

## Update on progress on the NASUWT National Trade Dispute with the Government

### PUPIL INDISCIPLINE

The NASUWT is engaged in a National Trade Dispute with the Government over pay, workload, **ineffective management of pupil indiscipline** and other adverse management practices affecting the health and welfare of members.

Following a lawful national ballot, NASUWT members in schools across Scotland have been engaged in national industrial action in furtherance of this dispute.

This briefing note provides members with an update on the progress the NASUWT has been able to make in its representations to and discussions with the Government on **PUPIL INDISCIPLINE**, as a result of the action NASUWT members have taken in furtherance of this aspect of the national trade dispute.

#### The extent of the problem and why national action on pupil indiscipline is necessary

**71% of teachers say that pupil indiscipline is their top concern about their job.**

**91% believe that there is a widespread behaviour problem in schools.**

**67% say that pupil indiscipline is a problem in their own school.**

Members express deep concerns about:

- the challenges of the presumption of mainstream policy, which arise as a result of pupils whose barrier to learning is severe behaviour issues being placed in mainstream schools without appropriate support;
- the culture flourishing in too many schools, including in special schools and settings, that verbal and physical abuse are all part of the job;
- the growing attitude of 'blame the teacher' for pupil indiscipline in too many schools;
- restorative behaviour policies and practices, which have become synonymous with no sanctions for pupils and which are not only disempowering teachers, but also adding significantly to their workload;
- the lack of action taken in response to pupil referrals;
- the failure of schools to risk assess seriously disruptive pupils and appropriately engage teachers in the risk assessment process.



## The NASUWT's proposals on pupil indiscipline

- 1 A strong public commitment from the Government, which underlines that teachers cannot teach and pupils cannot learn where there is verbal and physical abuse and disruption.**

### *The Government's response*

The Deputy First Minister has issued strong public statements on behaviour and is happy to consider a further statement.

- 2 The Government needs to commit to, and reinforce, clear statements that teachers are entitled to a safe working environment and that verbal and physical abuse will not be tolerated.**

### *The Government's response*

No teacher should be subjected to physical and verbal abuse. The Government will be discussing this further with COSLA.

- 3 There should be a national model policy framework on which employers and schools must base their behaviour policies.**

### *The Government's response*

The national guidance on relationships and behaviour – the 'Included, Engaged and Involved' series, is clear that all local authorities must have in place their own policies based on these documents.

- 4 The 'blame the teacher' culture and restorative practices need to be addressed, and teachers' professionalism must be respected.**

### *The Government's response.*

Restorative approaches are based on a philosophy which places relationships, respect and responsibility at the heart of effective practice. This does not mean that no sanctions are available for teachers.

- 5 There should be a national model policy on which employers and schools must base their violence at work policy, and a statutory requirement should be introduced to require employers to have such a policy.**

### *The Government's response*

The Government will produce new national guidance which will provide a clear, human rights-based policy.

A longer-term piece of work will also be undertaken in relation to how incidents are recorded by schools and monitored by local authorities. This will include consideration of health and safety reports and how violent incidents are recorded.

The first meeting of a group to discuss this took place on 20th January. The NASUWT has a representative on this group.

- 6 Inclusion in the inspection framework of effective management of pupil behaviour.**

### *The Government's response*

Pupil behaviour is already considered as part of the inspection framework.

- 7 The development of a national programme focused on teacher wellbeing.** This would include safety in the workplace and also link with tackling workload and bureaucracy.

### *The Government's response*

Work is underway on the development of new professional learning opportunities for teachers, focusing on their health and wellbeing.

- 8 The need for Co-ordinated Support Plans (CSPs) to be in place, as required in the statutory provisions.**

### *The Government's response*

This is part of the review of additional support for learning and the findings will be used to inform the work being taken forward to enhance the implementation of additional support for learning, including the review of the use of CSPs.

## THE PROGRESS MADE IS DOWN TO NASUWT MEMBERS

It is particularly pleasing that the Government has been clear in response to NASUWT's trade dispute that restorative behaviour does not mean no sanctions, and that the rights of teachers to a safe working environment are stated strongly by the Government.

There is clearly still much more to do to improve the support for teachers in managing pupil behaviour, but the Government has made it clear that they are *'keen to continue dialogue with you (NASUWT) in order to resolve your National Trade Dispute and would welcome further discussions with you.'*

Without the Union's trade dispute, and had members not been prepared to make a stand on these issues through balloting for industrial action, the Government would not even be considering the issue of pupil indiscipline. Ministers now are aware of teachers' concerns and are taking them more seriously.

**Members should be proud that they are making a positive difference to working conditions.**

- Members have reported to the NASUWT the enormous difference the Union's action instructions on pupil behaviour have made to their daily working lives and in driving changes to practice in schools.
- Members have particularly welcomed the instructions which empower them to determine when restorative conversations are appropriate and what should be in those conversations, rather than having these imposed on them. Members also report that the action has challenged the inappropriate notion in some schools that restorative behaviour means no sanctions for pupils. The Government has now backed this.
- Members have also welcomed the action on referrals which is ensuring that they received feedback on the action taken with regard for a pupil they have referred before they have to teach the pupil again.

The NASUWT will continue our dialogue with the Government to resolve the trade dispute, while supporting members through industrial action.

**Any member who is experiencing issues relating to pupil indiscipline should contact the NASUWT for advice and support.**

