



NEU GDST Teachers' Pension Scheme Campaign

Member briefing 2

November 2021

Overview

- NEU school representatives report widespread upset and anger at the Trust's proposal to leave the Teachers' Pension Scheme (TPS).
- Having looked at the proposals in detail, our school reps remain unconvinced by the justifications in the *rationale for change*.
- They have considered the information provided to all teachers, heard feedback from the formal Consultation with NEU, met with the Executive themselves, and attended Ask the Executive sessions with all staff.
- The strong consensus is that leaving is simply unacceptable. Members are clear that they can, and will, do something to prevent it.
- NEU reps have requested that the union takes steps to ballot members on industrial action.

What are members saying?

First and foremost, that the removal of the TPS is a deal-breaker for many teachers.

Morale has plummeted. Some teachers are already looking at jobs elsewhere. Newer recruits are saying that they wouldn't have joined had they known.

However, there is a growing resilience and determination. People are prepared to take action to defend their pensions. They are buoyed by the knowledge that [NEU members in over 60 other independent schools have successfully taken action to remain in the TPS](#).

There is also concern for future success of their school. Teachers know that if the TPS is not offered, their *school's ability to recruit and retain quality teachers will be damaged*.

Members are aggrieved about the *timing and ingratitude of the announcement*. During the pandemic, teachers and support staff worked tirelessly under extremely difficult conditions to maintain the girls' education, earning the gratitude of parents. Just as we appear to be emerging from the worst of the pandemic, the Trust proposes to make a significant cut to teachers' pensions.

It comes on top of the *gradual erosion of members' standard of living*, after years of cost of living increases below inflation. Often endured on the basis, "well at least we have a good pension".

As a member said, “I worked constantly during both lock downs while looking after two young children, I did not receive a pay rise last year, the state sector did and now my retirement package is in doubt.”

Teachers feel that it is *adding insult to injury*, the Trust, a good employer, served legal notice of their intention to *Fire and Rehire*. The [Prime Minister said last week](#), “Using threats of firing and rehiring is completely unacceptable as a negotiating tactic. We expect companies to treat their employees fairly.”

Members are unimpressed by the lack of evidence to substantiate the Trust’s claims. And by the fact that the principal argument made in the letter to teachers is based on *things that might, or might not, happen in three years’ time* [see Briefing 1].

Members question the meaningfulness of the consultation.

Five reasons members fear consultation is a tick-box-exercise

1. **Consultation under duress.** On the commencement of consultation, the Trust gave Notice under Section 188 Trade Union and Labour Relations Act 1988 that if teachers and the NEU do not agree to losing the TPS, they would use *Fire and Rehire* to break contracts.
2. **Going public.** In September, the Trust made public statements to the press. “[23 private schools set to leave Teacher Pension Scheme](#)” and “[TPS exodus continues as schools’ trust begins consultation](#)” The Trust also wrote to parents giving one side of the argument. Job applicants have been told not to expect the TPS. The impression given is that the decision had been made.
3. **No evidence.** No written documentation to substantiate the business rationale has been given to staff, or to the NEU in the formal consultation meetings.
4. **Shifting justifications.** In the formal consultation, NEU rebutted the two speculative assumptions used to justify the main business rationale that *expenditure could be feasibly be higher than income in 2024* [see Briefing 1]. So, it was telling that this slide in the financial presentation was altered when the same presentation was given to NEU school reps.
5. **Lack of transparency.** Stage managed Ask the Executive Sessions. Staff couldn’t see all the questions asked, and the questions were filtered, leaving the impression that they were selected to suit the Trust’s case. The “independent” moderator was a consultant paid by the Trust.

Four unsatisfactory answers

NEU asked the Trust to provide:

1. **Independent financial advice** to all teachers so that you can see how the proposal affects you personally and be properly advised – *Rejected*.
2. An **Equality Impact Assessment** – the reps are concerned that the proposal will exacerbate pension inequality for women – *No assessment undertaken, nor commitment to do so*.
3. The **Pension and actuarial advice** underpinning the proposal – *we have just received two general and very brief commentaries of the type provided free by consultants seeking to solicit business*.
4. Detailed information on the **capital spend programme** – *As yet none provided*.

If cuts are necessary, what cuts have been made to the capital spend programme? Essential maintenance obviously needs to be done but, improvements could be postponed, or cut.

Three actions members are taking

1. Holding NEU school meetings and **voting on motion rejecting the proposal**.
2. **Writing to the Chair of the local School Governors** asking them to lobby the Trust to withdraw the proposal. We understand that the Chairs are meeting the Trust on 18th November.
3. **Discussing potential strike action** to defend their pensions.

If you need any assistance in our school, contact bargainingsupport@neu.org.uk.

Two parties to a contract

1. A contract of employment is a binding document on both parties. It is not for one party to unilaterally decide that they won't comply with their side of the bargain.
2. The Trust have made their proposal. They have served legal notice that they intend to break contracts of employment; to *Fire and Rehire*. NEU members will have their say.

One increasing likelihood

1. NEU school reps have asked the union to ballot members on industrial action.

In conclusion

NEU members do not accept that there is a financial imperative to leave. Yes, there are challenges, but the Trust finances are robust. [GDST Charity Overview](#). And [Annual Report and financial statements for the year ended 31 August 2020](#). No evidence has been given to us to prove otherwise.

It is your contract of employment, your pension, your standard of living in retirement. You have a big say in whether it is taken away. For many teachers, the TPS is a deal-breaker.

The NEU will continue to robustly negotiate on your behalf. We sincerely hope that the Trust reconsider. Unfortunately, we do not believe that it will happen by talking alone.

Striking is a last resort decided by a democratic member vote. Many members believe it is justified by the potential financial loss and proportionate to the use of *Fire and Rehire*. NEU Member experience [defending the TPS in other independent schools](#) shows that, unfortunately, the threat of industrial action is often the only argument an employer will listen to.

If NEU members act collectively, and robustly, then there is every chance that the proposal to withdraw from the TPS can be defeated.