
STATUTORY INSTRUMENTS

2003 No. 2640

EDUCATION, ENGLAND AND WALES

**The Education (School Teachers' Pay
and Conditions) (No.3) Order 2003**

<i>Made</i>	- - - -	<i>13th October 2003</i>
<i>Laid before Parliament</i>		<i>13th October 2003</i>
<i>Coming into force</i>	- -	<i>14th October 2003</i>

Whereas the Secretary of State has consulted, in accordance with section 126 of the Education Act 2002⁽¹⁾, such associations of local education authorities, such bodies representing the interests of governors of foundation, voluntary and foundation special schools and such bodies representing school teachers as appeared to him to be concerned:

Now therefore the Secretary of State, in exercise of the powers conferred by sections 122(1), 123, 124, 125 and 210 of the Education Act 2002, hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Education (School Teachers' Pay and Conditions) (No.3) Order 2003 and shall come into force on 14th October 2003.

(2) This Order applies to school teachers within the meaning of section 122 of the Education Act 2002 in England and Wales.

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2. The provisions set out in section 2 of the document published by The Stationery Office Limited and entitled "School Teachers' Pay and Conditions Document 2003 and Guidance on School Teachers' Pay and Conditions"⁽²⁾ are amended as follows.

3.—(1) At the beginning of paragraph 3.1(a) insert "in the case of a teacher to whom paragraphs 15 and 16 apply, on or after 14th October 2003 with effect from 14th October 2003 and thereafter".

(2) After paragraph 3.1(a) insert—

(1) 2002 c. 32.

(2) ISBN 0 11 271146 4. Section 2 was given effect by the Education (School Teachers' Pay and Conditions) (No.2) Order 2003 (S.I.2003/2169).

- “(aa) in the case of any other teacher, annually on or after 1st September with effect from 1st September; or
- (ab) in the case of a teacher whose remuneration was determined prior to 14th October 2003 in accordance with paragraph 27.1 on his taking up an appointment, on or after that date but as if he had taken up that appointment on that date; or”.
- (3) For paragraph 16.1.1 substitute the following paragraphs—
- “**16.1.1.** In the case of a classroom teacher who was placed on the pay scale for classroom teachers in paragraph 15.3.2 of the 2002 Document in accordance with that Document, the relevant body shall award the number of points corresponding to the number of the point on the pay scale on which he was so placed.
- 16.1.1A.** The relevant body shall award 1 point for each year of qualifying employment which the classroom teacher has completed since he was first placed on the pay scale for classroom teachers in accordance with either the 2002 Document or this Document.”.
- (4) At the end of paragraph 16.1.3 insert “if no such point was awarded prior to and taken into account in any determination required by paragraph 15.4.2 of the 2002 Document (assimilation arrangements) or awarded when he was first placed on the pay scale for classroom teachers in paragraph 15.3.2 of the 2002 Document”.
- (5) In paragraph 16.1.4 before “1st September” insert “14th October 2003 and, in respect of any school year commencing in or after 2004,”.
- (6) In paragraph 16.1.5(c) delete “annual” and for “on or after 1st September 2003” substitute “in accordance with paragraph 3.1(a) or (aa)”.
- (7) In paragraph 27.1 for “shall be placed” to the end substitute “shall, if he is a teacher mentioned in paragraph 16.1.1, be placed at a point on the main pay scale in paragraph 15.3 as determined under paragraph 16 or, if he is not such a teacher, be placed on such a point as calculated in accordance with paragraphs 27.2 to 27.5”.
- (8) In paragraph 27.2(a) —
- (a) delete “2002,”;
- (b) after “the following table” insert “, with the addition of one point in respect of each year of qualifying employment completed since he was last placed on a point in accordance with the provisions of any such document”; and
- (c) delete “and 15.3.1 of 2002 Document” in the third column of the table.

13th October 2003

Charles Clarke
Secretary of State for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the School Teachers' Pay and Conditions Document 2003 (“the Document”). It requires the pay of classroom teachers to whom paragraphs 15 and 16 of the Document apply, or to whom paragraph 27 of the Document applied before 14th October 2003, to be determined with effect from 14th October 2003. The amendment to paragraph 16 of the Document made by the Order requires such a teacher to be awarded the number of points on the main pay scale corresponding to the point on which he was placed on that scale in the School Teachers' Pay and Conditions Document 2002 (“the 2002 Document”), and one point on the main pay scale for each year of qualifying employment since he was placed on it.

Paragraph 27 of the Document, which is concerned with the pay of classroom teachers taking up new posts, is amended to require the award of an additional point in respect of each year of qualifying employment undertaken since such a teacher was last placed on a point on the pay scale in the previous teachers pay documents mentioned in that paragraph. Incorrect references to the 2002 Document have been removed from paragraph 27.