the following issues:

- Sharing with us your best practice and in particular examples of where schools are working innovatively and successfully to stay open;
- What resources can be provided to schools to help them stay open; and
- In the event of school closures, what alternative childcare arrangements can be put in place to support parents and how these can be communicated as early as possible to parents.

You will no doubt already have a great deal of information about which schools will be open on the day and will encourage schools to communicate clearly with parents in the event that closure or partial closure becomes necessary. I hope that heads will have made the decision whether to stay open at least 48 hours in advance of the industrial action, in order to give parents due notice.

To enable us to support you with this, I am keen to understand both the local and national picture; officials will therefore be asking you to tell us the position in your schools. Our initial request is for an early high level indication of the scale of likely closures, by 3pm this Friday. We will be requesting that you share with us next week – on Tuesday and then again on Thursday – your own assessments of planned and then actual closures. Please let me reassure you that we will make every effort to ensure that this voluntary data collection exercise uses information already available to you. Officials will email your leads for workforce data collection to provide further guidance. We will also be writing separately to academies with a similar request.

Thank you very much for your continued co-operation and support at this time.

MICHAEL GOVE