

MASS "SECTION 44" REFUSAL FORCES SCHOOLS U-TURN

**Now build on the victory:
Act together to oppose unsafe numbers and rising workload**



JANUARY 2021

SCHOOL STAFF SHOULD TAKE CONFIDENCE from how our mass refusal to accept unsafe working conditions forced the Government into a much-needed U-turn after only one day of the new school term.

Only 24 hours earlier, Boris Johnson was claiming schools were safe. He was then forced to admit that schools act as "vectors for transmission" of the virus after all - something that we all knew months ago. The announcement of the cancellation of SATs, GCSE and 'A'-levels soon followed too.

We should learn important lessons from how we were able to succeed by acting together to assert our legal rights to a safe workplace through "Section 44". We achieved more in a few days than petitions and letter writing to Ministers had achieved in months.

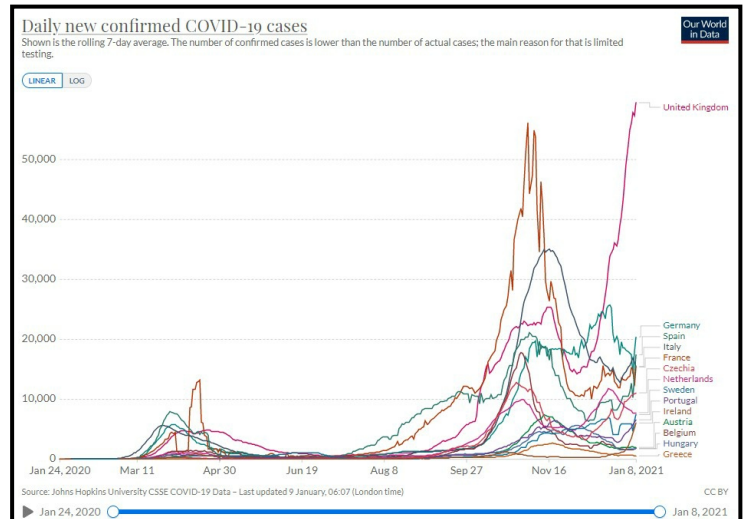
The unions' work is far from over

ANY CELEBRATIONS OVER THE U-TURN have sadly only been short-lived! It soon became clear that schools aren't really 'closed' at all.

Everyone is working under highly stressful conditions. Workload is rising. The threat of Ofsted monitoring is being raised again. Too many schools are making unreasonable expectations, particularly over online learning. Some have told staff they have to attend work every day, even though the lockdown regulations say that "everybody should work from home where possible".

Support staff have been under particular pressure. They should be included on rotas to support learning from home too.

Above all, too many classrooms remain



dangerously full. The definition of 'critical workers' has been applied far too widely. Nursery classes have been told they must remain fully open. Special schools have also been under pressure to accept every pupil.

Keeping schools open to such high numbers has nothing to do with keeping children safe. Instead, it means packed classrooms will continue to spread the new variant.

It is putting more lives in danger and more pressure on an overwhelmed NHS. We have to insist that numbers in classrooms are cut back.

We recognise the pressure on our school communities. Children need more resources at home and parents/carers should be eligible for full pay when they have to stay at home to provide childcare. But we can't let government failures be used to browbeat us into accepting unsafe working conditions.

Look at the data. The UK situation is stark. Unless we remain firm, infections and deaths will continue to rise. That is of no help to anyone.

See over: *What do we need to do now?*

Read more and get in touch via our website www.spined.co.uk

What we need to do now

1. Don't compromise on school safety - we have to stop the spread of Covid

THE NEU AND OTHER UNIONS urgently need to agree a set of minimum conditions for school safety.

The points agreed by an emergency meeting of the NEU's National Health & Safety CV-19 Group on 6th January are a good starting point. They include:

- **Minimum 2 metre** social distancing in classrooms to sufficiently reduce pupil numbers.
- While specific maximum numbers will depend on the size and type of rooms & workplaces. However, during the Spring 2020 lockdown **a maximum 10% of normal pupils/staff capacity** was recommended. The new variant is significantly MORE transmissible.
- Where lateral flow testing centres are set up, **negative results should not change any existing isolation measures** since they may be false negatives.
- **CEV and CV members and pregnant staff** should work from home as well as those living with CEV family members.
- **Rooms must be well ventilated** with extra heaters provided if necessary.
- Every staff member should be allowed to deliver remote learning from home and **numbers in school should be kept to absolute minimum.**
- All staff **work should be workload impact risk assessed** and staff workload overall managed appropriately.

2. Get 'ballot-ready' for action to defend health, safety, welfare and workload

NEU BRANCH OFFICERS HAVE BEEN ADVISED that, if workplaces are unsafe, then Section 44 still applies.

- If your workplace is unsafe, urgently seek advice on the wording of a letter to submit to **assert your rights to a safe workplace.**
- Union groups should also **request urgent school or employer-wide ballots** for strike and non-strike action over safety and workload. Branch Officers have been assured that these will be organised on as rapid a timescale as possible - although Government laws mean that the ballot process will still take over a month.
- **Urgently request membership lists and check members' home addresses** to be as 'ballot-ready' as possible. This is vital to make sure turnout is maximised.
- **Cover to meet emergency needs** during strike action should be agreed in each case.

Socialist Party in Education also proposes:

3. Declare a national dispute with the Government - and build a national ballot

THE NEW YEAR U-TURN WAS WON because we acted together across the Union as a whole.

The problems we still face remain ones that, above all, the Government needs to resolve. That's why we think the Union should:

- **Demand the government negotiates a National Covid Conditions Agreement** that protects safety and workload for all staff.
- If the Government refuses to negotiate an acceptable agreement, unions should **declare a national dispute and build an urgent national ballot for action.**