2001 No. 1254

EDUCATION, ENGLAND AND WALES

The Education (School Teachers' Pay and Conditions) (No.2) Order 2001

Made - - - - -	*28th March 2001*
Laid before Parliament	*29th March 2001*
Coming into force - -	*1st April 2001*

Whereas the review body appointed under section 1(1) of the School Teachers' Pay and Conditions Act 1991(**a**) ("the Act") have made a report following the reference to them of certain matters;

And whereas the Secretary of State has consulted, in accordance with section 2(1) of the Act(**b**), such associations of local education authorities, such bodies representing the interests of governors of foundation, voluntary and foundation special schools and such bodies representing school teachers as appeared to him to be concerned;

Now, therefore, the Secretary of State, in exercise of the powers conferred by sections 2(1), (3) and (4) and 5(4) of the Act(**c**)hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Education (School Teachers' Pay and Conditions) (No.2) Order 2001 and shall come into force on 1st April 2001.

Application

2. This Order applies to school teachers (as defined in section 5(1) and (2) of the School Teachers' Pay and Conditions Act 1991(**d**) in England and Wales.

School Teachers' Pay and Conditions

3. The School Teachers' Pay and Conditions Document 2000(**e**) shall be amended with effect from 1st April 2001 as follows.

(**a**) 1991 c. 49.
(**b**) Section 2(1) is amended by paragraphs 24 and 26(a) of Schedule 30 to the School Standards and Framework Act 1998 (c. 31).
(**c**) Section 2(3) and (4) is amended by paragraphs 24 and 26(c) and (d) of Schedule 30 to the School Standards and Framework Act 1998.
(**d**) The definition of "school teacher" in section 5(1) is amended by paragraphs 24 and 28(2)(a) of Schedule 30 to the School Standards and Framework Act 1998.
(**e**) ISBN 0 11 271090 5; the Document was given effect with modifications by the Education (School Teachers' Pay and Conditions) (No. 3) Order 2000 (S.I. 2000/2321) and further amended by S.I. 2000/3106 and S.I. 2001/720.

4. For paragraphs 4.1 to 4.3 there shall be substituted the following paragraphs—

"4.1 From 1st April 2001 a head teacher shall be paid such salary based upon the leadership group pay spine set out in paragraph 4.5 as the relevant body shall determine in accordance with paragraph 5 or 6.

4.2 From 1st April 2001 a deputy head teacher shall be paid such salary based upon the leadership group pay spine set out in paragraph 4.5 as the relevant body shall determine in accordance with paragraph 12 or 13.

4.3 From 1st April 2001 and assistant head teacher shall be paid such salary based upon the leadership group pay spine set out in paragraph 4.5 as the relevant body shall determine in accordance with paragraph 15.".

5. For the table in paragraph 4.5 there shall be substituted the following table—

"Pay Spine from 1st April 2001

Spine point	*Annual Salary* £
L1	29,499
L2	30,237
L3	30,993
L4	31,767
L5	32,559
L6	33,375
L7	34,278
L8	35,064
L9	35,940
L10	36,864
L11	37,821
L12	38,694
L13	39,660
L14	40,647
L15	41,658
L16	42,768
L17	43,755
L18	44,853
L19	45,963
L20	47,103
L21	48,270
L22	49,467
L23	50,694
L24	51,951

Spine point	*Annual Salary* £
L25	53,238
L26	54,558
L27	55,911
L28	57,297
L29	58,719
L30	60,177
L31	61,668
L32	63,201
L33	64,767
L34	66,372
L35	68,019
L36	69,705
L37	71,439
L38	73,206
L39	74,988
L40	76,863
L41	78,783."

6. For the table in paragraph 7.3 there shall be substituted the following table—

"Group	*Range of Spine points*	*Salary range* £
1	L6—L16	33,375—42,768
2	L8—L19	35,064—45,953
3	L11—L22	37,821—49,467
4	L14—L25	40,647—53,238
5	L18—L29	44,853—58,719
6	L21—L33	48,270—64,767
7	L24—L37	51,951—71,439
8	L28—L41	57,297—78,783".

7. For paragraph 17.2 there shall be substituted the following paragraph—

"17.2 From 1st April 2001 a classroom teacher shall be paid such salary based on the pay scale set out in paragraph 17.3 as the relevant body shall determine in accordance with paragraphs 17.4 and 35.1 (unqualified teacher becoming qualified).".

8. For the table in paragraph 17.3 there shall be substituted the following table—

"Pay Scale from 1st April 2001

Scale point	*Annual salary* £
1	16,038
2	17,001
3	17,892
4	18,831
5	19,821
6	20,862
7	22,035
8	23,358
9	24,843".

9. For paragraph 19.1 there shall be substituted the following paragraph—

"19.1 From 1st April 2001 a teacher to whom paragraph 19.2 applies ("a post-threshold teacher") shall be paid such salary based on the pay scale set out in paragraph 19.3 as the relevant body shall determine in accordance with paragraphs 19.4 to 19.8.".

10. For the table in paragraph 19.3 there shall be substituted the following table—

"Pay Scale from 1st April 2001

Scale point	*Annual salary* £
1	26,919
2	27,915
3	28,947
4	30,018
5	31,128"

11. For paragraph 20.1 there shall be substituted the following paragraph—

"20.1 The relevant body may award a first, second, third, fourth or fifth management allowance to a classroom teacher in accordance with paragraphs 20.2 to 20.4. From 1st April 2001 the annual value of a management allowance shall be determined in accordance with the following table:

Management allowances form 1st April 2001

Allowance	*Amount* £
1st	1,539
2nd	3,111
3rd	5,343
4th	7,353
5th	9,927".

12. For paragraph 21 there shall be substituted the following paragraph—

"21.1 The relevant body may award a first, second, third, fourth or with effect from 1st April 2001 a fifth recruitment and retention allowance to a classroom teacher in accordance with paragraphs 21.2 to 21.7. From 1st April 2001 the annual value of a recruitment and retention allowance shall be determined in accordance with the following table:

Recruitment and retention allowances from 1st April 2001

Allowance	*Amount* £
1st	942
2nd	1,848
3rd	2,802
4th	3,903
5th	5,085

21.2.1 The relevant body shall determine when making an award under paragraph 21.1 whether the allowance should be awarded for a fixed period of time or that it is to be retained while the classroom teacher remains in the same post.

21.2.2 The relevant body may review the award of an allowance under paragraph 21.1 and paragraph 21.2.1 at any time, but where the review takes place before the expiry of the fixed period of time for which the allowance was awarded or, as the case may be, while the classroom teacher is in the post in respect of which the allowance was awarded, they may not determine that a lower allowance should be awarded under paragraph 21.1 and paragraph 21.2.1 or that the allowance should be withdrawn.

21.2.3 Where the relevant body determines that a classroom teacher who holds a recruitment and retention allowance awarded under paragraph 21.1 and paragraph 21.2.1 while he remains in the same post should be awarded a higher recruitment and retention allowance which is awarded for a fixed period, that teacher shall retain his original recruitment and retention allowance while he remains in the same post if the higher recruitment and retention allowance is subsequently withdrawn following the expiry of the fixed period.

21.2.4 Where in accordance with paragraph 21.4 of the 2000 Document the relevant body first review the award of a recruitment and retention allowance which was made under paragraph 21 of that Document, they may determine to withdraw the allowance or to replace it with an allowance or allowances under this paragraph.

21.3 The relevant body may for the current or previous pay year award a recruitment and retention allowance, or part of such allowance, in the form of a lump sum.

21.4.1 With effect from 1st April 2001, the relevant body may award a classroom teacher a recruitment and retention allowance, or part of such allowance, in the form of a lump sum payable at the end of a period of unbroken employment at the same school or in the case of an unattached teacher with the same authority.

21.4.2 The period of unbroken employment referred to in paragraph 21.4.1 shall not—

(a) start before the beginning of the school term in which the award is made, or

(b) exceed three years.

21.4.3 An award under paragraph 21.4.1 may if the teacher agrees replace in whole or in part an existing award of a recruitment and retention allowance.

21.5 The value of a classroom teacher's total recruitment and retention allowance in a pay year including recruitment and retention allowance payments made otherwise than pursuant to an award under paragraph 21.4.1 shall not exceed the annual value in that pay year of the fifth recruitment and retention allowance.

21.6.1 Subject to paragraph 21.6.2 the relevant body shall determine the terms and conditions of any award under paragraph 21.4.1.

21.6.2 The terms and conditions shall provide that, in the event of the teacher's death or (as the case may be) early retirement on grounds of ill-health before the end of the period covered by the award, he shall be entitled to the proportion of the award that the period before his death or early retirement bears to the period covered by the award.

21.7 The relevant body shall not award a recruitment and retention allowance under paragraph 21.3 where they consider that the classroom teacher's service in the previous pay year has not been satisfactory, or make a payment pursuant to an award under paragraph 21.4.1 in respect of a period during which they consider that the teacher's service has not been satisfactory.".

13. For paragraph 22.1 there shall be substituted the following paragraph—

"22.1 From 1st April 2001, the annual value of a first special educational needs allowance referred to in paragraph 22 is £1,572, and the annual value of a second special educational needs allowance referred to in paragraph 22 is £3,111.".

14.—(1) In paragraph 29.3.3—

(a) at the beginning of the paragraph there shall be inserted "with effect from 1st April 2001"; and

(b)

(2) After paragraph 29.3.4 there shall be inserted the following paragraph—

"29.3.5 In paragraph 29.3 "increase" includes the payment of an allowance pursuant to an award under paragraph 21.4.1 but excludes the award of such an allowance or the determination or redetermination of a teacher's salary with the effect from 1st September 2000.".

15. For paragraph 31.1 there shall be substituted the following paragraph—

"31.1 From 1st April 2001 an advanced skills teacher shall be paid such salary based on the following pay spine as the relevant body shall determine in accordance with paragraphs 31.2 to 31.8.

Pay spine from 1st April 2001

Spine Point	*Annual Salary* £
1	27,939
2	28,437
3	28,938
4	29,436
5	29,934
6	30,435
7	30,936
8	31,434
9	31,932
10	32,430
11	32,931
12	33,597
13	34,260
14	34,926
15	35,589
16	36,255
17	36,921
18	37,587
19	38,253
20	38,919
21	39,582
22	40,413
23	41,247
24	42,075
25	42,909
26	43,737
27	44,571".

16. For paragraph 32.1 there shall be substituted the following paragraph—

"32.1 From 1st April 2001 an unqualified teacher shall be paid such salary based on the following pay scale as the relevant body shall determine in accordance with paragraphs 32.2 to 32.7 and 34—

Pay scale from 1st April 2001

Scale point	*Annual Salary* £
1	12,456
2	13,014
3	13,557
4	14,121
5	14,691
6	15,237
7	15,798
8	17,103
9	18,585
10	19,698".

17. For paragraph 37.1 there shall be substituted the following paragraph—

"37.1 A teacher serving in the London Area shall receive a London Area allowance of:

(a) if he is serving in the Inner London Area, £3,000 per annum from 1st April 2001;

(b) if he is serving in the Outer London Area, £1,974 per annum from 1st April 2001; and

(c) if he is serving in the Fringe Area, £765 per annum from 1st April 2001.".

18.—(1) In paragraph 40.4 (a) (ii) after "paragraphs 20 to 22" there shall be inserted "except for an allowance payable pursuant to an award under paragraph 21.4.1".

(2) In paragraph 40.4 (b) (ii) after "paragraphs 20 to 22" there shall be inserted "except for an allowance payable pursuant to an award under paragraph 21.4.1".

19. After paragraph 46 there shall be inserted the following paragraph—

"Recruitment incentives and benefits

46A.1 The relevant body, and where they are the teacher's employers the authority, may as an incentive for the recruitment of new teachers and the retention in their service of existing teachers make payments or provide other financial assistance, support or benefits to a teacher for the purposes set out in paragraph 46A.2.

46A.2 The purposes are to assist the teacher with—

(a) the provision of housing;

(b) relocation expenses incurred by him; or

(c) travel expenses incurred in connection with his journey to and from his place of work.".

Estelle Morris,
Minister of State,
Department for Education and Employment

28th March 2001

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the School Teachers' Pay and Conditions Document 2000 by uprating the amounts of salary and certain allowances. The following are increased—

(a) the leadership pay spine on which head, deputy head and assistant head teachers' are paid set out in paragraph 4 of the Document and the head teacher group pay ranges set out in paragraph 7.3;

(b) the classroom teachers' pay scale set out in paragraph 17 of the Document;

(c) the upper pay scale for post-threshold teachers set out in paragraph 19 of the Document;

(d) management, recruitment and retention and special educational needs allowances for classroom teachers set out in paragraphs 20 to 22 of the Document;

(e) the advanced skills teachers' pay spine set out in paragraph 31 of the Document;

(f) the unqualified teachers' pay scale set out in paragraph 32 of the Document; and

(g) the London Area allowances set out in paragraph 37 of the Document.

The increases are from 1st April 2001.

The Order adds a fifth recruitment and retention allowance. The restrictions on the circumstances in which recruitment and retention allowance may be awarded are simplified. It also permits the award of a recruitment and retention allowance in the form of a lump sum after a period not exceeding three years where the teacher remains in the same employment. Employers and local authorities are given power to make recruitment incentive payments to assist teachers meet housing, relocation and transport costs. The Order also makes other consequential and minor amendments to the Document.

The Document is published by Her Majesty's Stationery Office and is obtainable from book shops of The Stationery Office Limited and through booksellers.

STATUTORY INSTRUMENTS

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