

1990 No. 1281

**EDUCATION, ENGLAND AND WALES**

**The Education (School Teachers' Pay and Conditions)  
Order 1990**

*Made* - - - - - *21st June 1990*

*Coming into force* *22nd June 1990*

The Advisory Committee appointed under section 2(1) of the Teachers' Pay and Conditions Act 1987<sup>(a)</sup> having reported to the Secretary of State in accordance with that section, the Secretary of State, in exercise of powers conferred by section 3(1), (3), (4) and (5) of that Act and after consulting in accordance with section 3(1) of that Act 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, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament pursuant to section 3(2) of that Act:—

**Citation and commencement**

1. This Order may be cited as the Education (School Teachers' Pay and Conditions) Order 1990 and shall come into force on the day after the day on which it is made.

**Application**

2. This Order applies to all school teachers (as defined in the Teachers' Pay and Conditions Act 1987) in England and Wales.

**School teachers' pay and conditions**

3.—(1) It is hereby directed that the provisions relating to remuneration and other conditions of employment set out in the document published by Her Majesty's Stationery Office and entitled "School Teachers' Pay and Conditions Document 1990"<sup>(b)</sup> shall have effect in accordance with the following provisions of this article.

(2) The said provisions relating to remuneration shall have effect for the purpose of determining the remuneration of school teachers in England and Wales—

(a) as regards the rates of London Area allowances set out in paragraph 18(1) of the said Document, from 1st July 1989; and

(b) as regards Version B of the following provisions, from 1st January 1991:—

Part III of the said Document      the pay of qualified teachers  
(paragraphs 4 to 7)

Paragraph 8(1) of Part IV      the salary or scale for unqualified teachers

Paragraph 21 of Part VI      safeguarding

Paragraphs 4 and 7 of Appendix I      safeguarding provisions specific to head teachers and deputy head teachers

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<sup>(a)</sup> 1987 c.1. Sections 3 and 7 have been amended by paragraphs 38 and 39 of Schedule 12 to the Education Reform Act 1988 (c.40.). Section 3(5)(a) has been amended by S.I. 1988/2074. The Act was continued in force by S.I. 1989/2366.  
<sup>(b)</sup> ISBN

- (c) as regards the limits relating to incentive allowances and head teachers and deputy head teachers set out in Version 1 of Annexes A and B to Appendix I, from 1st August 1990;
- (d) as regards the limits relating to incentive allowances and head teachers and deputy head teachers set out in Version 2 of Annexes A and B to Appendix I, from 1st January 1991;
- (e) as regards all other provisions relating to remuneration from 1st April 1990.

(3) The said provisions relating to other conditions of employment shall have effect as terms of the contract of employment of school teachers in England and Wales from the date on which this Order comes into force.

#### **Revocation**

4. The Education (School Teachers' Pay and Conditions) Order 1989(a) and the Education (School Teachers' Pay and Conditions) (Amendment) Order 1989(b) are hereby revoked except in so far as they relate to Annexes A and B of Appendix I to the School Teachers' Pay and Conditions Document 1989(c) which shall continue to have effect until 1st August 1990.

21st June 1990

*John MacGregor*  
Secretary of State for Education and Science

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(a) S.I. 1989/904.

(b) S.I. 1989/1453.

(c) ISBN 0 11 270672 X.

## EXPLANATORY NOTE

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

This Order refers to a document entitled "School Teachers' Pay and Conditions Document 1990" published by Her Majesty's Stationery Office, which is obtainable from Government book shops and through booksellers. The Order directs that the provisions set out in the Document shall have effect as regards the rates of London Area allowances set out in paragraph 18(1) of the said Document, from 1st July 1989; as regards Version B of the following provisions, from 1st January 1991:—

Part III (paragraphs 4 to 7)	the pay of qualified teachers
Paragraph 8(1) of Part IV	the salary or scale for unqualified teachers
Paragraph 21 of Part VI	safeguarding
Paragraphs 4 and 7 of Appendix I	safeguarding provisions specific to head teachers and deputy head teachers;

as regards the limits relating to incentive allowances and head teachers and deputy head teachers set out in Version 1 of Annexes A and B to Appendix I, from 1st August 1990 and as regards the limits set out in Version 2, from 1st January 1991; as regards all other provisions relating to remuneration from 1st April 1990, and as regards other conditions of employment from the date on which this Order comes into force.

The Order applies to all school teachers (as defined in section 7(1) of the Teachers' Pay and Conditions Act 1987 as amended to include teachers in grant-maintained schools by paragraph 39 of Schedule 12 to the Education Reform Act 1988). By virtue of section 3(5)(a) and (6)(a) of the Teachers' Pay and Conditions Act 1987, the remuneration of teachers to whom the Order applies is to be determined by local education authorities, or in the case of grant-maintained schools or schools with a delegated budget by the governing body, in accordance with the scales and other provisions set out in the Document; by virtue of section 3(6)(b) of that Act the provisions of the Document relating to other conditions of employment have effect as terms of the contracts of employment of teachers to whom the Order applies.

The Order does not contain a statement that it gives effect without any material modification to recommendations of the Interim Advisory Committee on School Teachers' Pay and Conditions and consequently, under section 3(2) of the 1987 Act, a draft of the Order has been laid before and approved by resolution of each House of Parliament.

The retrospective effect of the Order as regards remuneration is authorised by section 3(5)(f) of the 1987 Act.

The Order revokes the Education (School Teachers' Pay and Conditions) Order 1989 and S.I. 1989/1453 (which amended it) with a saving for those provisions which are not replaced until 1st August 1990.