
STATUTORY INSTRUMENTS

1991 No. 1459

EDUCATION, ENGLAND AND WALES

**The Education (School Teachers'
Pay and Conditions) Order 1991**

Made - - - - 25th June 1991

Coming into force - - 26th June 1991

The Advisory Committee appointed under section 2(1) of the Teachers' Pay and Conditions Act 1987⁽¹⁾ 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 the Act and after consulting in accordance with section 3(1) of the 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 1991 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 1991"⁽²⁾ shall have effect in accordance with the following provisions of this article.

(1) 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 and 1990/2516.
(2) ISBN.

(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 and the Inner London Area supplement set out in paragraph 18 of the said Document, from 1st July 1990;
- (b) as regards the first set of the following provisions, from 1st April 1991 and as regards the second set, from 1st December 1991:—
 - (i) the head and deputy head teachers' pay spine and ranges set out in paragraphs 4 and 5;
 - (ii) the standard scale for qualified teachers set out in paragraph 6(1) and (2);
 - (iii) the salary or scale and allowances for unqualified teachers set out in paragraphs 8(1), 9 and 10;
 - (iv) the allowances payable to teachers of blind and deaf children set out in paragraph 16;
- (c) as regards the discretion to disregard the number of head teachers and deputy head teachers in ordinary schools in Group 1 set out in paragraph 5(2) of Appendix I in calculating the limits relating to incentive allowances, from 1st August 1991;
- (d) as regards the discretionary scale points set out in paragraph 6(3) and (4), from 1st September 1991;
- (e) as regards the increases in incentive allowances set out in paragraph 7(1), from 1st December 1991;
- (f) as regards all other provisions relating to remuneration, from 1st April 1991.

(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 1990(3) is hereby revoked.

25th June 1991

K. Clarke
Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Order)

This Order refers to a document entitled “School Teachers' Pay and Conditions Document 1991” 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 and the Inner London Area supplement set out in paragraph 18, from 1st July 1990; as regards the first set of the following provisions, from 1st April 1991 and as regards the second set, from 1st December 1991:–

the head and deputy head teachers' pay spine and ranges set out in paragraphs 4 and 5; the standard scale for qualified teachers set out in paragraph 6(1) and (2); the salary or scale and allowances for unqualified teachers set out in paragraphs 8(1), 9 and 10; and the allowances payable to teachers of blind and deaf children set out in paragraph 16;

as regards the discretion to disregard the number of head teachers and deputy head teachers in ordinary schools in Group 1 set out in paragraph 5(2) of Appendix I in calculating limits relating to incentive allowances, from 1st August 1991; as regards the discretionary scale points set out in paragraph 6(3) and (4), from 1st September 1991; as regards the increases in incentive allowances set out in paragraph 7(1), from 1st December 1991; as regards all other provisions relating to remuneration, from 1st April 1991; and as regards all other provisions, from the date on which the 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, 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 said Act of 1987, 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 said Act of 1987.

The Order revokes the Education (School Teachers' Pay and Conditions) Order 1990.