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STATUTORY INSTRUMENTS

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**2022 No. 1043**

**EDUCATION, ENGLAND**

**The School Teachers' Pay and  
Conditions (England) (No. 2) Order 2022**

*Made* - - - - *at 2.57 p.m. on 13th  
October 2022*  
*Laid before Parliament* *at 4.00 p.m. on 13th  
October 2022*  
*Coming into force in accordance with article 1(1)*

Following the reference by the Secretary of State to the School Teachers' Review Body ("the STRB") of certain matters under section 120(1) of the Education Act 2002<sup>(1)</sup> ("the Act"), other than a matter which the Secretary of State thinks is subsidiary in accordance with section 125(2)(a) and (3) of that Act, and after following the procedure set out in section 121<sup>(2)</sup> of the Act, the STRB have reported to the Prime Minister and the Secretary of State in accordance with section 120(3) of the Act.

In accordance with section 120(4) of the Act the Prime Minister and the Secretary of State have arranged for the report of the STRB to be published.

In accordance with section 125(1)(b) of the Act the Secretary of State has considered the STRB's report.

In accordance with section 126 of the Act the Secretary of State has consulted such of the persons and bodies referred to in that section as appeared to the Secretary of State to be appropriate.

The Secretary of State makes the following Order in exercise of the powers conferred by sections 122(1), 123 and 124 of the Act.

**Citation, commencement, extent and application**

1.—(1) This Order may be cited as the School Teachers' Pay and Conditions (England) (No. 2) Order 2022 and comes into force on 3rd November 2022 save for article 3(2) which comes into force at 11.00 p.m. on 13th October 2022.

(2) This Order extends to England and Wales and applies to school teachers<sup>(3)</sup> in England.

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(1) 2002 c. 32. Provision is made in respect of the School Teachers' Review Body in section 119.

(2) Sections, 121, 122, 123 and 126 were amended by [S.I. 2010/1158](#).

(3) "School teachers" is defined for these purposes in section 122(3) to (6) of the Education Act 2002. The functions of the Secretary of State under sections 122 to 124, 126 and 127 of that Act, so far as they were exercisable in relation to school teachers in Wales, were transferred to the Welsh Ministers by virtue of article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018 ([S.I. 2018/644](#)).

## **The Document**

2.—(1) The provisions set out in Section 2 of the Document have effect on and after 1st September 2022 for 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 or working time.

(2) In paragraph (1) “the Document” means the document entitled “School teachers’ pay and conditions document 2022 and guidance on school teachers’ pay and conditions” published on the gov.uk website<sup>(4)</sup>.

## **Revocation**

3.—(1) The School Teachers’ Pay and Conditions (England) Order 2021<sup>(5)</sup> is revoked.

(2) The School Teachers’ Pay and Conditions (England) Order 2022<sup>(6)</sup> is revoked.

At 2.57 p.m. on 13th October 2022

*Jonathan Gullis*  
Parliamentary Under Secretary of State  
Department for Education

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(4) <https://www.gov.uk/>; copies are available to purchase from TSO Customer Services, PO Box 29, Norwich, NR3 1GN, telephone 0333 202 5070 or for inspection at reasonable times at the offices of the Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

(5) [S.I. 2021/1101](#).

(6) [S.I. 2022/1041](#), which is revoked before its coming into force.

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## EXPLANATORY NOTE

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

The Order makes provision for the determination of the remuneration and certain other conditions of employment of school teachers in England (within the meaning of section 122 of the Education Act 2002).

It makes this provision by reference to Section 2 of a document entitled “School teachers’ pay and conditions document 2022 and guidance on school teachers’ pay and conditions” (“the Document”) which can be accessed on the Government website, at [www.gov.uk](http://www.gov.uk). Copies are available to purchase from TSO Customer Services, PO Box 29, Norwich, NR3 1GN, telephone 0333 202 5070 or for inspection at reasonable times at the offices of the Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

The Document provides for one matter, an additional Bank Holiday for the day of the state funeral of Her Late Majesty The Queen, which the Secretary of State considers to be subsidiary and which has not been referred to the STRB.

The Order makes retrospective provision, under section 123(3) of the Education Act 2002, so that the provisions in Section 2 of the Document have effect on and after 1st September 2022 notwithstanding that the Order comes into force after that date.

The Order revokes the School Teachers’ Pay and Conditions (England) Order 2021 ([S.I. 2021/1101](#)). It also revokes the School Teachers’ Pay and Conditions (England) Order 2022 ([S.I. 2022/1041](#)) before the coming into force of that instrument in consequence of an error contained in it.

An impact assessment has not been prepared for this Order as no impact on businesses or civil society organisations is foreseen. The impact on the public sector is minimal.