

2023 No. 1080

EDUCATION, ENGLAND

The School Teachers' Pay and Conditions (England) Order 2023

Made - - - - - *11th October 2023*

Laid before Parliament *13th October 2023*

Coming into force - - - *3rd November 2023*

In accordance with section 125(1)(a) of the Education Act 2002(a) (“the Act”), the Secretary of State has referred certain matters to the School Teachers’ Review Body (“the STRB”) under section 120(1) of the Act.

After following the procedure set out in section 121(b) of the Act, the STRB has reported to the Prime Minister and the Secretary of State in accordance with section 120(3) of the Act.

In accordance with section 120(4) of the Act, the Prime Minister and the Secretary of State have arranged for the report of the STRB to be published.

In accordance with section 125(1)(b) of the Act, the Secretary of State has considered the report of the STRB.

In accordance with section 126 of the Act, the Secretary of State has consulted such of the persons and bodies referred to in that section as appeared to the Secretary of State to be appropriate.

The Secretary of State makes the following Order in exercise of the powers conferred by sections 122(1), 123 and 124 of the Act.

Citation, commencement, extent and application

1.—(1) This Order may be cited as the School Teachers' Pay and Conditions (England) Order 2023 and comes into force on the 3rd November 2023.

(2) This Order extends to England and Wales and applies to school teachers(c) in England.

(a) 2002 c. 32. Provision is made in respect of the School Teachers’ Review Body in section 119.

(b) Sections 121, 122, 123 and 126 were amended by S.I. 2010/1158.

(c) “School teachers” is defined for these purposes in section 122(3) to (6) of the Education Act 2002. The functions of the Secretary of State under sections 122 to 124, 126 and 127 of that Act, so far as they were exercisable in relation to school teachers in Wales, were transferred to the Welsh Ministers by virtue of article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

The Document

2.—(1) The provisions set out in Section 2 of the Document have effect on and after 1st September 2023 for the purposes of determining—

- (a) the remuneration of school teachers; and
- (b) other conditions of employment of school teachers which relate to their professional duties or working time.

(2) In paragraph (1) “the Document” means the document entitled “School teachers’ pay and conditions document 2023 and guidance on school teachers’ pay and conditions” published on the gov.uk website^(a).

Revocation

3. The School Teachers’ Pay and Conditions (England) (No. 2) Order 2022^(b) and the School Teachers’ Pay and Conditions (England) (No. 2) (Amendment) Order 2023^(c) are revoked.

11th October 2023

Nick Gibb
Minister of State
Department for Education

(a) <https://www.gov.uk/>; copies are available to purchase from TSO Customer Services, PO Box 29, Norwich, NR3 1GN, telephone 0333 202 5070 or for inspection at reasonable times at the offices of the Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

(b) S.I. 2022/1043, amended by S.I. 2023/386.

(c) S.I. 2023/386.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the determination of the remuneration of school teachers (within the meaning of section 122 of the Education Act 2002) in England and other conditions of employment of school teachers which relate to their professional duties and working time.

The Order makes this provision by reference to Section 2 of a document entitled “School teachers’ pay and conditions document 2023 and guidance on school teachers’ pay and conditions” (“the Document”). It can be accessed on the Government website, at www.gov.uk. Copies are available to purchase from TSO Customer Services, PO Box 29, Norwich, NR3 1GN, telephone 0333 202 5070 or for inspection at reasonable times at the offices of the Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

The Order makes retrospective provision, under section 123(3) of the Education Act 2002, to provide that the provisions in Section 2 of the Document have effect on and after 1st September 2023 notwithstanding that the Order comes into force after that date.

The Order revokes the School Teachers’ Pay and Conditions (England) (No. 2) Order 2022 (S.I. 2022/1043) and the School Teachers’ Pay and Conditions (England) (No. 2) (Amendment) Order 2023 (S.I. 2023/386).

An impact assessment has not been prepared for this Order as no impact on businesses or civil society organisations is foreseen. The impact on the public sector is minimal.

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