
STATUTORY INSTRUMENTS

2004 No. 658

The Education (School Teachers' Pay and Conditions) Order 2004

Citation, commencement and application

1.—(1) This Order may be cited as the Education (School Teachers' Pay and Conditions) Order 2004 and shall come into force on 1st April 2004, except for—

- (a) article 2(dd) and Part 1 of the Schedule, which shall come into force on 1st April 2005; and
- (b) article 2(ee) and Part 2 of the Schedule, which shall come into force on 1st September 2005.

(2) This Order applies to school teachers within the meaning of section 122 of the Education Act 2002 in England and Wales.

School Teachers' Pay and Conditions

2. The provisions set out in section 2 of the document published by The Stationery Office Limited and entitled “School Teachers' Pay and Conditions Document 2003 and Guidance on School Teachers' Pay and Conditions”(1) shall have effect with the following amendments—

- (a) for paragraph 1.7 substitute—

“1.7. Where a table containing a pay scale, pay spine or salary range contains four columns of annual salaries or salary ranges, the column headed “England and Wales (excluding the London Area)” applies to teachers serving in England and Wales except those serving in the London Area, the column headed “Inner London Area” applies to teachers serving in the Inner London Area, the column headed “Outer London Area” applies to teachers serving in the Outer London Area and the column headed “Fringe Area” applies to teachers serving in the Fringe Area.”;
- (b) in paragraph 2.1 after “Subject to” insert “paragraph 41A (determination of applicable pay scale),”;
- (c) in paragraph 3.3(b) and (c) —
 - (i) omit “, 24”; and
 - (ii) after “25” insert “or payments or other financial benefits awarded under paragraph 48”;
- (d) in paragraph 3.4 for “45,46,47 and 48” substitute “45,46 and 47”;
- (e) for the table in paragraph 4.4 substitute—

(1) ISBN 0 11 271146 4. Section 2 was given effect by the Education (School Teachers' Pay and Conditions) (No.2) Order 2003 (S.I.2003/2169).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Spine point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
L1	32,202	38,292	34,506	33,093
L2	33,009	39,102	35,313	33,903
L3	33,834	39,927	36,138	34,725
L4	34,680	40,770	36,984	35,571
L5	35,544	41,637	37,848	36,435
L6	36,432	42,525	38,736	37,323
L7	37,419	43,512	39,723	38,310
L8	38,277	44,370	40,581	39,168
L9	39,234	45,327	41,538	40,125
L10	40,242	46,335	42,546	41,133
L11	41,286	47,376	43,587	42,177
L12	42,237	48,330	44,541	43,131
L13	43,296	49,389	45,600	44,187
L14	44,373	50,463	46,674	45,264
L15	45,477	51,567	47,778	46,368
L16	46,689	52,779	48,990	47,580
L17	47,763	53,856	50,067	48,657
L18	48,963	55,056	51,267	49,854
L19	50,175	56,265	52,479	51,066
L20	51,420	57,513	53,724	52,311
L21	52,692	58,785	54,996	53,586
L22	54,000	60,093	56,304	54,891
L23	55,338	61,428	57,642	56,229
L24	56,712	62,805	59,016	57,603
L25	58,119	64,209	60,420	59,010
L26	59,559	65,652	61,863	60,450
L27	61,032	67,125	63,336	61,923
L28	62,547	68,637	64,848	63,438
L29	64,098	70,191	66,402	64,989
L30	65,691	71,784	67,995	66,582

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	£	£	£	£
L31	67,317	73,410	69,621	68,211
L32	68,991	75,081	71,295	69,882
L33	70,704	76,794	73,008	71,595
L34	72,453	78,546	74,757	73,344
L35	74,256	80,346	76,557	75,147
L36	76,092	82,182	78,393	76,983
L37	77,985	84,078	80,289	78,876
L38	79,914	86,004	82,215	80,805
L39	81,861	87,951	84,162	82,752
L40	83,907	90,000	86,211	84,798
L41	86,001	92,094	88,305	86,892
L42	88,155	94,245	90,456	89,046
L43	90,360	96,450	92,661	91,251

(f) for the table in paragraph 6.3 substitute—

<i>Group</i>	<i>Range of spine points</i>	<i>Salary Range England and Wales (excluding the London Area)</i>	<i>Salary Range Inner London Area</i>	<i>Salary Range Outer London Area</i>	<i>Salary Range Fringe Area</i>
		£	£	£	£
1	L6-L18	36,432 – 48,963	42,525 – 55,056	38,736 – 51,267	37,323 – 49,854
2	L8-L21	38,277 – 52,692	44,370 – 58,785	40,581 – 54,996	39,168 – 53,586
3	L11-L24	41,286 – 56,712	47,376 – 62,805	43,587 – 59,016	42,177 – 57,603
4	L14-L27	44,373 – 61,032	50,463 – 67,125	46,674 – 63,336	45,264 – 61,923
5	L18-L31	48,963 – 67,317	55,056 – 73,410	51,267 – 69,621	49,854 – 68,211
6	L21-L35	52,692 – 74,256	58,785 – 80,346	54,996 – 76,557	53,586 – 75,147

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<i>Group</i>	<i>Range of spine points</i>	<i>Salary Range England and Wales (excluding the London Area)</i>	<i>Salary Range Inner London Area</i>	<i>Salary Range Outer London Area</i>	<i>Salary Range Fringe Area</i>
		£	£	£	£
7	L24-L39	56,712 – 81,861	62,805 – 87,951	59,016 – 84,162	57,603 – 82,752
8	L28-L43	62,547 – 90,360	68,637 – 96,450	64,848 – 92,661	63,438 – 91,251

- (g) omit paragraph 10.3.3;
(h) in paragraph 10.3.4 for “paragraphs 10.3.2 and 10.3.3” substitute “paragraph 10.3.2”;
(i) for the table in paragraph 15.3 substitute—

<i>Scale point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
M1	18,558	22,059	20,862	19,449
M2	20,025	23,550	22,329	20,916
M3	21,636	25,188	23,940	22,527
M4	23,301	26,883	25,605	24,195
M5	25,137	28,743	27,441	26,031
M6	27,123	30,750	29,424	28,014

- (j) for the table in paragraph 17.2 substitute—

<i>Scale point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
U1	29,385	34,851	31,689	30,276
U2	30,474	36,564	32,775	31,365
U3	31,602	37,692	33,906	32,493
U4	32,766	38,859	35,070	33,660
U5	33,978	40,071	36,282	34,872

- (k) in paragraph 17.4 for “3.1(a)” substitute “3.1(aa)”;
(l) in paragraph 23.2 after “may be awarded” insert “for a fixed period not exceeding one year”;

(m) for paragraph 23.3 substitute—

“**23.3.** Any classroom teacher who was awarded a management allowance prior to 31st March 2004 shall be paid the allowance for the period determined when the award was made, whether for a fixed period of time or while the classroom teacher remains in the same post.”;

(n) omit paragraph 24;

(o) in paragraph 25.1 for—

(i) “£1,674” substitute “£1,716”; and

(ii) “£3,312” substitute “£3,396”;

(p) in paragraph 27.2(a)(2) after “any such document” insert “and, at the relevant body’s discretion, 1 or more points for years of experience other than employment as a teacher gained since he was last so placed which the relevant body consider of value to the classroom teacher’s duties”;

(q) omit paragraph 27.5(c);

(r) for the table in paragraph 28.1 substitute—

<i>Spine point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
1	30,501	36,594	32,805	31,392
2	31,044	37,137	33,348	31,938
3	31,593	37,683	33,897	32,484
4	32,130	38,223	34,434	33,021
5	32,676	38,766	34,977	33,567
6	33,225	39,318	35,529	34,116
7	33,774	39,864	36,075	34,665
8	34,317	40,410	36,621	35,208
9	34,857	40,950	37,161	35,751
10	35,400	41,490	37,704	36,291
11	35,946	42,039	38,250	36,840
12	36,675	42,768	38,979	37,566
13	37,401	43,494	39,705	38,292
14	38,124	44,214	40,428	39,015
15	38,850	44,940	41,154	39,741
16	39,579	45,669	41,883	40,470
17	40,305	46,395	42,606	41,196

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<i>Spine point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
18	41,034	47,124	43,335	41,925
19	41,760	47,850	44,061	42,651
20	42,483	48,576	44,787	43,377
21	43,209	49,302	45,513	44,103
22	44,115	50,205	46,416	45,006
23	45,027	51,120	47,331	45,918
24	45,930	52,023	48,234	46,824
25	46,842	52,932	49,146	47,733
26	47,745	53,838	50,049	48,636
27	48,657	54,747	50,958	49,548

(s) for the table in paragraph 36.1 substitute—

<i>Spine point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
1	13,599	17,100	15,900	14,490
2	14,208	17,709	16,509	15,099
3	14,799	18,303	17,103	15,693
4	15,414	18,918	17,718	16,308
5	16,035	19,539	18,339	16,929
6	16,632	20,136	18,936	17,523
7	17,244	20,748	19,548	18,135
8	18,672	22,173	20,976	19,563
9	20,289	23,790	22,593	21,180
10	21,504	25,005	23,808	22,395

(t) omit paragraphs 40.1 to 40.4;

(u) in paragraph 40.5(d)—

(i) omit “, 24”;

(ii) after “25” insert “, or payments made under paragraph 48,”; and

(iii) for “paragraphs 16.1” substitute “paragraph 16.1”;

(v) in Part VII, before paragraph 42 insert—

“Determination of applicable pay scale

41A.1. A teacher who normally works in the London Area but who is temporarily employed elsewhere shall continue to be paid in accordance with the pay scale applicable to his normal area of employment.

41A.2. A teacher who on 31st March 2004 was being paid in accordance with the Inner London pay scale or who was receiving a London Area allowance shall continue to be paid in accordance with the applicable London Area pay scale notwithstanding that he would not otherwise be entitled to it under the provisions of this Document, for so long as he remains in the post that he held on that date.

41A.3.1. A teacher who moves out of the Inner London Area may continue to be paid in accordance with the Inner London pay scale at the rate being paid before he moved for so long as he continues to be employed as a teacher in a post in which his salary is paid by the same authority.

41A.3.2. A teacher who moves out of the Outer London Area, to anywhere but the Inner London Area, may continue to be paid on the Outer London Area scale at the rate being paid before he moved for so long as he continues to be employed as a teacher in a post in which his salary is paid by the same authority.

41A.3.3. A teacher who moves out of the Fringe Area, to anywhere but the Inner London Area or the Outer London Area, may continue to be paid on the Fringe Area scale at the rate being paid before he moved for so long as he continues to be employed as a teacher in a post in which his salary is paid by the same authority.”;

- (w) omit paragraph 43.3(b);
- (x) in paragraph 43.4(b) for “to 25, except for an allowance payable pursuant to an award under paragraph 24.4.1” substitute “and 25”;
- (y) omit paragraph 43.5(c);
- (z) renumber paragraph 48 as 48.1 and in that paragraph insert “Subject to paragraph 48.2,” before “the relevant body”;
- (aa) after paragraph 48.1 insert—

“48.2.1. An incentive for the recruitment of a new teacher that consists of periodic payments or the provision of other benefits over a period of time may only be awarded for a fixed period not exceeding 3 years and must not be renewed.

48.2.2. An incentive for the retention of an existing teacher that consists of periodic payments or the provision of other benefits over a period of time may only be awarded for a fixed period not exceeding three years and may, in exceptional circumstances, be renewed.

48.3. An award of an allowance made on or before 31st March 2004 for a fixed period shall continue to have effect save that, where that period ends on or after 1st April 2007, it shall cease to have effect on 31st March 2007.

48.4. An award of an allowance made on or before 31st March 2004 that consists of periodic payments or the provision of other benefits over a period of time otherwise than for a fixed period shall cease to have effect on 1st April 2004.

48.5. In this paragraph “allowance” means a recruitment and retention allowance, or other assistance, support or benefit awarded by the relevant body as an incentive for the recruitment of new teachers or the retention in their service of existing teachers.”;

- (bb) for paragraph 49.1 substitute—

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“**49.1.** The relevant body shall pay the sum of £33 to a teacher who is required to be registered with the General Teaching Council for England or with the General Teaching Council for Wales, in respect of the registration fee payable in the year 1st April 2004 to 31st March 2005.”

- (cc) in paragraph 2 of Annex 3 omit “is not entitled to be paid at point M6 on the main pay scale.”;
- (dd) after Part 1 of Annex 6 insert Part 1A, set out in Part 1 of the Schedule; and
- (ee) in Part 2 of Annex 6 before paragraph 4 insert the paragraphs set out in Part 2 of the Schedule.

10th March 2004

David Miliband
Minister of State
Department for Education and Skills