A message from Doug McAvoy, General Secretary

The NUT is balloting NUT members in relevant schools and units in England on a boycott of the National Curriculum tests and tasks at Key Stage 1 and the National Curriculum tests at Key Stage 2. A survey conducted recently of all members shows that 82 per cent of responding members at Key Stage 1 and 71.4 per cent at Key Stage 2 were committed to such a boycott. NUT members in Wales will not be balloted pending the outcome of the current independent review of National Curriculum testing and assessment at Key Stages 2 and 3.

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Why Boycott Now?

There is now solid and overwhelming evidence that the professional judgement of teachers in deciding how and what to teach and how to respond to the individual needs of children is undermined fundamentally by the National Curriculum tests.

Both the NUT’s survey and independent studies prove that National Curriculum tests:
- undermine the quality of teaching;
- encourage teaching to the test;
- take up too much classroom time;
- narrow the curriculum offered to pupils; and
- fail to identify areas of improvement in children’s work.

In these respects the tests add to the workload of teachers and impede them in providing the high quality teaching which they would provide if their own professional judgement were not constrained in the course of their employment in schools.

The NUT’s survey and independent studies also show that the tests:
- contribute to pupil disaffection;
- create stress amongst many children; and
- undermine the morale of lower achieving young people.

With tests having these effects, teaching and pupil motivation are made more difficult and teachers are concerned that...
they are failing their pupils in circumstances they cannot control because their professional judgement is overridden by the need to satisfy the demands of the testing regime.

The ballot to boycott has arisen from NUT members’ concerns about the impact of the National Curriculum tests on the work of teachers and the imposition of a testing regime which constrains the exercise by teachers of their professional judgement.

As Cambridge University found, in primary schools:

“Art, drama, music and ICT are being squeezed... The decline in the curriculum time available in these creative subjects is matched by a decline in teachers’ own sense of creativity.”

A recently published review of 187 research studies on the impact of ‘high-stakes’ tests on young people’s motivation for learning, urged that the current National Curriculum testing arrangements should be dropped.

**The Need for a Fundamental Review of National Curriculum Testing in England**

The NUT has written to headteachers and to Chairs of Governors in all schools in England seeking support for the Union’s campaign for an independent review of the National Curriculum testing arrangements. In Wales and Scotland, teachers are already feeling the benefit of decisions in those countries to move to assessment which supports teaching and children’s learning.

The Scottish Executive has just completed a review of testing and the curriculum, which has been widely supported and welcomed by schools and the public. It intends to abolish the current system and replace it with one which places the child at the centre of learning.

In Wales, where school performance tables and tests for seven year olds have been abolished, an independent review of testing and assessment at Key Stages 2 and 3 is currently underway. Primary school league tables have never been introduced. For these reasons, the NUT is not conducting a ballot in Wales.

In contrast, the 2004 trial of new assessment arrangements at Key Stage 1 in England provides only an illusion of change. Describing it as “tinkering around the edges”, the Times Educational Supplement rightly observed that the trial “will not give parents more information, nor will it really empower teachers who must still administer official tests to every child”. The trial does not remotely resemble a proper review of a flawed system.

The National Union of Teachers has sought an urgent meeting with the School Standards Minister, David Miliband, to press the case for a fundamental review of the testing system. He has refused to meet with the NUT.

The NUT’s dispute is with the Secretary of State for Education and Skills. It is the Government’s failure to respond to the overwhelming evidence against the National Curriculum testing arrangements and their effect on teaching and workload, which provides the basis for the boycott.

**Headteachers’ Statutory Responsibilities for Assessment**

In the event of a successful boycott ballot, headteacher NUT members in England would still have a statutory duty to secure the implementation of the National Curriculum tests. In practice they are likely to find the performance of that duty frustrated if teachers refuse to undertake the work. Their duty to secure the implementation of the tests is not, in itself, subject to the boycott called for by the Union. They must continue to consider themselves bound by the statutory duty and must continue to perform it to the extent that this is possible and not frustrated by the position taken by other NUT members participating in the boycott.

At the same time, the Secretary of State cannot have unreasonable expectations of headteachers in carrying out their duties to implement the tests. Whilst headteacher NUT members will retain their statutory responsibilities in their leadership roles, the NUT would not consider it reasonable for its headteacher members to be expected personally to take over the responsibilities of
other teachers who participate in the boycott and refuse to do work related to the tests or to implement the tests. In those circumstances, headteacher NUT members should be considered to have sought to implement the arrangements in accordance with their statutory responsibilities but have been unable to do so.

On this basis headteacher NUT members in England have been included in the ballot. On a positive outcome to that ballot, they will then be protected from being required by their governing bodies and local education authorities to take over the work which has been refused by other NUT members participating in the boycott.

Key Stages 1 and 2
In the event of a successful ballot, NUT teacher members would be protected from doing the following in relation to the National Curriculum tests for Key Stages 1 and 2:

- administer the KS1 reading task, the level 2 reading test, the level 3 reading test, the spelling test, the longer writing task, the shorter writing task, the level 1 maths task, the level 2 maths test and the level 3 maths test;
- administer mock tests, use KS1 practice papers, mark KS1 tests and tasks, mark optional tests, mark written tasks, moderate the marking of KS1 tests;
- administer the Key Stage 2 English, Mathematics and Science tests;
- administer Key Stage 2 mock tests, use and mark KS2 practice papers, administer and mark optional tests;
- order and administer optional tasks for pupils working below the levels of the Key Stage 2 tests;
- order and administer optional tasks for the most able pupils;
- coach children for the tests;
- attend training sessions on administering and preparing for the tests;
- read test guidance;
- decide on entry levels for pupils taking KS1 tests;
- organise test and task timetables in liaison with other teachers;
- check that papers have arrived;
- decide if any children need to be disappplied in consultation with headteachers;
- order any test papers for children with specific requirements;
- order additional level 3 test papers;
- change classroom displays during the time tests are implemented so that children are not prompted; and
- be required to meet targets of test results set by the LEA, or set test result targets for individual pupils.

Not carrying out the administration and preparation for the tests will mean that teachers in primary schools will have restored to them the ability to meet the needs of all children and teach the rich and wide curriculum children deserve.

In particular, headteacher and Leadership Group NUT members in England will be able to:

- determine the best use of any ‘catch-up’ or intervention programmes and resist external expectations that such programmes should be targeted at pupils on grade boundaries solely for the purpose of achieving national test result targets; and
- re-evaluate and reorganise the curriculum so that subjects such as art and music, which have been squeezed by time taken practising for the tests, can have more curriculum time.

Headteacher and Leadership Group NUT members will be kept fully informed about the outcome of the ballot and any subsequent advice to members.

Key Stage 3
It was after the NUT conducted its survey of all members on the tests that the Government, without publicity, said that in England it would introduce school performance tables based on Key Stage 3 English, Mathematics and Science tests. This information was not available in secondary
schools at the time of the survey. It is likely that Key Stage 3 performance tables will have the same impact on teaching in secondary schools as they have had in primary schools. The NUT’s survey of members reflected enormous concern about the impact of performance tables of Key Stage 2 test results on the way in which they teach. For this reason, the NUT Executive decided to undertake further work in secondary schools, prior to a ballot.

Headteacher and Leadership Group NUT members working in secondary schools will be kept fully informed about the outcomes of the survey and the NUT’s subsequent advice to members.

Parents
The NUT has worked closely with parents’ organisations on the issue of National Curriculum tests, targets and school performance tables. There is strong evidence that very many parents are rejecting National Curriculum tests. The National Confederation of Parent Teacher Associations (NCPTA) has urged the Government to drop tests at the age of seven and review formal testing for 11 year olds. A recent NCPTA survey found that a large majority of parents said that the National Curriculum tests, at ages seven and 11, should be scrapped and be replaced by teacher assessment alone.

Materials are in preparation to be used in seeking the support of the public and, in particular, of parents. These will build on the NUT leaflet “Not Good for Children” which was published prior to the National Curriculum tests in 2002.

Ballot Arrangements
All NUT members, including headteachers and others in the Leadership Group, teaching in schools in England which include either or both Key Stages 1 and 2 will be balloted. The ballot opens on 19 November and will close on 15 December 2003.

On achievement of a vote that satisfies the Union’s requirements for industrial action, the boycott would commence on 5 January 2004 when teachers would otherwise start preparing for the tasks and tests. No action, in respect of the boycott, should be taken by NUT members in advance of the outcome of the ballot and receipt of the Union’s subsequent instructions.

It is crucial that you vote. Under Union rules, a high turnout of members is needed before the boycott can be authorised. Your vote is therefore vital.

The Ballot And Members In Wales
An independent review of testing and assessment at Key Stages 2 and 3 is currently taking place in Wales, led by Professor Richard Daugherty. An interim report is due in January 2004 and the final report in March 2004. The NUT has already contributed to that review orally and in writing.

In recognition of the review in Wales, the ballot to boycott will be confined to NUT members in England at this stage. When the results of the review in Wales are known, the position of teachers in Wales will be reconsidered.

WHO IS BEING BALLOTED?
In the first instance, the ballot will be of NUT members in England who are full and part-time teachers employed at relevant schools and units, i.e. are involved in Key Stage 1 and Key Stage 2. NUT members otherwise employed will be advised separately as to whether they can be included in the ballot. Supply teachers and agency employment teachers are in a particularly sensitive and vulnerable position and further advice will be given to NUT headteacher members as the ballot progresses.