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WELSH STATUTORY INSTRUMENTS

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**2023 No. 1067 (W. 181)**

**EDUCATION, WALES**

**The School Teachers' Pay and  
Conditions (No. 2) (Wales) Order 2023**

<i>Made</i>	- - - -	<i>5 October 2023</i>
<i>Laid before Senedd Cymru</i>		<i>6 October 2023</i>
<i>Coming into force</i>	- -	<i>28 October 2023</i>

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 122(1), 123 and 124 of the Education Act 2002(1), and now vested in them(2), make the following Order.

The Welsh Ministers in accordance with section 126(3) of that Act have consulted such of the persons and bodies referred to in that section as appeared to the Welsh Ministers to be appropriate.

**Title, commencement, application and interpretation**

1.—(1) The title of this Order is the School Teachers' Pay and Conditions (No. 2) (Wales) Order 2023 and it comes into force on 28 October 2023.

(2) This Order applies to school teachers in Wales.

(3) In this Order—

“the 2022 Document” (“*Dogfen 2022*”) means the document entitled “School Teachers’ Pay and Conditions (Wales) Document 2022 and guidance on school teachers’ pay and conditions (revised) – September 2023” and published on the gov.wales website(4);

“the 2023 Document” (“*Dogfen 2023*”) means the document entitled “School Teachers’ Pay and Conditions (Wales) Document 2023 and guidance on school teachers’ pay and conditions” and published on the gov.wales website;

“school teacher” (“*athro neu athrawes ysgol*”) has the meaning given by section 122(3) to (6) of the Education Act 2002.

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(1) 2002 c. 32. Sections 122 and 123 were amended by article 5(1) of, and paragraph 11(2) and (3) of Part 1 of Schedule 2 to, S.I. 2010/1158.

(2) The functions of the Secretary of State were transferred to the Welsh Ministers by article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(3) This function of the Secretary of State was transferred to the Welsh Ministers by article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018.

(4) <https://gov.wales/teaching-and-leadership>

### **The 2022 Document and the 2023 Document**

- 2.—(1) For the purposes specified in paragraph (2)—
- (a) the provisions set out in section 2 of the 2022 Document have effect for the period beginning with 1 September 2022 and ending with 31 August 2023, and
  - (b) the provisions set out in section 2 of the 2023 Document have effect on and after 1 September 2023.
- (2) The purposes referred to in paragraph (1) are the purposes of determining—
- (a) the remuneration of school teachers, and
  - (b) other conditions of employment of school teachers which relate to their professional duties and working time.

### **Revocation**

3. The School Teachers' Pay and Conditions (Wales) Order 2023(5) is revoked.

5 October 2023

*Jeremy Miles*  
Minister for Education and Welsh Language, one  
of the Welsh Ministers

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## EXPLANATORY NOTE

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

This Order makes provision for the determination of the remuneration of school teachers (within the meaning of section 122 of the Education Act 2002 (c. 32)) in Wales and other conditions of employment of school teachers in Wales which relate to their professional duties and working time.

The Order makes this provision by reference to—

- (a) section 2 of a document entitled “School Teachers’ Pay and Conditions (Wales) Document 2022 and guidance on school teachers’ pay and conditions (revised) – September 2023” (“the 2022 Document”) for the period beginning with 1 September 2022 and ending with 31 August 2023, and
- (b) section 2 of a document entitled “School Teachers’ Pay and Conditions (Wales) Document 2023 and guidance on school teachers’ pay and conditions” (“the 2023 Document”) on and after 1 September 2023.

The 2022 Document and the 2023 Document can be found on the Welsh Government website: <https://gov.wales/teaching-and-leadership>.

The Order makes retrospective provision, under section 123(3) of the Education Act 2002, to provide that—

- (a) the provisions set out in section 2 of the 2022 Document have effect for the period beginning with 1 September 2022 and ending with 31 August 2023, and
- (b) the provisions set out in section 2 of the 2023 Document have effect on and after 1 September 2023,

even though the Order comes into force after those dates (article 2).

The Order revokes the School Teachers’ Pay and Conditions Order (Wales) 2023 (article 3) and replaces the remuneration and other conditions of employment of school teachers in Wales given effect by that Order.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Workforce Strategy Unit, Pedagogy, Leadership and Professional Learning Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.