ACADEMIES – ALERT

There are approximately 22,000 schools in England. Since 12 May when the Coalition Government took office and despite intense pressure from Ministers and the Department for Education (DfE), only a handful of schools (200) have chosen to convert to academy status.

The overwhelming majority of governing bodies, school leaders and staff clearly recognise that conversion is an irreversible step that has profound adverse implications for children and young people, parents, the local community and the workforce.

Sensible governing bodies have seen through the false claims of ‘additional’ money.

Staff have not been swayed by the empty promises that jobs will be safer in academies and parents have been appalled that there is no legal requirement for them to be consulted by the governing body about such an important decision.

The many schools that have rejected the idea of conversion to academy status will have cause to feel even more content with their decision when they see the latest letter to headteachers considering academy status from Lord Hill, the Minister responsible for the academies programme.

In his letter dated 15 December, Lord Hill states that schools may not be granted academy status if they enter into agreements with the NASUWT to abide by national pay and conditions for teachers.

This will shock teachers and indeed other staff. Some staff have only considered academy status for their school because they have been given assurances by their headteacher that national pay and conditions will be honoured. Clearly, the Coalition Government has no intention of allowing such commitments to be made or honoured.

If followed, Lord Hill’s advice on the provisions of Transfer of Undertakings (Protection of Employment Regulations 1981 (TUPE) – the legislation governing the transfer of existing staff to an academy – places governors and headteachers at risk of breaching their legal obligations, leaving the school vulnerable to legal challenge and potential compensation claims.

The full text of Lord Hill's letter and the NASUWT response can be found at: www.nasuwt.org.uk/Academies
ARE DISCUSSIONS ON ACADEMY STATUS TAKING PLACE AT YOUR SCHOOL?
If they are, then it is essential that members contact the NASUWT for advice and support.

You should also bear in mind that:
• the Coalition Government clearly has no intention of you being able to continue to work under the national pay and conditions framework (see Lord Hill's letter referred to overleaf). Go to www.nasuwt.org.uk/Academies to check the benefits of being in a national framework;
• if any changes to working conditions are planned, there is a duty on the governors to consult with the NASUWT and other trade unions. In converting to academy status there will always be a need to consult as not all aspects of your current pay and conditions automatically transfer to the academy and therefore schools cannot accurately claim there will be ‘no change’ and that they do not need to consult. There must always be consultation;
• the duty to consult under TUPE is with the unions representing staff, not just with staff.

The NASUWT has produced a wide range of information on the implications of academy status. This can be accessed on www.nasuwt.org.uk/Academies.

HAS YOUR SCHOOL CONSIDERED ACADEMY STATUS AND REJECTED IT?
If so, please e-mail the NASUWT on nasuwt@mail.nasuwt.org.uk to let us know.

GET YOUR GOVERNORS TO PASS A RESOLUTION NOT TO GO FOR ACADEMY STATUS
Go to www.nasuwt.org.uk/Academies for a joint union model resolution.

HELP, ADVICE, SUPPORT
If you experience any problems on the issues raised in this bulletin, please contact your NASUWT Local Secretary, National Executive Member or Regional Centre. Contact details can be found:
• in the NASUWT diary;
• on the website www.nasuwt.org.uk;
• by phoning 0121 453 6150.

CONFERENCE MOTIONS
The Conference motions that will go into the ballot for debate at the NASUWT Annual Conference 2011 can be found at www.nasuwt.org.uk/PreliminaryAgenda
Members should contact their local NASUWT about arrangements each Local Association is making to ballot on which of the motions will go forward.