STATUTORY INSTRUMENTS

1987 No. 650

EDUCATION, ENGLAND AND WALES

The Education (School Teachers' Pay and Conditions of Employment) Order 1987

Made - - - -	*6th April 1987*
Laid before Parliament	*9th April 1987*
Coming into force	*30th April 1987*

The Secretary of State, in exercise of the powers conferred on him by section 3(3) to (5) and (7) to (9) of the Teachers' Pay and Conditions Act 1987(a), and after consulting in accordance with the said section 3(7) such associations of local education authorities, such bodies representing the interests of governors of voluntary schools and such organisations representing school teachers as appeared to him to be concerned, hereby makes the following Order:–

Citation and commencement

1. This Order may be cited as the Education (School Teachers' Pay and Conditions of Employment) Order 1987 and shall come into force on 30th April 1987.

Interpretation

2. In this Order–

"authority" means local education authority;

"head teacher" and "deputy head teacher" mean the teachers appointed to those posts in a primary or secondary school maintained by an authority;

"school teacher" has the same meaning as in the Teachers' Pay and Conditions Act 1987.

Application

3. This Order applies to all school teachers, including head teachers and deputy head teachers.

Conditions of Employment

4. The conditions of employment of all head teachers and deputy head teachers shall include the conditions set out respectively in Schedules 1 and 2 to this Order; and a teacher designated second master or second mistress in a school shall be deemed for the purposes of this article and article 5 to be a deputy head teacher.

5. The conditions of employment of all school teachers other than head teachers shall include the conditions set out in Schedule 3 to this Order, save that the conditions set out in paragraph 4 of that Schedule shall not apply to deputy head teachers.

(a) 1987 c.1 .

Pay

6. It is hereby directed that the document published by Her Majesty's Stationery Office on 7th October 1983 entitled "Scales of Salaries for Teachers: Primary and Secondary Education, England and Wales 1983"**(a)** as amended by the Orders specified in Schedule 4 hereto ("the 1983 Document") shall have effect, as from 1st January 1987, for the purpose of determining the remuneration of school teachers in England and Wales subject however to the amendments set out in Schedule 5 hereto and to Article 7.

Transitional Provision

7. Where the salary (including allowances) of any teacher payable by virtue of the 1983 Document (as amended by this Order) ("the new salary") would but for this article be less than the salary (including allowances) which he was being paid on 31st December 1986 ("the old salary") the teacher shall continue to be paid the old salary until such time as the new salary that would be payable but for this article equals or exceeds the old salary.

SCHEDULE 1

CONDITIONS OF EMPLOYMENT OF HEAD TEACHERS

Overriding Requirements

1. A head teacher shall carry out his professional duties in accordance with and subject to–

(a) the provisions of the Education Acts 1944 to 1986;

(b) any orders and regulations having effect thereunder;

(c) the articles of government of the school of which he is head teacher, to the extent to which their content is prescribed by statute;

(d) where the school is a voluntary school, any trust deed applying in relation thereto;

and, to the extent to which they are not inconsistent with these conditions,–

(i) provisions of the articles of government the content of which is not so prescribed;

(ii) any rules, regulations or policies laid down by his employers; and

(iii) the terms of his appointment.

General Functions

2. Subject to paragraph 1 above, the head teacher shall be responsible for the internal organisation, management and control of the school.

Consultation

3. In carrying out his duties the head teacher shall consult, where this is appropriate, with the authority, the governing body, the staff of the school and the parents of its pupils.

Professional duties

4. The professional duties of a head teacher shall include–

School Aims

(1) Formulating the overall aims and objectives of the school and policies for their implementation;

Appointment of Staff

(2) Participating in the selection and appointment of the teaching and non-teaching staff of the school;

Management of Staff

(3)(a) Deploying and managing all teaching and non-teaching staff of the school and allocating particular duties to them (including such duties of the head teacher as may properly be delegated to the deputy head teacher or other members of the staff) in a manner consistent with their conditions of employment, maintaining a reasonable balance for each teacher between work carried out in school and work carried out elsewhere;

(b) Ensuring that the duty of providing cover for absent teachers is shared equitably among all teachers in the school (including the head teacher), taking account of their teaching and other duties;

Liaison with staff unions and associations

(4) Maintaining relationships with organisations representing teachers and other persons on the staff of the school;

(a) ISBN 0 11 270550 2.

(5) Determining, organising and implementing an appropriate curriculum for the school, having regard to the needs, experience, interests, aptitudes and stage of development of the pupils and the resources available to the school;	Curriculum
(6) Keeping under review the work and organisation of the school;	Review
(7) Evaluating the standards of teaching and learning in the school, and ensuring that proper standards of professional performance are established and maintained;	Standards of teaching and learning
(8)(a) Supervising and participating in any arrangements within an agreed national framework for the appraisal of the performance of teachers who teach in the school; (b) Ensuring that all staff in the school have access to advice and training appropriate to their needs, in accordance with the policies of the maintaining authority for the development of staff;	Appraisal, training and development of Staff
(9) Providing information about the work and performance of the staff employed at the school where this is relevant to their future employment;	Management information
(10) Ensuring that the progress of the pupils of the school is monitored and recorded;	Pupil Progress
(11) Determining and ensuring the implementation of a policy for the pastoral care of the pupils;	Pastoral Care
(12) Determining, in accordance with any written statement of general principles provided for him by the governing body, measures to be taken with a view to promoting, among the pupils, self-discipline and proper regard for authority, encouraging good behaviour on the part of the pupils, securing that the standard of behaviour of the pupils is acceptable and otherwise regulating the conduct of the pupils; making such measures generally known within the school, and ensuring that they are implemented;	Discipline
(13) Ensuring the maintenance of good order and discipline at all times during the school day (including the midday break) when pupils are present on the school premises and whenever the pupils are engaged in authorised school activities, whether on the school premises or elsewhere;	
(14) Making arrangements for parents to be given regular information about the school curriculum, the progress of their children and other matters affecting the school, so as to promote common understanding of its aims;	Relations with parents
(15) Promoting effective relationships with persons and bodies outside the school;	Relations with other bodies
(16) Advising and assisting the governing body of the school in the exercise of its functions, including (without prejudice to any rights he may have as a governor of the school) attending meetings of the governing body and making such reports to it in connection with the discharge of his functions as it may properly require either on a regular basis or from time to time;	Relations with governing body
(17) Providing for liaison and co-operation with the officers of the maintaining authority; making such reports to the authority in connection with the discharge of his functions as it may properly require, either on a regular basis or from time to time;	Relations with authority
(18) Maintaining liaison with other schools and further education establishments with which the school has a relationship;	Relations with other educational establishments
(19) Allocating, controlling and accounting for those financial and material resources of the school which are under the control of the head teacher;	Resources
(20) Making arrangements, if so required by the governing body or the maintaining authority, for the security and effective supervision of the school buildings and their contents and of the school grounds; and ensuring (if so required) that any lack of maintenance is promptly reported to the maintaining authority or, if appropriate, the governing body;	Premises
(21)(a) Participating in any arrangements within an agreed national framework for the appraisal of his performance as head teacher; (b) Participating in the identification of areas in which he would benefit from further training and undergoing such training;	Appraisal of head teacher
(22) Arranging for a deputy head teacher or other suitable person to assume responsibility for the discharge of his functions as head teacher at any time when he is absent from the school;	Absence
(23) Participating, to such extent as may be appropriate having regard to his other duties, in the teaching of pupils at the school, including the provision of cover for absent teachers.	Teaching
5. A head teacher shall be entitled to a break of reasonable length in the course of each school day, and shall arrange for a suitable person to assume responsibility for the discharge of his functions as head teacher during that break.	Daily break

SCHEDULE 2

CONDITIONS OF EMPLOYMENT OF DEPUTY HEAD TEACHERS

A person appointed deputy head teacher in a school, in addition to carrying out the professional duties of a school teacher, including those duties particularly assigned to him by the head teacher, shall–

(1) assist the head teacher in managing the school or such part of it as may be determined by the head teacher;

(2) undertake any professional duty of the head teacher which may be delegated to him by the head teacher;

(3) undertake, in the absence of the head teacher and to the extent required by him or his employers, the professional duties of the head teacher;

(4) be entitled to a break of reasonable length in the course of each school day.

SCHEDULE 3

CONDITIONS OF EMPLOYMENT OF SCHOOL TEACHERS

Exercise of general professional duties

1. A teacher who is not a head teacher shall carry out the professional duties of a school teacher as circumstances may require–

(a) if he is employed as a teacher in a school, under the reasonable direction of the head teacher of that school;

(b) if he is employed by an authority on terms under which he is not assigned to any one school, under the reasonable direction of that authority and of the head teacher of any school in which he may for the time being be required to work as a teacher.

Exercise of particular duties

2. (a) A teacher employed as a teacher (other than a head teacher) in a school shall perform, in accordance with any directions which may reasonably be given to him by the head teacher from time to time, such particular duties as may reasonably be assigned to him;

(b) A teacher employed by an authority on terms such as those described in paragraph 1(b) above shall perform, in accordance with any direction which may reasonably be given to him from time to time by the authority or by the head teacher of any school in which he may for the time being be required to work as a teacher, such particular duties as may reasonably be assigned to him.

Professional duties

3. The following duties shall be deemed to be included in the professional duties which a school teacher may be required to perform–

Teaching

(1)(a) Planning and preparing courses and lessons;

(b) Teaching, according to their educational needs, the pupils assigned to him, including the setting and marking of work to be carried out by the pupil in school and elsewhere;

(c) Assessing, recording and reporting on the development, progress and attainment of pupils;

Other activities

(2)(a) Promoting the general progress and well being of individual pupils and of any class or group of pupils assigned to him;

(b) Providing guidance and advice to pupils on educational and social matters and on their further education and future careers, including information about sources of more expert advice on specific questions; making relevant records and reports;

(c) Making records of and reports on the personal and social needs of pupils;

(d) Communicating and consulting with the parents of pupils;

(e) Communicating and co-operating with persons or bodies outside the school;

(f) Participating in meetings arranged for any of the purposes described above;

(3) Providing or contributing to oral and written assessments, reports and references relating to individual pupils and groups of pupils; — Assessments and reports

(4) Participating in any arrangements within an agreed national framework for the appraisal of his performance and that of other teachers; — Appraisal

(5)(a) Reviewing from time to time his methods of teaching and programmes of work; — Review: Further training and development

(b) Participating in arrangements for his further training and professional development as a teacher;

(6) Advising and co-operating with the head teacher and other teachers (or any one or more of them) on the preparation and development of courses of study, teaching materials, teaching programmes, methods of teaching and assessment and pastoral arrangements; — Educational methods

(7) Maintaining good order and discipline among the pupils and safeguarding their health and safety both when they are authorised to be on the school premises and when they are engaged in authorised school activities elsewhere; — Discipline, health and safety

(8) Participating in meetings at the school which relate to the curriculum for the school or the administration or organisation of the school, including pastoral arrangements; — Staff Meetings

(9) Supervising and so far as practicable teaching any pupils whose teacher is not available to teach them: — Cover

Provided that no teacher shall be required to provide such cover–

(a) after the teacher who is absent or otherwise not available has been so for three or more consecutive working days; or

(b) where the fact that the teacher would be absent or otherwise not available for a period exceeding three consecutive working days was known to the maintaining authority for two or more working days before the absence commenced;

unless–

(i) he is a teacher employed wholly or mainly for the purpose of providing such cover ("a supply teacher"); or

(ii) it is not reasonably practicable for the maintaining authority to provide a supply teacher to provide cover; or

(iii) he is a full-time teacher at the school but has been assigned by the head teacher in the time-table to teach or carry out other specified duties (except cover) for less than 75 per cent of those hours in the week during which pupils are taught at the school;

(10) Participating in arrangements for preparing pupils for public examinations and in assessing pupils for the purposes of such examinations; recording and reporting such assessments; and participating in arrangements for pupils' presentation for and supervision during such examinations; — Public examinations

(11)(a) Contributing to the selection for appointment and professional development of other teachers and non-teaching staff, including the induction and assessment of new and probationary teachers; — Management

(b) Co-ordinating or managing the work of other teachers;

(c) Taking such part as may be required of him in the review, development and management of activities relating to the curriculum, organisation and pastoral functions of the school;

(12)(a) Participating in administrative and organisational tasks related to such duties as are described above, including the management or supervision of persons providing support for the teachers in the school and the ordering and allocation of equipment and materials; — Administration

(b) Attending assemblies, registering the attendance of pupils and supervising pupils, whether these duties are to be performed before, during or after school sessions.

Working time

4. (1) After 1st August 1987–

(a) a teacher employed full-time, other than in the circumstances described in subparagraph (c), shall be available for work for 195 days in any year, of which 190 days shall be days on which he may be required to teach pupils in addition to carrying out other duties; and those 195 days shall be specified by his employer or, if the employer so directs, by the head teacher;

(b) a teacher shall be available to perform such duties at such times and such places as may be specified by the head teacher (or, where the teacher is not assigned to any one school, by his employer or the head teacher of any school in which he may for the time being be required to work as a teacher) for 1265 hours in any year, those hours to be allocated

reasonably throughout those days in the year on which he is required to be available for work;

(c) subparagraphs (a) and (b) do not apply to a teacher employed wholly or mainly to teach or perform other duties in relation to pupils in a residential establishment;

(d) time spent in travelling to or from the place of work shall not count against the 1265 hours referred to in subparagraph (b);

(e) unless employed under a separate contract as a midday supervisor, a teacher shall not be required to undertake midday supervision, and shall be allowed a break of reasonable length either between school sessions or between the hours of 12 noon and 2.00p.m.;

(f) a teacher shall, in addition to the requirements set out in subparagraphs (a) and (b) above, work such additional hours as may be needed to enable him to discharge effectively his professional duties, including, in particular the marking of pupils' work, the writing of reports on pupils and the preparation of lessons, teaching material and teaching programmes. The amount of time required for this purpose beyond the 1265 hours referred to in subparagraph (b) and the times outside the 1265 specified hours at which duties shall be performed shall not be defined by the employer but shall depend upon the work needed to discharge the teacher's duties;

(2) In this paragraph, "year" means a period of 12 months commencing on 1st September unless the school's academic year begins in August in which case it means a period of 12 months commencing on 1st August.

SCHEDULE 4

ORDERS AMENDING THE 1983 DOCUMENT

Order	*Reference*
The Remuneration of Teachers (Primary and Secondary Education) (Amendment) Order 1984.	S.I. 1984/1650.
The Remuneration of Teachers (Primary and Secondary Education) (Amendment) Order 1986.	S.I. 1986/559.
The Remuneration of Teachers (Primary and Secondary Education) (Amendment) Order 1987.	S.I. 1987/137.
The Remuneration of Teachers (Primary and Secondary Education) (Amendment) (No. 2) Order 1987.	S.I. 1987/236.
The Remuneration of Teachers (Primary and Secondary Education) (Amendment) (No. 3) Order 1987.	S.I. 1987/398.

SCHEDULE 5

AMENDMENTS TO THE 1983 DOCUMENT

1. In this Schedule references to sections, appendices and annexes are to sections of and appendices and annexes to the 1983 Document.

2. The heading to section 7 shall be deleted and for sub-section (1)(a) of that section there shall be substituted the following sub-section–

"(1)(a) Teachers other than those to whom sub-section (2)(a) of this section applies shall be paid on whichever is the appropriate scale of the scales U1, U2, U3, U4 and U5 set out in paragraph 5 of Appendix I determined in accordance with the notes to that paragraph.".

3. Sections 8 and 9 shall be deleted.

4. In section 10 (Special Schools and Special Classes)–

(1) in sub-section (a)**(a)**–

(a) in paragraph (i) for the sum of £855 there shall be substituted the sum of £927; and

(b) in paragraph (ii) for the sum of £579 there shall be substituted the sum of £627 and for the words "Scale A or B" there shall be substituted the words "Scale U3 or U5";

(2) in sub-section (b) there shall be added after the words "qualified teacher" the words "except one to whom sub-section (bb) applies" and for the words "proceed by one" to the end there shall be substituted the words "be entitled on the first anniversary of his reaching the maximum of his scale to an allowance of £462.";

(3) after sub-section (b) there shall be added the following sub-section–

"(bb) This sub-section applies to a qualified teacher to whom sub-section (b) would otherwise apply but who is employed under a contract of employment entered into before 30 April 1987 and who had before that date proceeded to one increment beyond the maximum of the scale on which he was being paid. A teacher to whom this sub-section applies shall be entitled to an allowance of £462 over the maximum of the scale on which he is to be paid from 1 January 1987.";

(4) in sub-section (c)**(a)** for the sum of £774 there shall be substituted the sum of £837 and for the words "Scale A or B" there shall be substituted the words "Scale U3 or U5";

(5) in sub-section (e)**(a)**–

(a) in paragraph (i) for the sum of £741 there shall be substituted the sum of £813;

(b) in paragraph (ii) for the sum of £492 there shall be substituted the sum of £540 and for the words "Scale A or B" there shall be substituted the words "Scale U3 or U5".

5. In section 11–

(1) there shall be substituted for sub-section (6)(a)–

"(a) a Social Priority School is a school other than a special school which was, on 6 April 1987, a school which had been designated as such by the Designating Committee constituted under this document which consisted of members of the Committee constituted under section 1(1) of the Remuneration of Teachers Act 1965**(b)** for the consideration of remuneration payable to teachers in primary and secondary schools;";

(2) sub-sections (6)(b) and (7) shall be deleted.

6. In section 14 (Other Allowances)–

(1) in sub-section (1), in paragraph (iii) for the words "Scale A or B" there shall be substituted the words "Scale U3, U4 or U5";

(2) in sub-section 2(a)**(a)** for the sum of £591 there shall be substituted the sum of £639 and for the words "Scale A, B or C" there shall be substituted the words "Scale U3 or U4";

(3) in sub-section (2)(b)**(a)** for the words "Scale A, B or C" there shall be substituted the words "Scale U3, U4 or U5" and for the sum of £591 there shall be substituted the sum of £639.

7. In section 16 (Safeguarding), the asterisk in the heading and the corresponding footnote shall be deleted.

8. For section 19 (Divided Service) there shall be substituted the following section–

"**19. Divided Service**

(1) Where a teacher is in full-time service but is employed partly as a school teacher and partly as a teacher in further education and the rate of remuneration is different for each type of service, the teacher shall be paid for his work as a school teacher at the rate applicable to the higher paid service if he gives at least half of his time to that service; otherwise he shall be paid at the rate applicable to the lower paid service.

(2) In this section "teachers in further education" has the same meaning as in the Teachers' Pay and Conditions Act 1987**(c)**.".

9. For section 21 there shall be substituted the following section–

"**21. Residential Duties and Midday Supervision**

Remuneration for residential duties or in respect of midday supervision shall be determined by the authority.".

(a) Most recently amended by S.I. 1987/137.
(b) 1965 c.3.
(c) 1987 c.1.

10. For Appendix I(a) there shall be substituted the following Appendix–

"APPENDIX I

Scales of Salaries

1. Qualified Teachers (excluding Head Teachers and Deputy Head Teachers) in schools, other than special schools and Unqualified Teachers to whom section 7(2) applies–

Incremental Point	Scales 1	2	3	4	Senior Teacher
	£	£	£	£	£
0	7,011	7,602	9,954	12,693	14,424
1	7,149	7,881	10,401	13,293	14,640
2	7,251	8,163	10,551	13,824	14,850
3	7,503	8,643	11,001	14,040	15,063
4	7,602	8,781	11,184	14,250	15,276
5	7,881	9,318	11,691	14,463	15,579
6	8,163	9,456	12,294	14,676	15,825
7	8,643	9,903	12,825	14,979	16,170
8	8,781	10,050	13,038	15,225	16,416
9	9,318	10,503	13,251		
10	9,456	10,686	13,464		
11	9,903	11,193			
12	10,050	11,892			
13	10,503				

Note 1

Where a teacher paid on Scale 1 is entitled to be classed as a good honours graduate for salary purposes under the conditions set out in annex F to Appendix III, the scale shall be extended by two increments as follows–

Incremental Point	Salary
	£
14	10,686
15	11,193

Note 2

Teachers entitled to be paid a personal salary of £3,609 per annum on 31 March 1975 as good honours graduates on Scale 2 under the provisions of Appendix I to the 1974 Primary and Secondary Salaries Document shall be paid a personal salary of £12,324.

(a) Substituted by S.I. 1987/137.

2. Qualified Teachers (excluding Head Teachers and Deputy Head Teachers) in special schools

Incremental Point	Scales 1	2(S)	3(S)	Senior Teacher
	£	£	£	£
0	7,011	8,493	10,902	14,424
1	7,149	8,781	11,385	14,640
2	7,251	9,069	11,868	14,850
3	7,503	9,555	12,093	15,063
4	7,602	9,702	12,600	15,276
5	7,881	10,251	13,188	15,579
6	8,163	10,401	13,752	15,825
7	8,643	10,884	13,965	16,170
8	8,781	11,367	14,178	16,416
9	9,318	11,592	14,478	
10	9,456	12,099		
11	9,903	12,789		
12	10,050			
13	10,503			

Note 1

Where a teacher paid on Scale 1 is entitled to be classed as a good honours graduate for salary purposes under the conditions set out in annex F to Appendix III, the scale shall be extended by two increments as follows–

Incremental Point	Salary
	£
14	10,686
15	11,193

Note 2

Teachers entitled to be paid a personal salary of £3,927 per annum on 31 March 1975 as good honours graduates on Scale 2(S) under the provisions of Appendix I to the 1974 Primary and Secondary Salaries Document shall be paid a personal salary of £13,251 per annum.

3. Qualified Deputy Head Teachers

(*a*) Schools, other than special schools–

Incremental Point	Group Below 4	4	5	6	7	8
	£	£	£	£	£	£
0	11,328	12,126	12,843	13,755	14,337	15,027
1	11,475	12,273	13,023	13,938	14,520	15,210
2	11,619	12,420	13,209	14,115	14,703	15,390
3	11,763	12,573	13,386	14,298	14,886	15,573
4	11,907	12,729	13,566	14,466	15,063	15,759
5	12,051	12,882	13,749			
6	12,198	13,035	13,929			
7	12,342	13,191	14,112			
8	12,495	13,347				
9	12,648	13,500				
10	12,804					
11	12,957					

Incremental Point	Group 9	10	11	12	13	14
	£	£	£	£	£	£
0	15,891	16,848	17,598	18,537	19,161	19,920
1	16,074	17,037	17,787	18,720	19,350	20,109
2	16,260	17,223	17,967	18,912	19,536	20,298
3	16,443	17,412	18,153	19,098	19,725	20,487
4	16,644	17,592	18,339	19,284	19,911	20,676

(*b*) Special schools–

Incremental Point	Group 3(S)	4(S)	5(S)	6(S)	7(S)	8(S)	9(S)	10(S)
	£	£	£	£	£	£	£	£
0	12,039	12,918	14,103	14,571	15,174	15,894	16,833	17,547
1	12,177	13,095	14,283	14,748	15,351	16,074	17,010	17,721
2	12,321	13,269	14,460	14,922	15,525	16,248	17,190	17,898
3	12,459	13,443	14,637	15,099	15,702	16,425	17,364	18,078
4	12,606	13,617	14,811	15,282	15,882	16,602	17,544	18,258
5	12,756	13,791						
6	12,906	13,968						
7	13,056	14,139						
8	13,203							
9	13,350							
10	13,500							
11	13,650							

4. Qualified Head Teachers

(*a*) Schools, other than special schools–

Incremental Point	Group 1	2	3	4	5	6	7
	£	£	£	£	£	£	£
0	13,227	13,719	14,235	14,859	15,768	16,875	17,832
1	13,386	13,869	14,388	15,042	15,951	17,064	18,021
2	13,539	14,025	14,544	15,225	16,134	17,244	18,204
3	13,695	14,181	14,697	15,402	16,317	17,433	18,387
4	13,848	14,337	14,853	15,588	16,497	17,619	18,573

Incremental Point	Group 8	9	10	11	12	13	14
	£	£	£	£	£	£	£
0	19,017	20,412	21,756	23,394	25,002	26,220	27,648
1	19,203	20,604	21,939	23,583	25,245	26,469	27,891
2	19,392	20,790	22,131	23,778	25,485	26,709	28,134
3	19,575	20,979	22,317	23,970	25,725	26,952	28,380
4	19,761	21,168	22,509	24,165			

(*b*) Special schools–

Incremental Point	Group 3(S)	4(S)	5(S)	6(S)	7(S)	8(S)	9(S)	10(S)
	£	£	£	£	£	£	£	£
0	15,000	15,762	17,163	17,922	19,116	20,274	21,417	22,701
1	15,150	15,936	17,346	18,105	19,299	20,460	21,606	22,893
2	15,300	16,119	17,529	18,285	19,485	20,640	21,798	23,085
3	15,459	16,299	17,709	18,465	19,662	20,826	21,993	23,280
4	15,609	16,479	17,892	18,651	19,851	21,012	22,188	23,478

5. Unqualified Teachers other than those to whom section 7(2)(a) applies

Incremental Point	Scales U1	U2	U3	U4	U5
	£	£	£	£	£
0	4,701	5,700	6,453	7,605	6,192
1			6,507	7,659	6,471
2			6,558	7,716	6,747
3			6,615	7,770	7,023
4			6,669	7,833	7,302
5			6,726	7,944	7,578
6			6,780	8,061	7,857
7			6,849	8,178	8,502
8				8,292	9,243
9				8,421	9,798
10				8,553	
11				8,685	

Note 1

Unqualified teachers who were on 31 December 1986 being paid on Scale A whose employment is authorised under paragraph 5 of Schedule 4 to the Education (Teachers) Regulations 1982(a) shall transfer to the equivalent point on the scale set out below–

Incremental Point	Salary
	£
0	5,604
1	5,712
2	5,814
3	5,928
4	6,039

Note 2

Unqualified teachers who were on 31 December 1986 being paid on Scale B or C shall transfer to the equivalent point on Scale U3 or U4 respectively.

Note 3

Unqualified teachers who were on 31 December 1986 being paid on Scale A and whose employment is authorised under paragraph 6 of Schedule 4 to the Education (Teachers) Regulations 1982 shall transfer to the point on Scale U5 next above the sum of the salary (including allowances payable under section 14) which they were being paid on that date and £300.

Note 4

Unqualified teachers not mentioned in Notes 1, 2 or 3 shall be placed on Scales U1, U2, U3, U4 and U5 in accordance with the following Table–

Employment authorised under	Scale applicable
Paragraph 5(1)(a) of Schedule 4 to the Education (Teachers) Regulations 1982	U1
Paragraph 5(1)(b) of Schedule 4 to the Education (Teachers) Regulations 1982	U2
Paragraph 1, 2 or 4 of Schedule 4 to the Education (Teachers) Regulations 1982	U3
Paragraph 3 of Schedule 4 to the Education (Teachers) Regulations 1982	U4
Paragraph 6 of Schedule 4 to the Education (Teachers) Regulations 1982	U5

Note 5

Scale U4 may be extended by one or two increments of £132 to a maximum of £8,817 or £8,949, as the case may be, in the case of a teacher who, in the opinion of the local education authority, possesses a qualification of particular value in the performance of his duties."

11. In Appendix III–

(1) after paragraph 5A(b) there shall be added the following paragraph–

"5B. Notwithstanding anything in paragraphs 1 to 5 above an unqualified teacher who was on 31 December 1986 being paid on Scale A and whose employment is authorised under paragraph 6 of Schedule 4 to the Education (Teachers) Regulations 1982 shall, after transfer

(a) S.I. 1982/106.
(b) Added by S.I. 1987/236.

in accordance with Note 3 to paragraph 5 of Appendix I, be entitled to a first increment on 1 September 1988.";

(2) for paragraph 9A there shall be substituted the following paragraph–

"9A. Where, on or after 1 January 1987 but before 30 April 1987–

(a) a teacher was transferred to a different salary scale, and

(b) his point on that scale was determined by his local education authority in accordance with the provisions of the 1983 Document as then in force,

he shall, if that point is higher than the point on which he would have been placed had it been determined in accordance with the provisions of this document, be entitled to remain on that point.";

(3) in paragraph 10(1)(c) the words "under the relevant salaries document as in operation from 1 April 1983" shall be deleted;

(4) in paragraph 10(3)(a)(i)**(a)** for the sum of £7,560 there shall be substituted the sum of £7,881;

(5) in paragraph 11(1)(iv) the words "under the relevant salaries document as in operation from 1 April 1983" shall be deleted;

(6) in paragraph 12(1)(a)**(a)** for the sums of £150, £264, and £291 there shall be substituted the sums of £163, £285 and £315 respectively;

(7) in paragraph 15 there shall be added after sub-paragraph (3) the following sub-paragraphs–

"(4) For the purposes of paragraphs 16(1)(i) and (v), 17(1)(i), (ii) and (iii) and 18(1)(i) and (ii) below, where a teacher is entitled to be paid a personal salary of £12,324 or £13,251 by virtue of Note 2 to paragraph 1 of Appendix I or Note 2 to paragraph 2 of that Appendix, the teacher shall be treated as if he were being paid on one point beyond the maximum of Scale 2 or Scale 2(S) as the case may be and the relevant point on the new scale ascertained accordingly.

(5) For the purposes of paragraphs 16(1)(i) and (v), 17(1)(i), (ii) and (iii) and 18(1)(i) and (ii) below, where a teacher is entitled to the allowance payable under section 10(b) he shall be treated as if he were being paid on one point beyond the maximum of his scale and the relevant point on the new scale ascertained accordingly.";

(8) for sub-paragraph 16(1)(i) there shall be substituted the following sub-paragraph–

"(i) a teacher who is "promoted" on or after 1 January 1987 from one of Scales 1, 2, 3 or 4 to another or to the Senior Teacher scale shall be paid the salary applicable to the point on the scale on which he would have been placed on such "promotion" under the provisions in force on 29 April 1987;";

(9) for sub-paragraph 16(1)(v) there shall be substituted the following sub-paragraph–

"(v) a teacher who is "demoted" on or after 1 January 1987 from the Senior Teacher scale or from Scales 4, 3 or 2 to one of Scales 4, 3, 2 or 1 shall be paid the salary applicable to the point on which he would have been placed on such "demotion" under the provisions in force on 29 April 1987;";

(10) paragraphs 17(2) and 20 shall be deleted;

(11) for paragraph 19 there shall be substituted the following paragraph–

"**Unqualified Teachers**

19. An unqualified teacher shall enter the scale applicable to him under section 7(1)(a) or 7(2)(a) of this document at whichever point the authority considers appropriate having regard to any qualifications or experience he may have which they consider to be of special value to him in the performance of his duties.".

12. In Annex C to Appendix III–

(1) for the title there shall be substituted the following title "Incremental credit in respect of teaching service and other experience undertaken after the relevant date";

(2) in paragraph 1(f)(i) the words "subject to (ii) below" and the word "normally" shall be deleted;

(3) paragraph 1(f)(ii) shall be deleted;

(4) for paragraph 2 there shall be substituted the following paragraph–

"Incremental credit under the terms of this annex in respect of teaching service and other experience undertaken after the relevant date shall not include any period that has been taken into account for incremental purposes under the terms of annex A to Appendix III.".

(a) Most recently amended by S.I. 1987/137.

13. The Note at the end of the 1983 Document shall cease to have effect.

Kenneth Baker
6th April 1987 Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under section 3 of the Teachers' Pay and Conditions Act 1987 ("the Act"), makes provision with respect to the remuneration and other conditions of employment of school teachers in England and Wales. School teachers are defined in section 7 of the Act to mean teachers in primary and secondary schools maintained by local education authorities or other persons employed by a local education authority as teachers in the provision of primary and secondary education, except persons employed as teachers in establishments maintained by a local authority in the exercise of a social services function. The Order applies to all such teachers, including head teachers and deputy head teachers (article 3).

Articles 4 and 5 of the Order provide that the conditions of employment of all head teachers, deputy head teachers and other school teachers shall include the conditions set out respectively in Schedules 1, 2 and 3 to the Order. Section 3(6)(b) of the Act, applied to this Order by section 3(8), provides that these provisions shall have effect as terms of these teachers' contracts of employment. They do so, by virtue of the Act, from the date on which the Order comes into force—30th April 1987—except that the provisions of paragraph 4 of Schedule 3 (Working time) are expressed to have effect after 1st August 1987. Section 3(6) goes on to provide that the provisions of such teachers' contracts of employment shall have, or continue to have, effect only so far as they are consistent with the provisions in this Order.

The first condition in Schedule 1 indicates the extent to which head teachers are, when carrying out their professional duties, subject to overriding requirements, including those of the Education Acts.

Other conditions relate to the head teacher's general functions and his duty to consult (paragraphs 2 and 3), and set out in paragraph 4 a number of specific duties which are included in his professional duties as a head teacher. Paragraph 5 provides for him to be allowed a reasonable break in the course of each school day.

The conditions for deputy head teachers in Schedule 2 apply in addition to those set out in Schedule 3, which apply to all teachers other than head teachers.

The conditions in Schedule 3 require a teacher to carry out the general professional duties of a school teacher, which include those duties set out in paragraph 3, under the reasonable direction of the head teacher (and of the local education authority, if the teacher is not assigned to a particular school)—paragraph 1. A teacher must similarly perform such particular duties as may be assigned to him or her (by virtue of the Interpretation Act 1978 masculine references include the feminine) in accordance with such reasonable directions—paragraph 2. Paragraph 4, which applies after 1st August 1987, makes provision as to working time. This paragraph does not apply to deputy head teachers—Article 5.

Article 6 of the Order directs that the document published by Her Majesty's Stationery Office entitled "Scales of Salaries for Teachers: Primary and Secondary Education, England and Wales 1983", as amended by the Orders specified in Schedule 4, ("the 1983 Document"), shall have effect from the 1st January 1987 for the purpose of determining the remuneration of school teachers in England and Wales subject to the amendments contained in Schedule 5 to the Order and to the transitional provisions in article 7. This Document may be obtained from Government Bookshops and through booksellers. By

virtue of section 3(6)(a) of the Act, as applied by section 3(8), the remuneration of teachers to whom the Order applies is to be determined, and paid to teachers by local educational authorities, in accordance with the scales and other provisions set out or referred to in this Order.

Paragraph 10 of Schedule 5 substitutes new scales of salaries for those currently set out in Appendix I to the 1983 Document, as amended; and relevant figures elsewhere in the Document are amended (paragraphs 4(1), (4) and (5), 6(2) and (3) and 11(4) and (6)). In addition to amendments consequential on the repeal by the Act of the Remuneration of Teachers Act 1965, under which the 1983 Document was published, the main amendments to the 1983 Document are as follows:–

First, the three scales (A, B and C) previously applicable to unqualified teachers are replaced by five scales, U1 to U5, and provision is made for placing such teachers on one of those scales (paragraphs 2 and 10). Secondly, sections 8 and 9 of the Document, which relate to unqualified deputy head teachers and head teachers, have been deleted since there are now no longer any such teachers (paragraph 3). Thirdly, the additional allowance payable under section 10(b) to teachers with qualifications for teaching blind or deaf children and who teach such children and who have reached the maximum of their scale will now be a flat sum of £462 instead of one increment beyond the maximum of the scale (paragraph 4(2) and (3)). Fourthly, the position of teachers who are transferred to a different salary scale between 1st January 1987 and 29th April 1987 is preserved (paragraph 11(2)). Fifthly, provision is made for the salaries of teachers who move between scales to be calculated by reference to the scale point to which they would have moved under the provisions superseded by this Order (paragraph 11(7) to (9)).

A transitional provision provides that a teacher who would be paid less as a result of this Order shall continue to be paid at the rate he was being paid at 31st December 1986 until the new salary payable matches or exceeds his old salary (article 7).

The retrospective effect of the Order in relation to pay is authorised by section 3(5)(f), as applied by section 3(8), and section 3(9) of the Act.