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*Status: Point in time view as at 20/04/2023.*

*Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Pay and Conditions (England) (No. 2) (Amendment) Order 2023. (See end of Document for details)*

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## STATUTORY INSTRUMENTS

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**2023 No. 386**

### **EDUCATION, ENGLAND**

#### **The School Teachers' Pay and Conditions (England) (No. 2) (Amendment) Order 2023**

<i>Made</i>	- - - -	<i>28th March 2023</i>
<i>Laid before Parliament</i>		<i>30th March 2023</i>
<i>Coming into force</i>	- -	<i>20th April 2023</i>

The Secretary of State makes this Order in exercise of the powers conferred by sections 122(1)(b), 123(3) and 124 of the Education Act 2002 (“the Act”)(1).

In accordance with section 125(2)(b) of the Act, the Secretary of State has consulted the chair of the School Teachers' Review Body about disapplying section 125(1) of the Act.

In accordance with section 126 of the Act(2), 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 to consult having regard to the content of this Order.

#### **Citation, commencement and extent**

1.—(1) This Order may be cited as the School Teachers' Pay and Conditions (England) (No. 2) (Amendment) Order 2023 and comes into force 21 days after the day on which it is laid.

(2) This Order extends to England and Wales.

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#### **Commencement Information**

**II** Art. 1 in force at 20.4.2023, see [art. 1\(1\)](#)

#### **Amendment of the School Teachers' Pay and Conditions (England) (No. 2) Order 2022**

2.—(1) The School Teachers' Pay and Conditions (England) (No. 2) Order 2022(3) is amended as follows.

(2) In the heading to article 1, for “and application” substitute “, application and interpretation”.

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(1) 2002 c. 32.

(2) Section 126 was amended by [S.I. 2010/1158](#).

(3) [S.I. 2022/1043](#).

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(3) In article 1, insert—

“(3) In this Order, “the Document” means the document entitled “School teachers’ pay and conditions document 2022 and guidance on school teachers’ pay and conditions” published on the gov.uk website.”.

(4) In article 2—

(a) in paragraph (1), for “The provisions” substitute “Subject to article 2A, the provisions”;

(b) omit paragraph (2).

(5) After article 2 insert—

**“Modifications to the Document**

**2A.** In the Document, the provisions set out in section 2, in relation to the school year<sup>(4)</sup> beginning in 2022, are to be read as if—

(a) in paragraphs 42.1 and 51.2, for “194 days”, in each place it occurs, there were substituted “193 days”;

(b) in paragraph 51.2.a), for “189 days” there were substituted “188 days”;

(c) in paragraphs 51.5, 51.6 and 52.5, for “1258.5 hours”, there were substituted “1252 hours”.”.

**Commencement Information**

**I2** Art. 2 in force at 20.4.2023, see [art. 1\(1\)](#)

28th March 2023

*Nick Gibb*  
Minister of State  
Department for Education

(4) For the definition of “school year” see, by virtue of section 212(2) and (3)(f) of the Act, section 579(1) of the Education Act 1996 (c. 56).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the School Teachers' Pay and Conditions Order (England) (No. 2) 2022 ([S.I. 2022/1043](#)) ("the 2022 Order") so as to modify section 2 of the School teachers' pay and conditions document 2022 and guidance on school teachers' pay and conditions ("the Document") in relation to the school year beginning in 2022.

The effect of the modification is to reduce by one the number of days for which a teacher must be available to teach pupils and perform other duties in that school year, to make provision for the additional bank holiday on Monday, 8th May 2023 to mark the coronation of His Majesty King Charles III.

This Order makes retrospective provision to provide that article 2A has effect on and after 1st September 2022, notwithstanding that the Order comes into force after that date.

The Document and the modifications to the Document are published on the website of the Department for Education ([www.education.gov.uk](http://www.education.gov.uk)). They can be accessed on the Government website, at [www.gov.uk](http://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.

An impact assessment has not been produced for this Order as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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