Browne Jacobson

Trade unions announce plans to re-ballot members

18 January 2023 🙎 Katherine Utton

The National Association of Head Teachers (NAHT) and NASUWT, The Teacher's Union, have announced that they are both considering re-balloting their members following their recent failure to gather sufficient support to take industrial action.

Both unions, along with the National Education Union (NEU), are in dispute with the government over its pay deal for teachers – in which most teachers and senior leadership received a pay increase of 5%.

Concerns have been raised that, due to the ongoing Royal Mail strikes, many postal ballots were not received in time and had they been, the requisite support would have been recorded. NAHT have said nearly two thirds of members who requested a duplicate ballot did not receive them with sufficient time to vote.

Details as to when the ballots may re-open have not yet been confirmed, and whilst there is no minimum period of time that a ballot must remain open, it would be reasonable to presume that they will need to allow sufficient time to allow for postal ballots to be collected.

Proposed strike dates

<u>NEU has already confirmed industrial action</u> after reaching the necessary turnout threshold and its members will be taking part in seven days of strikes across February and March. Therefore, even if either NAHT or NASUWT receive sufficient support in a second ballot, the time taken to do so may mean we may see further strike dates being proposed later in the year.

In the meantime, negotiations between the unions and Secretary of State for Education, Gillian Keegan, are ongoing.

For schools or academies concerned about the impact strikes will have on their schools, and their ability to provide sufficient cover for staff during these periods, the DfE has published guidance on 'handling strikes action on schools guidance' and headteachers will be expected to 'take all reasonable steps to keep the school open for as many pupils as possible'.

How we can help

We're here to support you with practical guidance to help you plan for and manage industrial action.

Free webinar → /insights/industrial-action-essentials-what-you-need-to-know

Support pack → /products/industrial-action-support-pack

Contact

Mark Hickson Head of Business Development



onlineteaminbox@brownejacobson.com

+44 (0)370 270 6000

Related expertise

HR services for schools and academies

© 2025 Browne Jacobson LLP - All rights reserved