



# Executive Report

6–9 April 2020

Bournemouth

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## **Section A**

### **Executive Report to Annual Conference 2020**

#### **Introduction**

In our first full year as the National Education Union, we have firmly established our voice and presence as the largest education union in Europe and the fourth largest TUC affiliate. We congratulate and pay tribute to all our local officers who have done much to establish effective and active local democratic districts and branches. We realise that this process has not been without its challenges and we thank you for all you do to support our representatives and members.

Section A of our report to conference sets out a summary of the work of the executive and its committees, with particular reference to the implementation of 2019 conference decisions, as well as our campaigning and international work. Section B sets out a series of proposed rule changes to implement conference decisions and several omissions which required revision.

The Union had a high profile in the media and arranged many successful conferences and events, reports of which appear in these pages. Casework support was provided by our staff in regional and Wales offices for members facing a wide range of issues and problems at work. The staff of the Union has worked hard to deliver services, develop and disseminate policy, represent the Union on myriad outside bodies and develop member support.

The Union's campaign activities focussed on pay, assessment and workload throughout the year, culminating in the General Election campaign. The focus running up to the election was: member-facing work, leading on the issues of school funding, child poverty and professional issues in England and on child poverty in Wales; public-facing work focused on Stop School Cuts; and engagement with prospective parliamentary candidates on school funding, child poverty and professional issues. Our thanks to all our activists with their contributions to the well-supported Super Saturdays during the election campaign.

In order to face the many challenges our members face, we will build on the secure foundations already in place to shape the future of education together.

Mary Bousted and Kevin Courtney  
Joint general secretaries

#### **1. Executive and Officer Steering Group Committees**

- (i) There were eight meetings of both the executive and the officer steering group (OSG) during 2019. The remit of the OSG is:
  - a. approve the agenda for the executive meetings
  - b. allocate items of work to the relevant executive strategic committees and other executive committees and groups
  - c. to take decisions on urgent issues requiring decision before the next scheduled executive meeting
  - d. decisions of the officer steering group shall be reported to the next meeting of executive for approval or for endorsement.

- (ii) The OSG and strategy committees, in all aspects of their work, take account of the implications and impact of union policy on race, sex, LGBT+ and disability equality together with leadership, post-16, independent school and support staff sections.
- (iii) The following matters were referred to the executive by the OSG for agreement during 2019:
  - a. composition of international delegations
  - b. constitution of executive committees, organising forums and national councils
  - c. Cymru conference timetable and venue
  - d. member insurance benefits
  - e. motions to Education International World Congress
  - f. motions from district meetings
  - g. motions to TUC
  - h. efficient working of the executive and proposed rule change
  - i. the NEU/NAHT joint agreement
  - j. protocol for national/sectoral industrial action.

## **2. Strategy: Bargaining and Negotiation Committee**

- (i) The principal work of the bargaining and negotiation committee in its first year of existence was the development of a bargaining strategy for the NEU. The strategy's purpose is to help take forward the NEU's commitment to undertake and support bargaining at all levels, in order to secure better terms and conditions, build NEU capacity and increase NEU influence at the workplace and more widely.
- (ii) The key aims of the strategy, published in December, are to secure bargaining arrangements through trade union recognition and functioning bargaining activity at all levels and in every sector; to tackle and reduce fragmentation in bargaining; to make bargaining meaningful and relevant for members by ensuring their involvement at all stages of the process; and to support NEU negotiators at all levels. It establishes the central importance of NEU negotiators engaging closely with those they represent, in order to identify and represent their concerns, build democratic, participatory structures at the workplace and elsewhere, and thereby help build capacity for members and workplace reps to be able to negotiate for themselves.
- (iii) Subsequently, in December, the committee discussed outline proposals for an NEU 'bargaining database', providing key information on bargaining and employment matters relating to individual employers. Work is now progressing on the database.
- (iv) The committee's remit for oversight of pay matters required it to discuss and agree the NEU's response to the Government's pay announcement for school teachers for September 2019 and also the NEU's position in respect of its submission to the School Teachers Review Body regarding pay for September 2020.
- (v) The committee helped formulate the NEU's programme of activity to support local officers, workplace reps and members in securing the implementation of the recommended pay increase of 2.75 per cent from September 2019 in all schools and academies and for all members. This included a mass communications exercise which garnered an outstanding response from members, leading to the greatest single day's activity on the NEU website throughout the whole of the year. It also included the agreement once more of joint advice on recommended pay scales for all schools and academies published by the NEU, Association of School and College Leaders (ASCL) and the school leaders' union, NAHT.

- (vi) Later in the year, the committee approved the NEU's submission to the School Teachers Review Body, seeking an immediate and fully-funded increase of seven per cent for all teachers followed by further action to restore pay to its 2010 real terms levels and maintain pay at professional and competitive levels for the long term. The union submission also focused on the Secretary of State's declared intention to address matters of pay structure in his own submission: the NEU set out its policy on pay structure including the restoration of a mandatory pay scale system with prescribed pay points, the removal of performance-related pay from teaching and other points of union policy.
- (vii) The first year of the Independent pay review body in Wales saw it recommend increases for teachers generally below those being implemented in England, leading to the Education Secretary's decision to disregard those recommendations and implement increases exactly in line with those in England.
- (viii) The committee's remit also required it to be closely involved in monitoring the national negotiations in the sixth form colleges sector. In April, the committee agreed that agreement should reluctantly be concluded on a backdated 2018 pay increase for sixth form college teachers below that for school teachers, but that preparations should be made for a vigorous campaign on the 2019 pay increase and the funding for it. This was followed by decisions to refuse to reach agreement on an inadequate 1.5 per cent pay offer for 2019, and to initiate a dispute with the Secretary of State which resulted in strike action through the autumn term by NEU teacher and support staff members in 34 sixth form colleges. The committee also monitored the progress of negotiations in the further education sector in England, where the national negotiating body was unable to reach a national agreement on an appropriate pay increase for college staff for either 2018 or 2019, and in Wales where agreements were reached mirroring the increase for school teachers.
- (ix) On matters of health and safety in schools, the committee considered and endorsed an NEU mental health charter, designed as an organising tool to develop and secure appropriate responses to the mental health crisis facing teachers and support staff, and a position statement in relation to 'mental health first aid' in particular.
- (x) Throughout the year, the position in respect of the Teachers and Local Government Pension Schemes were kept under review, and in particular in relation to the quadrennial valuation of the TPS and to litigation in relation to the judges' and firefighters' pension schemes. The TPS valuation was followed by negotiations which secured agreement on an improved accrual rate for scheme members, despite the increase in the employer contribution rate required by the Treasury's decision to impose changes in the valuation methodology. The improvement in the valuation rate (but not the increase in employer contributions) was subsequently put on hold by Government following the Appeal Court decision in the litigation in question, which stated that protection arrangements in those schemes constituted unlawful age discrimination in favour of those protected. The Government announced that it would apply the outcome of this litigation to all public sector schemes. The exact implications of this for the TPS and LGPS were not known at the close of the year but were expected to be better understood in the spring of 2020.
- (xi) The Union continued its work in relation to supply teacher employment, securing a manifesto commitment from the Labour Party that a national register system would form part of a national education service. The Union also engaged closely with the Wales Government on its own new framework for supply teacher provision. (See Section 9)

- (xii) Other matters considered by the committee during the year included the steps being taken towards the implementation of 2019 NEU annual conference resolutions relevant to the committee's remit; TUC and Labour Party proposals on the restoration and extension of sectoral collective bargaining machinery, with the committee resolving that the education sector should be a priority area for such machinery; and the results and use of NEU surveys on pay and pay progression in schools and academies, and on pay and conditions in free schools.

### **3. Sectors' Report**

(i) **Support staff sector**

The NEU's support staff membership continued to grow throughout 2019, reaching 30,000 members for the first time before the end of the year. The NEU support staff national council met for the first time in October 2019, bringing together regionally-elected members representing a range of functions and backgrounds. It began its work to network members in the sector in order to promote their interests within the union and develop their involvement both locally and nationally. The union launched a training module for local officers and lay reps on support staff issues, intended to provide them with the information and training needed to help them represent support staff members most effectively. The NEU's annual support staff conference was held in November 2019 and discussed a programme of activity for the NEU allowing it to represent support staff more effectively and provide them with a voice within their union.

(ii) **Post-16 sector**

The NEU's post-16 sector comprises members in general further education and sixth form colleges as well as a range of other functions such as adult education. The year was dominated by the national dispute and strike action by members in sixth form colleges, seeking to persuade the Secretary of State to take action on 16-19 funding which would help secure improvements in pay, conditions and employment but also secure the future of colleges. The problems of lack of funding meant that no national pay agreement was concluded in either the FE or the sixth form colleges sector in England for 2019. Locally the Union worked to support members across the whole post-16 sector who faced problems on pay and employment arising from under-funding and pressure towards further college mergers. The NEU post-16 sector national council also met for the first time in October 2019, bringing together regional representatives drawn from all parts of the sector. The NEU post-16 conference was held in November 2019, with the annual NEU post-16 reps' briefing course being held earlier in the year from 4-6 June.

(iii) **Independent sector**

NEU members across the independent schools' sector faced a common threat to their pensions in 2019, as many schools proposed withdrawal from the Teachers' Pension Scheme following an increase in employer contributions. The NEU actively supported members in opposing these threats; this included taking strike action in some schools, ensuring that many schools removed their threat to withdraw. The issue was a major item of discussion at the NEU independent sector annual conference held in November 2019. The year also saw a range of successes in securing new recognition agreements, supporting collective bargaining at school level and developing networks for independent sector members in various parts of the country, with the latter itself supported by the establishment of the NEU independent sector national council which met for the first time and began its work in October 2019.

**(iv) NEU leadership**

NEU leadership is the grouping of NEU members in senior leadership roles in schools, academies and colleges. The NEU's commitment to leadership members seeks to provide a voice within but also, importantly, beyond the NEU on matters of school leadership and organisation, and on wider matters such as social justice. Throughout the year, NEU leadership members contributed significantly in areas such as the hugely successful School Cuts campaign and work in relation to the new Ofsted inspection framework. The NEU national council for leadership members, comprising regionally-elected representatives drawn from schools, academies and colleges and from a range of leadership roles, came into being in autumn 2019, providing a focus for the establishment of effective leadership networks within the NEU. Initial areas of discussion included steps toward the adoption of an NEU model for ethical leadership, drawing on the work of the legacy unions, and the broader nature of the NEU offer to leadership members. The annual NEU leadership conference was held in September 2019.

#### **4. Strategy: General Purposes Committee**

The remit of the NEU strategy: general purposes committee is to provide oversight, to scrutinise the development and to review the effective implementation of the strategic plan, budget and human resource strategy. Budgetary and financial reporting includes oversight of the NEU property portfolio and IT strategy.

The general purposes committee met eight times in 2019. The chair is Jerry Glazier and the vice-chair is Phillipa Kearns.

**(i) Financial matters**

- a. It has been a complex period in terms of oversight of all financial matters. In 2019, NEU conference voted to change the financial year. Having completed and presented the first set of NEU accounts for the 16-month period to 31 December 2018, the NEU had an eight-month financial period, 1 January 2019 to 31 August 2019. Those financial accounts will be presented to conference 2020.
- b. The GPC oversaw the first 12-month budget setting process based on the new financial year, aligned to the membership and academic year, 1 September 2019 to 31 August 2020, and has received regular monitoring reports.
- c. The GPC oversees all tenders over £100,000 in value in line with the NEU's procurement policy, which is a key component of delivering value for money to members.
- d. The NEU investment committee has been established and met twice to review NEU's investments and future investment strategy.
- e. The GPC approved the NEU treasurers' handbook and cashbook and local financial regulations.
- f. The expenses regulations for staff, executive members and local officers were approved in line with HMRC regulations.
- g. The GPC approved increases in subsistence allowances of two per cent with effect from 1 January 2020, in line with the increase in member subscriptions.

Breakfast	£7.75
Lunch	£10.90
Dinner	£30.60

**(ii) Sustentation fund**

- a. During the financial period 1 January 2019 to 31 August 2019 the sustentation fund has paid a total of £302,219 in payments to NEU members on strike, which is just under one per cent of national subscription income for the same period.

- b. NEU executive has agreed that one per cent of subscription income will be paid annually into the sustentation fund from 1 September 2019 onwards.
  - c. It is crucial to the maintenance and improvement of members' working conditions that they are supported in taking collective action, including strike action, without suffering financial hardship.
- (iii) International fund**
- a. NEU executive has agreed that in the 2019/20 budget £339,472 will be paid into the international fund.
  - b. It has further agreed that the long-term ambition is to pay one per cent of subscription income annually into the international fund.
- (iv) HR strategy**
- a. The NEU employs 550 staff across England, Wales and Northern Ireland. The GPC has responsibility for the human resources strategy and receives six monthly reports on HR key strategic indicators including staffing levels, diversity profile of the workforce, employee wellbeing and formal casework activity.
  - b. Employer representatives meet monthly with GMB and Unite Union representatives at the NEU joint negotiating and consultation committee. A considerable amount of work has been undertaken to negotiate the NEU employment policies and procedures with the recognised staff unions. The general purposes committee has ratified these.
  - c. The Union ran a comprehensive staff training and development programme in 2019 with 530 employees attending group activities multiple times, 62 employees attending individual training multiple times and 31 employees supported by individual coaching.
  - d. The HR department has completed the recruitment to the NEU staffing structure and managed the recruitment to 181 vacancies (87 filled internally, 86 filled externally after unsuccessful internal recruitment, and eight withdrawn roles) across all head office departments, regions and Wales.
  - e. In April 2019, the Union published its mean average gender pay gap of 12.8 per cent, showing the difference in earnings at April 2018. An equalities working group has been established which has drawn up a gender pay gap action plan including changes to recruitment practices and the introduction of a mentoring scheme.
- (v) Staff pension schemes**
- a. The NEU is the principal employer of the NUT staff superannuation fund and the ATL pension scheme. The NEU executive has agreed that NEU should have a common benefit vehicle for the provision of pensions to all its employees. The executive has begun consultation with staff unions and the trustees of the two pension schemes about the merging of the two schemes and the provision of future benefits based on a career average scheme.
- (vi) Property strategy**
- Hamilton House refurbishment**
- a. The executive approved the appointment of Concept 4 Ltd as the principal designer and contractor to manage and implement the refurbishment of the ground, first and second floors of Hamilton House. The GPC receives regular detailed monitoring reports of this major £3.5 million capital project which is due to complete in October 2020.
  - b. The Hamilton House meeting rooms continue to generate valuable income for the Union.

**(vii) Regional offices**

- a. The new NEU East Midlands office has been purchased on the outskirts of Nottingham, in Phoenix Business Park.
- b. The Union sold properties in Market Harborough and Bolton, and the North West regional office has been relocated to more suitable leased premises.

**(viii) Health and safety**

- a. A full set of risk assessments have been carried out in all NEU offices. The Health and Safety Executive was notified of the Hamilton House works with the required F10 HSE form.

**(ix) IT strategy**

- a. The GPC approved the NEU IT strategy 2019-22 which sets out the strategic priorities of the IT department over this period. The creation of the NEU requires a new set of processes, services and solutions to support its new ways of working. Throughout the strategy, there is a focus on best practice implementation and standardisation in the choice and configuration of infrastructure and systems.

**(x) TUC matters**

- a. The committee agreed the composition of the delegations to TUC Congress and the four equality conferences (women's, Black, LGBT+ and disabled workers') ensuring a balance of executive and lay activist representation.
- b. The Union's delegation to TUC Congress (8-12 September 2019) in Brighton comprised local activists, executive members and the national officers led by the national president, Amanda Martin.
- c. Our delegates made excellent contributions to debates with speakers including the joint general secretaries (on Brexit and sectoral collective bargaining), Amanda Martin (on poverty and privatisation damaging children's education), Sally Kincaid (on climate crisis), Gawain Little (new deal for workers), Venda Premkumar (ILO convention on workplace sexual harassment), Jerry Glazier (curriculum narrowing), Sheena Wheatley (trade union collectivism in the curriculum), Louise Atkinson (pupil behaviour and mental health), Kim Knappett (resourcing SEND pupils), Julia Neal (relationships education), Robin Head (small schools), Karen Williams (public service pensions), Phillipa Harvey (Cuba) and Louise Regan (Palestine). Our members on the respective TUC committees spoke on LGBT+ motion (Julia Neal), disabled workers (Colleen Johnson) and the women's committee (Heather McKenzie). The Union's representative on the TUC young workers' committee, Thom Kirkwood, spoke on young workers and apprenticeships. Other members of the delegation put their names forward to speak but were not called due to pressure of time.
- d. The Union was very proud to see Jenny Cooper (Brent district secretary) receive the TUC national safety reps' award for her unstinting work in particular, but not exclusively, on the asbestos campaign on behalf of Brent members and the wider union movement.
- e. We were pleased to welcome the Labour Party's Angela Rayner and John McDonnell to our fringe event on the funding crisis, jointly held with the NAHT whose general secretary, Paul Whiteman, was also on the panel.
- f. And finally, Kevin gave a very moving speech of thanks to the TUC president, Mark Serwotka. Our thanks to all involved in the delegation.

**(xi) National elections**

- a. The committee has oversight of the administration of national elections and agreed the timetable for the officers' elections (for vice-presidents from 2020-24



and the treasurer and membership and equalities officers from 2020-22). The committee also agreed guidance on election arrangements which was circulated to local officers.

**(xii) Rules revision**

a. The Rule Book was updated to implement the rule changes agreed at conference 2019 (via the joint executive council report and individual motions passed). There are also a number of 'tidying up' revisions which were required, such as the addition of appendices listing the districts and the model branch rules, which the executive could action under rule 21.3 (factual amendments). There is a third category of proposed amendments which constitute rule changes to be agreed by conference and can be found in section B of this report. This category includes change proposed at conference 2019 to allow for the role sharing of executive seats, when requested to meet the requirements under the Equality Act.

**(xiii) NEU gift register**

a. A gift register has been established to record any gifts given to Union staff. This is available on request from the office of the joint general secretaries.

**(xiv) Annual conference**

a. The general purposes committee conducted a full review of conference 2019 and, as a result, recommended changes to the conference standing orders. GPC also reviewed arrangements for continuing professional development (CPD) and breakout sessions at conference 2020.

b. The following dates and venues have been agreed for future NEU conferences with multi-year deals to secure favourable rates:

2021 Manchester	Wednesday – Saturday, 7-10 April
2022 Bournemouth	Monday – Thursday, 11-14 April
2023 Harrogate	Monday – Thursday, 3-6 April
2024 Bournemouth	Wednesday – Saturday, 3-6 April
2025 Harrogate	Monday – Thursday, 14-17 April

**(xv) Conference committee**

a. The conference committee met in December 2019 to consider motions submitted by districts, sector and equality conferences, and the executive. The committee composited some motions in consultation with districts and approved the motions booklet for circulation in early January 2020 to allow districts to take part in the prioritisation process for motions to appear in the conference agenda.

## **5. Strategy: Member Defence Committee**

(i) The strategy: member defence committee provides oversight and scrutiny of the development and effective implementation of the Union's strategies for the defence and support of our members, lay representatives and caseworkers. Its work includes in particular the following:

- a. Monitor trends in member casework, identifying and organising policy issues to refer to the executive committee or other strategy committees.
- b. Identify equalities issues arising from the monitoring of trends in member casework.
- c. Consider reports on casework advice levels and trends, comparing activity across regions and nations.
- d. Advise local representatives on best practice in delivering casework support.

- e. Advise local representatives on best practice health and safety issues at local level.
- f. Oversight of the Union's advice and legal services to its members carried out by Adviceline, by the Union's in-house legal provision and by external legal providers approved by the Union. This includes the consideration of appeals against refusal of legal assistance carried out by the strategy: member defence sub-committee whose report is below.
- g. Considering exclusions from the Union of members who have been convicted of criminal offences or consented to cautions. This work is carried out by the professional conduct (criminal convictions) committee whose report is below.

**(ii) Key activities of the committee**

- a. The committee has overseen and addressed challenges to the Adviceline service arising out of the amalgamation process, particularly towards the end of 2018 and the spring of 2019. These led to concerns about delays in answering telephone calls and in the settlement agreement service. Steps to deal with this included implementation of an integrated telephone system for the Doncaster and London Adviceline offices. The membership credentials now contain contact details for branch secretaries, information which is also displayed on the Union website. Adviceline staff have identified most common queries and the Union's advice on its website has been improved to encourage better use of the website in place of calls to Adviceline where appropriate. Improvements in the settlement agreement service have included better use of office electronic arrangements, with advisers working with branch secretaries and caseworkers in particular geographical areas benefitting from local knowledge and the identification of trends.
- b. The committee has considered and contributed to improvements to union guidance on the best distribution of casework between staff and lay representatives and the best support for caseworkers. A new casework system, presently in development, will considerably improve our casework data so that we can identify and respond to trends.
- c. The committee established a working group to consider the disciplinary procedures of the Union. The working group will be carrying out a more wide-ranging review of disciplinary procedure arrangements with a view to reporting to the executive and annual conference 2021.
- d. Executive members have identified instances of alleged sexual harassment at union events as an area of concern. Work has been undertaken to develop a behaviour statement with supporting guidance to ensure the Union has robust systems to tackle such conduct in line with its code of conduct. This work is being undertaken jointly with the strategy: Union strength committee.
- e. The committee has overseen new legal assistance procedures for the Union. They set out the arrangements for application and assessment and the right to appeal against refusal or withdrawal of legal assistance.

**(iii) Annual conference resolution implementation**

- a. The committee has had oversight of two resolutions from annual conference 2019: tackling workload and disability discrimination.
- b. In relation to tackling workload, the committee examined the number and distribution of cases that include elements of workload and bullying, and on those where the Working Time Regulations have been argued. The Union continues to explore the possibilities of appropriate test cases, and other trade unions have been approached to explore the possibility of joint legal action. This work is part of the wider strategy on workload covered elsewhere in this report. Regional meetings to discuss the Union's legal strategy on workload and bullying cases are being set up to facilitate discussion between union legal staff, caseworkers and members.

- c. In relation to disability discrimination, the committee has worked to ensure that key, helpful information and practical case studies that focused on disabled members were drawn together to empower them. A summary leaflet was created to profile the organising of disabled members, which recognises the barriers and discrimination they face and encourages members to identify them to the Union. In addition, a toolkit-style document with a local organising focus for lay representatives and local officers will be produced in spring 2020.

**(iv) Strategy: member defence sub-committee**

- a. The committee established a sub-committee to hear appeals by members against the refusal or withdrawal of their legal assistance. The committee met on three occasions in 2019 and heard a total of seven cases. The decision to refuse or withdraw legal assistance was upheld by the committee in all the cases.
- b. The chairperson and two vice-chairpersons of the sub-committee have power to decide appeals which are urgent. The two cases decided by these officers resulted in the decision to refuse or withdraw legal assistance being upheld.
- c. Prior to the creation of the sub-committee, the joint presidents of the Union considered appeals against or withdrawal of legal assistance. During this period, they were only required to consider one case and the member's appeal was not upheld.

**(v) Professional conduct (criminal convictions) committee**

- a. The professional conduct (criminal convictions) committee was established to consider the cases of members who have been convicted of criminal offences or consented to cautions and to decide whether they should be removed from membership of the Union. The committee met on one occasion in 2019 when it considered two cases. In one case the committee decided that the member should be removed from membership. In the other case the committee decided that the member should not be removed from membership despite admitted inappropriate sexual conduct as there had not been a criminal conviction or caution. The committee recommended to the executive that there should be a rule change to enhance the powers of the Union and the committee in comparable situations. The text of this rule change appears at Section B of this report.

## **6. Strategy: Policy, Research and Campaigns Committee**

**(i) Introduction**

- a. The NEU campaigns across a range of issues, but strategic campaigns are those issues on which winning will bring us closer to achieving the Union's overarching aim of shaping the future of education. Over the last year, NEU strategic campaigns have included funding, assessment, workload, pay and the General Election. The policy, research and campaigns committee also agreed to focus on NEU policy work in a range of key areas: assessment, accountability, privatisation, professionalism, curriculum and pedagogy, the Labour Party's proposals for a national education service, child poverty, anti-racism, behaviour and wellbeing, and sexual harassment, gender and LGBT+ inclusion.

**(ii) NEU policy**

**a. Assessment**

We commissioned independent research into the baseline assessment pilot, encouraged members not to take part in the pilot, and worked with others including the British Educational Research Association (BERA) and the More Than A Score coalition to highlight the problems of statutory baseline assessment. We worked with More Than A Score to expose the problems of SATs and the

phonics check, and to encourage parental opposition; worked with the Labour Party to support policy within their national education service proposals; persuaded the Liberal Democrats and the Green Party to propose abolishing SATs; and contributed to discussions in the NEU councillors' network on primary assessment. We worked with academics to put forward proposals for a different assessment system to inform the member roadshows (see para 7(i)(b)) (resolutions 28: A national education service, 29: Mental health in exam factories, 30: Accountability and assessment).

We continue to highlight and demonstrate the impact of the current system of assessment and exams and of school accountability on child mental health and engagement in all phases of education. In particular we have highlighted the impact of the revised GCSEs on pupils' mental health, on progression to A-level (particularly English), on key stage 3 and we continue to lobby against the funding requirement for GCSE English and maths re-sits in FE. We have supported the Royal Society in their work on revising curriculum and assessment post 14 (35: Valid assessment for all).

#### **b. Accountability**

We have continued to call for the abolition of Ofsted (30: Accountability and assessment) and worked with the Labour Party to improve their vision for a better accountability system to replace Ofsted (28: A national education service). Following the new inspection framework, we have instigated a rolling survey to capture members' experience of inspection, and we issued robust guidance to members, particularly in primary schools, about their rights in the absence of payments for teaching and learning responsibility (TLR). We followed this up with a package of materials for branch secretaries to use to support members in their schools. We continue to highlight the inability of Ofsted to provide independent, reliable, valid judgements. Staff have met with Ofsted, including Her Majesty's Chief Inspector, to express members' concerns, and we put in a freedom of information (FOI) request to Ofsted around their pilot reports. We continued to fund research from the Education Policy Institute (EPI) into the scandal of off-rolling of pupils (35: Valid assessment for all).

#### **c. Privatisation**

We have continued to highlight the problems of privatisation and fragmentation of the education system, publishing a regular newsletter, Privatisation Update. We have been supporting members as they campaign against academisation locally, for example at John Roan School, Mackie Hill, Waltham Holy Cross, Redbridge Catholic schools and elsewhere (7: Impact of privatisation). We have maintained a strong media profile highlighting the negative impacts of academisation on the school system. As part of our work to develop thinking on a national education service, we worked with the Labour Party to develop a vision for local democratic accountability for schools (28: A national education service).

#### **d. Professionalism**

We have supported the Department for Education (DfE) in its development of an Early Career Framework for teachers and continue to engage critically in plans for its implementation as well as preparing to monitor its early rollout with members in schools. We have engaged with the commission that is developing head teacher standards. We have continued to highlight the impact on professionalism and autonomy of the new Ofsted framework and the Government's curriculum fund projects, and we have promoted teacher professionalism and progressive pedagogical alternatives to the standardised model of curriculum delivery promoted by academy chains. We continue to promote forms of flexible working

that help to retain teachers and allow them professional autonomy over how time is spent.

Through our work on special educational needs and disabilities (SEND) and disability, we continue to lobby government to provide training for education staff to enable them to increase their knowledge and confidence in meeting the needs of pupils with SEND. Our SEND events provide opportunities for members to support each other as well as access important information and guidance (23: Supporting special educational needs and disabilities).

**e. Curriculum and pedagogy**

We have continually emphasised the damaging effects of the current system of assessment and examinations on curricula in every phase of education. We worked with the political parties to call for an independent body to be responsible for curriculum and assessment, and to propose a phased review and implementation of a new curriculum and assessment system. (28: A national education service). We worked with the Early Education campaign to critically assess and push back against the Government proposals for change in the early years foundation stage. We have supported organisations calling for change in the curriculum to focus on climate change, and highlighted member activity on climate change in their schools and colleges. We are supporting the University and College Union (UCU) with a climate change focus week in February (8: Climate change).

**f. Child poverty**

The NEU played a significant role within the End Child Poverty (ECP) coalition and continues to work closely with the Child Poverty Action Group. The NEU gathered evidence and case studies from members and schools in order to continue to highlight the impact of Government policies and of austerity on poor children, families and children's services. The way in which teachers and support staff are stepping in with material and emotional assistance, to plug the holes left in other statutory services, was a major theme. The NEU sponsored the production of constituency-level figures for child poverty by ECP and utilised these when child poverty became one of the major themes within the NEU's General Election campaign. The Union lobbied all prospective MPs during the 2019 election campaign.

**g. Pupil wellbeing, mental health and behaviour**

The NEU has commissioned Professor Kathryn Riley of the Institute of Education at University College London (UCL) to provide a literature review of the educational evidence showing the positive link between prioritising child wellbeing and sense of belonging and their educational outcomes. The NEU has recruited a range of case study schools where the pupil behaviour policy is based on whole school approaches to supporting engagement and wellbeing. We will publish findings in spring 2020.

The EPI report on off-rolling and unexplained exits revealed that poor students, Black students and students with SEND are over-represented, and the Union continues to campaign to highlight the links between fragmenting the education system and growing levels of exclusion, disaffection and social exclusion.

We continued to work with a range of organisations on child mental health and wellbeing policy; the NEU convened a roundtable discussion on the racial disparities in exclusions in autumn 2019 and has planned a similar event on exclusions and SEND pupils for spring 2020. We are developing policy proposals

on how to prevent and reduce exclusions and supporting members to challenge zero tolerance and create child-centred approaches. At the same time, we are campaigning for better national education policy on behaviour, school accountability and collaboration between schools.

#### **h. Challenging racism and decolonising the curriculum**

The anti-racist framework was developed in partnership with members and is designed to support members and school leaders to confidently raise the issue of racism and its impacts across the life of a school and to give voice to the experiences of Black students and staff. The NEU produced a policy statement on challenging Islamophobia following a roundtable in autumn 2018. A hugely over-subscribed policy conference on decolonising education was held in December which was a starting point for work to bring the decolonising education movement into primary and secondary schools and colleges. Guest speakers included rapper and activist Lowkey and Kehinde Andrews, Professor of Black Studies at Birmingham City University. NEU members led nine workshops over the course of the day, exploring a variety of relevant themes from explorations of culture to using philosophy for children to explore race and racism to decolonising behaviour policies.

#### **i. LGBT+ inclusion campaign**

We focused the national Pride season campaign on 'inclusion not exclusion' with the aim of supporting schools and colleges to become more LGBT+ inclusive. With NEU members self-organising at more than 45 Prides around the country, the Union's ideas about how to build LGBT+ inclusion were widely spread. At LGBT+ members' conference in November, a comprehensive suite of guidance on how to develop a whole school approach to LGBT+ inclusion was launched, including targeted guidance for heads, governors, reps and members. Complementing this work, clear guidance on developing relationships and sex education (RSE) policies in line with new statutory requirements has also been released by the Union, to help schools develop meaningful and inclusive RSE programmes.

The NEU published the latest in its Breaking the Mould series on challenging stereotypes through primary education. It is called Every Child, Every Family and is a colourful classroom resource which supports primary and nursery staff to embed LGBT+ inclusion through literature, books and reading (10: Challenging stereotypes and empowering young people).

#### **j. Challenging sexism and sexual harassment in schools**

We have produced a resource – AGENDA – to support schools to challenge sexism and sexual harassment through a whole school approach. AGENDA is a unique resource that empowers young people to take action on a range of social justice issues – from sexual harassment to issues of consent and gender-based violence, and to develop positive, healthy and equal relationships. The resource was launched to members in spring 2019 and includes practical case studies of schools in England and Wales.

In November, a 'train the trainer' programme was developed to support schools to use AGENDA to change what is happening in their schools; and ensure a greater number of members are empowered and feel confident to address sexism. The Union's new RSE guidance was developed to support schools to use a gender equity and human rights approach to relationships and sex education. The Union's guidance includes model policies and clearly highlights the areas of the new curriculum that seek to promote gender equality.

#### **k. Disabled pupils and pupils with SEND**

We set up a virtual reference group in the autumn which includes NEU members who are SEN co-ordinators, mainstream teachers and support staff, special school staff and pupil referral unit staff. The conference motion 2019 – Supporting special educational needs and disabilities – had called for the establishment of an organising forum for staff working with SEND pupils. The executive agreed to establish a SEND virtual reference group on the basis that the remit of an organising forum was to organise members in a specific group and not to keep the executive informed of policy issues and challenges; that the committee structure is fixed by rule until 2021 (and includes a SEND VRG); and that the proposal was the most effective means of implementing and staying within the spirit of the resolution. The aim was to have a quick and easy way to seek and access ideas and views from members with a specialist interest in SEND policy and disabled children (23: Supporting special educational needs and disabilities).

We responded robustly to the DfE SEND review and the Government's call for evidence on SEND and alternative provision funding. We continue to highlight the serious challenges that Government policies on funding have created for students with SEND, their families and teachers. We have supported a number of learning organisers in the regions who have convened major, well attended local SEND conferences. These SEND events provided vital forums for members to network, share ideas and gain professional development.

#### **l. National education service**

We worked closely with the Labour Party to provide vision and detail for their policy for a national education service, based on our work to develop the NEU vision for democratic accountability, holistic assessment and professional agency (7: End of privatisation of education, 28: A national education service).

### **7. Campaigns and Communications**

#### **(i) NEU strategic campaigns**

##### **a. Funding**

The NEU continued to work with allies to highlight the ongoing funding crisis, leading the School Cuts coalition and working closely with sister unions and parent groups. Activities included:

- support for a petition set up by head teachers in Gateshead, which attracted 113,000 signatures and prompted a Parliamentary debate in March 2019. NEU hosted a briefing for MPs ahead of the debate.
- support to groups campaigning against cuts to SEND funding, backing a nationwide day of action in May by SEND National Crisis and showing support for a High Court case brought by families of pupils with SEND against the Government in June
- School Cuts continued to engage parents, with the Together for Education rally and a training day in June attended by around 350 delegates
- launch of School Cuts Cymru with sister unions at the Urdd National Eisteddfod in Cardiff in May, calling on the Westminster Government to increase funding for schools in Wales.

Through School Cuts and with allies from Early Education and the All Party Parliamentary Group for nurseries, the NEU launched a campaign to save maintained nursery schools (MNS). Campaign packs were sent to all nurseries and a 'telephone town hall' meeting on the campaign was held for nursery staff. A

series of social media videos raised awareness of the plight of MNS and encouraged people to sign a petition – by the end of 2019 this had attracted more than 25,000 signatures. Staff and activists supported activity on the ground to further the campaign. As a result of this pressure, in October the Government pledged funding for MNS up to April 2021, a 12-month extension, but the fight continues to secure the long-term future of nurseries.

The focus in early 2020 will be on putting pressure on the new Government to fulfil its pre-election promises of more money for schools and to commit additional funds in its first Budget and Spending Review.

The Union's Councillors Network continued to grow in 2019, with a presence at the Local Government Association conference, the political party conferences and an NEU Councillors Network conference held in November. Work also continues on developing an NEU Governor Network.

## **b. Assessment**

Following the vote at conference an indicative ballot, under the banner Too Much Testing, was conducted of all NEU members working in primary schools, asking whether they supported the Union's campaign to end high-stakes primary testing and would be prepared to boycott statutory tests.

The electronic ballot was the biggest ever survey of primary members, with almost 55,000 participating (39 per cent turnout). The results showed high support (97 per cent of those voting) for the NEU's campaign against primary testing; 59 per cent of those who voted said they would support a boycott. Feedback from members suggested the main reasons for not voting or for not being in favour of a boycott were: not knowing what the alternative to high-stakes testing would be, worrying that any alternative would increase workload, and not trusting the Government to replace the current system with something better. To address this, work has continued to develop our vision of the alternative and a series of regional roadshows is planned in the spring term to involve members in shaping this.

A focus for the assessment campaign in 2019 was to attempt to disrupt and halt the reintroduction of the reception baseline assessment. On this, the NEU has worked closely with the More Than A Score (MTAS) coalition. In April, hundreds of parents and toddlers travelled to Downing Street to deliver a 65,000-signature anti-baseline petition in an event dubbed the March of the Four-Year-Olds. This attracted significant media attention and was attended by a number of MPs. Through its partnership with MTAS, the NEU has been able to pressure the Government and influence opposition policy on primary tests. Thanks to the work of both MTAS and NEU, at the General Election Labour and Liberal Democrat policies on primary assessment closely aligned with those of NEU and MTAS, as did those of the Green Party, leaving the Conservatives isolated.

## **c. Workload**

The focus of the workload campaign in 2019 was to provide resources – including guidance documents and case studies – to members to support them in collectively identifying sources of unnecessary workload and challenging their school leadership to reduce it. The importance of this work was underlined by the DfE working time survey published in late 2019, which showed that teachers at all stages of their careers continues to face unacceptably long working hours. The Union continued to participate in discussions with the DfE, seeking to persuade it to accept the scale of the workload crisis and make serious attempts to reduce it. The Union's guidance on tackling workload continued to set out the basis of the



Union's collectively-based approach, while the website was updated to include further advice. A mailing containing Time for Teaching posters and leaflets was sent to schools and a case study video was released on social media to inspire others. Organisers in each region continue to work with district officers on long-term projects to identify and target schools where the Union can support members to achieve wins on workload. This was underpinned by the Union's industrial strategy (see Action section).

**(ii) General Election: Value Education, Vote Education**

**a.** The campaign had three strands:

- member-facing work, leading on the issues of school funding, child poverty and professional issues in England and on child poverty in Wales
- public-facing work focused on Stop School Cuts
- engagement with prospective parliamentary candidates on school funding, child poverty and professional issues.

**b.** Resources were concentrated in 85 targeted marginal constituencies in England and four in Wales, with 19 of the most important designated 'super seats'. Super Saturday events were held in the super seats, bringing NEU members together with parents to highlight cuts to the electorate and encourage them to vote for education. In the immediate aftermath of the election the Union set five challenges to the new Government, which are among the issues it must urgently address.

**c.** The Union embarked on a significant engagement programme with prospective parliamentary candidates during the General Election campaign.

**d.** Candidates were briefed on priority issues for the Union and were invited to three separate phone briefings during the campaign. The first briefing focused on education funding, child poverty was the focus for the second briefing, while our third and final briefing was on the Value Education theme. Joint general secretary Mary Bousted and relevant policy experts briefed around 100 candidates on these phone calls. Separately to the phone briefings, the Union sent regular email updates to candidates during the campaign. Each candidate standing for the four main political parties was provided with a suite of campaign resources for them to use locally. Focusing on education funding, child poverty and Value Education, these materials included leaflets, social media tiles and model press releases with localised constituency-based facts and figures.

**e.** Candidates were invited to sign a pledge on education funding. A total of 884 candidates signed – 79 per cent of Labour candidates, 49 per cent of Green candidates, 44 per cent of Liberal Democrat candidates and one per cent of Conservative candidates. These pledges were made public on the School Cuts website and offer some leverage on those elected to Parliament.

**f.** This political engagement work helped push education up the agenda in the campaign and developed relationships for the Union with many candidates who were elected to the House of Commons.

**(iii) Parliamentary liaison**

**a.** The Union hosted three briefing events for Parliamentarians on education funding during 2019. A briefing for MPs was also organised on child poverty in May.

**b.** In addition, Parliamentarians were lobbied by the Union on various issues during the year, in particular on primary assessment, maintained nursery schools, workload, SEND and teacher recruitment and retention.

**(iv) Political party conferences**

**a.** The party political conferences in the autumn were held against the backdrop of Brexit uncertainty and growing expectations of an early General Election.

- b. The Union focused on its 'toxic testing' and funding campaigns on our exhibition stand and at our conference fringe meetings. Our meetings heard from Labour's Shadow Schools Minister, Mike Kane, the Liberal Democrat education spokesperson, MP Layla Moran, and the Green Party spokesperson, Vix Lowthion.
  - c. No ministers were available to attend our joint fringe meeting with the Conservative Education Society at the Conservative Party conference. Gavin Williamson, who had replaced Damian Hinds as Secretary of State for Education in July, gave no indication in his first few months in post that there would be any change to the message given by his predecessor earlier in the year when he said: "It is not and never will be the time to get rid of standardised assessment at primary school."
- (v) **NEU members in Parliament**
- a. Several NEU members lost their seats at the general election; Vernon Coaker, Nic Dakin and Thelma Walker were all strong advocates for education in the House of Commons.
- (vi) The **Communications department** of the Union was involved in a number of strands of work, including the following:
- (vii) **Educate magazine**
- a. The Union published six editions of our new membership magazine Educate in 2019 – three with Educate in Wales supplements.
  - b. The magazine was devised and redesigned in-house and introduced all the sectors of the new union. It has promoted our key campaigns throughout the year, including the General Election, primary assessment ballot, anti-forced academisation and news of workload wins.
  - c. Other notable features have included a focus on forest schools, an eco-issue discussing how to teach climate change in the classroom, the impact of knife crime in the school community and how to make schools a happy environment.
  - d. Educate in Wales supplements have kept members informed about the Union's campaigns in Wales and the issues that specifically affect teachers working under the devolved government.
  - e. In its general content, Educate has supported union recruitment campaigns among students, NQTs and School Direct employees. The magazine has also covered the Union's national organising forums, with reports from women's, disabled, Black and LGBT+ conferences and campaigns.
  - f. The Union has encouraged more input from members, who are invited to send stories, pictures, letters and opinion pieces to ensure that their voice is heard.
  - g. The magazine has also benefitted from a range of outside contributors – Michael Rosen has submitted a poem each issue and the Final World feature has included comment from Maternity Action, the Campaign for Clean Air, Youth Strike for Climate Change and the case for multi-lingual creativity.
  - h. The Union also produced Lead, our new magazine aimed at leadership members and Organise, a multi-use publication aimed at reps and organisers.
- (viii) **TUC awards**
- a. At the 2019 TUC trade union communications awards in July, Educate won the award for best membership communication print journal; the School Cuts website won the best campaign communications award; and the team were highly commended for our school reps' pack, finding your first teaching job publication and reps foundation learning folder. Out of 90 entries, the NEU either won or came runners-up in five out of six categories.

**(ix) Press and media**

- a. Press coverage throughout the year has been consistently good with daily comments in print and online, either nationally, regionally or in specialist education press. District and branch secretaries receive a weekly update as part of the In the News bulletin of highlights from the weeks' coverage.
- b. Last year 203 press releases were issued alongside hundreds of individual quotes on specific stories. They covered a wide range of subjects including school funding, Ofsted, workload, the threat to the independent school pension schemes, sixth form college strikes, child poverty, pay and pensions, off-rolling, behaviour and academy chain accountability.
- c. Annual conference gave us an opportunity to highlight the issues that matter to our members. The State of Education survey of 8,763 NEU members released at the conference gained significant coverage for young people's mental health, workload and child poverty. It was a clear demonstration that when we get a good response from members to our surveys they are of great interest to the press and media, and an invaluable way of getting across the view of the Union and members to the general public.
- d. The General Election also gave us an opportunity to put our case to politicians about the changes our members want to see in education and the profession. One of the most vital conduits for the NEU's voice is through the Press Association, as it is trusted and relied upon by local and specialist press. During the campaign we were featured 12 times: Labour on childcare (9 November); class size poll (14 November); Labour's war on poverty (19 November); a manifestos roundup (20 November); the Labour manifesto (21 November); our child poverty poll (23 November); our parents' poll (28 November); teacher training targets missed (28 November); the Conservatives on Ofsted (28 November); Pisa international school rankings (3 December); Shelter on child poverty (3 December); and school buildings (9 December).

**(x) Social media**

**a. Web and digital communications**

- Development of the NEU website continued over 2019.
- Feedback from members and colleagues informed developmental changes and analytics ensured that accessibility improvements were member-led.
- 1.5 million users visited the website during 2019, the vast majority (63 per cent) using mobile devices. More than 70 per cent of users came to the site from an organic web search (eg Google).
- Dedicated web pages were set up on the website for all districts, giving local officers the opportunity to manage and edit these pages themselves, with support from the NEU digital team.

**b. Campaigning**

- For the duration of the General Election, the digital team commissioned a microsite to host dedicated content from the NEU.
- Campaign and policy pages were used to focus and support content for campaigning, including the Too Much Testing SATs ballot, sixth form strike ballot and General Election campaigns.
- A series of SMS communications, telephone polling and call campaigning was used to support and direct the organisation's campaigns.

**c. Emails and newsletters**

- The action network system was used to replace legacy bulk email systems for national communications and offered to local officers where required.

- A system of regular sector newsletters was developed with publications colleagues, replacing legacy newsletters with a new suite of contemporary digital bulletins across all sectors of the NEU.
- A cross-departmental 'ecomms' working group is reviewing the offerings and requirements for developing an integrated digital communications system for the Union.
- Social channels
- The NEU Twitter and Facebook channels continued to develop.
- Facebook generated 31,000 likes (up 5,000) and 42,000 shares in 2019, and Twitter ended 2019 with 25,000 followers (up 7,000).
- NEU's Instagram feed was further developed throughout the year, utilising the organisation's visual imagery to communicate its message.
- Twitter and Facebook channels were set up with campaigns colleagues for NEU governors and councillors' networks.
- Communications colleagues use targeted advertising, segmented emailing and social media posts to reach specific audiences, such as trainee teachers or those in specific locations or constituencies. A pilot project of paid recruitment advertising has signed up more than 1,200 new members in just three months.

#### **d. Design**

Over the past year, the Union has designed more materials in-house than before. Highlights include:

- annual conference signage, materials and stands
- a suite of LGBT+ materials including Pride crates with merchandise in the popular, brightly coloured rainbow matrix design we developed last year – this year including colours to represent Black LGBT+ members in line with many international Prides
- recruitment mailings – a suite of materials, including noticeboard headers, posters, booklets and application forms, mailed out in January, June and September with a refreshed design for the new school year
- Organise reps' communication – new interactive print/email publications which engages and informs reps; they received three print and one email version
- an NEU General Election sub-brand which was applied to ads, flyers, banners, emails and many other items
- individually branded campaign materials for funding, assessment and pay as well as strike materials for the sixth form strike
- training materials – for Reps Foundation and Advanced courses (working on Welsh versions now).

### **8. Strategy Committee: Union Strength**

The remit of strategy committee: Union strength is to provide oversight, to scrutinise the development and to review the effective implementation of the Union's recruitment and retention, organising and Union learning strategies, and to work to build branch, district and sector organisation.

#### **(i) Work plan**

Reflecting on the key strategic questions posed by the joint general secretaries, the committee endorsed a framework workplan to:

- increase membership density by realising recruitment and retention is everyone's responsibility and workplace activity is key; all campaigns and events are potential recruitment and retention opportunities; and identifying and prioritising target groups is important
- ensure our recruitment and retention strategies are effective by reviewing key strategic indicators; understanding the education landscape; and responding to challenges and change
- provide multiple pathways for members to become active in the Union, treating every member engagement as a lead to a potential activist
- carry out focussed rep recruitment activity; provide rep and local officer training and support; develop activist networks; and embed succession planning and renewal in to national, regional/Wales and local planning.

**(ii) Key strategic indicators**

- a. The committee agreed a set of key strategic indicators to evaluate progress towards meeting the strategic objectives and delivering the committee work plan. A key strategic indicators report was received and considered at each meeting with ideas put forward on how it could be improved over time.

**(iii) Membership report**

- a. The total number of NEU members on 1 January 2019 and as reported to the TUC was 450,154 of which 76 per cent were women. A membership report was received at each executive meeting. The reports contained national membership statistics by membership type, phase and sector. Equality monitoring information was provided that showed the number of members who identified as Black, disabled and LGBT+. From October onwards the report included joiner, reinstating and lapsed membership totals.
- b. In accordance with Section 24 of the Trade Union and Labour Relations (Consolidation) Act, the Union was required to be externally audited for the purposes of demonstrating its system for compiling and maintaining accurate membership records for the period 1 January – 31 August 2019. The Union received the required membership audit certificate to confirm this was the case.

**(iv) Building from the base**

- a. The committee has taken forward the priorities set out in the conference motion – Building the NEU at the workplace – by maintaining a keen oversight of the Union's work to build an active presence at the workplace and increase our density of trained workplace reps. The committee received a detailed presentation on how the national organising team is deployed alongside local officers and other regional staff to advance this work. It has involved recruiting, supporting and mentoring workplace rep teams to build bargaining capacity in regional and national academy chains, renewing local districts and growing membership among Schools Direct trainees. The Union's priority campaigns and associated indicative ballots have provided an important focus for this organising work, illustrating to the committee once again the value of trained workplace reps to secure positive ballot outcomes and win at the workplace.
- b. The strategic priorities set out in the Building the NEU at the workplace conference motion have also informed other areas of the committee's scrutiny and oversight of regional/Wales council activity plans and local district activity grants and agreement of a new CPD strategy for the NEU. This ensures that all these strands of Union work maximise opportunities for member engagement and learning alongside activist recruitment.
- c. The committee has also received regular reports on the development of a reps and officers programme that can support the wider work building the base of the Union. These committee discussions informed the workshop and training

sessions with local officers at termly district and branch secretaries' briefings, including a session focussing solely on disability-related issues and knowledge (see part iii of conference resolution: Disability discrimination).

- d. In line with its work plan, building from the base will remain a key priority for committee discussions with meetings to focus on our activist strategy and equalities organising initiatives.

**(v) Quorums and code of behaviour**

- a. The committee ensured that the conference decision – Quorum for district/branch meetings – was promptly communicated to local officers. Informed by discussions at the newly constituted district and branch secretaries' national committee, the committee is now actively identifying best practice to assist local districts to boost member engagement among the minimum level benchmarked by the quorum set in rule. This guidance will incorporate a new code of behaviour for all NEU membership meetings that the committee has shaped jointly with the strategy committee: member defence.

**(vi) Honoraria**

- a. The committee oversaw a comprehensive consultation exercise with local districts which informed detailed discussion on a set of regulations governing honoraria for NEU local officers ratified by the national executive. The committee is now actively reviewing how these regulations have bedded in.

**(vii) Awards**

- a. The national judging panels for the National Rep and Officer of the Year Awards and the Nikki Simpson Award for learning, which is presented to a NEU learning rep, was formed of seven members of the committee including the chair of the Union strength.

**(vii) Disabled members' conference**

- a. The disabled members' conference 2019 was held in Manchester in September and was a resounding success. Sixty members attended the two-night event to network, learn and participate in our democratic process. We delivered a range of organising and training sessions, all with extensive lay member involvement, with members praising the logistics, workshops and speakers.
- b. The conference opened with a plenary session led by executive seat-holder Colleen Johnson and Louise Regan, the membership and equalities officer, to celebrate disabled role models in our day-to-day lives and further afield. Regional workshops provided an opportunity for delegates to plan how to establish and grow regional/Wales events and networks. After lunch delegates broke into workshops led by lay leaders, and staff to discuss a range of topics, including reasonable adjustments, invisible impairments, mental health and UK Disability History Month.
- c. Sunday opened our democratic session, where hustings were held to elect delegates to TUC disabled workers conference and our own annual conference, both of which were oversubscribed. It was wonderful to hear from so many activists wanting to represent NEU disabled members. The conference then chose a motion on inclusive education to submit to annual conference. Our conference closed with an uplifting and inspiring talk from Samantha Renke, actor, activist and ex-teacher.

**(ix) Black educators' conference**

- a. Held in Blackpool in November, the conference theme was Back to Black: be the change you want to see, with a key objective being to historicise the anti-racist

struggle in Britain, for which the collective efforts of trade unionists were a driving force.

- b. The programme included keynote addresses and plenary discussion with guest speakers, journalist and author Afua Hirsch and activist Salma Yaqoob, alongside Q&As with executive seat-holder Daniel Kebede, and Kevin Courtney. Delegates also took part in workshops focussing on more than twenty different topics relating to pedagogy, the curriculum, workplace issues, anti-racism campaigns and building the Union's power in the workplace. The conference also debated motions and voted to submit one on tracking casework data to inform anti-discrimination work to the annual conference.
- c. The climax of the conference was an awards ceremony celebrating the achievements of a number of key activists: Lesley Koranteng won the outstanding contribution award; the new activist award was shared by Gibson Manyukwi and Vikhas Chechi-Ribeiro; the best campaign award went to Zahra Bei for her work on No More Exclusions; and the Claire Gray Award recognising internationalist campaigning went to Nipa Nessa.
- d. Once again, the conference provided both an entry point and springboard for member engagement and activist development, with 60 per cent of delegates first-timers and dozens of delegates volunteering to take on activist roles including becoming workplace reps, helping to organise local Black educators' networks and attending equality officer training.

**(xi) LGBT+ educators' conference**

- a. The LGBT+ educators' conference, held in Blackpool in November, attracted 310 delegates, 60 per cent of which were first-timers (including legacy events). Delegates heard from Parkfield School deputy head and the author of No Outsiders, Andrew Moffat, and took part in a wide range of workshops looking at inclusion, activism, allyship and intersectionality.
- b. The conference also heard reports from the Union's national intersectional networks – networks that are designed to build the representation and voices of those who experience multiple forms of oppression. The LGBT+ Women's Network, Trans and Non-Binary Educators' Network, Bisexual Educators Network and Disabled LGBT+ Network all held sessions and the NEU LGBT+ People of Faith Network was launched.
- c. The conference held an awards ceremony that congratulated the newly established NEU Black LGBT+ Educators' Network, which since its inception, has tripled in size as well as giving stronger representation at LGBT+, Black and TUC equality conferences. Other winners included the London LGBT+ Network for best event, best training initiative and best local network; Ugandan LGBT+ refugee and NEU member Moses K for best campaign (having won his NEU-supported appeal to stay in the UK), and Manoj Natha-Hansen for most inspiring individual for his work co-founding and co-facilitating the NEU Black LGBT+ Educators' Network.
- d. Conference evaluation data demonstrates that 91 per cent of all delegates were inspired to get more involved in the NEU. Following a post-conference survey, work is currently underway to facilitate more than 100 delegates who have signed up to active roles in the Union, including 36 reps and 64 district LGBT+/ equality officers.

**(xii) New professionals and young workers' conference**

- a. Held in Bristol in June, the conference had an overwhelming response with 209 authorised to attend by their districts. The conference theme was about getting active and a mixture of sessions and speakers reflected this, including a session for first time delegates entitled Your Place in the Union, a plenary session on young workers' success stories plus regional/Wales planning workshops.

Keynote speakers and workshops focusing on equality both received very good feedback.

- b. Delegate feedback also showed that attendees felt empowered by the conference and have gone on to take on active roles either in their workplace, district or in their region/Wales. New Professionals and Young Worker Networks. National council members self-organised and delivered two fringe events, one on climate change and one on getting involved, delivered as an interactive game led by delegates from Bristol and South Gloucestershire.

**(xiii) Supply members' conference**

- a. The inaugural NEU supply members' conference was held at Aston University in Birmingham in June. The programme included legal updates and a report on the findings of the 2019 supply members' survey. All other sessions were designed and led by supply activists and included:

- actioning and writing supply motions
- agency workers' rights and how to successfully claim parity pay
- health and wellbeing
- behaviour management
- campaigning on supply issues.

- b. Feedback has been positive and there has been an upsurge of interest from supply members in pursuing claims for back pay under the Agency Workers Regulations. Elected members of the Supply Organising Forum and district supply teacher officers have been holding workshops to identify further claims in a number of areas.
- c. This member-led work will have a significant impact in delivering the key objectives of driving up supply pay rates and holding unscrupulous supply agencies to account.

**(xiv) Retired members' conference 2019**

- a. The retired members' conference was held at Hamilton House, London at the start of December. A total of 126 members registered for the conference with 96 attending on the day; many who sent apologies were involved in election campaigning. Six in ten delegates were women.
- b. The conference was addressed by both internal and external speakers, including from the Women Against State Pension Inequality (WASPI) campaign and a worker from Age Concern who spoke about mental health in later life. These sessions were followed by Q&As. Campaign and pensions updates were given by staff and NEU president Amanda Martin also addressed the members.
- c. The panel session on the role of retired members in the NEU was a lively debate surrounding their perceived worth in the Union. Contributions from the floor highlighted wide variations across the regions, which is something the organising forum will look at more closely in the new year.
- d. There were regional/Wales workshops where organising forum members lead the discussion on how to set up regional networks and how to assist the campaigning work of regions and branches during 2020.

## **9. NEU Cymru**

NEU Cymru has quickly established its position as the largest and leading education union in Wales, playing a prominent part in meetings at different forums. These have included Wales TUC Cymru (WTUC); the WJEC examination board; the Welsh Local



Government Association (WLGA); education inspectorate for Wales, Estyn; Workforce Partnership Council (WPC); Union Partnership Group; Education Sub-Group; Teachers Pay Partnership Forum; and the Welsh Government. Meetings have also taken place with the Minister for Education and with individual members of the Welsh Assembly (AMs), MPs and other officials as deemed necessary.

**(i) Member recruitment and development**

- a. Recruitment and retention remained a key issue at NEU Cymru throughout the year.
- b. Student recruitment opportunities were held at each initial teacher training (ITT) institution in Wales and the Union succeeded the former NUT sections initiative by continuing to hold successful events jointly with Show Racism the Red Card at each of the ITT institutions.
- c. The Union's Wales Union Learning Fund (WULF) programme continued to prove to be extremely popular. All set targets for the previous project were exceeded significantly, with more than 3,177 individual beneficiaries attending courses. There were 113 separate learning activities arranged, ranging from taster sessions to full two-day courses.
- d. A fresh application was successfully submitted for a further project from 2019–22.
- e. Reps Foundation and Advanced courses continued to be held throughout the year at different venues across Wales. NEU Cymru was also able to provide bespoke training including employment law and health and safety.
- f. In recent years teachers in Wales have felt the brunt of austerity measures with significant job losses being announced by way of redundancy. Against that background in-service membership figures have remained constant. Target areas include Welsh-medium education and NEU Cymru remains able to provide a full service for members through the Welsh language.

**(iii) Policy**

- a. NEU Cymru considered, amended and approved responses to various different Welsh Government consultation documents including those relating to the curriculum, Estyn inspections, apprenticeships, bullying, home education, RE and RSE and professional standards for teaching assistants.
- b. NEU Cymru gave oral and written evidence to the Assembly's children, young people and education committee (CYPE) and the inquiries relating to school funding in Wales, the Welsh Baccalaureate qualification and the additional learning needs code.
- c. The NEU Cymru office received, noted and commented upon a number of reports, inquiries, action plans and statistical information issued by various stakeholders including the Welsh Government (WG), Estyn, Education Workforce Council (EWC) and CYPE.

**(iv) Conference Cymru**

- a. The first unified Conference Cymru was held at the Celtic Manor Resort in Newport in November 2019. A full, separate report on the conference has been prepared and submitted to the executive together with a detailed work plan for the implementation of the resolutions made.

**(v) Workload**

- a. Workload remains a prevalent issue for members in Wales and NEU Cymru has continued to press for the implementation of procedures designed to tackle it. In response to an NEU initiative, a task group including WG, employers and trade unions was established to consider the issue. It remains a focus of meetings with the Welsh Government, WLGA, consortia and other key stakeholders.

- b. NEU delegates to the tripartite Workforce Partnership Council have brought this matter to the fore. Discussions have taken place with the Minister for Education expressly to alleviate workload issues and difficulties in Wales, with an agreement being reached for NEU Cymru to work directly with Welsh Government to seek a resolution now being implemented. It is anticipated that a workload charter together with robust guidelines will be published early in 2020 for implementation as soon as practically possible.

**(vi) Funding**

- a. School budgets in Wales continue to be reduced in real terms resulting in redundancies and major difficulties in respect of class sizes, availability of resources and school building maintenance.
- b. Discussions were had at WLGA, Welsh Government forums and directly with the Minister for Education.
- c. NEU Cymru accepted an invitation to attend an oral evidence session before the children, young people and education committee on school funding that resulted in the publication of a report in July 2019 entitled School Funding in Wales. We broadly welcomed the report's findings and recommendations. We met with the minister during the summer to discuss the issues prior to the publication of the Welsh Government's formal response. That response was published in September and accepted all of the CYPE's recommendations. The matter was subsequently debated in plenary at the Assembly on 23 October 2019.
- d. During the year, the School Cuts website was updated to include the effects upon Welsh schools. A Wales-specific campaign was launched at the Urdd Eisteddfod in Cardiff identifying the Westminster Government's responsibility for devolving money to Wales and the implications for schools. In the campaign we were joined by Welsh education union UCAC, ASCL and NAHT.

**(vii) Pay**

- a. NEU Cymru continued to be represented at the partnership forum meetings set up to determine the remit for the Independent Welsh School Teachers Pay Review Body for 2020/21.
- b. Following receipt of the report, the minister announced in October that there would be a five per cent pay increase for newly qualified teachers and 2.75 per cent for all other teachers at all grades, backdated to September 2019.
- c. NEU Cymru continued to press for a resolution to the issue regarding supply teachers' pay.

**(viii) Curriculum and assessment**

- a. NEU Cymru has continued to raise concerns regarding the implementation of the new curriculum in Wales. Feedback from members indicates a significant lack of awareness of the processes to be followed. In meetings with the Minister for Education, we raised our concerns including the fact that work on the six areas of learning has yet to be completed and we have yet to see the completed curriculum. Despite these issues, enthusiasm for the new curriculum remains high among members with a clear desire to ensure that matters are resolved sooner rather than later.
- b. NEU Cymru have continued to be heavily involved in discussions relating to the development of new evaluation and improvement (accountability) arrangements for Wales designed to help bring about the cultural change required to support the realisation of the new curriculum. At the heart of this process is robust and continuous self-evaluation for all tiers of the education system. NEU Cymru has emphasised the need to engage in professional dialogue to support learning, build trust and raise standards.

- c. NEU Cymru has led concerns regarding the current arrangements in respect of numeracy and literacy tests which have been taken to the minister. Further work is being pursued on this issue following a motion to Conference Cymru 2019.

**(viii) Campaigns**

- a. During the year NEU Cymru focused on many issues that affect our members throughout Wales, campaigning strongly in accordance with policy. In particular, the Union undertook high profile campaigns on the following:

- school funding in Wales
- workload
- supply teachers
- child poverty (during the General Election campaign).

Work will continue in these areas and on other issues throughout the coming year.

**b. Other work**

Throughout the year NEU Cymru continued to engage, and attend meetings, with key stakeholders in education in Wales including Welsh Government, Union Partnership Group, Education Sub-Group of the Workforce Partnership Council, Association of Directors of Education in Wales, Welsh Local Government Association, Welsh Joint Education Committee, Estyn, National Academy for Education Leadership, Education Workforce Council, Wales TUC, fellow education trade unions, education consortia, local authorities, Welsh media and politicians.

## **10. International**

- (i) International solidarity is fundamental to the work of the Union and is inspired by its members and by its commitment to global justice.

During 2019, the Union carried out a range of international solidarity activities overseen by the executive's international committee which met five times.

Early in the year, the committee discussed and recommended to the national executive a five-year strategy on international solidarity for the NEU. The strategy sets out the principles and approaches by which the international work will be guided.

The Union's global vision is constructed around the following four foundation pillars with the aim to:

- defend children's, educators', trade union and human rights through solidarity and campaigning
- support universal, free, high quality public education for all
- support members and member activity and engagement within the context of a globalised world and a diverse society
- develop and strengthen our union by learning from the experience of colleagues worldwide, in the spirit of co-operation and reciprocity.

The snapshot of activities highlighted in this report are grouped under these four foundation pillars.

- (ii) Children’s, educators’, union and human rights**
- a. The Union strongly and vocally supported children’s, educators’, human and trade union rights through its international work in 2019. Lay and executive members took part in solidarity delegations to Palestine and Cuba. Additional campaigning to support these priority countries included defending the rights of the Palestinian people (taking a particular interest in the campaign against child imprisonment) and sending two crates from the Play for Cuba campaign which had collected instruments for young musicians in Cuba. The Union also organised events, wrote advocacy and solidarity letters, campaigned, joined demonstrations and worked in collaboration to defend the rights of, among others, the people of Turkey, Colombia, Brazil and Iran, as well as providing support to the British Rohingya community.
- (iii) Sustainable development goals**
- a. The Union supports delivery of Sustainable Development Goal 4 which aims to ensure inclusive and equitable quality education and lifelong learning opportunities for all. This work is carried out through partnerships with the Steve Sinnott Foundation and as a key (and founding) member of the Send My Friend to School coalition. In 2019, Send My Friend focused on unlocking education for children across the globe, regardless of who they are and where they live.
  - b. The Union also advocates against the privatisation and commercialisation of education which is a real threat to the achievement of SDG4. The Union led a demonstration outside the Pearson annual meeting to fight the edu-business’ support for Bridge International Academies.
- (iv) Member engagement and activism**
- a. In 2019, the Union delivered training, events and communications to support the global awareness of members, global learning in the classroom and developing advocacy skills for international solidarity. Numerous communication outputs were completed, sharing the work of the Union for both members and a wider audience.
  - b. A particular highlight of the year was an event organised to mark World Teachers’ Day with a screening of the remarkable film *The Teachers’ Protest*, co-hosted by the NEU and the Norwegian Embassy and directed by Jon Seal. The film was part funded by the NEU and the Union of Education Norway. The story is one of resistance, illustrating the power of teachers when they come together to fight against hatred and injustice. It is one of power, inspiration and, ultimately, hope.
  - c. 2019 was a key year for international solidarity officers, with the establishment and inaugural meeting of the international solidarity officers’ organising forum.
  - d. The 2019 Steve Sinnott Award for International Solidarity was given to Dave Harvey in recognition of his lifelong dedication to and work on international solidarity.
- (v) Co-operation and reciprocity**
- a. The Union worked with colleagues from across the globe, largely facilitated through our membership of Education International.
  - b. Lay and executive members also participated in conferences, meetings and events throughout the year to learn from and share with international colleagues. As well as the delegations to Cuba and Palestine, Education International’s World Congress was held where joint general secretary Mary Bousted was elected to the World Executive Board of Education International.

## 11. Action Committee

Chairperson: Jerry Glazier

Vice-chairpersons: Julie Huckstep and Dominic Byrne

Eight meetings of the action committee were held in 2019.

Detailed below are the number of indicative and formal ballots with which the action committee was particularly involved.

**(i) Indicative ballots**

103 requests for indicative ballots were received by the action committee in 2019.

**(ii) Formal ballots**

111 formal ballots were issued on the following disputes:

• conditions of service	32
• redundancies/restructure	22
• enforced change of employer	16
• refusal to teach	1
• workload	20
• withdrawal from TPS	20

**(iii) Sustentation**

95 days of action were taken by members with the Union paying £487,791.90 in sustentation.

## Section B

### Executive Report to Annual Conference 2020

#### Proposed rule changes

The rules annotated with the proposed changes are available as an appendix to this report and numbered below is the numbering of that appendix and not the published Rule Book. The proposed rule changes marked with an asterisk (\*) were made in error to the revised rules (published in October). They require conference agreement.

#### Section 1

General updates/corrections to the rules requiring conference agreement.

	<b>Paragraph</b>	<b>Amendment</b>
<b>1</b>	<b>5.3</b>	<b>Line 2, amend</b> January to September.
<b>2</b>	<b>5.5</b>	<b>Line 6, amend</b> December to August.
<b>3</b>	<b>6.2</b>	<b>Lines 3 and 4, delete</b> 'a newly qualified member during a period when no subscription is required' (no longer accurate with the subs academic year).
<b>4</b>	<b>6.3*</b>	<b>Delete first sentence</b> 'If... form'. <b>Retain last sentence only</b> 'the union will not assist applicants with pre-existing issues.' (contradictory/unclear).
<b>5</b>	<b>8.1.7*</b>	<b>Line 2, first sentence, add</b> 'national' before 'elections'.
<b>6</b>	<b>8.1.8</b>	<b>Line 2, delete</b> 'an' <b>and replace with</b> 'a national' <b>before</b> 'election'.
<b>7</b>	<b>8.2.1(i)</b>	<b>Delete</b> 'normally'.
<b>8</b>	<b>8.2.2(vii)(c)</b>	<b>Replace</b> January with September.
<b>9</b>	<b>9</b>	<b>Insert new paragraph in line with 8.1.2:</b> <b>Regional and Wales Councils</b> In accordance with rule 8.1.2 the Executive shall establish Councils in each of the English regions and Wales to engage and mobilise members across the regions and Wales. The Executive will agree a constitution for these bodies

		which will include the provision for a levy on all local districts to fund their activities.
<b>10</b>	<b>12</b>	<p><b>insert new rule:</b></p> <p><b>Equalities Sections (Black, LGBT+ and Disabled)</b></p> <p>12.1 In addition to being members of Local Districts, members with the relevant characteristics will be organised in equality sections.</p> <p>12.2 Each section will have a Committee reporting to the Executive and an annual conference, chaired by an executive member, allowing for discussion of particular policy areas relevant to that section and also include organising and professional development elements.</p> <p>12.3 Each section conference will be able to submit a motion to annual conference, on particular policy areas relevant to that section, in addition to those submitted via local districts and the Executive.</p> <p>12.4 The LGBT+ and Disabled section conferences will each elect six delegates to annual conference.</p> <p>12.5 Each section can only be disbanded by a majority vote by ballot of members of that section.</p>
<b>11</b>	<b>13.8.1*</b>	<b>Insert 'the elected' before Deputy and delete '(Policy)'.</b>
<b>12</b>	<b>13.8.2*</b>	<b>Lines 4 and 5, delete:</b> 'and shall be made in accordance with the nomination guidelines which have been approved by the independent scrutineer'. (the Executive and Conference agree the election nomination processes)
<b>13</b>	<b>13.8.9</b>	<b>Line 5, (and all similar) add:</b> 'factual' <b>before</b> 'statement of biographical details'.
<b>14</b>	<b>13.16.1*</b>	<b>Insert 'the elected' before Deputy and delete '(Policy)'.</b>

<b>15</b>	<b>13.18</b>	<b>Line 1, add:</b> 'national' before 'elections'.
<b>16</b>	<b>15.4*</b>	<b>Insert</b> 'the elected' <b>before Deputy and delete</b> '(Policy)'.
<b>17</b>	<b>15.9*</b>	<b>Insert</b> 'the elected' <b>before Deputy and delete</b> '(Policy)'.
<b>18</b>	<b>15.11*</b>	<b>Insert</b> 'the elected' <b>before Deputy and delete</b> '(Policy)'.
<b>19</b>	<b>15.11(ii)*</b>	<b>Insert</b> 'the elected' <b>before Deputy and delete</b> '(Policy)'.
<b>20</b>	<b>15.12</b>	<b>Insert</b> 'elected' <b>before Deputy and delete</b> '(Policy)'.
<b>21</b>	<b>15.13</b>	<b>Line 2, add:</b> 'who will be the President' <b>after</b> 'Returning Officer'.
<b>22</b>	<b>15.19*</b>	<b>Insert</b> 'the elected' <b>before Deputy and delete</b> '(Policy)'.
<b>23</b>	<b>15.21</b>	<b>Insert new paragraph as follows:</b> When the Joint General Secretaries or the General Secretary declare their intention to retire at the end of their term of office, they can continue in office beyond their five-year term as allowed for by legislation.
<b>24</b>	<b>16.1.3</b>	<b>Line 3, amend:</b> reference to 'Annual Report' to 'Executive Report'.
<b>25</b>	<b>16.2.1*</b>	<b>Insert</b> 'the elected' <b>before Deputy and delete</b> '(Policy)'.
<b>26</b>	<b>16.4.</b>	<b>Delete paragraph</b> on the basis that Conference does not appoint scrutineers under digi-voting system.



## **Section 2**

The executive recommends the following rule changes to conference:

### **Annual conference resolution: Disability discrimination**

The 2019 conference resolution (Disability discrimination) requires that we accept role-sharing, when requested by a member with disabilities, as meeting the requirements under the Equality Act and/or a reasonable adjustment for the role of any executive seat – geographical, sector or section.

### **Key principles**

The executive seat is one role (with two role-share partners).

### **Eligibility**

A disabled candidate will be required to self-declare as a disabled member.

### **Election process**

The nomination process and timetable are set out by rule. The rules could be amended in respect of nomination deadlines but in order to prevent a partial 'vacancy' for an executive seat which could potentially frustrate the operation of the executive, the following process is recommended:

- The disabled member stands as candidate with named job-share partner, who could also be disabled.
- Nomination by districts/workplaces is for both partners and they are nominated as one candidate on a role-share basis.
- Geographical candidates would have to be within the same electoral district.
- Role-share candidates will submit a joint election statement up to the limit by rule and individual biographies (each up to 100-word limit by rule).
- To satisfy the rules relating to 'guarded' places for women candidates in the geographical seats, only two women standing as role-share partners will be treated as 'female' candidates under rule.
- If one partner in a role-share resigns, there will be a by-election; the remaining partner can stand with an alternative partner as a candidate if they meet the eligibility requirements.
- To determine eligibility, the member's name must appear on the register established and maintained under the timetable set out in rule 11.14.

### **Conference/executive attendance**

- Each role-share partner must attend at least three meetings of the executive per year (de facto maximum of five).
- For geographical seat-holders, each role-share partner attends at least one regional/Wales council meeting per year and liaises with the regional/Wales secretary in relation to regional executive meetings and district visits.
- One voting card at conference (both attend).

## Rule change

27	13.8.10	<b>Add</b> 'The role-sharing of an Executive seat (geographical, sector or section) will be accepted when requested if one or both of the proposed role-share partners is a disabled member and meets the requirements under the Equality Act to request a reasonable adjustment for the role and whose name appears on the register at the date of notification of the timetable for the election under Rule 11.14. Potential role-share partners will stand as joint candidates and nomination by districts/workplaces will be for both partners. Two women standing as role-share partners in geographical seats will be treated as women candidates for the purposes of the 'guarded' seat arrangements. If one partner in a role-share resigns, there will be a by-election.'
28	13.13.1 (d) 13.14 (f) 13.15 (g)	<b>Add</b> 'Role-share candidates shall submit a joint election statement up to the limit by Rule and individual biographies up to the 100-word limit.'

## Officers' elections

An omission has been discovered in the Rule Book which relates to the arrangements for the election of the senior and junior vice-president.

	Paragraph	Amendment
29	New Rule 13.9.3	'The Senior Vice-President would be the first candidate to reach the quota in the Union's Vice-Presidents' election. If the two elected candidates reach the quota at the same stage of the count, the Senior Vice-President will be the candidate with the most votes at the end of that stage of the count.'

### **Professional conduct (criminal convictions) committee**

It is proposed that suspension and removal from membership of the union should be allowed by the professional conduct (criminal convictions) committee in cases of suspension or removal from teaching by the Teaching Regulation Authority or barring from working with children or vulnerable adults by the Disclosure and Barring Service.

	<b>Paragraph</b>	<b>Amendment</b>
<b>30</b>	Rule 22.3 is amended by the new material added which is underlined	If a member (including a member who is in membership under a Joint Partnership Scheme) is convicted of a criminal offence or consents to a caution, or <u>the Teaching Regulation Authority prohibits the member from teaching or makes a finding of unacceptable professional conduct or is barred from working with children and/or vulnerable adults by the Disclosure and Barring Service, except where there is no</u> material relevance to her/his fitness to be a member of the Union, her or his right to Union membership and all claims and entitlements to Union benefits shall be reviewed by the Professional Conduct (Criminal Convictions) Committee and the Executive, and if so decided the member shall forfeit such rights, claims and entitlements.
<b>31</b>	New Rule 22.4 and present Rule 22.4 is renumbered as Rule 22.5.	If the Teaching Regulation Authority imposes an Interim Prohibition Order on a member the Professional Conduct (Criminal Convictions) Committee and the Executive may suspend the member from membership pending the outcome of the Teaching Regulation Authority proceedings.

### **Efficient working of the executive**

The executive agreed that for the national executive holding office from 1 September 2021 until 31 August 2023, the 15 English executive districts are reduced to three seat districts, with the criteria that at least two of the seats must be filled by the two female candidates with the most votes. As presently, should there not be two female candidates the seats will remain vacant and subject to a by-election. This will provide for a national executive of 55 members, excluding national officers, and a balance of sexes approaching two thirds women.

## Rule changes

	Rule	Line/Appendix	Delete	Insert/Replace/Amend
32	7.2.1	2	Delete 70	Replace with 55
33	13.1	1	Delete 70	
		7/8	Delete 70 Delete 'In both years'	Replace with 55 Replace with 'From 2021'
34	13.12.2	1	Delete 'four and'	
35	Appendix D	Heading		Amend heading to 'three members per English district'.

## **National Rules of the National Education Union**

### **1 Name/Title**

1.1 The union shall be called the National Education Union.

### **2 Objects**

2.1 The objects of the Union shall, so far as may be lawful, be to educate, organise, influence and negotiate, as follows:

- Promote the power of education as a critical and creative process which enables learners to understand and contribute to wider society and the world in which they live and to change it for the better; to influence education policy through lobbying and the promotion of research; to be the campaigning voice of teachers, lecturers, support staff and leaders across the sector
- Protect and improve the status and to further the legitimate professional interests of members involved in the delivery of education, by retaining or seeking recognition in work places at all levels and nationally, and through effective collective bargaining within the jurisdiction of the organisation
- Promote equality and fair treatment for education professionals and seek recognition for the importance of education as a vehicle for achieving equality within society, whether for those with protected characteristics or suffering poverty or social disadvantage
- Seek to organise the entire education profession through engagement at local level by recruiting and developing workplace representatives in order to strengthen collective workplace organisation
- Ensure that all members have the same opportunity to be represented, participate, be heard and to contribute towards the policies of the organisation
- Promote individual entitlement to employer funded continuing professional development (CPD) for education professionals and to provide a range of CPD opportunities to support members in developing their careers
- Seek to influence the political agenda whilst maintaining independence from any political party
- Participate in the wider trade union movement and promote the nature of education globally including through Education International.

### **3 Membership**

- 3.1 Membership of the Union is open to any person who is employed or self-employed, or was previously employed or self-employed, or who is an accredited student in the education sector in the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man or any other locations where the Union is organising members. Membership is available on an annually renewed basis. The type and categories of membership available shall be as defined by Conference.
- 3.2 Members shall be allocated on joining the Union to one of the following categories within the Union: Standard, Associate and Student. The benefits of membership offered to any category of members can be altered, amended or cancelled subject to review or decision of the Executive at any time.
- 3.3 Standard membership is open to any teacher, lecturer or other person employed or self-employed in education in any capacity which the Executive considers to be appropriate. Standard members should:
- hold a current teaching, lecturing contract; or
  - hold a support staff contract in an educational establishment; or
  - hold a current head teacher/principal's contract; or
  - be employed as a self-employed teacher or lecturer, so long as they have been engaged as such within the preceding six months; or
  - be currently undertaking supply or casual teaching employment so long as they have been so engaged within the last six months; or
  - hold current registration with a teaching or lecturing employment agency, school, college or local authority accepted by the Executive; or
  - be employed or work within the education sector in any other professional or support capacity or any other role as defined and agreed by the Executive for which working cover is agreed.
- 3.4 The Executive may require from members and applicants for Standard membership proof of their status in order to guarantee members and applicants for membership the benefits under these rules of standard membership.
- 3.5 Standard Members shall be eligible to stand for election as Officers of the Union, members of the Executive or members of the annual and special conferences of the Union. Standard Members shall be eligible to hold both Local District and branch office.
- 3.6 Existing Standard Members who are on maternity or carers leave may apply to have their subscription suspended for a period of time as determined by the Union on completion of an application submitted to the Union's registered office. They will remain full members with access to normal benefits during this period. The Union will not accept applications that are retrospective of the member's current subscription year.

- 3.7 Subject to the discretion of the Executive, any member or applicant for membership who otherwise satisfies the requirements of Standard Membership while engaged by a UK education service provider outside the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man shall be eligible to be a member of the overseas District. Terms and benefits of such members shall be determined by the Executive. Members of the overseas District (other than those working in Ministry of Defence educational establishments) shall not be eligible to stand as officers of the Union, members of the Executive, or delegates to the annual conference.
- 3.8 Associate Membership is available for those who are no longer eligible for standard membership because they have left employment in Education, but are not yet in receipt of their occupational pension or for individuals employed within Education who do not qualify for other Membership categories. Associate members shall not hold elected office as Officers of the Union, members of the Executive or members of the annual conference.
- 3.9 Student membership of the Union is open to any student in full or part-time education and who is studying to qualify as a teacher, lecturer or gain any other qualification within the education sector accepted by the Executive. Student Members may convert to Standard Membership following the successful completion of their studies. Terms and benefits of Student membership shall be determined by the Executive
- 3.10 Retired Membership is only available for those members who are no longer eligible for standard membership because they have left employment in education and that they are also in receipt of their occupational pension. Retired members shall not hold elected office as Officers of the Union or membership of the Executive. They may attend the annual conference as Local District representatives but from the third annual conference will not be allowed to carry the votes of members of the Local District. They may hold Local District office within the Union but excluding the position of secretary. Only existing members of the Union are eligible to transfer to retired membership, this rate is not available for those who wish to join the Union. Terms and benefits of Retired membership shall be determined by the Executive.
- 3.11 The Union shall consist of two Sections; the ATL Section and the NUT Section. Each section will be governed by these rules only. Membership of the ATL Section will comprise of those members of the ATL section as at 1 January 2019 and membership of the NUT Section will comprise of those members of the NUT Section as at 1 January 2019. All new members from 1 January 2019 will be members of both sections. Members who belong to both sections will carry the same voting entitlement as members who belong to only one section. Should a Joint General Secretary vacancy occur only members of the section in which the vacancy exists would be eligible to vote. The ATL and NUT Sections will cease to exist from 1 September 2023.

#### **4 Joining the Union**

- 4.1 Every person wishing to become a member of the Union shall complete an application by a prescribed method of joining and ensure their details are submitted to the

Union's registered office. An applicant shall become a member after their application has been accepted and their name and address entered on the Union's central register of members.

- 4.2 Upon the application for membership being accepted, the Executive shall allocate the member to the appropriate Local District. Members may only belong to one local district. The Local District a member is allocated to will be the one to which their workplace is attached to or for those not attached to a workplace to the one in which they live as defined by the Union. The Union retains the right to transfer a member to a different Local District if it is found, the details they have provided are different to those held. Retired members may opt to remain members of the local district that they were members of at the time of their retirement.
- 4.3 Members must notify in writing to the Union's registered office of any change in the member's name, home address, employer, workplace, workplace address, category of employment or of their wish to transfer into a different category of membership or any other relevant change which could affect their membership of the Union.
- 4.4 The Executive may reject any application for membership if in its opinion the activities of the applicant are or has been either incompatible with the Union's declared aims and objects as set out in these rules, or such activities could bring the Union into disrepute. Where, in the opinion of the Executive, the activities of an existing member are incompatible with the Union's declared aims and objects as set out in these rules, or such activities could bring the Union into disrepute, they will be dealt with in accordance with the disciplinary procedures outlined in appendix A.
- 4.5 Any member may resign her/his membership and cease to be a member and to be eligible for any benefits of membership by sending her/his resignation in writing to the Membership Department of the Union. Unless the member specifically requests an earlier date, the resignation will take effect from the end of the current subscription year. The full subscription for the year of resignation will still be payable and the member will not be entitled to the refund of any part of such subscription.
- 4.6 A member may only transfer to another appropriate category of membership by giving notice to the Membership Department of the registered office of the Union. The transfer shall normally become effective at the end of the subscription year in which the notice is given unless the member requires a higher level of cover than they already hold. However, members in their last year of employment before retirement may transfer to the retired category at the date of their retirement.
- 4.7 Any member who ceases to be eligible for her/his existing category of membership shall terminate on the last day of the subscription year in which s/he ceases to be eligible, unless s/he transfers to another appropriate category of membership.

## **5 Subscriptions**

- 5.1 Membership of the Union renews on an annual basis and is subject to the payment of an annual subscription. The Executive shall be responsible for setting the subscription rates, the role undertaken to determine the membership type and the differences between each category of the Union's membership.



- 5.2 All subscriptions to the Union inclusive of local subscriptions shall be paid to the Head Office of the Union under arrangements determined by the Executive and Local Districts shall be reimbursed from the Head Office of the Union the local subscription determined by the Local District on a per capita basis.
- 5.3 The additional local subscription will be determined by each Local District and will be between 5% and 15% of the annual subscription until ~~January~~ **September** 2021 and thenceforward no greater than 20%.
- 5.4 The amount allocated to the Professional Sustentation Fund in respect of each member shall be as Conference shall decide.
- 5.5 In the case of a teacher who, being a member of the Educational Institute of Scotland and having paid the subscription for the current year as a member of the Institute, obtains a permanent teaching appointment in England or Wales or Northern Ireland or the Channel Isles or the Isle of Man, membership of the Union shall be recognised without subscription from the time the teacher takes up such appointment until ~~December~~ **August** 31 next following, provided that the teacher has undertaken to become an standard member of the Union.
- 5.6 Members who have left employment in education, but who have not retired shall be entitled to Associate Membership on payment of an annual subscription.
- 5.7 Members who have retired from the profession shall be entitled to Retired Membership upon payments of an annual subscription.
- 5.8 Associate and Retired Members shall not be entitled to legal assistance entailing expenditure from the funds of the Union but shall be entitled to such other benefits of Union membership as may be agreed by the Executive. They will be eligible for representation and legal support in relation to issues arising from their employment that occurred whilst they were standard members.
- 5.9 The Executive Committee will determine the date on which subscriptions should be paid or renewed. All subscriptions are due and payable by the renewal date. Every member must pay the subscription for the year unless notice of intention to terminate membership has been given to the membership department, in writing, by the last day of the previous membership year. Subscriptions may be paid by annual or monthly direct debit.
- 5.10 It is a member's responsibility to ensure that their subscription is paid for at the correct type, category and level. Members who do not pay the correct subscription type, category and level may forfeit the right to representation or assistance including legal advice.
- 5.11 Any member whose arrears of subscriptions exceed 13 weeks shall be deemed to have lapsed their membership, shall no longer be a member of the Union, will no longer be entitled to the benefits of membership and will not be entitled to hold office within the Union.
- 5.12 Any member whose membership is deemed to have lapsed may re-join the Union at its discretion. The Executive will decide what level of payment may be due and the right if any to representation or assistance (including legal advice).

- 5.13 The National Office shall issue membership cards and shall notify local districts of each card issued.
- 5.14 The Treasurer of the Union together with an Officer of the Union shall have power, at the initiative of the Executive, to execute such forms of indemnity as may be required to enable the Union to enter into arrangements for the Collection of Subscription by direct debit through schemes operated by members of the Union for Payment Clearing Services.

## **6 Profession assistance/admin of legal assistance**

- 6.1 A member shall be entitled to educational or professional advice or assistance provided that before the difficulty has arisen he/she has paid, or has entered into a commitment to pay, her/his full subscription for the current year. The Executive shall at all times have discretion to withhold such advice or assistance for good or urgent cause.
- 6.2 Compliance with this condition relating to payment of subscription will not be necessary where assistance is applied for by a Student Member, ~~a Newly Qualified Member during a period when no subscription is required~~ or a Member of the Educational Institute of Scotland who having paid the subscription for the current year as a member of the Institute obtains a permanent teaching appointment in England or Wales or the Channel Isles or the Isle of Man.
- 6.3 ~~If any applicant for Union membership requires representation or assistance (including legal advice), with problems that arose before they joined the prospective member should declare any such problems in a letter with their application form.~~ The Union will not assist applicants with pre-existing issues.
- 6.4 A member shall be entitled to assistance and support subject to and in accordance with the provisions of this rule in a matter arising out of or in the course of the member's professional life or Union activity; a case considered by the Executive to affect the rights and interests of teachers generally; or where a member has suffered injury through any legitimate action she/he may have taken in the defence of professional objects. The funds of the Union shall not be chargeable with the costs of any proceedings undertaken other than in accordance with this rule.
- 6.5 The detailed arrangements for professional and legal assistance are included in appendix B to these Rules.

## **7 Constitution**

### **7.1 Conference Authority**

- 7.1.1 Conference is the supreme authority of the Union.

### **7.2 Executive**

- 7.2.1 The affairs of the Union shall be managed by a Central Executive body (hereinafter called the "Executive"), which shall consist of the officers of the Union and ~~70~~ 55 other members elected in accordance with these Rules.

- 7.2.2 The Executive is responsible for the governance, management and control of the Union in accordance with these rules. In seeking to promote the interests of the Union or any of its members, the Executive may do such things that are consistent with the rules, objects and policy of the Union agreed by Conference.
- 7.2.3 The functions of governance undertaken by the Executive should be:
- Agreeing the mission and values
  - Setting the strategic vision and overall direction of strategy and policy
  - Stewardship – ensuring that statutory obligations are undertaken (such as returns/annual accounts) and overseeing that resources are appropriately deployed
  - Scrutiny
  - Ensuring that the strategic plan is implemented
  - Target setting and appraisal of the General Secretary
  - Providing advice for the General Secretary and staff
  - Continual self-review
- 7.2.4 The management responsibilities undertaken by the professional staff include:
- Implementing the strategic vision agreed by the Executive
  - Identifying the strategic issues and proposing options to the Executive
  - Developing and implementing the strategic and operational plans based on the strategic options chosen by the Executive, subject to its regular oversight
  - Operational management of the organisation including resource management
  - Subject to the oversight of the Executive, developing specific policies in line with the strategic vision
- 7.2.5 The initial Executive and Committee structure to operate from 1 January 2019 will be as agreed by the Executive Committees of the ATL Section and the NUT Section and approved by the Joint Executive Council under the Schedule General (Transitional) Rules. The agreed structure will remain in place during the first Executive cycle (until 1 September 2021).

## **8 Local Structures**

### **8.1 General**

- 8.1.1 The Executive shall establish and maintain such local structures of member organisation as it may consider necessary to further the objects of the Union, including local bargaining structures based on employer or groups of employer (hereinafter called “Branches”), workplace representation and, subject to ratification by Conference, shall make provision for local democratic structures based on geographical units (hereinafter called “Local Districts”).
- 8.1.2 In order to ensure local structures – on a local, regional, national, sectoral or any other basis – best serve the union’s capacity to represent and engage its members, the Executive shall have the power to create, define and amend the employer group definitions of such Branches as it sees fit, and, subject to ratification by Conference, shall have the power to create, define and amend the geographical area of such Local Districts, except that:
- i. on the date that these rules take effect those Local Districts and Branches shall be as agreed by the Joint Executive Council during the transition period and shall, as a minimum, include branches for:
    - a. each education authority community of schools

- b. chains of education establishments – academy or otherwise – and stand-alone FE colleges for which formal structures and recognition were in place in either ATL or NUT at the date of amalgamation;
  - ii. no Local District or Branch may be opened, merged or closed without all members affected being informed and consultation procedures being adopted that allow the Executive to give information on any such proposal;
  - iii. Each member will be a member of only one Local District.
- 8.1.3 The Executive shall determine the criteria and process by which workplace representatives and officers of Local Districts and Branches are annually accredited to undertake their statutory trade union duties and activities. Accreditation to undertake the role of Branch Secretary shall only be open to in-service members, unless the Executive deems otherwise. For officers of Local Districts and Branches the Executive shall have the power to confirm appointments made at inquorate AGMs.
- 8.1.4 The rules governing Local Districts (set out in Appendix C) and Branches (set out in Appendix G) shall be determined by the Executive and are (hereafter called “model rules”)
- 8.1.5 Local Districts and Branches will meet in accordance with these model rules and their own standing orders. Any Local District or Branch may, at its annual general meeting, seek the permission of the Executive to adopt its own rules. Acting under these provisions, the Executive shall ensure that the rules of the Local Districts shall make provision for the election by ballot of the Officers and Members of its Committee, Conference Representatives other than ex-officio Representatives, and further, that each Local District shall have standing orders which contain provisions whereby any challenge to the decision of the Chairperson of the general meeting shall be considered at its next general meeting.
- 8.1.6 No Local District or Branch may employ new staff nor purchase real property without the express approval of the Executive.
- 8.1.7 Limits will be placed on amounts that Local Districts can spend supporting nominated candidates in **national** elections including what such funds can be spent on. All candidates seeking nomination will be invited to General meetings that are making decisions on nominations and all candidates in elections will be invited to attend hustings meetings arranged by Local Districts. The union nationally will provide a facility for all candidates to be able to send out a limited amount of election material.
- 8.1.8 No other part of the union as an entity other than the Local District would be able to either nominate or give support to any candidate in ~~an~~ **a national** election.
- 8.2 Local Districts
- 8.2.1 Membership of Local Districts shall consist of all those members working or living within its jurisdiction, irrespective of their employer or bargaining unit, including Associate, Retired and Student members. Unless the executive decides otherwise:
- i. Standard members will **normally** be allocated to the Local District in which they work;
  - ii. Associate and Retired members will normally be allocated to the Local District in which they live but may opt to remain a member of the last Local District of which they were a member prior to becoming an Associate or Retired member;
  - iii. Work-based Student members will normally be allocated to the Local District where their host education establishment is based, or otherwise to the Local District where their training institution is based.

8.2.2 Every Local District, within its jurisdiction, shall:

- i. Promote the objects of the union and represent members' interests both internally and externally
- ii. Recruit new members and encourage all members to get involved in the life of the union
- iii. Foster members' professional development;
- iv. Identify and support teams of workplace reps in every education workplace;
- v. Establish and maintain local networks for equality strands, trainees and newly qualified teachers, young members, leadership, union learning, health and safety and national sections (post-16, independent and support staff)
- vi. At a properly constituted and quorate general meeting:
  - a. nominate representatives to the Union's Executive;
  - b. nominate candidates for elected roles as national officers and/or general secretary and/or deputy general secretary within the Union;
  - c. elect Local District members of and submit motions, amendments and list of priority motions to annual conference;
- vii. At a properly constituted and quorate Annual General Meeting that shall take place no later than 31 May:
  - a. elect a President, Secretary, Treasurer, Committee, appoint either two Lay Auditors or a Professional Auditor
  - b. subject to provisions set out by Executive in relevant model rules (see Appendix C), nominate and elect officers of any branch with members within its jurisdiction, so long as those officers are elected by and from such branch members only
  - c. may increase the local subscription fee above 5% but until ~~January~~ **September** 2021 [2 year's post-transition] no greater than 15% of national subscription and thenceforward no greater than 20% of national subscriptions;
- viii. Keep records, documents and books of accounts relating to the financial transactions of the Association as the Executive shall from time to time decide and annually at August 31 or at such other dates as shall be required by the Executive, shall prepare and submit to the General Secretary, a Statement of Account in the form and manner required by the Executive, and in compliance with the requirements of the Certification Officer for Trade Unions and Employers' Associations. The Auditor(s) of every Local District shall carry out their duties in accordance with the requirements of the Auditors appointed by the Executive of the Union.
- ix. If they see fit, establish sub-District networks to more effectively engage and involve members and may seek Executive approval to establish such constituent bodies as stand-alone Local Districts
- x. Perform other such duties on behalf of the members as shall be laid down by the Executive.

8.2.3 Duly elected branch secretaries (see following section) shall be an ex-officio voting member of their own Local District Committee and an ex-officio non-voting member of any other constituent Local District Committee of their branches. Executive members shall be ex-officio non-voting members of the Local District Committees included in their electoral districts.

8.2.4 A list of Districts as agreed by the Executive is at Appendix F.

### 8.3 Branches

8.3.1 Membership of Branches shall consist of all those Standard and salaried work-based Student members working within its bargaining unit.

8.3.2 Every branch, within its jurisdiction shall:

- i. Promote the objects of the union;
- ii. Individually and collectively, subject to accreditation requirements set down by the Executive, conduct representative casework and negotiating duties with relevant employers on behalf of their members and shall have the responsibility for communicating the general views and collective interests of the members of their relevant employer;
- iii. Recruit new members and encourage all members to get involved in the life of their Branch, their Local District and the wider union;
- iv. Identify, accredit and support teams of workplace reps in every education workplace;
- v. As determined by the relevant model rules shall annual elect a Secretary, Committee and other officers
- vi. Via their secretary, submit regular reports to the Local District(s) within their jurisdiction
- vii. Where necessary, seek grant funding on a per member basis from the Local District(s) within its jurisdiction or seek grant funding directly via the executive
- viii. Keep records, documents and books of accounts relating to the financial transactions of the Branch as the Local District or Executive shall from time to time decide is required for their own audit purposes
- ix. Perform other such duties on behalf of the members as shall be laid down by their Local District(s) or the Executive.

### 8.4 Workplace

8.4.1 In every workplace where the Union provides accredited representation, the members employed there, shall appoint, elect or confirm annually from among themselves a team of one or more of the following representatives in accordance with the Rules.

- i. School, College or other educational establishment Representative
- ii. Health and Safety Representative
- iii. Learning Representative
- iv. Other Representative types approved by the Executive Committee

8.4.2 All such representatives must be Standard Members of the Association.

- 8.4.3 An accredited School or College or other workplace representative, in conjunction with appropriate District/Branch Officers, shall within their workplace:
- i. recruit new members and maintain the organised position of the union in the workplace;
  - ii. regularly bring members together to discuss and take forward employment, policy and professional matters of common concern;
  - iii. represent, advise and support members collectively or individually;
  - iv. establish and maintain information links with Local District and Branch Officers.
- 8.4.4 A Health and Safety Representative shall represent the interests of members in each educational establishment on any matters that may arise relating to Health and Safety.
- 8.4.5 A Learning Representative shall represent the interests of members in each educational establishment on any matters that may arise relating to their continuing professional development opportunities.
- 8.4.6 All such representatives must notify the Union to be accredited as a Union representative in any of the categories outlined above.
- 8.4.7 All such representatives may apply to their Local District or Branch for funds to support the activities set out above.
- 8.4.8 Any representative elected or confirmed under this rule shall convene meetings of the members of the Union when they think it necessary or at the request of two members or 20 per cent of the members they represent, whichever is the larger.
- 8.4.9 Each Representative elected or confirmed under this rule can be removed from office by a majority vote of the members in that workplace at a properly constituted meeting.
- 8.4.10 Each Representative elected or confirmed under this rule need not be accredited by the Employer: rather, they must comply with the rules, policy and objectives of the Union.

## **9 Regional and Wales Councils**

In accordance with rule 8.1.2 the Executive shall establish Councils in each of the English regions and Wales to engage and mobilise members across the regions and Wales. The Executive will agree a constitution for these bodies which will include the provision for a levy on all local districts to fund their activities.

## **10 Industrial Action**

- 10.1 The Executive's powers shall include authorisation to conduct a ballot for industrial action but only following an indicative survey of members showing that such a ballot is likely to be successful and meet the legislative requirements. The Executive can delegate authorisation to a sub-committee in respect of local industrial action.
- 10.2 No local district of the Union, or members or member thereof, shall organise or engage in a strike or industrial action without prior approval of the Executive.
- 10.3 The Union recognises the right of individual members not to be compelled to take part in industrial action following a ballot or suffer any detriment as a result.

## **11 Independent Schools, Post 16 Establishments and Support Staff Sections**

- 11.1 In addition to being members of Local Districts, members employed in the Independent schools and Post 16 establishments, and those employed as support staff, will be organised in sector specific sections.
- 11.2 Each section will have a Committee reporting to the Executive and an annual conference, chaired by an executive member, allowing for discussion of particular policy areas relevant to that section and also include organising and professional development elements.
- 11.3 Each section will elect 6 delegates to annual conference. Each section conference will be able to submit a motion to annual conference, on particular policy areas relevant to that section, in addition to those submitted via local districts and the Executive.
- 11.4 Each section can only be disbanded by a majority vote by ballot of members of that section.

## **12 Equalities Sections (Black, LGBT+ and Disabled)**

- 12.1 In addition to being members of Local Districts, members with the relevant characteristics will be organised in equality sections.
- 12.2 Each section will have a Committee reporting to the Executive and an annual conference, chaired by an executive member, allowing for discussion of particular policy areas relevant to that section and also include organising and professional development elements.
- 12.3 Each section conference will be able to submit a motion to annual conference, on particular policy areas relevant to that section, in addition to those submitted via local districts and the Executive.
- 12.4 The LGBT+ and Disabled section conferences will each elect 6 delegates to annual conference.
- 12.5 Each section can only be disbanded by a majority vote by ballot of members of that section.

## **13 Officers and Executive Members**

- 13.1 The election of the Officers of the Union and ~~70~~ 55 members of the Executive shall take place biennially. In the year of an officers election the Officers shall consist of the President, the Senior Vice-President and Junior Vice-President, the Past-President, the Membership and Equality Officer and the Treasurer of the Union elected in accordance with these rules. In the year commencing at the Annual Conference next following an election, the Officers shall consist of the President, the Senior Vice-President, two Past-Presidents, the Membership and Equality Officer and the Treasurer of the Union elected in accordance with these rules. ~~In both years~~ From 2021, there shall be, in addition, ~~70~~ 55 other members of the Executive elected. In that year this shall include one member for each of the Independent, Post 16 and Support Staff sections and one member each for the Black, LGBT+ and Disabled members' sections.
- 13.2 The Senior Vice-President elected shall be the President in the year following his or her election and shall hold office as Past-President during the two years next following provided membership of the Union be retained.
- 13.3 The Junior Vice-President elected shall be the Senior Vice-President in the year following his or her election and shall hold office as President and Past-President respectively during the two succeeding years provided membership of the Union be retained.
- 13.4 All members of the Executive except the President and the Senior Vice-President shall retire biennially but shall be eligible for re-election.



- 13.5 No paid official of the Union may be a member of the Executive. The Joint General Secretaries (until 31<sup>st</sup> August 2023) and General Secretary (from 1<sup>st</sup> September 2023) shall have the right to attend and speak at all Executive and Committee meetings.
- 13.6 In the event of a member of the Executive applying for a paid post in the union the member shall be suspended from attending the meetings of the Executive and its Committees with effect from the date of submission of his or her application until the confirmation by the Executive of the aforesaid appointment. In the event of a member of the Executive being an Officer applying for such post, she or he shall, during the period of suspension, be supplied with all Executive papers other than those relating to the said post. Other members of the Executive shall be supplied with all the aforesaid papers and shall also be entitled to undertake all other duties of an Executive member. In the event of a member of the Executive being appointed to such a paid post as aforesaid, she or he shall be deemed to have resigned his or her membership of the Executive with effect from the date on which the appointment is made.
- 13.7 All members of the Union with at least three years continuous membership at the start of the election process and other than associate and student members and those who have retired or otherwise left the profession, shall be eligible for nomination for or election to the Executive. Any member of the Executive who has commenced their term of office and then retires from active paid employment in the Education sector shall be entitled to complete their term of office.

### **13.8 National Elections**

- 13.8.1 Local Districts shall be invited to make nominations for the elections of Senior and Junior Vice-Presidents, Membership and Equalities Officer, Treasurer, General Secretary and **the elected Deputy General Secretary (Policy)** and to make nominations for the elections of members of the Executive.
- 13.8.2 The support of the Local District for a candidate shall be the decision either by a ballot of all the members of the Local District (other than associate and student members) or at a quorate General Meeting of the Local District, subject to any provisions contained in the Local District's own rules ~~and shall be made in accordance with the nomination guidelines which have been approved by the appointed independent scrutineer.~~
- 13.8.3 The Secretary of each Local District shall give to the members (other than associate and student members) at least fourteen days' notice of the time and place of the General Meeting to decide on the nominations of the Local District.
- 13.8.4 The failure on the part of a Local District to follow the nomination procedures shall invalidate that nomination, which shall not otherwise affect the rights of a member to be a candidate if she or he has otherwise achieved nominations as required by these rules and in accordance with the procedures.
- 13.8.5 Nominations shall not be invalidated by reason only of the failure on the part of a member to whom notice of a general meeting (or ballot paper) has been sent but who has not received that notice (or ballot paper).
- 13.8.6 The election of the Officers of the Union shall be held prior to the election of the other members of the Executive.
- 13.8.7 Members who have who have retired or who have left the education profession shall be disqualified from election.

- 13.8.8 The election of the Officers of the Union, the other members of the Executive, General Secretary and Deputy General Secretary shall be conducted under the system of the single transferable vote except where there are only two candidates.
- 13.8.9 Each candidate in the elections for Senior and Junior Vice-President, Membership and Equalities Officer, Treasurer and members of the Executive, shall be entitled to have circulated by the Union an election address of not more than 300 words in accordance with the requirements of any statutory provision for the time being in force together with a **factual** statement of biographical details of up to 100 words. The election address must be received no later than seven days after the closing date for receipt of nominations by the General Secretary.
- 13.8.10 The role-sharing of an Executive seat (geographical, sector or section) will be accepted when requested if one or both of the proposed role-share partners is a disabled member and meets the requirements under the Equality Act to request a reasonable adjustment for the role and whose name appears on the register at the date of notification of the timetable for the election under rule 11.14. Potential role-share partners will stand as joint candidates and nomination by districts/workplaces will be for both partners. Two women standing as role-share partners in geographical seats will be treated as women candidates for the purposes of the 'guarded' seat arrangements. If one partner in a role-share resigns, there will be a by-election.

### **13.9 Nomination and Election of Vice-Presidents**

- 13.9.1 Every Local District may nominate two members of the Union for the offices of Junior and Senior Vice-President whose election shall be conducted in accordance with the procedure laid down in these rules. The votes shall be recorded on the same voting paper.
- 13.9.2 The member so nominated must have been a member of the Union for the five years immediately preceding the election.
- 13.9.3 The Senior Vice President would be the first candidate to reach the quota in the Union's Vice-Presidents' election. If the two elected candidates reach the quota at the same stage of the count, the Senior Vice-President will be the candidate with the most votes at the end of that stage of the count.

### **13.10 Nomination and Election of Membership and Equalities Officer and Treasurer**

- 13.10.1 Every Local District may nominate one member of the Union for the Membership and Equalities Officer and one member of the Union for the Office of Treasurer.
- 13.10.2 The members so nominated must have been members of the Union for the five years immediately preceding the election.
- 13.10.3 The election of the Membership and Equalities Officer and the Treasurer shall be held at the same time as the biennial election of the Junior and Senior Vice-President and the votes shall be recorded on the same voting paper.

### **13.11 Timetable - Election of Officers**

- 13.11.1 The biennial election of the Officers (Senior and Junior-Vice Presidents, Membership and Equalities Officer and the Treasurer) shall be held as follows:
- (a) Notification of the timetable for the election will be circulated to districts no later than 1 September in the year prior to which the election is to take place;

- (b) Nominations will open on 1 November and shall be made in accordance with the provisions of the relevant rules on the form provided for the purpose and must reach the General Secretary not later than 15 December in the year prior to which the election is to take place;
- (c) The consent of any candidate to seek election may be withdrawn up to seven days following the close of nominations.
- (d) Each candidate shall be entitled to have circulated an election address of not more than 300 words in accordance with the requirements of any statutory provisions for the time being in force, together with a statement of biographical details of up to 100 words. Any such election address and statement of biographical details must be received by the General Secretary no later than seven days after the closing date for receipt of nominations;
- (e) Voting papers shall be sent to the home address of all members eligible to vote, or to such other address as the member has indicated in writing shall be the address for the purpose of the election, at least three weeks before the closing date for return of voting papers to the offices of the independent scrutineer;
- (f) The closing date for receipt of voting papers at the offices of the independent scrutineer shall be midday on the 1 March in the year in which the election is to take place;
- (g) In the event that a date fixed by these rules falls on a Saturday, Sunday or public holiday the date of the next following working day (Monday to Friday) shall be substituted.

### **13.12 Nomination for Election of Executive Members other than Officers and those elected under Sections and Equalities provisions**

13.12.1 Executive Electoral Districts: England and Wales shall be divided into multi-seat Electoral Districts and Northern Ireland and Scotland shall be one whole Electoral District. The Electoral Districts and the Executive Representation for each Electoral District shall be as set out in appendix D to these rules.

13.12.2 For ~~four and~~ three-seat Electoral Districts the two female candidates with the most votes will be elected and until 1 September 2021 the candidate from each of the ATL section and the NUT section with the most votes will be elected.

13.12.3 Local Districts may nominate as candidates for the Executive as many members of the Union as there are members to be elected for the Electoral District.

13.12.4 The member so nominated must have been a member of the Union for the three years immediately preceding the election .

13.12.5 A candidate for the Executive may only be nominated by a Local District within the Electoral District she or he seeks to represent.

13.12.6 Alternatively, a member may be nominated for elections as a member of the Executive by 35 standard members from within the Electoral District that the member is being nominated for and from at least three workplaces. Any such nomination should be made on the relevant form.

13.12.7 A candidate may only accept a nomination for an electoral district of which they are a member.

### **13.13 Timetable - Election of Executive Members other than the Officers**

13.13.1 The biennial election of the members of the Executive shall be held as follows:

- (a) Notification of the timetable for the election will be circulated to districts no later than 21 January in the year prior to which the election is to take place;
- (b) Nominations made in accordance with the provisions of the relevant rules shall be made on the form provided for the purpose and must reach the General Secretary not later than 7 March in the year in which the election is to take place;
- (c) The consent of any candidate to seek election may be withdrawn up to seven days following the close of nominations;
- (d) Each candidate shall be entitled to have circulated an election address of not more than 300 words in accordance with the requirements of any statutory provisions for the time being in force, together with a statement of biographical details of up to 100 words. **Role-share candidates shall submit a joint election statement up to the limit by Rule and individual biographies up to the 100-word limit.** Any such election address and statement of biographical details must be received by the General Secretary no later than seven days after the closing date for receipt of nominations;
- (e) Voting papers shall be sent to the home address of all members eligible to vote, or to such other address as the member has indicated in writing shall be the address for the purpose of the election, at least three weeks before the closing date for return of voting papers to the offices of the independent scrutineer;
- (f) The closing date for receipt of voting papers at the offices of the independent scrutineer shall be midday on 29 April in the year in which the election is to take place;
- (g) In the event that a date fixed by these rules falls on a Saturday, Sunday or public holiday the date of the next following working day (Monday to Friday) shall be substituted.

### **13.14 Conduct of Elections: Equality Sections (Black, LGBT+ and Disabled) Executive Members**

- (a) Following the identification by Conference, acting under these rules, of a separate section of members who should have distinct representation on the Executive, an election of such representative or representatives shall be held concurrently with the next ensuing election of Executive Members other than Officers. At the dates these rules become effective this will apply to sections for Black, LGBT+ and Disabled members.
- (b) For the purposes of an election under this rule, the Executive shall have established a register of those members who by virtue of the characteristics they share and for which the relevant section was created by Conference, express their wish to exercise the right to vote conferred upon them by these rules. Eligibility for enrolment on such a register shall be on such conditions as Conference may decide.
- (c) Notification of the timetable for any election held under this rule will be circulated to members whose names appear on the register established and maintained under this rule no later than 21 January in the year in which the election is to take place.
- (d) Nominations for election under this rule may be made by Local Districts from amongst

those members whose names appear on the aforementioned register at the date of notification under these rules and must reach the General Secretary no later than 7 March in the year in which the election is to take place.

- (e) The consent of any candidate to seek election may be withdrawn up to seven days following the close of nominations.
- (f) Each candidate shall be entitled to have circulated an election address of not more than 300 words in accordance with the requirements of any statutory provisions for the time being in force, together with a statement of biographical details of up to 100 words. **Role-share candidates shall submit a joint election statement up to the limit by Rule and individual biographies up to the 100-word limit.** Any such election address and statement of biographical details must be received by the General Secretary no later than seven days after the closing date for the receipt of nominations.
- (g) Eligibility to vote shall be restricted to those members whose names appear on the register established and maintained in accordance with these rules at the closing date for the receipt of nominations.
- (h) Voting papers shall be sent to the home address of all members eligible to vote, or to such other address as the member has indicated in writing shall be the address for the purpose of the election, at least three weeks before the closing date for return of voting papers to the independent scrutineer.
- (i) The closing date for the receipt of voting papers at the offices of the independent scrutineer shall be midday on 29 April in the year in which the election is to take place.
- (j) In the event that a date fixed by these rules falls on a Saturday, Sunday or public holiday the date of the next following working day (Monday to Friday) shall be substituted.

#### **13.15 Conduct of Elections: Independent Schools, Post 16 Establishments and Support Staff Sections Executive Members**

- (a) One seat on the Executive shall be allocated each for members employed in the Independent Schools and Post 16 Establishments and one seat for support staff members, an election of such representative or representatives shall be held concurrently with the next ensuing election of Executive Members.
- (b) For the purposes of an election under this rule, the Executive shall have established a register of those members are employed in the relevant section. Eligibility for enrolment on such a register shall be on the basis of being employed in that sector or employment category.
- (c) Notification of the timetable for any election held under this rule will be circulated to members whose names appear on the register established and maintained under this rule no later than 21 January in the year in which the election is to take place. For the first elections (conducted in 2018 for seats on the Executive from 2019), notification of the timetable shall take place no later than 20 July 2018 (JEC Report to conference).
- (d) Nominations for election under this rule may be made by Local Districts from amongst those members whose names appear on the aforementioned register at the date of

notification under these rules and must reach the General Secretary no later than 7 March in the year in which the election is to take place.

- (e) Alternatively, a member may be nominated for election under this rule by 35 standard members from at least three different workplaces and whose names appear on the aforementioned register at the date of notification under these rules. Any such nomination should be made on the relevant form.
- (f) The consent of any candidate to seek election may be withdrawn up to seven days following the close of nominations.
- (g) Each candidate shall be entitled to have circulated an election address of not more than 300 words in accordance with the requirements of any statutory provisions for the time being in force, together with a statement of biographical details of up to 100 words. **Role-share candidates shall submit a joint election statement up to the limit by Rule and individual biographies up to the 100-word limit.** Any such election address and statement of biographical details must be received by the General Secretary no later than seven days after the closing date for the receipt of nominations.
- (h) Eligibility to vote shall be restricted to those members whose names appear on the register established and maintained in accordance with these rules at the closing date for the receipt of nominations.
- (i) Voting papers shall be sent to the home address of all members eligible to vote, or to such other address as the member has indicated in writing shall be the address for the purpose of the election, at least three weeks before the closing date for return of voting papers to the independent scrutineer.
- (j) The closing date for the receipt of voting papers at the offices of the independent scrutineer shall be midday on 29 April in the year in which the election is to take place.
- (k) In the event that a date fixed by these rules falls on a Saturday, Sunday or public holiday the date of the next following working day (Monday to Friday) shall be substituted.

### **13.16 Conduct of National Elections**

#### **13.16.1 Officers, Executive, General Secretary & **the Elected** Deputy General Secretary **(Policy)****

##### **(a) Eligibility to Vote.**

All those, other than associate and student members, who are in membership of the Union at the date voting commences shall be entitled to vote in the election.

##### **(b) Counting of Votes and Returning Officer.**

The counting of votes shall be under the control and administration of an appointed independent scrutineer and a representative of the independent scrutineer shall act as Returning Officer. The count in each election covered by this rule shall commence at midday on the day on which the ballot is due to close. Details of the name and address of the Independent Scrutineer appointed by the Union for each election shall be advised to districts at the time of circulation of the timetable for the election.

##### **(c) Declaration and Publication of Results.**

The results of each election shall be declared and notified to each candidate as soon as possible after the conclusion of the count. The results shall be published in accordance with any statute for the time being in force, but in any event no later than three months following the declaration of the Result.

A copy of the Independent Scrutineer's Report and Certified Election Result Sheet(s) shall be available for inspection by any member at the Union's Headquarters and at any of the Union's Regional Offices and the Northern Ireland and Wales Offices.

The results of the Officers and Executive Elections shall be circulated at the first session of Annual Conference following the election.

**(d) Tied Result**

In the event of a tied result, the result of the election will be determined in accordance with parliamentary procedures under the auspices of the appointed independent scrutineer.

**(e) Period of office.**

Subject to the provisions of these rules members of the Executive shall hold office from 1 September of the year of their election for two years until 31 August.

**(f) Omission to issue voting papers.**

Provided that all reasonably practicable steps have been taken, the election shall not be invalidated by the failure of members to receive voting papers, otherwise than by the operation of law.

**(g) Countermand.**

If after the latest time for delivery of nomination papers and before the latest date upon which voting papers are to be supplied to members eligible to vote a candidate who remains validly nominated dies, or becomes disqualified for election under the Rules of the Union, the President of the Union shall countermand the election in the case of the Officers and the Treasurer. In the case of the election of a member of the Executive other than Officers or Treasurer, the President shall countermand the election of the Electoral Districts or sector or section constituencies affected. All the proceedings with reference to the said election shall be commenced afresh provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the election. On the election being countermanded, the Executive shall determine the timetable for the fresh election. The election shall then otherwise be held in accordance with the provisions of the foregoing rules. Any fresh nominations shall be received by the General Secretary in accordance with the new timetable.

### **13.17 Vacancies**

13.17.1 Any vacancy arising between elections in the office of President, Senior Vice-President or Ex-President may be filled by the Executive from its own body until the next biennial election. Any vacancy in the office of Treasurer or Membership and Equalities Officer arising through the operation of these rules at the Annual Conference next following a biennial election shall be filled by an election held in accordance with the procedure laid down in these Rules for an ordinary election of Treasurer or Membership and Equalities Officer. Any vacancy for Treasurer or Membership and Equalities Officer for any other reason than determined by these rules shall be filled by the Executive from its own body until the next biennial election. Any member of the Executive, other than a member nominated under the terms of the Joint Partnership Schemes shall, by virtue of his or her election to the Executive, be eligible for appointment to officership of the Union in circumstances described.

13.17.2 Any vacancy arising at any time in the office of Junior Vice-President shall be filled by a special election held in accordance with the general procedure laid down in in these rules. In the event of the Executive filling a vacancy as aforesaid in the above mentioned offices, a vacancy shall then be declared in the Executive in accordance with the provisions of these rules.

13.17.3 In the event of any vacancy being declared in the Executive within six months of the end of the term of office, such vacancy shall not be filled until the holding of the biennial election. In the event of a vacancy being declared with more than six months before the end of the term of office the Executive shall determine the timetable for the new election. The election shall then otherwise be held in accordance with the provisions of the foregoing rules.

### **13.18 Electoral Systems**

Unless expressly stated elsewhere within these Rules, all **national** elections for which there are more than two candidates will use the single transferable vote preferential system and will be conducted and counted in accordance with the Electoral Reform Society 1997 publication "How to conduct an election by the Single Transferable Vote".

### **13.19 Election of Officers and Executive to take up office from 1 January 2019**

13.19.1 The election of Officers and Executive members for the inaugural Executive will be conducted under the auspices of the Joint Executive Council as provided for in the Schedule General Rules. The period of office for the inaugural Executive will be extended to run from 1 January 2019 until 31 August 2021. The term of office for Officers will be determined by the Joint Executive Council. With the exception of dates for notice of elections, nominations and voting, the election of the inaugural Officers and Executive Committee members will be in accordance with these rules except that nominations will be invited from NUT local association and ATL districts rather than neu local districts.

13.19.2 For the period from 1 January 2019 until 31 August 2019 there will be Joint Presidents who were previous elected by the sections of the Union to be Presidents of the sections during 2018. The Joint Presidents will serve a further year as Joint Past Presidents from 1 September 2019 until 31 August 2020.

## **14 Meetings of the Executive**

14.1 The Executive shall meet:

- (i) eight times each year, with half the meetings taking place on a Saturday and half of the meetings taking place on a weekday;
- (ii) at such other times as the President and the General Secretary or the Executive may deem fit;
- (iii) when a requisition supported by 40% of the membership of the Executive stating in writing the object of the meeting has been received by the General Secretary.

14.2 The meetings shall be held in London or such other place as may be agreed upon by the Executive.

14.3 In any meeting of the Executive duly summoned, 40% of members shall form a quorum.

14.4 The expenses of the members of the Executive for approved business shall be defrayed from funds of the Union.

14.5 If any member of the Executive shall be absent from the meetings of the Executive for three successive meetings without reasons which are considered sufficient by the Executive, such



person shall cease to be a member and shall not be eligible for re-election until the next biennial election.

## **15 Professional Staff**

- 15.1 The professional staff shall include the General Secretary, Deputy General Secretaries (elected and appointed) and all other paid employees of the union.
- 15.2 The power to appoint or dismiss any member of the professional staff of the Union shall be vested in the Executive. All appointments to employed posts in the union will be overseen by the Joint General Secretaries or General Secretary following the agreed appointment process.
- 15.3 No member of the professional staff of the Union may be a member of the Executive, a representative of a district at Conference, or a Trustee of the Union.
- 15.4 The General Secretary and **the elected** Deputy General Secretary (~~Policy~~) shall be salaried officials of the Union elected by a postal ballot of those members eligible under these rules.
- 15.5 The General Secretary of ATL and the General Secretary of the NUT at the time of the registration of the Instrument of Amalgamation shall both serve as Joint General Secretaries of the New Union. In the event of either Joint General Secretary vacating their post for whatever reason prior to 31st December 2022 the relevant section will elect a new Joint General Secretary to hold office until 31st August 2023.
- 15.6 The General Secretary Designate shall assume the post of General Secretary of the Union with effect from 1st August 2023.
- 15.7 Until 31 August 2023 the Joint General Secretaries of the Union shall be responsible for the administration of the affairs of the Union; including convening meetings and implementing the decisions of the Executive and its committees, conducting correspondence on behalf of the Union, maintaining the accounts and records of the Union, managing the Union's full time officers and staff and such other duties as may be determined by the Executive.
- 15.8 From 1<sup>st</sup> September 2023 the General Secretary shall be responsible for the administration of the affairs of the Union; including convening meetings and implementing the decisions of the Executive and its committees, conducting correspondence on behalf of the Union, maintaining the accounts and records of the Union, managing the Union's full time officers and staff and such other duties as may be determined by the Executive.
- 15.9 Candidates for the posts of General Secretary and **the elected** Deputy General Secretary (~~Policy~~) shall be either:
- (a) Members of a TUC affiliate union for not less than five continuous years immediately preceding the commencement of the ballot; or
  - (b) Officials of a TUC affiliate union.
- 15.10 Candidates must be nominated by at least fifteen or more Local District.
- 15.11 Elections for the posts of General Secretary and **the elected** Deputy General Secretary (~~Policy~~) shall be held at least prior to the end of every fifth year following the previous election in accordance with a timetable to be determined by the Executive which shall ensure:
- (i) that voting does not commence in either such elections within four weeks of the completion of elections of the Officers or Executive Members other than the Officers;

- (ii) that voting in the election for the post of **the elected** Deputy General Secretary (~~Policy~~) does not commence within four months of the completion of the election for the post of General Secretary and shall otherwise conform to the following provisions:
- 15.12 The Executive shall by notice given to the Secretaries of Local Districts declare the timetable for the elections of the General Secretary and the **elected** Deputy General Secretary (~~Policy~~) within two months of the end of the fourth year following the previous election held under Paragraph 6 of this rule.
- 15.13 The nominations shall be made on the form provided for the purpose and must reach the Returning Officer **who will be President** not less than eight weeks before the closing date of an election.
- 15.14 The consent of any candidate to seek election may be withdrawn no later than seven days after the closing date for the receipt of nominations. Each candidate shall be entitled to have circulated an election address of not more than 300 words in accordance with the requirements of any statutory provisions for the time being in force. Any such Election Address must be received by the President no later than seven days after the closing date for nominations.
- 15.15 Elections for the posts of General Secretary or Deputy General Secretary shall otherwise be held no later than three months following the date upon which either of such posts becomes vacant and the elected candidate shall thereafter hold office until a date determined by the Executive in the fifth year following the previous election held under Paragraph 6 of this rule.
- 15.16 Voting shall be under the control and administration of the appointed independent scrutineer and a representative of the independent scrutineer shall act as Returning Officer.
- 15.17 The voting papers, together with the electoral addresses, shall be sent to the home addresses of all members eligible to vote or such other address as the member has indicated in writing shall be the address for the purpose of the ballot in accordance with the published timetable.
- 15.18 The voting papers shall be returned by post to the offices of the appointed independent scrutineer in accordance with the published timetable.
- 15.19 The General Secretary and the Deputy General Secretary, once elected shall be immediately appointed to the salaried service of the Union upon terms appropriate to the holders of such office. The contracts of service of any outgoing General Secretary or **the elected** Deputy General Secretary (~~Policy~~) shall be deemed to be terminated upon the declaration of the vote subject to such terms as to further employment of any such former post holder as the Executive may decide.
- 15.20 Suspension of, or commencement of disciplinary action against, either of the Joint General Secretaries can only take place following a majority vote 3/4<sup>th</sup> of the Executive. From September 2023 suspension of, or commencement of disciplinary action against, the General Secretary can only take place following a majority vote 2/3rd of the Executive.
- 15.21 **When the Joint General Secretaries or the General Secretary declare their intention to retire at the end of their term of office, they can continue in office beyond their five year term as allowed for by legislation.**

## **16 CONFERENCE**

### **16.1 Time and Place**

- 16.1.1 The Annual Conference shall normally be held over the Easter period unless the Executive considers it expedient, for good reason and following consultation with Local Districts, to hold

Annual Conference at another time, and provided always that no period longer than fifteen months shall elapse between Annual Conferences.

16.1.2 A Special Conference may be held at such time and place as the Executive may deem expedient, provided always that not less than seven days' notice be given to the Secretaries of Local Districts.

16.1.3 The Executive shall have the authority to choose the time and place of meeting of Annual Conference for up to three years next following the current conference and the list of these times and places shall appear in the ~~Annual~~ Executive Report.

## 16.2 Members

16.2.1 Conference shall consist of the Executive, the former Presidents who are still members of the Union, the General Secretary, the elected Deputy General Secretary (Policy), the Trustees, the Honorary Members of the Union, members of the Conference Committee and the Representative elected according to these rules.

16.2.2 The Independent Schools, Post 16 Establishments and Support Staff Sections will each be allowed to appoint six representatives to Conference. Such representatives shall carry one vote each. Delegations from local districts should include at least one representative from any sector that has more than 250 members within that District.

16.2.3 The Disabled and LGBT+ member Sections will each be allowed to appoint six representatives to conference. Such representatives shall carry one vote each.

16.2.4 Each Local District may send to Conference representatives according to the following scale. This scale shall be made up of the number of those members, other than student members, of the Local District in the previous year and each such representative shall carry the votes of an equal share of such members:

1	to	350	Two Representatives
351	to	650	Three Representatives
651	to	950	Four Representatives
951	to	1,250	Five Representatives
1,251	to	1,550	Six Representatives
1,551	to	1,850	Seven Representatives
1,851	to	2,150	Eight Representatives
2,151	to	2,450	Nine Representatives
2,451	to	2,750	Ten Representatives
2,751	to	3,050	Eleven Representatives
3,051	&	upwards	Twelve Representatives

(there shall be no maximum and thereafter one Representative for every extra 300 members)

16.2.5 For the first annual conference in 2019 the representatives will be appointed by the ATL Districts and NUT Constituent Associations in accordance with the above scale.

16.2.6 For the 2020 and 2021 conference the following additional requirement will apply:

- Two Representatives (at least 1 from each (ATL/NUT) section)
- Three Representatives (at least 1 from each (ATL/NUT) section)
- Four Representatives (at least 1 from each (ATL/NUT) section)
- Five Representatives (at least 1 from each (ATL/NUT) section)
- Six Representatives (at least 2 from (ATL/NUT) each section)
- Seven Representatives (at least 2 from each (ATL/NUT) section)
- Eight Representatives (at least 2 from each (ATL/NUT) section)
- Nine Representatives (at least 3 from each (ATL/NUT) section)
- Ten Representatives (at least 3 from each (ATL/NUT) section)
- Eleven Representatives (at least 3 from each (ATL/NUT) section)
- Twelve Representatives (at least 3 from each (ATL/NUT) section)

### 16.3 Quorum

- 16.3.1 No business shall be commenced in any meeting of Conference unless at least one hundred representatives are present, and if at any time during the sittings of Conference the attention of the President is drawn to the fact that less than one hundred representatives are present, the business shall be suspended.

### ~~16.4 Scrutineers~~

~~16.4.1 Scrutineers shall be appointed by Conference to count up the votes recorded during Conference and to report the results to the President.~~

### 16.5 Conference Committee

- 16.5.1. There shall be a Conference Standing Orders Committee consisting of an Officer of the Union [to be agreed], six other members of the Executive elected by that body and eight members of the Union other than student members and those who have retired or otherwise left the profession, elected in accordance with the terms and procedure laid down by the Joint Executive Council and thereafter the Executive.
- 16.5.2 Original motions for discussion for Annual Conference may be submitted by the Executive, Sector or Equalities Sections or Local Districts. For the first annual conference in 2019 motions may be submitted by the Joint Executive Council established under the Schedule General (Transitional) Rules, the ATL Districts and NUT Constituent Associations.

### 16.6 Annual Conference arrangements

- 16.6.1 The arrangements for the Annual Conference including the appointment of conference representatives, submission of motions and amendments, prioritisation of motions and conference standing orders will be agreed by the conferences of the two sections in 2017.

## **17 Finance, funds and trustees**

- 17.1 The Executive shall have overall responsibility for the management, control and expenditure of the Union's financial, investment, property and all other resources.
- 17.2 The Executive may devolve its powers in total or part to its General Purposes Committee, made up of a number of National Officers and Executive members to be

determined by the Executive. The General Purposes Committee will be responsible for keeping all the Union's financial papers, preparing budgets, producing financial statements for the Executive, the Conference and statutory bodies including the Certification Officer and the Inland Revenue.

## **18 Funds**

18.1 The funds of the Union shall consist of:

- (a) The General Fund.
- (b) The General Fund Reserve.
- (c) The Professional Sustentation Fund.
- (d) Political Fund.
- (e) NEU Trust Fund
- (f) International Fund

18.2 The Political Fund shall only be used:

- “on the production, publication or distribution of any literature, documents, film, sound recording or advertisement, or any event, festival or campaign, the main purpose of which is to persuade people not to vote for political parties and their candidates who promote racist, fascist or similar views” or
- “to encourage our members or identified groups within our membership, or to encourage people generally or specific groups of people, to register to vote”
- or “on the provision of expenses incurred by officials or officers of the NEU at the annual conferences or other meetings of political parties”

18.3 These funds shall be applicable for the purpose of attaining the objects of the Union as defined by, and subject to, the provisions of these rules. Only monies from the Professional Sustentation Fund shall be used for financing strikes, lock outs or other industrial disputes.

18.4 General Fund

18.4.1 All annual subscriptions to the Union, other than the sums allocated to the Professional Sustentation Fund, shall be paid into the General Fund.

18.5 General Fund Reserve

18.5.1 There shall be transferred into the General Fund Reserve on 31 August of each year the amount by which the income of the General Fund exceeds the expenditure of the Fund for that year; and in case the expenditure from the General Fund exceeds the income of the Fund for that year, the amount of the deficit shall be made good from the General Fund Reserve.

18.6 Professional Sustentation Fund-

18.6.1 Such part of the subscription to the Union as shall be allocated from time to time to the Professional Sustentation Fund together with such part of the income from its

investments as it is not required for the purposes of the Fund shall be paid into and form part of the capital of that Fund and shall be invested accordingly.

18.6.2 The Sustentation Fund shall be used for the maintenance and sustentation of members acting in accordance with instructions of the Union and payments shall only be made in accordance with provisions of the Sustentation Rules as set out in Appendix E of these rules.

18.6.3 If any member suffers pecuniary loss or damage from any cause which in the opinion of the Executive, after consultation with the Constituent Branch, arises from any action taken on the advice of the Union in the defence of professional rights or from any cause which in the opinion of the Executive renders the member worthy of support the Executive may make out of the Sustentation Fund such grants towards the maintenance and relief of such member as it deems advisable.

## 18.7 The NEU Trust Fund

18.7.1 The Union will support the NEU Trust Fund (a registered charity with the Charity Commission) following its change of name from the ATL Trust Fund for as long as it is registered as a charity. The Union will appoint Trustees to the Trust Fund in accordance with the NEU Trust Fund Memorandum and Articles of Association. An annual voluntary £1 donation will be requested from members of the Union to be collected along with membership subscription. The Union will make an annual capital grant of at least £50,000 per annum to the Trust Fund.

18.7.2 There shall be transferred to the NEU Trust Fund such sums as shall be allocated from the General Fund, or from donations from members or non-members, associations or divisions or from gains on the disposal of assets, or from other non-trading income or gains, or from such other sums as shall be established by the Executive.

## 18.8 Other Funds

18.8.1 Expenditure from such other funds as the Executive shall establish shall be restricted to the objects of such funds.

## 18.9 Financial Statements and Annual Report

18.9.1 A copy of the Financial Statements relating to the Central Funds of the Union, duly audited, shall be forwarded by the General Secretary to the Secretary of each Local District three weeks before the start of Conference.

18.9.2 The Financial Statements and the Report of the Executive as approved by Conference shall be published in the Annual Report.

18.9.3 The Annual Report shall be issued as early after the Conference as practicable.

18.9.4 The Joint General Secretaries/General Secretary shall examine and summarise all Statements of Account forwarded by each Local District at 31 August annually these rules and shall make a return to the Certification Officer for Trade Unions and Employers' Associations in the manner required.

## 18.10 Recovery of Moneys

18.10.1 All moneys payable, either by way of subscription or otherwise, to the Union by any member or official, either in his/her personal or in his/her

representative or official capacity, shall be paid to, and be recoverable by, the Treasurer on behalf of the Union.

## **19 Trustees**

- 19.1 Four persons elected as Trustees by the Executive shall be Trustees. Each of the elected persons must have been a member of the Union or its predecessors for at least the seven years immediately preceding the date of election. Appointments to the Union's Board of Trustees shall be made for an initial term, to be renewable after a period of five years.
- 19.2 The Joint General Secretaries/General Secretary will be entitled to attend and speak all meetings of the Trustees.
- 19.3 When the number of the Trustees is reduced to two, it shall be the duty of the Executive to fill the vacancies forthwith, provided always that any business involving the appointment of a Trustee shall not be transacted unless notice in writing of such business shall have been sent to every member of the Executive at least seven days before the meeting at which such business is to be transacted.
- 19.4 The Trusteeship of any person holding the office shall be ipso facto determined if she/he becomes bankrupt or insolvent or if she/he has allowed her/his membership of the Union to lapse.
- 19.5 It shall be within the power of the Executive to terminate the Trusteeship of any person by a resolution, which shall not be declared carried unless at least two thirds of the members present vote in its favour. Notice of such motion must be sent in writing to every member of the Executive at least seven days before the meeting at which such motion is to be proposed.

## **20 Investment of Funds**

- 20.1 The funds and properties invested in the names of the Trustees or the Custodian Trustee in mentioned hereinafter shall be under the control and at the disposal of the Executive for the respective purposes to which the various funds are devoted under the scheme as approved by Conference.
- 20.2 Subject as hereinafter provided, all funds and properties shall be invested in the names of the Trustees, provided nevertheless that the Trustees shall have power to hold all or any of such investments in the name of any other Custodian Trustee as aforesaid and for this purpose to appoint such other Custodian Trustee as aforesaid Custodian Trustee of the Union with such provisions for the remuneration and the protection of such Custodian Trustee as the Executive may approve and to transfer such investments into the name of such Custodian Trustee.

## **21 Auditor**

- 21.1 The Accounts of the Union shall be audited by a professional auditor, who shall be appointed by the Executive, and shall be required to make a report annually to the Conference.

- 21.2 A representative of the Union's auditor shall be entitled to attend the Annual or a Special Conference and to receive all notices of and other communications relating thereto which any member or representative is entitled to receive and shall be entitled to be heard at any session she or he attends on any part of the business which concerns him or her as auditor.

## **22 Professional conduct and discipline**

- 22.1 There shall be a code of Professional Conduct established by the Joint Executive Council and included as Appendix I to these rules.
- 22.2 Any questions as to the professional conduct of any member whether it arises on the personal application of any member or otherwise shall stand referred to the National Disciplinary Committee and be dealt with in accordance with the procedure set out in Appendix A of these rules.
- 22.3 If a member (including a member who is in membership under a Joint Partnership Scheme) is convicted of a criminal offence or consents to a caution, **or the Teaching Regulation Authority prohibits the member from teaching or makes a finding of unacceptable professional conduct or is barred from working with children and/or vulnerable adults by the Disclosure and Barring Service, except where there is other than one having** no material relevance to her/his fitness to be a member of the Union, her or his right to Union membership and all claims and entitlements to Union benefits shall be reviewed by the Professional Conduct (Criminal Convictions) Committee and the Executive, if so decided the member shall forfeit such rights, claims and entitlements.
- 22.4 If the Teaching Regulation Authority imposes an Interim Prohibition Order on a member the Professional Conduct (Criminal Convictions) Committee and the Executive may suspend the member from membership pending the outcome of the Teaching Regulation Authority proceedings.**
- 22.5 All questions relating to the discipline of members and any appeals on the question of eligibility for membership shall be dealt with in accordance with the provisions of Appendix A of these rules.

## **23 Alteration and interpretation of the rules**

- 23.1 Except where provided for below, no alteration in, or addition to, the rules of the Union may be made except at the Annual Conference on motion in accordance with these rules, or at a Special Conference called for this purpose. Any alteration or addition to the rules shall require a 2/3<sup>rd</sup> majority vote until 1 January 2022 or three years from the end of the transitional period, whichever is the sooner and a simple majority thereafter.
- 23.2 No alteration in or addition to any rule of the Union relating to the Political Fund may be made save as may be endorsed by ballot of members held in accordance with Appendix H being the Statutory Rules for the time being in force in relation to Political Fund Ballots.
- 23.3 The Executive shall have power to make amendments to the rules of the Union to the extent necessary (but no further) so as to ensure that the rules are correct in their



references to matters of fact e.g. in references to other organisations the names of which have been changed or to statutory provisions which have been amended or updated. Any such amendment must be reported to the following annual conference for ratification.

- 23.4 Any notice, if sent by post, shall be deemed to have been sent at the time when the envelope containing the notice would have been delivered in the ordinary course of the postal service. It will be deemed sufficient to prove this if the envelope containing the notice was properly addressed and put into the post as a pre-paid letter. Similarly, if such communications are distributed electronically by email, they shall be deemed to have been sent according to the dates recorded thereon.
- 23.5 When voting papers sent to the home address of a member eligible to vote (or to such other address as the member has indicated in writing shall be the address for the purpose of the election) are subsequently returned unopened they may be forwarded to the workplace last notified by that member to the union.
- 23.6 In the event of any dispute concerning issues in which these rules appear silent or unclear, the Executive shall interpret them and their ruling shall be conclusive and binding on all members of the Union.
- 23.7 All such interpretations and rulings shall be reported to the next Conference for approval.

