

NASUWT

The Teachers' Union

Hillscourt Education Centre
Rose Hill
Rednal
Birmingham
B45 8RS

General Secretary
Dr Patrick Roach

02/001598

STATUTORY NOTICE

South York Multi Academy Trust
Fulford School
Fulfordgate
York
YO10 4FY



Telephone: 0121 453 6150 Facsimile: 0121 457 6208

E-mail: nasuwt@mail.nasuwt.org.uk Website: www.nasuwt.org.uk

Dear Sir or Madam

TRADE UNION AND LABOUR RELATIONS (CONSOLIDATION) ACT 1992: NOTICE TO EMPLOYER OF AN OFFICIAL INDUSTRIAL ACTION BALLOT

The NASUWT is balloting its members in England in furtherance of the Union's trade dispute with you over teachers' pay.

The NASUWT intends to hold a ballot for industrial action. We reasonably believe that ballot papers will be despatched on 27 October 2022.

The ballot is in relation to a trade dispute over the NASUWT's demand of a pay award of 12% for its members.

The NASUWT is, or is treated as being, in dispute with the Government and all employers whose members are being balloted, in relation to pay, which is fundamental to members' terms and conditions.

The failure to resolve this pay dispute and, where necessary, provide funding to schools and colleges in order to deliver in full the required increase to teachers' pay, has serious consequences in terms of recruitment and retention of teachers and therefore the provision of proper education to children and young people.

For the avoidance of any confusion, by virtue of section 244(2) of the Trade Union & Labour Relations (Consolidation) Act, a dispute between a Minister of the Crown and any workers shall, notwithstanding that the Minister is not the employer of those workers concerned, be treated as a dispute between workers and their employer if the dispute relates to matters which cannot be settled without the Minister of the Crown exercising a power conferred on him by or under an enactment.

We intend to send ballot papers to all members employed by your organisation in the categories listed below. Lists of categories to which affected employees belong, numbers in each category, the workplaces of affected employees and the numbers of each workplace (and the total number of employees concerned) are set out below.

The list and figures shown below have been arrived at by retrieving information from our membership database as to the number of members in each category and the number of members in each workplace.

We have asked our members to check that their membership data is accurate and we have updated our membership database to reflect information provided by members. If there are any inaccuracies, these will have been caused by factors outside of our control, such as members not informing the Union of changes in their circumstances, despite repeated requests to do so.

An Independent Scrutineer has been appointed:

Civica Election Services
33 Clarendon Road
London
N8 0NW

I enclose a sample copy of the ballot paper.

The ballot will open on **Thursday, 27 October 2022** and close on **Monday, 9 January 2023**.

Any communication regarding this notice should be addressed to me.

It is the responsibility of South York Multi Academy Trust as the employer, to notify individual workplaces within your Trust of the proposed ballot.

The information contained in this notice has been provided solely for the purpose of compliance with section 226A of the Trade Union and Labour relations (Consolidation) Act 1992. You should not use it for any other purpose, and it should not be retained by you for any longer than necessary.

Yours faithfully



Dr Patrick Roach
General Secretary

Enc Sample ballot paper

Job Category	Number of Members
Teachers	59

Supply teachers	2
Support staff	1
Centrally attached	0
TOTAL	62

Workplaces	Number of members
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Archbishop Of York C Of E Junior School	4
Bishopthorpe Infants School	2
Dunnington C Of E Primary School	2
Escrick C Of E Primary School	6
Fulford School	46
Wheldrake With Thorganby Ce School	2

Total	62
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NASUWT
The Teachers' Union
OFFICIAL BALLOT PAPER – 2022

Trade dispute over the failure to agree the NASUWT's demand for a pay award of 12% for all members employed in schools and sixth form colleges in England.

The Secretary of State for Education and employers have not accepted the Union's demand.

Therefore, NASUWT is, or is treated as being, in dispute with the Government and all employers whose members are being balloted, in relation to pay, which is fundamental to members' terms and conditions.

The failure of the Government and employers to resolve this pay dispute and, where necessary, provide funding to schools and colleges in order to deliver in full the required increase to teachers' pay, has serious consequences in terms of recruitment and retention of teachers and therefore the provision of proper education to children and young people.

Type(s) of industrial action proposed:

Strike action during term time from January 2023 to July 2023 (and during August to October 2023 if agreement is reached to extend the life of the ballot to 9 months).

Action short of strike action during term time from January 2023 to July 2023 (and during August to October 2023 if agreement is reached to extend the life of the ballot to 9 months) - 'working to rule and refusal to carry out specific duties'.

“Are you prepared to take part in strike action in furtherance of this dispute?”

YES

NO

(Indicate your vote by placing an (x) in one box above.)

“Are you prepared to take part in industrial action short of strike action in furtherance of this dispute?”

YES

NO

(Indicate your vote by placing an (x) in one box above.)

Please return this ballot paper in the reply-paid envelope provided to Civica Election Services, 33 Clarendon Road, London N8 0NW, to reach there by no later than first post on Monday, 9 January 2023.

In the event of a vote in favour of industrial action, the General Secretary of the NASUWT, Dr Patrick Roach, is authorised for the purposes of Section 233 of

the Trade Union and Labour Relations (Consolidation) Act 1992 to call upon members to take part or continue to take part in industrial action.

The Union is required by law to make the following statement to you:

'If you take part in a strike or other industrial action, you may be in breach of your contract of employment. However, if you are dismissed for taking part in strike or other industrial action which is called officially and is otherwise lawful, the dismissal will be unfair if it takes place fewer than twelve weeks after you started taking part in the action, and depending on the circumstances may be unfair if it takes place later.'

SAMPLE

