
STATUTORY INSTRUMENTS

2006 No. 1274

EDUCATION, ENGLAND AND WALES

**The Education (School Teachers'
Pay and Conditions) Order 2006**

<i>Made</i>	- - - -	<i>9th May 2006</i>
<i>Laid before Parliament</i>		<i>11th May 2006</i>
<i>Coming into force</i>	- -	<i>1st June 2006</i>

The Secretary of State for Education and Skills has consulted the Chairman of the School Teachers' Review Body⁽¹⁾ in accordance with section 125(2)(b) of the Education Act 2002⁽²⁾ about disapplying section 125(1) of that Act; and has consulted, in accordance with section 126 of that Act, such associations of local education authorities, such bodies representing the interests of governing bodies of schools and such bodies representing the interests of teachers as appeared to her to be appropriate to consult having regard to the content of this Order.

In exercise of the powers conferred on the Secretary of State by sections 122(1), 123, 124 and 210(7) of that Act, the Secretary of State for Education and Skills makes the following Order:

Citation and commencement

1. This Order may be cited as The Education (School Teachers' Pay and Conditions) Order 2006 and shall come into force on 1st June 2006.

Amendments to the Document

2.—(1) The School Teachers' Pay and Conditions Document 2005⁽³⁾ is amended in accordance with the following paragraphs.

(2) After paragraph 55.4 insert the following—

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- (1) The School Teachers' Review Body was established by section 1 of the School Teachers' Pay and Conditions Act 1991 (1991 c. 49). Section 1 was repealed by section 215(2) of, and Part 12 of Schedule 22 to, the Education Act 2002 (c. 32) but the review body continues to exist by virtue of section 119(1) of that Act.
- (2) 2002, c.32.
- (3) ISBN 0 11 271180 4; the Document was given legal effect by The Education (School Teachers' Pay and Conditions (No. 3) Order 2005 (S.I.2005/2212).

“Salary sacrifice arrangements

55A. For the purposes of this paragraph, the term “salary sacrifice arrangement” means any arrangement under which the teacher gives up the right to receive part of his gross salary in return for the employer’s agreement to provide him with a benefit-in-kind under any of the following schemes—

- (a) a child care voucher or other child care benefit scheme;
- (b) a cycle or cyclist’s safety equipment scheme; or
- (c) a mobile telephone scheme; and

that benefit in-kind is exempt from income tax (4).

55A.2. Where the employer operates a salary sacrifice arrangement, the teacher may participate in any such arrangement and his gross salary may be reduced accordingly for the duration of his participation in it.

55A.3. Participation in any salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of the Document.”.

3. After Annex 6 of the Document (Changes taking effect from 1st January 2006) insert the following Annex—

“ANNEX 7

PART 1 – CHANGES TAKING EFFECT FROM 1st SEPTEMBER 2006

In paragraph 30.1—

- (a) insert the following heading above the pay spine—

“Previous Pay Spine - Effective until 31 August 2006

”.

and

- (b) insert the following table after the pay spine—

“New Pay Spine - Effective from 1 September 2006

Spine Point	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
AST1	34,083	40,527	36,789	35,025
AST2	34,938	41,385	37,644	35,880
AST3	35,811	42,258	38,514	36,750
AST4	36,705	43,149	39,411	37,647

(4) The Income Tax (Earning and Pensions) Act 2003 (2003 c. 1) provides that no liability to income tax arises in respect of the provision for an employee of any of these benefits-in-kind, where the specified conditions are met.

Spine Point	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
AST5	37,617	44,067	40,323	38,562
AST6	38,559	45,006	41,265	39,501
AST7	39,600	46,050	42,306	40,545
AST8	40,512	46,959	43,218	41,451
AST9	41,523	47,970	44,229	42,468
AST10	42,591	49,038	45,297	43,533
AST11	43,695	50,139	46,398	44,637
AST12	44,703	51,150	47,409	45,648
AST13	45,822	52,269	48,528	46,767
AST14	46,962	53,409	49,665	47,904
AST15	48,132	54,576	50,835	49,071
AST16	49,413	55,860	52,116	50,355
AST17	50,547	56,997	53,253	51,495
AST18	51,819	58,266	54,525	52,761”

(2) After paragraph 30.8 insert the following sub-paragraphs—

“(30.9) Subject to paragraphs 30.9A and 30.9B, the relevant body shall transfer its advanced skills teachers from the previous pay spine to the new pay spine with effect from 1st September 2006, in accordance with the following table—

Previous Spine Point	New Spine Point
	(All Regions)
1	AST1
2	AST1
3	AST1
4	AST1
5	AST2
6	AST3
7	AST3
8	AST4
9	AST5
10	AST5
11	AST6
12	AST7

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Previous Spine Point	New Spine Point
	(All Regions)
13	AST7
14	AST8
15	AST9
16	AST10
17	AST11
18	AST11
19	AST12
20	AST13
21	AST13
22	AST14
23	AST15
24	AST16
25	AST17
26	AST17
27	AST18”

30.9A Where the relevant body determines that an advanced skills teacher shall move up the pay spine in accordance with paragraph 30.7, it shall make and give effect to that determination using the previous pay spine and before the teacher is assimilated onto the new pay spine in accordance with paragraph 30.9.

30.9B Where it is not possible to make and give effect to the determination referred to in paragraph 30.9A in accordance with paragraph 30.7 before the advanced skills teacher is assimilated onto the new pay spine in accordance with paragraph 30.9, the relevant body shall make the determination using the previous pay spine, as though assimilation had not taken place, and re-assimilate him onto the new pay spine thereafter in accordance with paragraph 30.9.

PART 2 – CHANGES TAKING EFFECT FROM 1st SEPTEMBER 2007

2. In paragraph 30.1 substitute the pay spines with the following pay spine—

“Spine Point	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
AST1	34,938	41,541	37,710	35,901
AST2	35,814	42,420	38,586	36,777
AST3	36,708	43,317	39,477	37,671
AST4	37,623	44,229	40,398	38,589

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“Spine Point	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
AST5	38,559	45,171	41,334	39,528
AST6	39,525	46,134	42,297	40,491
AST7	40,590	47,202	43,365	41,559
AST8	41,526	48,135	44,301	42,489
AST9	42,564	49,170	45,336	43,530
AST10	43,656	50,265	46,431	44,622
AST11	44,790	51,393	47,559	45,753
AST12	45,822	52,431	48,597	46,791
AST13	46,968	53,577	49,743	47,937
AST14	48,138	54,747	50,907	49,104
AST15	49,338	55,941	52,107	50,298
AST16	50,649	57,258	53,421	51,615
AST17	51,813	58,422	54,585	52,785
AST18	53,115	59,724	55,890	54,081”””

9th May 2006

Jim Knight
Minister of State
Department for Education and Skills

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the School Teachers' Pay and Conditions Document 2005 (“the Document”) in order to allow teachers to participate voluntarily in certain salary sacrifice arrangements and in order to ensure that where a teacher is entitled to a safeguarded sum under the Document participation in a salary sacrifice arrangement does not affect the determination of that safeguarded sum with effect from 1st June 2006.

This Order also amends the Document to make provision for the assimilation of Advanced Skills Teachers onto a new pay spine with effect from 1st September 2006. These changes result from a recommendation made by the School Teachers' Review Body in Part 2 of their 13th Report in 2004.