STATUTORY INSTRUMENTS

# 2006 No. 1274

# EDUCATION, ENGLAND AND WALES

## The Education (School Teachers' Pay and Conditions) Order 2006

| | |
|---|---|
| *Made - - - -* | *9th May 2006* |
| *Laid before Parliament* | *11th May 2006* |
| *Coming into force - -* | *1st June 2006* |

The Secretary of State for Education and Skills has consulted the Chairman of the School Teachers' Review Body(**a**) in accordance with section 125(2)(b) of the Education Act 2002(**b**) about disapplying section 125(1) of that Act; and has consulted, in accordance with section 126 of that Act, such associations of local education authorities, such bodies representing the interests of governing bodies of schools and such bodies representing the interests of teachers as appeared to her to be appropriate to consult having regard to the content of this Order.

In exercise of the powers conferred on the Secretary of State by sections 122(1), 123, 124 and 210(7) of that Act, the Secretary of State for Education and Skills makes the following Order:

### Citation and commencement

**1.** This Order may be cited as The Education (School Teachers' Pay and Conditions) Order 2006 and shall come into force on 1st June 2006.

### Amendments to the Document

**2.**—(1) The School Teachers' Pay and Conditions Document 2005(**c**) is amended in accordance with the following paragraphs.

(2) After paragraph 55.4 insert the following—

**"Salary sacrifice arrangements**

**55A.** For the purposes of this paragraph, the term "salary sacrifice arrangement" means any arrangement under which the teacher gives up the right to receive part of his gross salary in return for the employer's agreement to provide him with a benefit-in-kind under any of the following schemes—

(a) a child care voucher or other child care benefit scheme;

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(**a**) The School Teachers' Review Body was established by section 1 of the School Teachers' Pay and Conditions Act 1991 (1991 c.49). Section 1 was repealed by section 215(2) of, and Part 12 of Schedule 22 to, the Education Act 2002 (c.32) but the review body continues to exist by virtue of section 119(1) of that Act.

(**b**) 2002. c.32.

(**c**) ISBN 0 11 271180 4; the Document was given legal effect by The Education (School Teachers' Pay and Conditions (No. 3) Order 2005 (S.I. 2005/2212).

(b) a cycle or cyclist's safety equipment scheme; or

(c) a mobile telephone scheme; and

that benefit in-kind is exempt from income tax (**a**).

**55A.2.** Where the employer operates a salary sacrifice arrangement, the teacher may participate in any such arrangement and his gross salary may be reduced accordingly for the duration of his participation in it.

**55A.3.** Participation in any salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of the Document.".

**3.** After Annex 6 of the Document (Changes taking effect from 1st January 2006) insert the following Annex—

# "ANNEX 7

## PART 1 – CHANGES TAKING EFFECT FROM 1st SEPTEMBER 2006

In paragraph 30.1—

(a) insert the following heading above the pay spine—

**"Previous Pay Spine - Effective until 31 August 2006";**

and

(b) insert the following table after the pay spine—

**"New Pay Spine - Effective from 1 September 2006**

| Spine Point | Annual Salary England and Wales (excluding the London Area) | Annual Salary Inner London Area | Annual Salary Outer London Area | Annual Salary Fringe Area |
|---|---|---|---|---|
| AST1 | 34,083 | 40,527 | 36,789 | 35,025 |
| AST2 | 34,938 | 41,385 | 37,644 | 35,880 |
| AST3 | 35,811 | 42,258 | 38,514 | 36,750 |
| AST4 | 36,705 | 43,149 | 39,411 | 37,647 |
| AST5 | 37,617 | 44,067 | 40,323 | 38,562 |
| AST6 | 38,559 | 45,006 | 41,265 | 39,501 |
| AST7 | 39,600 | 46,050 | 42,306 | 40,545 |
| AST8 | 40,512 | 46,959 | 43,218 | 41,451 |
| AST9 | 41,523 | 47,970 | 44,229 | 42,468 |
| AST10 | 42,591 | 49,038 | 45,297 | 43,533 |
| AST11 | 43,695 | 50,139 | 46,398 | 44,637 |
| AST12 | 44,703 | 51,150 | 47,409 | 45,648 |
| AST13 | 45,822 | 52,269 | 48,528 | 46,767 |
| AST14 | 46,962 | 53,409 | 49,665 | 47,904 |
| AST15 | 48,132 | 54,576 | 50,835 | 49,071 |

(**a**) The Income Tax (Earning and Pensions) Act 2003 (2003 c.1) provides that no liability to income tax arises in respect of the provision for an employee of any of these benefits-in-kind, where the specified conditions are met.

| | | | | |
|---|---|---|---|---|
| AST16 | 49,413 | 55,860 | 52,116 | 50,355 |
| AST17 | 50,547 | 56,997 | 53,253 | 51,495 |
| AST18 | 51,819 | 58,266 | 54,525 | 52,761” |

(2) After paragraph 30.8 insert the following sub-paragraphs—

“(30.9) Subject to paragraphs 30.9A and 30.9B, the relevant body shall transfer its advanced skills teachers from the previous pay spine to the new pay spine with effect from 1st September 2006, in accordance with the following table—

| Previous Spine Point | New Spine Point (All Regions) |
|---|---|
| 1 | AST1 |
| 2 | AST1 |
| 3 | AST1 |
| 4 | AST1 |
| 5 | AST2 |
| 6 | AST3 |
| 7 | AST3 |
| 8 | AST4 |
| 9 | AST5 |
| 10 | AST5 |
| 11 | AST6 |
| 12 | AST7 |
| 13 | AST7 |
| 14 | AST8 |
| 15 | AST9 |
| 16 | AST10 |
| 17 | AST11 |
| 18 | AST11 |
| 19 | AST12 |
| 20 | AST13 |
| 21 | AST13 |
| 22 | AST14 |
| 23 | AST15 |
| 24 | AST16 |
| 25 | AST17 |
| 26 | AST17 |
| 27 | AST18” |

**30.9A** Where the relevant body determines that an advanced skills teacher shall move up the pay spine in accordance with paragraph 30.7, it shall make and give effect to that determination using the previous pay spine and before the teacher is assimilated onto the new pay spine in accordance with paragraph 30.9.

**30.9B** Where it is not possible to make and give effect to the determination referred to in paragraph 30.9A in accordance with paragraph 30.7 before the advanced skills teacher is assimilated onto the new pay spine in accordance with paragraph 30.9, the relevant body shall make the determination using the previous pay spine, as though assimilation had not taken place, and re-assimilate him onto the new pay spine thereafter in accordance with paragraph 30.9.

# PART 2 – CHANGES TAKING EFFECT FROM 1st SEPTEMBER 2007

**2.** In paragraph 30.1 substitute the pay spines with the following pay spine—

| "Spine Point | Annual Salary England and Wales (excluding the London Area) | Annual Salary Inner London Area | Annual Salary Outer London Area | Annual Salary Fringe Area |
|---|---|---|---|---|
| AST1 | 34,938 | 41,541 | 37,710 | 35,901 |
| AST2 | 35,814 | 42,420 | 38,586 | 36,777 |
| AST3 | 36,708 | 43,317 | 39,477 | 37,671 |
| AST4 | 37,623 | 44,229 | 40,398 | 38,589 |
| AST5 | 38,559 | 45,171 | 41,334 | 39,528 |
| AST6 | 39,525 | 46,134 | 42,297 | 40,491 |
| AST7 | 40,590 | 47,202 | 43,365 | 41,559 |
| AST8 | 41,526 | 48,135 | 44,301 | 42,489 |
| AST9 | 42,564 | 49,170 | 45,336 | 43,530 |
| AST10 | 43,656 | 50,265 | 46,431 | 44,622 |
| AST11 | 44,790 | 51,393 | 47,559 | 45,753 |
| AST12 | 45,822 | 52,431 | 48,597 | 46,791 |
| AST13 | 46,968 | 53,577 | 49,743 | 47,937 |
| AST14 | 48,138 | 54,747 | 50,907 | 49,104 |
| AST15 | 49,338 | 55,941 | 52,107 | 50,298 |
| AST16 | 50,649 | 57,258 | 53,421 | 51,615 |
| AST17 | 51,813 | 58,422 | 54,585 | 52,785 |
| AST18 | 53,115 | 59,724 | 55,890 | 54,081" |

*Jim Knight*
Minister of State
Department for Education and Skills

9th May 2006

## EXPLANATORY NOTE

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

This Order amends the School Teachers' Pay and Conditions Document 2005 ("the Document") in order to allow teachers to participate voluntarily in certain salary sacrifice arrangements and in order to ensure that where a teacher is entitled to a safeguarded sum under the Document participation in a salary sacrifice arrangement does not affect the determination of that safeguarded sum with effect from 1st June 2006.

This Order also amends the Document to make provision for the assimilation of Advanced Skills Teachers onto a new pay spine with effect from 1st September 2006. These changes result from a recommendation made by the School Teachers' Review Body in Part 2 of their 13th Report in 2004.

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