

24.01.16.

### **3.2 Deputy M. Tadier of St. Brelade of the Chief Minister regarding the pay dispute with teachers (OQ.3/2024)**

Can I apologise for not being here at roll call, and thank Members for excusing me? I appreciate the Assembly's indulgence. Will the Chief Minister commit to ensuring that the pay dispute with teachers is resolved in 2024 and, if so, will she explain on what basis the Assembly can have confidence the dispute will be resolved; and if not, why not?

#### **Deputy K.L. Moore (The Chief Minister):**

The Government Plan seeks to ensure that public finances are sustainable, balancing, competing objectives, which of course includes fair pay for staff. The pay dispute with the N.A.S.U.W.T. (National Association of Schoolmasters Union of Women Teachers) is resolved, with confirmation that the pay offer for 2024, 2025 and 2026 should be implemented. This offer includes an 8 per cent consolidated award for 2024 and a guaranteed R.P.I. (retail price index) consolidated for 2025 and 2026. We have also offered a minimum of 2 per cent rise, even if R.P.I. falls lower in 2025 or 2026. The N.E.U. (National Education Union) have rejected the pay offer. We continue to offer and recommend binding arbitration to settle the dispute with the N.E.U., which we consider as the most sensible and pragmatic approach to settle the dispute. The S.E.B. (States Employment Board) continue to support the terms and conditions review, which began in September last year, and continues with weekly subgroups and a steering group meeting every third week.

#### **3.2.1 Deputy M. Tadier:**

Just to clarify, this question was submitted before the announcement on Friday after the question deadline. I would question the Chief Minister's statement that the current pay talks are now resolved. They seem to be far from resolved. There is also a question about the legality of the course of the Government. Would the Minister perhaps comment that she is completely satisfied that the legal position is watertight? I will leave that question there. Is the Chief Minister content that the legal position is watertight?

#### **Deputy K.L. Moore:**

Firstly, I would point the Deputy to my initial response, which identified that the dispute is resolved with one teaching union and not with the other. We received, of course, as Members would expect, advice prior to sending a letter to all teachers. We also sought advice from the Jersey Advisory Conciliation Service. Therefore, I think, appropriate measures were taken. What we are trying to achieve is a payment to those teachers who agree with the pay offer. As the employer, we do not hold information that tells us which teacher belongs to which union, and we are simply trying to find a way to pay those people who wish to be paid.

#### **3.2.2 Deputy R.J. Ward:**

Can the Minister confirm that the offer made to the N.A.S.U.W.T. - 48 per cent of which the members rejected it - also included a deal to not strike for the next 3 years, and that was made clear to members when they voted?

#### **Deputy K.L. Moore:**

I think given the disruption that has been caused to children's education, and let us not forget the public sentiment around this issue as well, it was a relevant question in the previous question from Deputy Scott, and it is a relevant question on this topic also. We are trying to find a way forward to

ensure that teachers are valued in our society. The greatest value will be found in delivering the terms and conditions, which is something that teachers asked us to do when we met with them, as we meet with every union on a periodic basis. We are tackling that. We are making excellent progress, I am told, in dealing with this issue. That will make a real difference to teachers' workloads, and that is what we want to achieve. What we also want to achieve is enabling our children to have a good education, an excellent education in this Island, and we are focused on achieving that.

**Deputy R.J. Ward:**

Before I ask my supplementary, can I have my first question answered, which was whether a no strike deal was made clear, because that was not addressed?

**The Bailiff:**

Are you able to answer that specific part of the question, which was very clear from the Deputy: was there a no strike requirement in the deal?

**Deputy K.L. Moore:**

I do not recall, I am afraid.

**3.2.3 Deputy R.J. Ward:**

Let me ask this question. From the letter that was sent in the supposed deal, what happens to somebody taking a job in May or June or July? Will they be asked also to sign away their right to strike in order to get on, which will be a differential pay scale now for those who have not accepted the deal and those who have? So which pay scale would new members of the profession go on from May or July? I ask the Minister, will they be asked to sign away that deal before they are employed?

**Deputy K.L. Moore:**

I certainly hope that we will have been able to resolve this matter before May, June or July.

**3.2.4 Deputy S.Y. Mézec of St. Helier South:**

This is a very, very specific question. Could the Chief Minister inform the Assembly whether or not the Government took legal advice from a legally qualified practitioner on the legality of whether the Government is able to put together a database of how people voted in a secret ballot, and if they do not take part in that process unilaterally revoke their right to strike?

**Deputy K.L. Moore:**

As I have previously said, we took advice. We have also considered data protection issues and therefore that is, on balance, our reason for writing in the terms that we have.

**3.2.5 Deputy S.Y. Mézec:**

The Chief Minister said she took advice. Was that legal advice from a legally qualified practitioner?

**Deputy K.L. Moore:**

Yes.

**3.2.6 Deputy M. Tadier:**

We have a scenario where the Government is saying it cannot give R.P.I. for the current dispute, but it has promised it for future years when it has no idea what that R.P.I. will be. Maybe there is a magic money tree. But the question is: is this not an indictment of the Chief Minister's leadership that this dispute has been going on for so long now, and we come into yet another calendar year, and it is still

hanging over her head and the Assembly's head. Would she take that as her personal responsibility that this dispute is not resolved and that is yet another argument that undermines her leadership?

**The Bailiff:**

Well, that is two questions.

**Deputy M. Tadier:**

I think it is related, Sir. I will let her choose.

**The Bailiff:**

I am not sure. I think the Chief Minister can answer whether she believes she is personally responsible or takes personal responsibility but I think the rest

**Deputy M. Tadier:**

I will leave it there then, thank you.

**Deputy K.L. Moore:**

The largest teaching union has resolved their ... sorry, I am being a little distracted by gesticulations in my direction. The largest teaching union has resolved this issue. We are trying to find a way forward now that will resolve for all teachers. What is important is that the children of our Island receive an education. An education of the highest standards. We remain committed to finding a solution to the terms and conditions issue, which will therefore impact positively upon the workload of teachers, and we remain committed to moving forward in that regard.

**Deputy R.J. Ward:**

Sir, may I ask at what point, if one believes the Assembly may have been accidentally misled, one might raise that even during questioning? Can I raise that now?

**The Bailiff:**

No, Deputy, unless you can ... to raise a point that the Assembly believes to be misled, I think in most circumstances that should occur on a different occasion, on a different proposition. But you could ... well, I will leave it at that. Deputy Tadier, that was your question.

**Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter**

Could we raise the défaut on Deputy Farnham, please?

**The Bailiff:**

The défaut is raised on Deputy Farnham.