Scottish Government
Riaghaltas na h-Alba
gov.scot

F/T: 0300 244 4000
E: dfmcse@gov.scot

John Boyle
General Secretary
INTO (Irish National Teachers' Organisation)
By email

8 May 2020

Dear John

Thank you for your letter on behalf of the British and Irish Group of Teacher Unions (BIGTU) in which you set out your organisations' concerns in relation to the re-opening of schools.

Whilst the Scottish Government is clear that we don't want restrictions to be in place any longer than they need to be, the decision on when and how to re-open schools will not be taken lightly. As you outline in your letter, there are many complexities to consider including, but by no means limited to, the education workforce, staff and pupil wellbeing and the practicalities around physical distancing. The Scottish Government also recognises that any decisions made around schools re-opening must not be considered in isolation given the impact those decisions will have on families, working parents and wider society.

I have set up the C-19 Education Recovery Group which includes teachers, local authorities, parents and others to consider all practical options and provide advice. The first main task for the group is to model what a phased approach to school re-opening will look like. The ERG has been asked to consider the 'what 'and 'how 'of phased re-opening, but not the 'when 'as this will be a Ministerial decision guided by the evidence on progress in suppressing the virus. Ten work streams have been established with partners (reporting to the ERG) to consider the wide range of policy, practical and operational issues related to reopening schools.

Any decisions made regarding schools will be guided by the science, and will align with the Scottish Government's Coronavirus (COVID-19) framework for decision making. We will not re-open schools until the science indicates that it is safe to do so. The single most important measure to help us understand how fast the virus is spreading and the degree to which it is under control is the R number. To contain the virus we must keep the R number below 1. The method of "test, trace, isolate, support" will be most effective when levels of infection are low. We will be guided by this principle when considering when it is safe to re-open schools.

INVESTORS IN PEOPLE | Accredited Until 2020   disability confident LEADER

The Coronavirus (COVID-19) framework for decision making, sets out the challenges Scotland faces and outlines the approach and principles that will guide us as we make decisions about transitioning out of the current lockdown arrangements. New guidance has also been published to support the home learning of children and young people during the current term. As we begin to consider the transition back to school-based learning - in whatever form that takes – the Scottish Government and Education Scotland will continue to work constructively with local authorities and all partners to continuously monitor and review the support in place, and ensure that children and young people's wellbeing and learning is prioritised in these challenging times.

The financial sustainability of tertiary education and research in the wake of COVID-19 is an issue which is not specific to Scotland or indeed the UK, and like countries across the globe we are working hard to address both the immediate and longer term issues. This is being progressed as a priority and we are working with the Scottish Funding Council to build as full an understanding as possible of the scale of the risk facing the further and higher education sector.

On the 4th May, the UK Government announced its package of support for the university sector in response to the crisis. The support package focuses on stabilising admissions for universities in England. Overall it is disappointing and falls far short of recognising the full scale of the challenge facing universities in Scotland. Scottish Ministers have written to the UK Minister for State for Universities, Michelle Donelan MP, calling on the UK Government to recognise the scale of the impact of Covid-19 on our universities and their critical role in supporting our economic recovery, and to work with us and the other devolved administrations on a further package of support across the UK. Ministers have also called for HM Treasury to ensure appropriate fiscal support is made available.

We will continue to encourage our colleges and universities to make appropriate decisions in relation to their operations, while prioritising the health of staff, students and the wider public. Central to our Fair Work approach is the expectation that employers should work to ensure workers are treated fairly and that concerns from employees are taken seriously. However, I should point out that the bulk of employment law is reserved to Westminster and therefore not something Scottish Ministers can change. We have asked the Scottish Funding Council to ensure those Fair Work principles are shared with both colleges and universities, urging them – as employers in their own right – to apply these principles across their institutions.

On 7 April, Support Staff Trade Unions raised a National Collective Dispute relating to Annual Leave. Prior to the commencement of the third dispute meeting scheduled to take place on Monday 4 May, agreement was reached by all parties on a form of words to end the dispute. It was agreed the wording would be issued in the form of a Joint Circular. It has also been agreed that the Terms and Conditions Working Group will be scheduled to meet in reasonable order as part of the normal work programme of the National Joint Negotiating Committee which includes other agreed working groups.

Casual and contract staff provide vital services to the operation of the universities and colleges but now are faced with the potential loss of teaching hours, non-renewal of contracts and limited access to IT services. We note that BIGTU Unions will oppose any redundancies or reduction of hours for precarious workers and insist on negotiations around any proposed changes to staffing levels. We expect all obligations in terms of entitlements to permanent employment contracts to be honoured in full.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
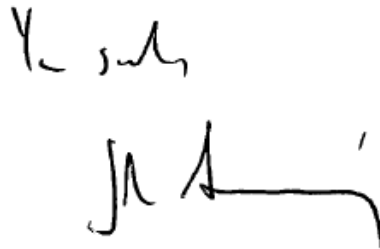www.gov.scot

INVESTORS IN PEOPLE | Accredited Until 2020   disability confident LEADER

DfE published the details of its Coronavirus Job Retention Scheme (ie for the furloughing of staff) on 17 April. The Scottish Funding Council has since supplemented this with further guidance. We encourage institutions to consider whether an application to the CJRS is appropriate for them. However, the decision on whether or not to do so is solely for them to take. The CJRS is a UK Government scheme. The Scottish Government cannot interpret the scheme for institutions, nor instruct them on which posts should be included, or whether to make an application.

The Minister for Further Education, Higher Education and Science has established a Covid-19 Ministerial Leadership Group to provide collective leadership to the FE and HE sectors' responses, highlight and communicate action underway, agree and progress priority areas, and discuss longer-term impacts and recovery planning. This group is comprised of representatives from Scottish Government, its agencies, sector representatives from community learning, colleges, universities and, of course, unions. The Group provides a forum for a collective view to be taken on both challenges and solutions, and allows us to take a collaborative approach to planning for the future of tertiary education in Scotland following this crisis.

I do not underestimate the significant impact that the current restrictions are placing on your members, and I am incredibly grateful for the ongoing commitment that you and your colleagues are showing towards supporting the children and young people of Scotland and the rest of the UK and Ireland.

Yrs sdy

JOHN SWINNEY

INVESTORS IN PEOPLE | Accredited Until 2020

disability confident LEADER