



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Status: This is the original version (as it was originally enacted).

- (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.

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 local education authority in England or the governing body of a school maintained by a local education authority in England, under a contract of employment providing for the person to work wholly at a school or schools maintained by a local education 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 \(c. 32\)](#).

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 local education 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.