



DRAFT

TEMPLATE LETTER FOR SCHOOL REPRESENTATIVES TO GIVE TO HEADTEACHERS – JOINT UNION

Dear (*Headteacher)

Now that the school is to move to academy status, I am writing to you to seek confirmation of your proposals regarding staffing matters after conversion to an academy.

You will know that as a result of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), changes cannot be made to the contractual terms and conditions of staff as a result of the conversion of the school to academy status. The same Regulations also provide that union recognition and other contractual collective agreements transfer to a new employer in the same way.

Whilst the Regulations protect terms and conditions for existing staff, we are sure that the governing body will wish to ensure that new colleagues joining the school will be employed on the same terms. This would avoid all the dangers and complications associated with the development of a two-tier structure.

As an academy, the school will now be operating in a different legal framework, with a changed relationship with the local authority and other local schools. In view of this, it will be necessary for the governing body to take some formal steps to ensure that existing arrangements are preserved as required by TUPE. As well as guaranteeing the preservation of staff contractual terms, it will be necessary to adopt a revised agreement to allow for negotiation and consultation to continue in the same way. As you know, this currently includes facilities arrangements, including paid time off for local representatives to undertake their role.

We propose that the governing body take the following formal steps:

- formally agree that all new joiners will be employed on the relevant terms and conditions for their post, as apply to those transferring employment on conversion;
- formally agree that links to contractual terms that are fixed externally are maintained so that the terms offered by the academy do not fall behind those offered elsewhere;
- adopt the TUC model recognition agreement, which is attached, and agree to contribute to the cost of arrangements from the Local Authority Central Spend Equivalent Grant (LACSEG) provision.

Please confirm that you will recommend these matters to the new governing body in order that these arrangements can be formally confirmed for the future.

I would be happy to meet with you to discuss this if you wish.

Yours

School Representative
(*union name)

Mary Bousted
ATL General Secretary

Paul Kenny
GMB General Secretary

Chris Keates
NASUWT General Secretary

Christine Blower
NUT General Secretary

Dave Prentis
UNISON General Secretary

Derek Simpson/Tony Woodley
Unite General Secretaries