



ATL, NASUWT and NUT

GMB, T&G and UNISON – Strike Action

Dear Headteacher

GMB, T&G and Unison, representing local authority employees, are currently balloting their members to take strike action in support of their pay claim.

The final results of the ballots will be known on Friday, 5 July. The first strike day is planned to take place on **Wednesday, 17 July**, subject to a positive outcome in the ballot. LEA establishments, including LEA community schools, will be affected by the strike action. Many non-teaching staff, who are members of the three public sector unions, could be taking official strike action on the day

Under the Management of Health and Safety and Welfare Regulations 1999, employers are required to ensure that risk assessments are undertaken with regard to risks to the health and safety of employees and others and to put in place appropriate measures to remove or reduce those risks. In schools, this duty falls to school managers and extends to risks to the health and safety of school students as well as employees. Risk assessments have to be reviewed whenever a significant change in circumstances occurs. This includes any occasion when non-teaching staff whose normal duties include supervision, security, cleaning etc. may be absent. Failure to carry out a risk assessment, identify appropriate measures which need to be taken to deal with any risks arising out the absence of such staff, and implement and record those measures in writing may affect the employer's legal liability or lead to problems with insurance policies if problems arise.

As headteacher, you should carry out a risk assessment of the hazards, which may be faced on 17 July. Your assessment may lead to a decision to close the school. If you decide to keep the school open then you should consider what measures might need to be taken to ensure reasonable safety.

Some public examinations will be taking place in secondary schools on 17 July. Headteachers and teachers alike will be concerned about the effect of the strike on pupils involved. The teaching unions have advised their members that every effort should be made not to disrupt public examinations, whilst following agreed TUC principles in respect of official industrial action being undertaken other TUC affiliates.

There is likely to be considerable disruption across the country on the day with many council services closed. The teaching unions accept that there are serious implications for schools, should the strike go ahead, and members of the ATL, NASUWT and NUT have been advised:

- Not to take on work normally undertaken by members of GMB, T&G and UNISON, but to undertake their normal work if schools remain open
- Not to refuse to cross picket lines
- To observe guidelines for adult:pupil ratios
- To discuss with their headteachers the likely serious implications for health and safety for both children and staff should the strike proceed
 - Normally a site manager (schoolkeeper) would deal with any emergency hazards, such as broken glass and spillages. There could also be an increased risk from potential intruders or vandals as site security is limited.
 - Recognised first-aiders may not be available
 - A reduction in office staff could cause a communications breakdown as telephones are unanswered
 - Lack of lunchtime supervisors will increase the likelihood of playground accidents and bullying incidents
 - Children with statements may find that they have no support staff on the day, placing additional responsibilities on their teacher(s) and putting both at risk
 - Any reduction in support staff will put unreasonable pressure on teaching staff and lead to increased stress
 - There may only be limited support available from social services or other council staff
 - There may be no support or supervision available for pupils, who are unwell, pending the arrival of their parent(s) or carer
 - Hygiene issues may arise where cleaners are not available for pupils' toilets before or during the day
 - DfES guidelines on nursery class staffing are likely to be breached should nursery nurses be absent
- To consider the necessity of cancelling and rescheduling visits or activities planned to take place on the day.

In view of these concerns, NUT, NASUWT and ATL school representatives have been asked to discuss these points with you. All school managers need to consider how safe it is to open the schools on Wednesday 17 July. Any decision to close schools should allow adequate notice to be given to parents.

This guidance applies in the event of future strike action organised by GMB, T&G and UNISON in pursuit of their pay claim.

With best wishes

Yours sincerely



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General Secretary, NUT



PETER SMITH
General Secretary, ATL



EAMONN O'KANE
General Secretary, NASUWT