



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 10

#### SCHOOLS

#### CHAPTER 4

#### SCHOOL SUPPORT STAFF PAY AND CONDITIONS: ENGLAND

#### *General*

#### **239 Non-statutory School Support Staff Negotiating Body**

- (1) This section applies for the purposes of this Chapter.
- (2) The establishment of the non-statutory School Support Staff Negotiating Body is to be treated as the establishment of the SSSNB.
- (3) Arrangements made for the constitution of the non-statutory School Support Staff Negotiating Body are to be treated as if they were arrangements made under paragraph 1(1) of Schedule 15.
- (4) Consultation carried out before arrangements are made for the constitution of the non-statutory School Support Staff Negotiating Body is to be treated as carried out under paragraph 1(2) of Schedule 15.
- (5) A matter within the SSSNB's remit that has been referred to the non-statutory School Support Staff Negotiating Body by the Secretary of State is to be treated as if it had been referred by the Secretary of State to the SSSNB under section 229.
- (6) For the purposes of this section the “non-statutory School Support Staff Negotiating Body” is the body of persons—

*Status: Point in time view as at 05/05/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: General is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) established by the Secretary of State before the date on which this Chapter comes into force, and
- (b) known as the School Support Staff Negotiating Body.

#### Commencement Information

**I1** S. 239 in force at 12.1.2010 by [S.I. 2009/3317](#), art. 2, [Sch.](#)

### 240 “School support staff”

- (1) This section has effect for the purposes of this Chapter.
- (2) “School support staff” are persons within subsection (3).
- (3) A person is within this subsection if the person—
  - (a) is employed by a [<sup>F1</sup>local authority] in England or the governing body of a school maintained by a [<sup>F1</sup>local authority] in England, under a contract of employment providing for the person to work wholly at a school or schools maintained by a [<sup>F1</sup>local authority] in England;
  - (b) is not a school teacher, or a person of a prescribed description.
- (4) In this section, “school teacher” means a person who is a school teacher for the purposes of section 122 of the Education Act 2002 (c. 32).

#### Textual Amendments

**F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 16\(2\)](#)

#### Commencement Information

**I2** S. 240 in force at 12.1.2010 by [S.I. 2009/3317](#), art. 2, [Sch.](#)

### 241 General interpretation

For the purposes of this Chapter—

“contract of employment” has the meaning given by section 230(2) of the Employment Rights Act 1996 (c. 18);

“school maintained by a [<sup>F1</sup>local authority]” means—

- (a) a community, foundation or voluntary school;
- (b) a community or foundation special school;
- (c) a maintained nursery school;
- (d) a short stay school.

#### Textual Amendments

**F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 16\(2\)](#)

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**Status:** Point in time view as at 05/05/2010.

**Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: General is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date.

Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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**Commencement Information**

**I3** S. 241 in force at 12.1.2010 by [S.I. 2009/3317](#), art. 2, [Sch.](#)

**Status:**

Point in time view as at 05/05/2010.

**Changes to legislation:**

Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: General is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.