



## The Strike and You Frequently Asked Questions

This is a crucial time for teachers and the teaching profession. The Government's changes to teachers' pensions will make us pay more, work longer and get less in retirement. It has already imposed some changes and is not negotiating seriously on others. It wants to break the agreement reached only a few years ago which made our pensions affordable and sustainable.

NUT members are rightly outraged. Tens of thousands of members have emailed their MP, attended local NUT meetings on pensions, and taken to the streets as part of the magnificent TUC demonstration on 26 March. This groundswell of opinion was reflected in the overwhelming support by 92% of those voting in our ballot on strike action to send a clear message to the Government that all of this is unacceptable.

It is important we act together on this issue now to persuade the Government to withdraw its unnecessary, unfair proposals. Taking action this term gives us the greatest opportunity to influence the debate. ATL and UCU are also taking action alongside us - by acting together, the vast majority of teachers will demonstrate how strongly the profession feels.

We need to work together to ensure the action is a success. NUT representatives will play a vital role in ensuring the highest possible participation in the action. In every school, college and service, NUT representatives should:

- Arrange a workplace meeting – open to all - to discuss the issues;
- Ask your head teacher if they intend to close your school on 30<sup>th</sup> June and report to your division secretary;
- Make sure members go to [www.teachers.org.uk/pensions](http://www.teachers.org.uk/pensions) and use the NUT pensions calculator to see the impact of the changes on them;
- Recruit any non union members to the NUT using the free membership offer; and
- Build Union activity to ensure successful strike action.

This document will help NUT representatives answer any questions that teachers may have.

This is a vital campaign for teachers and the education service. By acting decisively now we can make our voices heard. Working together we can make a difference.

## THE ISSUES

### Why are we taking action?

The Government is planning to cut your pension. They want you to pay more, work longer and get less. Pensions are deferred pay, so you are effectively being asked to take a pay cut. In 2005 and 2006, we saw off Government threats to our pensions by standing together and being prepared to take action. If we want a future with a decent and affordable pension then we have to be ready to do so again.

Now is the time to take action. We want to change the Government's mind before it imposes these unnecessary changes to our pensions.

## **Why is this the right time to take action?**

The NUT is fully involved in talks with the Government. We would much rather settle the matter through negotiations but so far the Government hasn't backed down on any of its proposals to attack our pensions.

The Government is not taking these talks seriously at all. They haven't carried out the valuation of the Teachers' Pension Scheme, required by law, which would demonstrate the actual costs of our pensions and with no negotiation whatsoever they have implemented the change from RPI to CPI from April this year so that retired teachers have already lost out.

The Government's proposals are much worse than we thought – the most recent proposals confirm their intention to abandon the current Teachers' Pension Scheme and replace it with a 'career average pay' scheme. The details of their proposals mean you would lose even more than the figures shown in the NUT pensions loss calculator. The Government say this may not be their final position but they still intend to end discussions by June this year on their proposals to increase pension contributions from April 2012 – a pensions tax that will amount to a more than 3 per cent pay cut. They only want to discuss how to distribute the increase between different public sector workers – this could easily result in a further increase in the amount teachers have to pay.

Now is the time to take action. We will continue to talk to the Government, but we are taking action to help us get a fair deal for teachers. The NUT and ATL and other teacher unions want to change the Government's mind **before** it goes further in imposing these unnecessary and unfair changes. This action can help persuade the Government to abandon its attack on our pensions.

## **What was the ballot result?**

NUT members overwhelmingly supported the proposed strike action – 92% of members voting voted YES, on a 40% turnout. This represents the highest turnout for a national NUT ballot in over 20 years, and is very high for any trade union strike ballot. The ATL ballot result was not far behind ours.

## **Will a strike have any effect?**

Yes! The NUT firmly believes it will. We've made your case to Government and it's a very strong case. It is important that the Government now sees the strength of feeling amongst teachers on the issue.

The huge demonstration on March 26th has made Government think again – at least on the health service changes. Building on the momentum of that demonstration with our plans for action in the summer can make the Government re-think on pensions too.

## **Is it appropriate to take strike action while negotiating?**

Yes it is. To wait until negotiations have failed would be too late. And, by showing the strength of feeling among teachers, successful action will help our negotiators enormously.

## **What happens if the negotiations are successful?**

If the negotiations are successful and we can reach an agreement, then the NUT will call off our strike action. But we don't think there is any chance of them being successful without the threat of industrial action.

## **What would the Government have to do for the NUT to call off strike action?**

The Government would have to do the following for the NUT to call off action:

- Withdraw the RPI/CPI switch already imposed
- Withdraw its proposals to increase contributions and pension ages
- Carry out the valuation of the Teachers' Pension Scheme (a year overdue) on the same basis as it has been carried out previously
- Honour the 2006 agreement and use it to discuss and decide changes if any are needed

A successful strike will strengthen our hand in our negotiations.

## **How much more does the Government want to make me pay?**

The Government wants to put up your contributions by more than 50 per cent – from 6.4 per cent to 9.8 per cent of salary.

Exactly how much you'd have to pay depends on how much you earn. An NQT would have to pay up to £60 a month extra and a teacher on UPS3 up to £100 a month. Teachers who earn more than that would have to pay even more.

## **How much longer does the Government want me to work?**

The Government is planning to tie the "normal pension age" – the age at which you can take your teachers' pension in full - to the State pension age. That would compel all teachers aged 33 or less to work until age 68 for a full pension. Older teachers would also be affected - anyone aged 57 or less would have to work to 66 and anyone aged 42 or less to 67.

As an example, if you are 50 now, your normal pension age would be likely to rise to 66. Assuming you're on UPS3 and you still retire at 60, you would lose £1,300 per year from your pension and £4,000 from your lump sum, due to the actuarial reduction applied to that part of the pension you would build up between 50 and 60.

## **How much less would I get in retirement?**

The Government has already imposed one cut. From April 2011, pensions will now be increased annually by the Consumer Prices Index (CPI) rather than the Retail Prices Index (RPI). This change will affect existing and future pensioners alike and will cost you about 15 per cent of your total income during retirement.

For example, a teacher retiring on a £10,000 pension would lose over £35,000 over the course of a 25 year retirement. This is in addition to any losses already suffered as a result of continuing to retire at 60.

## **What about career average pensions?**

The Government's plans for career average pensions will cut your pension hugely. They would base your pension on your average pay across your whole career and give you only 1/100 of your career average pay each year of your pension with no automatic lump sum in addition. 'Career average' pensions can sometimes be fairer, but the Government's proposals are using career average as another way of cutting spending on pensions.

## **How can I find out what I would lose from my pension?**

Go to the NUT's pension loss calculator at [www.teachers.org.uk/pensionscalc](http://www.teachers.org.uk/pensionscalc) to find out how much the contributions rise would cost you now; how much longer you would have to work for a full pension; and how much you might lose over the course of your retirement.

## **I'm a teacher in an independent school - what's the Government's plan for my pension?**

In his report, Lord Hutton recommended that non public service employees should not in future have access to public sector schemes. The NUT is concerned that this could include teachers working in independent schools who can currently join the Teachers Pension Scheme. The Government is consulting before taking a firm position on the recommendation. The NUT has stated the view that teachers in independent schools should continue to be eligible for the scheme.

## **What about the Government's argument that teachers' pensions are too expensive?**

The NUT's agreement with the Government in 2006 made changes to the Teachers' Pension Scheme that made it sustainable for the long term. The House of Commons Select Committee and the National Audit Office have both confirmed that the cost of public sector pension schemes will fall as planned. Lord Hutton's final report says that public sector pensions if unchanged from now would fall from 1.9 per cent of GDP now to 1.4 per cent of GDP in 2060.

This agreement made provision for teachers to pay more for their pensions, or for other changes to be made if the valuation requires it. This shows the willingness of teachers to accept their share of any increasing costs – but the Government wants to abandon that agreement and impose changes without any informed basis from a valuation and, for the move from RPI to CPI, without any negotiations at all.

## **Are teachers' pensions “gold-plated”?**

The average pension in payment from the Teachers' Pension Scheme is just £10,000 a year. Only 5 per cent are for £20,000 or more. Over 90 per cent of teachers who responded to the recent NUT survey on pensions agreed that the scheme is fair and affordable. Your pension is your recompense for a lifetime in teaching - the decision to attack it is political not economic.

## **What are the other teacher unions doing?**

The ATL has also held a successful ballot of its members and will take action on 30 June. The UCU (university and college lecturers' union) has already taken one day's strike action and plans to take action with us again. The NAHT and ASCL are part of our campaign – you will have seen our joint campaign posters.

The NUT is working to secure unity of purpose among the teaching profession. All of the teacher unions have expressed the same opposition to the Government proposals. Other unions and their members will take their own decisions about how and when to show their opposition but we believe that a strong stand by the NUT will encourage them as well as showing the Government the strength of opposition among NUT members.

## **I want to help the Union defend teachers' pensions, but are there enough of us to make an impact in my workplace?**

This is a national strike in England and Wales. Even if the number of NUT members in your workplace taking action is small, every one of them will be part of a national declaration of strength of feeling. It matters much more that you should be part of that, than that you should have an immediate impact in your own workplace.

Suggest to your colleagues that they join the NUT - it may be that non members aren't aware of the issues involved and don't know about the threat to their pensions. All members of the NUT are encouraged to help recruit new members. Non members can join by calling 0845 300 1669 or 020 7380 6369 Monday - Friday, 9am - 5pm or by visiting the NUT website [www.teachers.org.uk](http://www.teachers.org.uk). To take part in the strike they need to join the NUT before the day that action takes place.

### **We don't have an NUT representative – what should we do?**

This is an ideal time to elect an NUT representative and to get yourselves better organised and secure a stronger voice at your workplace. The role of NUT representative is not onerous – it can be shared - and is very rewarding. You can rely on the full support of the Union at all levels to assist you.

### **Does the NUT plan to take further strike action?**

The NUT ballot asked members to support “discontinuous strike action” commencing with a day of national strike action. If the Union decides it is necessary to take further strike action, then a further ballot of members is not required, although the NUT will obviously consider the situation carefully and consult members before any further action takes place.

A lot will depend upon the attitude of the Government, which has the power to end the dispute by withdrawing its proposals and reaching a negotiated outcome.

## **THE STRIKE AND YOU**

### **Who is being called on to strike?**

All members of the NUT in England and Wales who are eligible for membership of the Teachers' Pension Scheme (TPS) and who would normally be working on the day of the strike.

This includes all NUT members employed as:

- teachers in local authority maintained schools, whether community, voluntary controlled, voluntary aided or foundation schools;
- teachers in local authority central services, paid as teachers and eligible for the TPS;
- teachers in academies;
- teachers in sixth form colleges, FE colleges and post-1992 universities, which are all part of the TPS; and
- teachers in independent schools which have been admitted to the TPS.

It excludes supply teacher members, members in other independent schools, and members not employed as teachers and not eligible for the TPS e.g. Soulbury paid members, administrators, learning assistants etc.

### **Can new members of the NUT take part in the action?**

Any new members joining the NUT before or on the day of the strike can participate in the strike action with the same protection as all other NUT members.

### **Can lapsed members, as opposed to new members, join the action?**

Only if they rejoin the NUT first. Any lapsed members rejoining the NUT before or on the day of the strike can participate in the strike action with the same protection as all other NUT members. They should contact the Records & Subscriptions Helpline on 0845 300 1666 before the day of the strike in order to restore their membership status and make good their subscriptions. They should be prepared to enter into direct debit or pay their subscriptions by credit or debit card over the telephone. We would not be willing to accept cheque payment in such cases.

### **Can I strike if I didn't vote in the ballot or if I voted against?**

Yes, you certainly can. The majority of members who voted in the ballot to support the action gives legal authority for all members whom the Union calls on to take part to do so. Remember a 40% turnout in a national ballot is a very good result, especially when you consider the turnout always under-represents the support for the action on the day of the strike.

We would like the strike itself to be supported by all those who are authorised by the ballot to take action. That includes members who did not vote and indeed members who voted against but who are prepared to accept the democratic majority decision.

### **Do I have to join in the strike as an NUT member?**

The NUT always uses industrial action as a last resort but in this case the Union believes it is essential to take strike action if the Government is to understand the determination of the Union to defend the teachers' pension scheme and persuade the Government to enter into constructive negotiations. Whilst individual members have a legal right to decline any call from their union to take industrial action, the collective decision of the Union's members in our ballot was to support the strike and we hope you will now join in the action. We are a collective organisation and by acting together we are more effective.

### **Can supply teachers join in the action?**

NUT members recorded as supply teachers were not included in the ballot. The industrial dispute does not apply to those employed by agencies, as they do not have access to the Teachers' Pension Scheme. Although those employed directly by local authorities, schools or colleges as teachers do have access to the Teachers Pensions Scheme, they were not included in the ballot because the NUT could not demonstrate that it knew which employer they would be working for on the strike day.

However the union wrote to all supply teachers to ask them to request a ballot form if they knew they would be working on June 30<sup>th</sup> and which employer they were working for. Those supply teachers are called on to strike on June 30<sup>th</sup>.

Further if you are not already contracted to work on June 30<sup>th</sup>, the NUT would welcome you supporting the strike and participating in local activities on the strike day instead of accepting work. Although (as with all members) the NUT won't pay anything towards your lost wages, the advice on hardship payments set out in the section on Impact on Pay and Pensions at the end of this document would apply to you as well.

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**I am an NUT member and I contribute to the Local Government Pension Scheme. Why am I not included in the action?**

Negotiations in relation to the Local Government Pension Scheme are separate from those for the Teachers Pension Scheme. The NUT is taking part in discussions alongside all the other local government unions and will work to protect members in the LGPS, with the same commitments as it is making to its members in the Teachers Scheme.

**I am an NUT head teacher. Can I take strike action?**

A very definite YES. The NUT recognises the special position of its head teacher members but believes that it is in all members' interests for action to be effective and secure protection for our pensions.

**Is there any reason why NQTs should not join in the strike?**

NUT members who are NQTs are in the same position as any other member. They are not prevented by any term of their contracts from going on strike. The Induction Regulations provide that teachers may have up to 30 days absence in the induction year without any effect upon the induction process.

**I am an NUT student member – should I attend school placements on the day of the strike or go into college if I am due to do so?**

As an NUT student member, you cannot be balloted and cannot be on strike yourself. If your school is open and you are scheduled to be there on the day of a strike, the head teacher may ask you to come in and carry on your teaching practice. However, you should not be expected to cover classes or be teaching classes where the teacher is on strike. If your school is closed on the day of the action and you have no other college commitments that day or your college term has finished, please join in with any locally organised NUT activities. If you are due to be at college or have some other college commitment, we are not asking you to boycott lectures or miss those commitments.

The NUT website will have information about events up and down the country or you can ask your NUT school representative for details.

**What about NUT members on the Graduate, Overseas or Registered Training Programmes?**

Yes, they can take part.

**What about fixed term or part time teachers?**

Yes they can take part if they are working in institutions where they are eligible for membership of the Teachers Pension Scheme.

**I am employed on a fixed term contract for a year and worried I may not get a renewed contract. Should I go on strike?**

It is not lawful for your employer to select you for dismissal or to decide not to renew your contract because you have taken part in industrial action, so you should not be victimised for taking part in the strike. You can participate in the industrial action in the same way as your colleagues. If there

were to be any suggestion that your contract is not to be renewed because of this you should contact your NUT Division or Association Secretary. The NUT would take any such move by an employer very seriously.

### **I am pregnant. If I go on strike, will there be any impact on my entitlement to maternity leave and pay?**

Most pregnant teachers will be able to join the strike with no impact on their maternity entitlements. Your continuity of employment isn't broken by taking strike action. The week of the action will not be included in your total length of service for the purpose of the qualifying period but this will not affect the vast majority of pregnant teachers. More detailed information on Statutory and Occupational Maternity Leave and Pay and Maternity Allowance is available on the NUT website in the school teachers' conditions section.

### **Will going on strike affect Statutory Paternity and Adoption Pay or qualification for Statutory Paternity and Adoption Pay?**

Again, the answer is no for the majority. More detailed information is available on the NUT website in the school teachers' conditions section.

## **THE STRIKE AND YOUR WORKPLACE**

### **Will my workplace close on the day of the strike?**

That's up to head teachers or whoever else is responsible – they will be deciding whether they can safely remain open and the decision will be based in particular on whether the health, safety and satisfactory education of students can be guaranteed in the absence of teachers taking strike action, having conducted proper risk assessments. They will also need to take into account that members of other TUC-affiliated unions will be asked not to undermine the NUT's action by undertaking work which would otherwise have been undertaken by an NUT member.

Many school and college leaders who are themselves NUT members will be taking part in the action. We also know that NAHT and ASCL share the NUT's view that the threatened changes to the pension scheme are unfair and unnecessary.

### **Will there be picket lines outside my school on the day of action?**

The question of holding a picket line is entirely a tactical one not a matter of principle. The NUT does not have a fixed position on holding picket lines.

If your head teacher intends to close your school on the 30<sup>th</sup> June there is no point in holding a picket line. However, if your head teacher intends to keep the school open it may be the case that you and your members (along with ATL colleagues) would like to hold a picket line.

You should remember only those teachers who are members of the NUT or ATL can safely take part in the strike action. Members of unions which have not balloted for action, or non union members who refuse to cross a picket line could be subject to disciplinary action by their employer and would not be able to rely on their unions for support. Anyone who wants to participate as an NUT member can, if they join the Union before or on the day of the strike, legitimately do so. Remember to have some membership forms with you if you are holding a picket.



Whether you hold a picket line or not you should encourage all members to attend any local march or rally on the day.

### **Will the NUT tell the head teacher that I'm going on strike?**

The NUT is required by law to give employers 7 days' notice of the number of members it is calling upon to take action in each workplace. NUT headquarters sends this information to the employer (local authority or governing body) as required by law and also sends a copy to each head teacher or principal.

Individual NUT members do not have to tell their employer whether they personally intend to go on strike. If the head teacher approaches individual teachers, the NUT representative should advise the head teacher that information will be provided by the NUT nationally. If there is no NUT representative, this is an ideal time to consider electing one!

### **Can we be replaced for the day by supply teachers? Can our classes be covered by colleagues?**

The NUT would expect that non-NUT members will not be asked to undertake the work of colleagues taking strike action. Other education unions will be aware of the usual convention that their members will not undertake work normally undertaken by those who are taking strike action and other teacher unions normally advise their members in accordance with that convention. We will keep pressing for this convention to be applied at local, regional and national levels.

For example UNISON has issued advice to its members as follows:

*“School support staff should not be expected to provide cover for or take classes, where this would normally be done by teachers who are on strike. In particular, Higher Level Teaching Assistants or cover supervisors should only be taking classes or providing cover where they are contracted to do so, it is timetabled or part of their normal duties. Staff should not be moved from the duties they would normally have carried out in order to cover classes and frustrate the industrial action of colleagues. Members who are under pressure to cover should contact their UNISON rep, branch or region for further advice and support. Members should not be pressured to provide cover on health and safety grounds to avoid closure of a workplace. Employers should be reviewing any risks and health and safety procedures, including evacuation of workplaces taking account of the impact of staff taking strike action.”*

The same principle applies to supply teachers accepting work to substitute for striking teachers. “Employment businesses” (eg supply agencies) which supply teachers they employ are prevented by law from supplying teachers to cover the work of regular employees taking industrial action. Any infringement should be reported to your NUT Division or Association Secretary.

### **The head intends to cover the absences of striking NUT members by aggregating classes for sports activities and / or large groups in the hall. Is there anything we can do about this?**

Head teachers must make their own judgments having conducted proper risk assessments. It would be very unwise for any head to be influenced in this judgment by a desire to try to minimise the effect of the strike. The safety of children on the premises must be the deciding factor. This is certainly how NUT head teacher members will be advised and we expect other teachers' organisations to advise their members similarly.

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## **Can the head teacher take action against me for striking?**

This action is being called by the NUT in accordance with all the relevant laws. Strike action is accepted as a legitimate means for members of a workforce collectively to express their feelings. The NUT calls strikes only very rarely and as a last resort in a dispute. There has only been one other national strike by NUT members during the last 20 years.

In any strike some people will always try to lay blame on the strikers. From the NUT's point of view, the blame lies clearly with those whose decisions have provoked teachers to take action.

Head teachers who, in these circumstances, attempt to penalise striking NUT members can only be seen to be using their authority to impose their personal opinions without respect for the differing opinions of their colleagues. We do not expect that to happen but if it does the Union will give very strong support to members affected. Your best protection is the fact that hundreds of thousands of colleagues will be acting with you, but you also have legal protection against action being taken against you selectively and the NUT is very well equipped to assert your legal rights. .

Any member who feels they are being put under pressure by a head teacher or Governing Body should contact their NUT Division or Association Secretary.

## **What if I come under pressure from colleagues to work on the day of the strike?**

The NUT does not instruct members to strike, and we resist members being put under pressure not to strike. The decision is yours and you should be able to make it freely.

We want to tell you why in our view there are good reasons why you should join the strike. We urge you to read the literature explaining what has happened and to join your colleagues who have democratically decided what should be done through the ballot. Success in the Union's campaign of which this strike forms part will benefit all teachers, and the education service which depends on them, including those who take no part in the campaign which achieves it.

Every teacher's pay and pension has to a large extent been gained through the campaigns of the NUT which when necessary have included strikes.

Any attempt to victimise, threaten, intimidate or otherwise bully you in respect of your following the Union's call should be drawn to the attention of the Union, through your NUT Division or Association Secretary.

## **THE DAY OF THE STRIKE**

### **What does it mean when you go on strike?**

Strike action means you do not go into work on the day the action is taking place. You do not have to phone your school on the day to tell them you are not coming in.

### **What should I do on the strike day?**

On the day of the strike, you can join hundreds of thousands of other teachers in demonstrating your support for our cause and for the principles and values which brought you into teaching. NUT organised activities will be taking place all over England and Wales. Information will be distributed locally but will also be placed on the Union's website at [www.teachers.org.uk](http://www.teachers.org.uk) in advance of the day. Please find out about local activities and join in.

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**Can members of other unions show their support by going on strike too?**

Only those teachers who are members of the NUT or another teacher union taking strike action on the same day should join the strike. Striking teachers who are members of unions which have not balloted for action could be subject to disciplinary action by their employer and would not be able to rely on their own union for support. Others cannot lawfully take action without the support of a ballot conducted by their own union and they don't have it. Anyone who wants to participate as an NUT member can, if they join the Union before the day of the strike, legitimately do so.

**Can non-union members take part in the action?**

No - but they can again participate as NUT members if they join the Union before the day of the strike.

**We have an off-site trip/school event organised for the day of the strike. What should we do?**

The NUT accepts that, in some exceptional circumstances, disruption to planned events would be undesirable. For some off-site trips or events on school premises, schools may have entered into contracts which cannot be cancelled without substantial costs. Where NUT members who are due to be involved wish to take strike action, they should inform the head teacher of their intention to take strike action. The NUT will expect any school which wishes an event to go ahead as planned to make every effort to secure alternative staffing permitting minimum requirements to be maintained without those NUT members' involvement. Only if this has not proved possible – and substantial costs would be incurred by cancellation - should those NUT members agree to forgo their right to take strike action.

Any NUT member who does as a consequence work on the day of the strike is encouraged to support the NUT by donating their pay to the local NUT association or its hardship fund or to the Teacher Support Network.

**What happens if there are or OFSTED or ESTYN inspections on the day of the strike?**

The Union has written asking that no inspections take place on that day. Should this be ignored, members are free to take action and this should not adversely affect any inspection report.

**What would happen in the case of a parents' evening already being arranged for the day of the strike?**

You should seek to have the date changed. Your head teacher or principal will need to recognise that if it goes ahead NUT members who are on strike will not be present. If there are particular difficulties please seek guidance from your NUT Division or Association Secretary.

**What if there are public examinations arranged to take place on the day of the strike?**

The Union does not wish to disturb pupils' examinations and the timetable for the strike has been drawn up with the intention of avoiding any risk of doing so. Members should therefore co-operate with the exams calendar. This only affects a limited number of exam boards.

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## **I am due to be on a training course / I have been called for a job interview on the strike day. What should I do?**

When you take strike action you are refusing to carry out your employment duties. Attending a job interview would not fall within that, although you should check what arrangements are being made with regard to the interview as it may well be rearranged given that other applicants would be in the same position as you and the establishment may be closed.

Attendance at training which is part of your job will be covered by your action. You should seek for it to be rearranged.

## **IMPACT ON PAY, PENSIONS AND EMPLOYMENT**

### **Will the NUT pay me anything towards my lost wages?**

You won't be paid by your employers for a day on which you withdraw your labour. Your contract of employment anticipates that you may at some time be on strike and the Burgundy Book national agreement provides that for a strike day your normal pay will be reduced by  $1/365^{\text{th}}$ , one calendar day, of your annual salary.

The Union cannot compensate members for loss of pay in a national strike. A  $1/365^{\text{th}}$  deduction in respect of the strike day is a sacrifice. For teachers on UPS3, the loss in take home pay would be around £70 after tax and other deductions. For NQTs on M1, the loss in take home pay would be some £35 to £40. Some members including those in FE and sixth form colleges may find that their contracts include provision for a higher deduction at  $1/260^{\text{th}}$  of annual salary for each strike day.

The Union believes it is a sacrifice worth making. There is a lot at stake. The Government's proposed pension contribution increases would cost NQTs up to £60 a month, teachers on UPS up to £100 a month, and other teachers even more, while the proposals to make you work longer and get less would cut tens of thousands of pounds from your income in retirement. You can see how much you could lose via the NUT pensions calculator at [www.teachers.org.uk/pensions](http://www.teachers.org.uk/pensions) The proposed public sector pay freeze this year and next year will mean no pay increases to reduce the real terms cuts in your pay.

Your NUT Association will be considering arrangements to assist any member who will suffer particular hardship as a result of losing a day's pay and you should contact your local NUT secretary whose details are on your membership card should you wish to seek assistance.

### **What impact will the strike have on my teachers' pension?**

Very little – any loss would probably be between £1 and £2 a year at most.

Your pension is based on your pensionable salary at retirement and your total length, in years and days, of reckonable service. For most teachers the impact of going on strike will be negligible. You will simply lose the pension you would accrue for the day you take strike action.

For example, if your pensionable salary is £36,000:

- If you joined the TPS on or before 31 December 2006, each day of strike action will reduce your annual pension by just £1.23 a year and reduce your lump sum payment by £3.70.
- If you joined the TPS on or after 1 January 2007, each day of strike action will reduce your annual pension by just £1.64 a year (there is no automatic lump sum payment).

Teachers with higher or lower salaries will be affected proportionately.

### **I'm in my last years of teaching before retiring: if I strike, will there be any extra effect on my pension?**

Under the pension changes introduced in 2007, your pension when you retire is calculated according to the better of the following two calculations:

- your total pay received over the last 365 days of reckonable service; or
- your best three consecutive years in the last ten years re-valued in line with inflation.

If you go on strike, the day of the strike is disregarded from the periods in questions and the calculations are simply worked out by going back one day further. For teachers who are within ten years of retirement, therefore, going on strike will add only a further negligible cut in pension - in most cases as little as 10p a year or even less. Since this new system of calculating your pension came into effect in 2007, the NUT has been able to withdraw its previous advice that teachers in their final years of service should not go on strike.

### **Will my continuous service be broken by taking strike action? How will any future redundancy payment be affected?**

Continuous service is not broken by strike action, but days of strike action are not counted towards your final length of service. This means that there can be an impact on redundancy payments if the loss of those days of strike action reduces the number of full years of service that you have completed at the time that you are dismissed for redundancy. If you have worked as a teacher for exactly 20 years, for example, your length of continuous service for redundancy pay purposes would be reduced to below 20 years and your payment would be based on 19 full years not 20 full years of service.

Some employers are happy to extend service for one or more days to take account of this problem. This will be particularly important for those who know they will be dismissed on redundancy grounds from the end of the academic year. It is also possible for your employer to give you 'notice of extension' requiring you to extend your service to replace the day of strike action. If you fail to comply with this, your employer can reduce or even fail to pay you a redundancy payment. In both cases, it is in your interests to work the extra days which protect your redundancy payment, but if you are given a notice of extension you should seek advice from your NUT Division or Association Secretary.

## **THE BALLOT AND YOU**

### **Who was balloted for strike action?**

All members of the NUT in England and Wales who are eligible for membership of the Teachers' Pension Scheme (TPS) and who would normally be working on the day of the strike.

This includes all NUT members employed as:

- teachers in local authority maintained schools, whether community, voluntary controlled, voluntary aided or foundation schools;
- teachers in local authority central services, paid as teachers and eligible for the TPS;
- teachers in academies;

- teachers in sixth form colleges, FE colleges and post-1992 universities, which are all part of the TPS; and
- teachers in independent schools which have been admitted to the TPS.

It excluded supply teacher members, members in other independent schools, and members not employed as teachers and not eligible for the TPS e.g. Soulbury paid members, administrators, learning assistants etc who are mostly in the Local Government Pension Scheme.

### **Why weren't supply teachers balloted?**

NUT members recorded as supply teachers were not included in the ballot. The industrial dispute does not apply to those employed by agencies, as they do not have access to the Teachers' Pension Scheme. Although those supply teachers who are employed directly by local authorities, schools or colleges as teachers do have access to the Teachers Pensions Scheme, they were not automatically included in the ballot because the NUT couldn't demonstrate that it knew which employer they would be working for on the strike day.

However, if you are a supply teacher and:

- you anticipate that will be working on 30th June – the probable action date;
- you know the specific employer for which you will be working on that day and that you will be employed directly by a local authority, school or college (and NOT via an agency); and
- you will be employed in a teaching post, where you can pay (or have the option to pay) pension contributions to the Teachers' Pension Scheme

you could have contacted the Union's ballot hotline and been included in the ballot. All members recorded on the NUT membership system as supply teachers received a letter about this.

Otherwise, the NUT welcomes you supporting the strike and participating in local activities on the strike day instead of accepting work. Although (as with all members) the NUT won't pay anything towards your lost wages, the advice on hardship payments set out in the section on Impact on Pay and Pensions at the end of this document would apply to you as well.

### **Why weren't NUT members in the Local Government Pension Scheme balloted?**

Negotiations in relation to the Local Government Pension Scheme are separate from those for the Teachers Pension Scheme. The NUT is taking part in discussions alongside all the other local government unions and will work to protect members in the LGPS, with the same commitments as it is making to its members in the Teachers Scheme.

## **AND FINALLY**

### **Where can I find more information on the NUT's pensions campaign?**

Go to [www.teachers.org.uk/pensions](http://www.teachers.org.uk/pensions) to find more information and a range of resources including the NUT's pension loss calculator.

### **What else can I do to assist the campaign?**

You can find a range of suggestions and help (eg for writing to or lobbying your local MP, writing letters to your local paper, attending NUT meetings etc) at [www.teachers.org.uk/pensions](http://www.teachers.org.uk/pensions)

National Union of Teachers  
June 2011