

School Teachers' Pay and Conditions Document 2000

This Document contains provisions relating to the statutory conditions of employment of school teachers in England and Wales and has been prepared by the Secretary of State for Education and Employment in anticipation of a pay and conditions order being made by him under section 2 of the School Teachers' Pay and Conditions Act 1991 ("the Act")^(a) referring to this Document and directing that its provisions shall have effect in accordance with that order. The anticipated order will be the Education (School Teachers' Pay and Conditions)(No.3) Order 2000 ("the Order").

The Document relates to teachers employed by a local education authority or the governing body of a foundation, voluntary aided, or foundation special school (other than a school to which an order made under section 3(4) of the Act^(b) applies) in the provision of primary or secondary education (otherwise than in an establishment maintained by a local authority in the exercise of a social services function).

When the Order comes into force, this Document will from 1st September 2000 replace the 1999 Document given effect by the Education (School Teachers' Pay and Conditions) (No.2) Order 1999^(c) and amended by the Education (School Teachers' Pay and Conditions) Order 2000^(d) and the Education (School Teachers' Pay and Conditions) (No. 2) Order 2000^(e).

London: Her Majesty's Stationery Office

^(a) 1991 c.49.

^(b) A new section 3 was substituted by section 13 of the School Standards and Framework Act 1998 (c. 31) but by virtue of paragraph 7 of Schedule 32 to that Act that amendment did not affect orders in force. S.I. 1998/2115 permitted orders to be made under section 3 as in force immediately before it was so amended where the application was made before 31st March 1999.

^(c) S.I. 1999/2160.

^(d) S.I. 2000/868.

^(e) S.I. 2000/929.

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PART I - COMMENCEMENT AND INTERPRETATION

Commencement and interpretation

1.1 The provisions of this Document take effect from 1st September 2000.

1.2 In this Document:

“the Act” means the School Teachers’ Pay and Conditions Act 1991 ^(a);

“advanced skills teacher” means a teacher who has been certified by an assessor appointed by the Secretary of State for Education and Employment as eligible for appointment to that post and who has been so appointed;

“assessor” in relation to the performance threshold means an assessor appointed by the Secretary of State to assess whether teachers have passed the performance threshold, and to scrutinise, and if so minded, approve, threshold assessment arrangements made by head teachers and others;

“assistant head teacher” means a qualified teacher with leadership responsibilities across the whole school who is appointed to the post of assistant head teacher;

“authority” means a local education authority in England and Wales; and in relation to a school means the authority by which the school is maintained;

“classroom teacher” means a teacher other than a member of the leadership group, an advanced skills teacher, an unqualified teacher, a licensed teacher, an overseas trained teacher, a graduate teacher or a registered teacher;

“fast-track teacher” means a classroom teacher who has been certified as a fast-track teacher by the Secretary of State or an assessor appointed by him, and who has not ceased to be recognised by the Secretary of State as such a teacher;

(^a) 1991 c.49.

“good honours graduate” means a classroom teacher who has obtained:

- (a) a first or second class honours degree or a higher degree, whether obtained as a result of examination or as a result of research work, of a university or other institution authorised to award its own degrees in the United Kingdom or in the Republic of Ireland or of the Council for National Academic Awards; or
- (b) any other qualification, whether obtained in the United Kingdom or abroad, which the authority regard as being of equivalent standard to a degree of the kind described in sub-paragraph (a) above;

“graduate teacher” means a teacher who has been granted an authorisation under the provisions of Part II of Schedule 2 to the Teachers’ Qualifications and Health Standards Regulations;

“head teacher” and “deputy head teacher” mean a qualified teacher appointed to the post of head teacher and deputy head teacher respectively in a school, and include a teacher appointed as acting head teacher or acting deputy head teacher pursuant to section 54 or 55 of, or paragraph 4 of Schedule 16 or paragraph 5 of Schedule 17 to, or regulations under section 72 of, the School Standards and Framework Act 1998 ^(a) but not a teacher who is assigned and carries out duties of a head teacher or deputy head teacher without being so appointed;

“hearing impaired” means deaf or partially hearing;

“individual school range” means the head teacher’s pay range determined in accordance with paragraph 11;

“Induction Regulations” means the Education (Induction Arrangements for School Teachers) (England) Regulations 1999 ^(b);

“institution of further or higher education” includes an institution providing both further and higher education;

^(a) 1998 c.31.

^(b) S.I. 1999/1065 amended by S.I. 1999/2211, 2000/1001 and 2000/1177.

“key stage one” means the first key stage as defined in section 355(1) of the Education Act 1996 ^(a);

“key stage two” means the second key stage as defined in section 355(1) of the Education Act 1996;

“key stage three” means the third key stage as defined in section 355(1) of the Education Act 1996;

“key stage four” means the fourth key stage as defined in section 355(1) of the Education Act 1996;

“key stage five” means any period of schooling after the completion of key stage four;

“licensed teacher” means a teacher who was granted a licence under the provisions of Part II of Schedule 2 to the Education (Teachers) Regulations 1993 ^(b), as they applied before amendment by the Education (Teachers) (Amendment) (No.2) Regulations 1997 ^(c);

“member of the leadership group” means a head teacher, a deputy head teacher or an assistant head teacher;

“MOD school” means an educational establishment primarily for children with a parent in the armed forces of the Crown and administered by the Ministry of Defence, other than the educational establishments known as Queen Victoria School, Dunblane and Welbeck College, Worksop;

“ordinary school” means a school other than a special school;

“overseas trained teacher” means a teacher who was granted an authorisation under the provisions of Part III of Schedule 2 to the Education (Teachers) Regulations 1993, as they applied before amendment by the Education (Teachers) (Amendment) (No.2) Regulations 1997;

“performance threshold” means the professional standards from time to time determined by the

^(a) 1996 c.56.

^(b) S.I. 1993/543.

^(c) S.I. 1997/2679.

Secretary of State against which classroom teachers are assessed to determine whether they have passed the threshold;

“post-threshold teacher” has the meaning given to that expression in paragraph 19;

“pre-key stage one pupil” means a pupil who has not attained compulsory school age;

“pupil referral unit” has the meaning given to that expression in section 19(2) of the Education Act 1996;

“qualified teacher” means a teacher qualified as mentioned in Schedule 3 to the Teachers’ Qualifications and Health Standards Regulations;

“registered teacher” means a teacher who has been granted an authorisation under the provisions of Part III of Schedule 2 to the Teachers’ Qualifications and Health Standards Regulations;

“relevant body” means:

- (a) in the case of a teacher at a school without a delegated budget, the authority by which that school is maintained,
- (b) in the case of a teacher at a school which has a delegated budget, the governing body of that school, and
- (c) in the case of an unattached teacher, the authority by which he is employed;

“remuneration” means, except where otherwise stated, salary plus any allowances;

“school” means a school maintained by an authority;

“school which has a delegated budget” means a school which has a delegated budget within the meaning of Part II of the School Standards and Framework Act 1998, and “school without a delegated budget” shall be construed accordingly;

“school year” means a period of 12 months commencing on 1st September unless the school’s academic year begins in August in which case it means a period of 12 months commencing on 1st August;

“special school” means a special school maintained by an authority;

“the Teachers Qualifications and Health Standards Regulations” means the Education (Teachers’ Qualifications and Health Standards) (England) Regulations 1999 ^(a) in relation to England and the Education (Teachers’ Qualifications and Health Standards) (Wales) Regulations 1999 ^(b) in relation to Wales;

“teacher” means, except where otherwise stated, a teacher employed by an authority or the governing body of a foundation, voluntary aided or foundation special school (other than a school to which an order made under section 3(4) of the Act applies) in the provision of primary or secondary education (otherwise than in an establishment maintained by a local authority in the exercise of a social services function);

“teacher in further or higher education” means a teacher who is:

- (a) employed in an institution of further or higher education, or
- (b) otherwise employed by a local education authority for the purposes of their functions relating to further and higher education,

other than a teacher seconded to a body which reimburses the employing authority the amount of his salary;

“teacher who has passed the threshold” means a teacher who has been certified by an assessor as having passed the performance threshold, or who has been so certified by a head teacher or other person under arrangements approved by an assessor, and references to “passing the threshold” shall be construed accordingly;

“the 1983 Document” means the document published by Her Majesty’s Stationery Office entitled “Scales of Salaries for Teachers: Primary and Secondary

^(a) S.I. 1999/2166.
^(b) S.I. 1999/2817.

Education, England and Wales 1983" ^(a) as amended ^(b);

"the 1987 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1987" ^(c);

"the 1988 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1988" ^(d);

"the 1989 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1989" ^(e) as amended ^(f);

"the 1990 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1990" ^(g);

"the 1991 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1991" ^(h);

"the 1992 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1992" ⁽ⁱ⁾;

"the 1993 Document" means the document published by Her Majesty's Stationery Office entitled "School Teachers' Pay and Conditions Document 1993" ^(j) and includes that document as amended by the Education (School Teachers' Pay and Conditions) Order 1994 ^(k);

^(a) ISBN 0 11 270550 2.

^(b) The 1983 Document was amended by S.I. 1984/1650, 1986/559, 1987/137, 1987/236, 1987/398 and 1987/650.

^(c) ISBN 0 11 270629 0.

^(d) ISBN 0 11 270654 1.

^(e) ISBN 0 11 270672 X.

^(f) The 1989 Document was amended by S.I. 1989/1453.

^(g) ISBN 0 11 270723 8.

^(h) ISBN 0 11 270768 8.

⁽ⁱ⁾ ISBN 0 11 270798 X.

^(j) ISBN 0 11 270843 9.

^(k) S.I. 1994/910.

“the 1994 Document” means the document published by Her Majesty’s Stationery Office entitled “School Teachers’ Pay and Conditions Document 1994” ^(a) and includes that document as amended by the Education (School Teachers’ Pay and Conditions) Order 1995 ^(b);

“the 1995 Document” means the document published by Her Majesty’s Stationery Office entitled “School Teachers’ Pay and Conditions Document 1995” ^(c) and includes that document as amended by the Education (School Teachers’ Pay and Conditions) Order 1996 ^(d);

“the 1996 Document” means the document published by Her Majesty’s Stationery Office entitled “School Teachers’ Pay and Conditions Document 1996” ^(e) and includes that document as amended by the Education (School Teachers’ Pay and Conditions) Order 1997 ^(f)

“the 1997 Document” means the document published by Her Majesty’s Stationery Office entitled “School Teachers’ Pay and Conditions Document 1997” ^(g) and includes that document as amended by the Education (School Teachers’ Pay and Conditions) Order 1998 ^(h);

“the 1998 Document” means the document published by Her Majesty’s Stationery Office entitled “School Teachers’ Pay and Conditions Document 1998” ⁽ⁱ⁾ and includes that document as amended by the Education (School Teachers’ Pay and Conditions) Order 1999 ^(j);

^(a) ISBN 0 11 270881 1.
^(b) S.I. 1995/1015.

^(c) ISBN 0 11 270914 1.

^(d) S.I. 1996/1003.

^(e) ISBN 0 11 270952 4.

^(f) S.I. 1997/755.

^(g) ISBN 0 11 271012 3.

^(h) S.I. 1998/903.

⁽ⁱ⁾ ISBN 0 11 271038 7.

^(j) S.I. 1999/917.

“the 1999 Document” means the document published by Her Majesty’s Stationery Office entitled “School Teachers’ Pay and Conditions Document 1999”^(a) and includes that document as amended by the Education (School Teachers’ Pay and Conditions) Order 2000^(b) and the Education (School Teachers’ Pay and Conditions) (No. 2) Order 2000^(c);

“threshold assessment” means an assessment of whether a teacher has passed the performance threshold;

“unattached teacher” means:

- (a) a teacher not attached to a particular school,
- (b) a teacher employed otherwise than at a school, or
- (c) in Parts II to VII, a teacher at a pupil referral unit (including a teacher in charge of a unit);

“unqualified teacher” means a teacher whose employment is authorised under Part I of Schedule 2 to the Teachers’ Qualifications and Health Standards Regulations; and

“visually impaired” means blind or partially sighted.

1.3 The Interpretation Act 1978^(d) shall apply for the interpretation of this Document as if it were an Order made under the Act.

1.4 In this Document:

- (a) except where otherwise stated, references in Parts I to XII to a paragraph are references to a paragraph in those Parts and references in any paragraph to a sub-paragraph are references to a sub-paragraph of that paragraph;
- (b) references to a Part are references to a Part of this Document.

(^a) ISBN 271069 7.
(^b) S.I. 2000/868.
(^c) S.I. 2000/929.
(^d) 1978 c.30.

1.5 Where, by or in consequence of a structural or boundary change (or both such changes) as defined in section 14 of the Local Government Act 1992 ^(a) effected by an order made under section 17 of that Act, an authority ("the transferor authority") ceases to exercise the functions of an authority in relation to an area and such functions are thereafter exercisable by another authority ("the transferee authority") in relation to that area, the transferor authority and the transferee authority shall, in this Document, be regarded as the same authority.

1.6 Where, by virtue of the Local Government (Wales) Act 1994 ^(b), the functions under the Education Acts of an abolished authority ("the old authority") in relation to an area are vested in a new authority in relation to that area ("the new authority"), the old authority and the new authority shall, in this Document, be regarded as the same authority.

^(a) 1992 c.19.

^(b) 1994 c.19.

PAY

PART II - GENERAL

Entitlement to salary and allowances

- 2.1 Subject to paragraph 39 (unattached teachers), paragraph 40 (general safeguarding), and paragraph 41 (part-time teachers and teachers employed on a short notice basis):
- (a) a qualified teacher in full-time service shall be entitled to remuneration consisting of a salary determined under Part III or IV and any allowances payable to him under Part IV, VI or VII; and
 - (b) an unqualified teacher in such service shall be entitled to remuneration consisting of a salary determined under Part V and any allowances payable to him under that Part or Part VI or VII.
- 2.2 The relevant body may determine that a licensed teacher or an overseas trained teacher shall:
- (a) be paid and be eligible for allowances as a qualified teacher; or
 - (b) be paid and be eligible for allowances as an unqualified teacher.
- 2.3 The relevant body may determine that a graduate teacher or a registered teacher shall:
- (a) be paid and be eligible for allowances as a qualified teacher; or
 - (b) be paid and be eligible for allowances as an unqualified teacher.
- 2.4 A teacher in part-time service shall be entitled to remuneration consisting of a salary and any allowances to which he is entitled calculated in accordance with paragraph 41.
- 2.5 A teacher in a school which has a delegated budget shall be entitled to be paid by the authority any remuneration to which he is entitled by virtue of the provisions of this Document or any determinations made hereunder.

Timing of salary determination and notification

- 3.1 Subject to paragraph 3.2, the determination of the remuneration of a qualified teacher shall be made:
- (a) annually with effect from 1st September;
 - (b) whenever a teacher takes up a new post (including taking up a post in the leadership group or as an advanced skills teacher) on a date other than 1st September, with effect from his taking up that post; or
 - (c) where a teacher passes the threshold and he is entitled to be paid as a post-threshold teacher pursuant to paragraph 19-
 - (i) in the case of a teacher whose remuneration is paid by an authority in England and who applies for threshold assessment on or before 5th June 2000, with effect from 1st September 2000,
 - (ii) in the case of a teacher whose remuneration is paid by an authority in Wales and who applies for threshold assessment on or before 29th September 2000, with effect from 1st September 2000,
 - (iii) in the case of a teacher whose remuneration is paid by an authority in England and who applies for threshold assessment on or after 6th June 2000 and before 4th June 2001, with effect from 1st September 2001,
 - (iv) in the case of a teacher whose remuneration is paid by an authority in Wales and who applies for threshold assessment on or after 30th September 2000 and before 4th June 2001, with effect from 1st September 2001, and
 - (v) in the case of a teacher who applies for threshold assessment on or after 5th June 2001 and before 8th April 2002, with effect from 1st September 2002; or
 - (d) at any other time when a change falls to be made in a teacher's salary in any circumstances provided for in this Document.

- 3.2 Where the relevant body determine to reduce a qualified teacher's remuneration, that determination shall take effect from a date no earlier than the date when it was actually made.
- 3.3 When the relevant body have determined the remuneration of a qualified teacher, they shall ensure that the teacher is notified in writing of that determination and:
- (a) in the case of a member of the leadership group, or an advanced skills teacher, of the basis on which his remuneration has been determined and the criteria (including performance criteria) on which his salary will be reviewed in the future;
 - (b) in the case of a classroom teacher, of the number of points awarded under paragraph 19 or under each criterion set out in paragraph 18 and the nature and value of any allowance awarded to him under paragraph 20, 21 or 22.
- 3.4 In paragraph 3, "remuneration" means salary plus any allowances but does not include any sum paid under paragraph 42, 43, 44, 45 or 46.
- 3.5 For the purposes of paragraph 3.1(c)(i) and (iii), a teacher who applies for threshold assessment on or before 14 July 2000 shall be treated as if he had applied before 5 June 2000 if his head teacher or other person assessing the application endorses it on the basis that it seemed to him reasonable to do so in the light of:
- (a) confusion on the part of the teacher about the deadlines for application; or
 - (b) personal circumstances which made it difficult for the teacher to submit the application on or before 5 June 2000.

PART III QUALIFIED TEACHERS : LEADERSHIP GROUP

Pay spine for the leadership group

- 4.1 A head teacher shall be paid such salary based upon the leadership group pay spine set out in paragraph 4.5 as the relevant body shall determine in accordance with paragraph 5 or 6.
- 4.2 A deputy head teacher shall be paid such salary based upon the leadership group pay spine set out in paragraph 4.5 as the relevant body shall determine in accordance with paragraph 12 or 13.
- 4.3 An assistant head teacher shall be paid such salary based upon the leadership group pay spine set out in paragraph 4.5 as the relevant body shall determine in accordance with paragraph 15.
- 4.4 The number of teachers in a school who shall be paid as deputy or assistant head teachers shall be determined by the relevant body.
- 4.5 The pay spine for members of the leadership group is:

Assimilation point for head teachers	Leadership group spine point	Annual Salary
		£
-	L1	28,446
-	L2	29,157
-	L3	29,886
-	L4	30,633
-	L5	31,398
1	L6	32,184
2	L7	33,054
3	L8	33,813
4	L9	34,659
5	L10	35,550
6	L11	36,471
7	L12	37,314
8	L13	38,244
9	L14	39,198
10	L15	40,173
11	L16	41,241
12	L17	42,195
13	L18	43,254
14	L19	44,322
15	L20	45,423
16	L21	46,548

17	L22	47,703
18	L23	48,885
19	L24	50,097
20	L25	51,339
21	L26	52,611
22	L27	53,916
23	L28	55,254
24	L29	56,625
25	L30	58,029
26	L31	59,469
27	L32	60,945
28	L33	62,457
29	L34	64,005
30	L35	65,592
31	L36	67,218
32	L37	68,889
33	L38	70,593
34	L39	72,312
-	L40	74,121
-	L41	75,972

Annual determination of head teachers' salary as of 1st September 2000 and assimilation to the leadership group pay spine

- 5.1 Paragraph 5 applies for the purpose of the annual determination of a head teacher's salary with effect from 1st September 2000.
- 5.2 The relevant body shall first determine the salary of each individual head teacher based upon pay spine A set out in paragraph 5.3 in accordance with paragraph 5.4.
- 5.3 Pay spine A is-

Spine point Annual Salary

	£
1	32,184
2	32,988
3	33,813
4	34,659
5	35,526
6	36,408
7	37,314
8	38,244
9	39,198
10	40,173

11	41,172
12	42,195
13	43,251
14	44,322
15	45,423
16	46,548
17	47,703
18	48,885
19	50,097
20	51,339
21	52,611
22	53,916
23	55,254
24	56,625
25	58,029
26	59,469
27	60,945
28	62,457
29	64,005
30	65,592
31	67,218
32	68,889
33	70,593
34	72,312

5.4 When determining the salary of a head teacher based upon pay spine A, the relevant body:

5.4.1 shall review his performance taking account of the performance objectives agreed or set under the 1999 Document; and

5.4.2 determine his salary-

(a) in the case of the head teacher of an ordinary school in accordance with the criteria set out in paragraph 6.3 of the 1999 Document on the basis of the individual school range having effect on 31st August 2000; and

(b) in the case of the head teacher of a special school in accordance with the criteria set out in paragraph 6.4 of the 1999 Document on the basis of the group to which the school was assigned on 31st August 2000.

5.5 Having determined the head teacher's salary based upon pay spine A, the relevant body shall determine the point on the leadership group pay spine set out in paragraph 4.5 to which his salary shall

assimilate in accordance with paragraphs 5.6 to 5.8.

- 5.6 The head teacher's salary shall be provisionally assimilated to the leadership group pay spine point in the second column corresponding to the spine A spine point in the first column at which the relevant body have determined he shall be paid in accordance with paragraph 5.4.
- 5.7 Having determined the leadership group pay spine point to which the head teacher's salary shall provisionally assimilate, the relevant body shall determine the individual school range as of 1st September 2000.
- 5.8.1 If the head teacher's provisional assimilation point on the leadership group pay spine is less than the minimum of the individual school range following its determination, his salary shall be assimilated to the point on the leadership group pay spine which is the minimum of that range.
- 5.8.2 If the head teacher's provisional assimilation point on the leadership group pay spine falls within, or exceeds the maximum of, the individual school range, his salary shall be assimilated to the provisional assimilation point.

Determination of head teachers' salary other than for the purposes of the pay determination as of 1st September 2000

- 6.1 Paragraph 6 applies for the purpose of determining a head teacher's salary in circumstances where paragraph 5 does not apply.
- 6.2 For the purpose of determining the salary of a serving head teacher:
 - 6.2.1 the relevant body and the head teacher shall seek to agree performance objectives relating to school leadership and management and pupil progress, and in default of agreement the relevant body shall set such performance objectives; and
 - 6.2.2 the relevant body shall review the performance of the head teacher taking account of the performance objectives agreed or set under paragraph 6.2.1.
- 6.3 The relevant body shall determine the salary of a head teacher in accordance with the following criteria:

- (a) subject to sub-paragraph (f), a head teacher's salary shall not be less than the minimum of the individual school range and nor shall it exceed the maximum of the individual school range;
- (b) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the head teacher equals the minimum of the individual school range, there shall not be any movement up the pay spine unless:
 - (i) there has first been a review of the performance of the head teacher under paragraph 6.2.2, and
 - (ii) there has been a sustained high quality of performance by the head teacher taking account of the performance objectives agreed or set under paragraph 6.2.1;
- (c) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the head teacher equals the minimum of the individual school range, a head teacher's salary shall not be increased by more than one point in the course of a single pay determination;
- (d) a newly appointed head teacher shall not on his appointment be paid at a point exceeding the third point above the minimum of the individual school range;
- (e) when making a new appointment the relevant body shall have regard to:
 - (i) the responsibilities of the post,
 - (ii) the social, economic and cultural background of the pupils attending the school, and
 - (iii) whether the post is difficult to fill;
- (f) (i) except as provided for in paragraph (ii) where the relevant body determine to reduce the individual school range, the head teacher's pay shall not exceed the maximum of the revised individual school range,

- (ii) where paragraph (i) would lead to a reduction in a head teacher's salary, the head teacher shall remain on the same point until the individual school range is increased;
- (g) where the relevant body set a higher individual school range, the relevant body may not increase the head teacher's salary by more than one pay point unless an increase of more than one pay point is necessary to ensure that the salary of the head teacher equals the minimum of the higher individual school range.

Determination of the school's head teacher group

- 7.1 The relevant body shall assign their school to a head teacher group for the purposes of paragraph 11 in accordance with paragraphs 7 (ordinary and special schools), 8 (ordinary schools), 9 (special schools) and 10 (particular cases).
- 7.2 A school shall be assigned to a head teacher group:
- (a) in the case of a special school, as of 1st September 2000;
 - (b) whenever it is proposed to appoint a new head teacher;
 - (c) in any event, not more than three years after the school was last assigned to a head teacher group; and
 - (d) whenever the relevant body see fit, or where representations have been made to them by the governing body (if they are not the relevant body) or the head teacher of the school, whenever they see fit having regard to such representations.
- 7.3 The head teacher groups, and pay ranges in relation thereto, are as follows:

Group	Range of spine points	Salary range £
1	L6 - L16	32,184 - 41,241

2	L8 - L19	33,813 - 44,322
3	L11 - L22	36,471 - 47,703
4	L14 - L25	39,198 - 51,339
5	L18 - L29	43,254 - 56,625
6	L21 - L33	46,548 - 62,457
7	L24 - L37	50,097 - 68,889
8	L28 - L41	55,254 - 75,972

Unit totals and head teacher groups - ordinary schools

8.1 Subject to paragraph 10, an ordinary school shall be assigned to a head teacher group in accordance with the following table by reference to its total unit score calculated in accordance with paragraph 8.2:

Total unit score	School group
Up to 1,000	1
1,001 to 2,200	2
2,201 to 3,500	3
3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6
11,001 to 17,000	7
17,001 and over	8

8.2 Subject to paragraph 8.3, the total unit score shall be determined in accordance with the number of pupils on the school register calculated as follows:

Key Stage	Units per pupil
For each pre-key stage one pupil and each pupil at key stage one or two	7 units
For each pupil at key stage three	9 units
For each pupil at key stage four	11 units
For each pupil at key stage five	13 units

- 8.3 (a) The number of pupils on the school register, and the number of pupils at each key stage, shall be determined by the numbers as shown on the Department for Education and Employment Form 7(Schools) ^(a) or Form 11(Schools) ^(b) or National Assembly for Wales Form STATS 1 ^(c), submitted to the Department for Education and Employment or National Assembly for Wales respectively on behalf of the school, using the most recent form available when the determination is carried out;
- (b) each pupil with a statement of special educational needs shall, if he is in a special class consisting wholly or mainly of such pupils, count three units more than he would otherwise count by virtue of paragraph 8.2, and if he is not in such a special class count three such units only where the relevant body so determine;
- (c) each pupil who attends for no more than half a day on each day for which he attends the school shall count half as many units as he would otherwise count under paragraph 8.2 or sub-paragraph (b).

Unit totals and head teacher groups - special schools

9.1 Subject to paragraph 10, a special school shall be assigned to a head teacher group in accordance with the following table by reference to its modified total unit score calculated in accordance with paragraphs 9.2 to 9.5:

Modified total unit score	School group
Up to 2,200	2
2,201 to 3,500	3

^(a) This form relates to all maintained schools in England other than nursery or special schools.

^(b) This form relates to nursery schools in England.

^(c) This form relates to schools in Wales.

3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6
11,001 to 17,000	7
17,001 and over	8

9.2 The relevant body shall calculate the proportion of staff to pupils at the school expressed as a percentage ("the staff:pupil ratio") in accordance with the following formula:

$$\frac{A}{B} \times 100$$

where A is the number of teachers and non-teaching staff weighted as provided in paragraph 9.2.1, and B is the number of pupils at the school weighted as provided in paragraph 9.2.2.

9.2.1 The weighting for a teacher is two units for each full-time equivalent teacher, and the weighting for each non-teaching staff member is one unit for each full-time equivalent individual.

9.2.2 The weighting for a full-time pupil is one unit and the weighting for a part-time pupil is half a unit.

9.3 The relevant body shall calculate the staff:pupil ratio modifier in accordance with the following table by reference to the staff:pupil ratio determined in accordance with paragraph 9.2:

Staff:pupil ratio	Staff:pupil ratio modifier
1 - 20%	1
21 - 35%	2
36 - 50%	3
51 - 65%	4
66 - 80%	5
81% or more	6

9.4 The relevant body shall determine the school's total unit score in accordance with the number of

pupils on the school register calculated as follows:

Key Stage	Units per pupil
For each pre-key stage one pupil	10
For each pupil at key stage one or two	10
For each pupil at key stage three	12
For each pupil at key stage four	14
For each pupil at key stage five	16

9.5 The relevant body shall determine the school's modified total unit score by multiplying the school's total unit score determined under paragraph 9.4 by the staff:pupil ratio modifier calculated under paragraph 9.3.

9.6 In paragraph 9:

- (a) the number of pupils on the school register shall be determined by the numbers as shown on the Department for Education and Employment Form MSS ^(a) or National Assembly for Wales Form STATS 2 ^(b), submitted to the Department for Education and Employment or National Assembly for Wales respectively on behalf of the school, using the most recent form available when the determination is carried out; and
- (b) "non-teaching staff member" means a member of the school staff who is not:
 - (i) a teacher,
 - (ii) a person employed in connection with the provision of meals,
 - (iii) a person employed in connection with the security or maintenance of the school premises, or

^(a) This form relates to schools in England.

^(b) This form relates to schools in Wales.

- (iv) a person employed in a residential school to supervise and care for pupils out of school hours.

Unit totals and head teacher groups - particular cases

10.1 Expected changes in number of registered pupils and teaching establishments

- 10.1.1 Subject to paragraph 10.1.2, where in the case of an ordinary school the total unit score and in the case of a special school the modified total unit score is expected by the relevant body to rise or fall after the date to which the assignment refers, the relevant body may instead assign the school to the appropriate group which would result after the expected change in numbers has taken place.
- 10.1.2 Where the relevant body are the governing body of a school which has a delegated budget, no assignment shall be made until the authority have been consulted.

10.2 New schools

- 10.2.1 Subject to paragraphs 10.2.2 and 10.2.3, in the case of a school which is newly opened or not yet open the relevant body shall assign the school to the group appropriate in the case of an ordinary school to the total unit score and in the case of a special school to the modified total unit score expected by the authority or, in the case of a school with a delegated budget, by the governing body after consulting the authority to be relevant not less than four years from the date of opening.
- 10.2.2 The relevant body shall, as necessary, revise their assignment as their expectations on which their calculation was based change.
- 10.2.3 Where the relevant body are the governing body of a school which has a delegated budget, no assignment shall be made until the authority have been consulted.

Determination of a school's individual school range

- 11.1.1 The relevant body shall determine a school's individual school range in accordance with paragraph 11.2.

11.1.2 The individual school range shall consist of 7 consecutive spine points, and where the maximum of the individual school range exceeds the maximum of the leadership group pay spine, the relevant body shall determine the level of any pay points above the spine maximum.

11.1.3 The relevant body shall determine the individual school range-

- (a) as of 1st September 2000;
- (b) when it is proposed to appoint a new head teacher;
- (c) when they determine that the school has moved into a different head teacher group; or
- (d) if they determine to set a deputy or assistant head teacher pay range the maximum of which equals or exceeds the minimum of the individual school range,

and the individual school range shall not be re-determined except as provided for in this paragraph.

11.2.1 The individual school range shall be determined on the basis of the school's size and circumstances, and the relevant body may in particular take account of-

- (a) any difficulties there may be in recruiting a head teacher;
- (b) whether there has been a significant change in the responsibilities of a serving head teacher; and
- (c) the appropriate positioning of the pay range of any deputy or assistant head teacher at the school.

11.2.2 Except as provided for in paragraph 11.2.5, the relevant body shall not take account of the salary of the serving head teacher in determining the individual school range.

11.2.3 The minimum of the individual school range shall not be less than the minimum of the range specified in paragraph 7.3 in relation to the school's head teacher group ("the head teacher group range").

11.2.4 Subject to paragraphs 11.2.5, 11.2.6, 11.2.8 and 11.2.9, the maximum of the individual school range shall not exceed the maximum of the head teacher group range.

11.2.5 For the purposes of the first determination of the individual school range of a special school as of 1st September 2000:

- (a) subject to sub-paragraphs (b) to (d), the maximum of the individual school range shall be not less than two spine points above the point on the leadership group pay spine to which the head teacher's salary is provisionally assimilated under paragraph 5.6;
- (b) where the head teacher's salary following the provisional assimilation under paragraph 5.6 equals or exceeds the maximum of the leadership group pay spine, the maximum of the individual school range shall be equal to his salary following assimilation;
- (c) where the head teacher's salary following the provisional assimilation under paragraph 5.6 is one point below the maximum of the leadership group pay spine, the maximum of the individual school range shall be the maximum of the leadership group pay spine; and
- (d) subject to sub-paragraphs (b) and (c) where the head teacher's salary following the provisional assimilation under paragraph 5.6 equals or exceeds the third highest point in the head teacher group range, the maximum of the individual school range shall be the second spine point above the provisional assimilation point.

11.2.6 The relevant body shall secure that the minimum of the individual school range:

- (a) exceeds by not less than one point the maximum of the pay range of any deputy or assistant head teacher at the school; and
- (b) shall not be less than the next leadership group pay spine point above the salary of the highest paid classroom teacher (calculated in accordance with paragraph 11.3).

11.2.7 Where the relevant body are required to increase an individual school range by virtue of paragraph 11.2.6, they shall increase such range by no more than is necessary to secure that the minimum of the individual school range exceeds by one point the maximum of the deputy or assistant head teacher range or the salary of the highest paid classroom teacher (as the case may be).

11.2.8 When determining the individual school range for the purpose of the appointment of a new head teacher, the relevant body may determine the individual school range in accordance with paragraph 11.2.9 where:

(a) section 15 of the School Standards and Framework Act 1998^(a) applies to the school by virtue of subsection (1) (school subject to a formal warning), (4) (school with serious weaknesses) or (6) (school requiring special measures), or

(b) if the maximum of the individual school range did not exceed the maximum of the head teacher group range, the relevant body consider the school would have substantial difficulty filling the vacant head teacher post.

11.2.9 In the circumstances described in paragraph 11.2.8, the relevant body may determine an individual school range which exceeds the head teacher group range, but the maximum of the individual school range so determined shall not exceed the maximum of the second head teacher group range above the appropriate head teacher group range. If the appropriate head teacher group is group 7 or 8, the individual school range shall be such as the relevant body determine, and its maximum may exceed the highest point on the leadership group pay spine.

11.3.1 For the purpose of determining the individual school range, a deputy head teacher pay range or an assistant head teacher pay range, the relevant body shall calculate the salary of the highest paid classroom teacher in accordance with paragraph 11.3.2:

(a) as of 1st September 2000; and

^(a) 1998 c.31.

- (b) whenever they propose to determine the individual school range, a deputy head teacher pay range or an assistant head teacher pay range.
- 11.3.2 The salary of the highest paid classroom teacher is the sum of-
- (a) the salary corresponding to the minimum point on the pay spine set out in paragraph 19.3;
 - (b) the value of any management allowance awarded to the highest paid classroom teacher at the school under paragraph 20; and
 - (c) the value of any special education needs allowance awarded to the highest paid classroom teacher at the school under paragraph 22.
- 11.3.3 When calculating the salary of the highest paid classroom teacher the relevant body may, in addition to the sums referred to in sub-paragraphs (a) to (c) of paragraph 11.3.2, include the value of any recruitment and retention allowance awarded to the highest paid classroom teacher at the school under paragraph 21.
- 11.3.4 In paragraphs 11.3.2 and 11.3.3, the highest paid classroom teacher at the school is the classroom teacher with the highest allowance total, being the total value of any special educational needs or management allowance awarded to him.
- 11.3.5 The calculation of the salary of the highest paid classroom teacher for the purpose of Part III shall not affect the salary entitlement of such teacher.

Annual determination of deputy head teachers' salary as of 1st September 2000 and assimilation to the leadership group pay spine

- 12.1 Paragraph 12 applies for the purpose of the annual determination of a deputy head teacher's salary with effect from 1st September 2000.
- 12.2 The relevant body shall first determine the salary of each individual deputy head teacher based upon pay spine B set out in paragraph 12.3 in accordance with paragraph 12.4.

12.3 Pay spine B is-

Spine point	Annual Salary
	£
1	28,158
2	28,623
3	29,085
4	29,547
5	30,006
6	30,462
7	30,933
8	31,383
9	31,860
10	32,319
11	32,772
12	33,237
13	33,696
14	34,167
15	34,623
16	35,085
17	35,547
18	36,009
19	36,468
20	36,927
21	37,554
22	38,157
23	38,778
24	39,393
25	40,011
26	40,623
27	41,238
28	41,859
29	42,471
30	43,251
31	44,010
32	44,781
33	45,549
34	46,320

12.4.1 Before determining the salary of a deputy head teacher based upon pay spine B, the relevant body shall review his performance taking account of the performance objectives agreed or set under paragraph 12.1.2 of the 1999 Document.

- 12.4.2 The relevant body shall have regard to whether there has been a sustained high quality of performance by the deputy head teacher taking account of such performance objectives.
- 12.4.3 The relevant body shall not determine that there shall be any movement up the pay spine unless there has first been a review of the performance of the deputy head teacher under paragraph 12.4.1, save to the extent that a movement up the pay spine is necessary to ensure that the salary of the deputy head teacher equals the minimum of the range for the deputy head teacher group to which the school was assigned as of 31st August 2000.
- 12.4.4 Subject to paragraphs 12.4.5 and 12.4.6, the relevant body shall not determine that there shall be any movement up the pay spine if his salary would thereby exceed the maximum of the range in force on 31st August 2000 for the deputy head teacher group to which his school was assigned as of 31st August 2000.
- 12.4.5 If paragraph 12.1.4 of the 1999 Document applied to such deputy head teacher on 31st August 2000, the relevant body may determine his salary in accordance with the provisions of that paragraph.
- 12.4.6 If paragraph 12.2 of the 1999 Document applied to such deputy head teacher on 31st August 2000, the relevant body shall determine his salary in accordance with the provisions of that paragraph.
- 12.5 Having determined the deputy head teacher's salary based upon pay spine B, the relevant body shall determine the leadership group pay spine point to which his salary shall assimilate in accordance with paragraphs 12.6 to 12.8.
- 12.6 The deputy head teacher's salary shall be provisionally assimilated to the next highest point on the leadership group pay spine above the salary based upon pay spine B determined by the relevant body under paragraph 12.4.
- 12.7 Having determined the leadership group pay spine point to which the deputy head teacher's salary shall provisionally assimilate, the relevant body shall determine his deputy head teacher pay range in accordance with paragraph 14.

- 12.8.1 Subject to paragraph 12.8.3, if the deputy head teacher's provisional assimilation point on the leadership group pay spine is less than the minimum of his deputy head teacher pay range, his salary shall be assimilated to the point on the leadership group pay spine which is the minimum of that range.
- 12.8.2 Subject to paragraph 12.8.3, if the deputy head teacher's provisional assimilation point on the leadership group pay spine falls within his deputy head teacher pay range, his salary shall be assimilated to the provisional assimilation point.
- 12.8.3 If the point on the leadership group pay spine at which the relevant body determine to pay the highest paid assistant head teacher at the school equals or exceeds the deputy head teacher's provisional assimilation point, the salary of the deputy head teacher shall be assimilated to the next highest point on the leadership group pay spine above the point corresponding to the salary of such assistant head teacher.

Determination of deputy head teachers' salary other than for the purposes of the pay determination as of 1st September 2000

- 13.1 Paragraph 13 applies for the purpose of determining a deputy head teacher's salary in circumstances where paragraph 12 does not apply.
- 13.2 For the purpose of determining the salary of a serving deputy head teacher:
- 13.2.1 the relevant body and the deputy head teacher shall seek to agree performance objectives relating to school leadership and management and pupil progress, and in default of agreement the relevant body shall set such performance objectives; and
- 13.2.2 the relevant body shall review the performance of the deputy head teacher taking account of the performance objectives agreed or set under paragraph 13.2.1.
- 13.3 The relevant body shall determine the salary of a deputy head teacher in accordance with the following criteria:
- (a) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the deputy head teacher equals the minimum

of his deputy head teacher pay range, there shall not be any movement up the pay spine unless:

- (i) there has first been a review of the performance of the deputy head teacher under paragraph 13.2, and
 - (ii) there has been a sustained high quality of performance by the deputy head teacher taking account of the performance objectives agreed or set under paragraph 13.2.1;
- (b) a deputy head teacher's salary shall not be less than the minimum of his deputy head teacher pay range and nor shall it exceed the maximum of that range;
- (c) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the deputy head teacher equals the minimum of his deputy head teacher pay range, his salary shall not be increased by more than one point in the course of a single pay determination;
- (d) where the relevant body increase a deputy head teacher's deputy head teacher pay range, the relevant body may not increase his salary by more than one pay point unless an increase of more than one pay point is necessary to ensure that his salary equals the minimum of the higher range.

13.4 A newly appointed deputy head teacher shall not on his appointment be paid at a point exceeding the second point above the minimum of his deputy head teacher pay range.

Determination of a deputy head teacher pay range

- 14.1.1 The relevant body shall determine a deputy head teacher pay range for each deputy head teacher in accordance with paragraph 14.2.
- 14.1.2 A deputy head teacher pay range shall consist of 5 consecutive spine points on the leadership group pay spine.
- 14.1.3 The relevant body shall determine a deputy head teacher pay range-

- (a) as of 1st September 2000;
- (b) when it is proposed to appoint a new deputy head teacher; or
- (c) where there is a significant change in the responsibilities of the post of a serving deputy head teacher,

and the deputy head teacher pay range shall not be re-determined except as provided for in this paragraph.

14.2.1 The relevant body shall determine a deputy head teacher pay range taking account of:

- (a) the responsibilities of the post;
- (b) the social, economic and cultural background of the pupils attending the school; and
- (c) whether the post is difficult to fill.

14.2.2 When a deputy head teacher pay range is determined pursuant to paragraph 14.1.3, the relevant body shall secure that the minimum of the deputy head teacher pay range shall not be less than the next leadership group pay spine point above-

- (a) the salary of the highest paid classroom teacher (calculated in accordance with paragraph 11.3); and
- (b) the minimum of the assistant head teacher pay range of the highest paid assistant head teacher at the school.

14.2.3 When a deputy head teacher pay range is determined pursuant to paragraph 14.1.3, the relevant body shall secure that the maximum of the deputy head teacher pay range shall not equal or exceed the minimum of the individual school range.

14.2.4 Where there is insufficient space on the leadership group pay spine to accommodate a deputy head teacher pay range of five points between the salary of the highest paid classroom teacher or the minimum of an assistant head teacher pay range and the minimum of the individual school range, the individual school range shall be increased to the extent necessary to accommodate the deputy head teacher pay range.

- 14.2.5 For the purpose of the first determination of a deputy head teacher pay range as of 1st September 2000, the maximum of the deputy head teacher pay range shall be not less than two spine points above the deputy head teacher's assimilation point on the leadership group pay spine.
- 14.2.6 Subject to paragraphs 14.2.2, 14.2.4 and 14.2.5, the relevant body shall not determine a deputy head teacher pay range at so high a level that they are required by virtue of any other provision of this Document to increase the individual school range beyond the maximum of the head teacher group range.

Determination of an assistant head teacher's salary

- 15.1 Paragraph 15 applies for the purpose of determining an assistant head teacher's salary.
- 15.2 For the purpose of determining the salary of a serving assistant head teacher:
- 15.2.1 the relevant body and the assistant head teacher shall seek to agree performance objectives relating to school leadership and management and pupil progress, and in default of agreement the relevant body shall set such performance objectives; and
- 15.2.2 the relevant body shall review the performance of the assistant head teacher taking account of the performance objectives agreed or set under paragraph 15.2.1.
- 15.3 The relevant body shall determine the salary of an assistant head teacher in accordance with the following criteria:
- (a) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the assistant head teacher equals the minimum of his assistant head teacher pay range, there shall not be any movement up the pay spine unless:
 - (i) there has first been a review of the performance of the assistant head teacher under paragraph 15.2, and
 - (ii) there has been a sustained high quality of performance by the assistant head

teacher taking account of the performance objectives agreed or set under paragraph 15.2.1;

- (b) an assistant head teacher's salary shall not be less than the minimum of his assistant head teacher pay range and nor shall it exceed the maximum of that range;
- (c) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the assistant head teacher equals the minimum of his assistant head teacher pay range, his salary shall not be increased by more than one point in the course of a single pay determination;
- (d) where the relevant body increase an assistant head teacher's assistant head teacher pay range, the relevant body may not increase his salary by more than one pay point unless an increase of more than one pay point is necessary to ensure that his salary equals the minimum of the higher range.

15.4.1 A newly appointed assistant head teacher shall not on his appointment be paid at a point exceeding the second point above the minimum of his assistant head teacher pay range.

15.4.2 Subject to paragraph 15.4.1, an assistant head teacher appointed with effect from 1st September 2000 shall be entitled to be paid a salary at or exceeding the next highest point on the leadership group pay spine above the salary he would have been entitled to had he instead with effect from 1st September 2000 been entitled to be paid as a classroom teacher.

Determination of an assistant head teacher pay range

16.1.1 The relevant body shall determine an assistant head teacher pay range for each assistant head teacher in accordance with paragraph 16.2.

16.1.2 An assistant head teacher pay range shall consist of 5 consecutive spine points on the leadership group pay spine.

16.1.3 The relevant body shall determine an assistant head teacher pay range-

- (a) as of 1st September 2000;
- (b) when it is proposed to appoint a new assistant head teacher; or
- (c) where there is a significant change in the responsibilities of the post of a serving assistant head teacher,

and the assistant head teacher pay range shall not be re-determined except as provided for in this paragraph.

16.2.1 The relevant body shall determine an assistant head teacher pay range taking account of:

- (a) the responsibilities of the post;
- (b) the social, economic and cultural background of the pupils attending the school; and
- (c) whether the post is difficult to fill.

16.2.2 When an assistant head teacher pay range is determined pursuant to paragraph 16.1.3, the relevant body shall secure that the minimum of the assistant head teacher pay range shall not be less than the next leadership group pay spine point above the salary of the highest paid classroom teacher (calculated in accordance with paragraph 11.3).

16.2.3 When an assistant head teacher pay range is determined pursuant to paragraph 16.1.3, the relevant body shall secure that the maximum of the assistant head teacher pay range shall not equal or exceed:

- (a) the minimum of the individual school range;
or
- (b) where the school has one or more deputy head teachers, the maximum of the deputy head teacher pay range of the lowest paid deputy head teacher.

16.2.4 Where there is insufficient space on the leadership group pay spine to accommodate an assistant head teacher pay range of five points between the salary of the highest paid classroom teacher and the minimum of the individual school range (and where applicable, in addition to accommodate a deputy head teacher pay range of any deputy head teacher

at the school in accordance with paragraphs 14.2.2 and 16.2.3(b)) the individual school range shall be increased to the extent necessary to accommodate the assistant head teacher pay range.

16.2.5 For the purpose of the first determination of an assistant head teacher pay range, the maximum of the range shall be not less than two spine points above the point on the leadership group pay spine corresponding to his salary as determined under paragraphs 15.3 and 15.4.

16.2.6 Subject to paragraphs 16.2.2, 16.2.4 and 16.2.5, the relevant body shall not determine an assistant head teacher pay range at so high a level that they are required by virtue of any other provision of this Document to increase the individual school range beyond the maximum of the head teacher group range.

PART IV - OTHER QUALIFIED TEACHERS

Pay scale for classroom teachers

- 17.1 This paragraph and paragraph 18 apply to a classroom teacher who is not a post-threshold teacher, and references to "classroom teacher" in this paragraph and paragraph 18 shall be construed accordingly.
- 17.2 A classroom teacher shall be paid such salary based on the pay scale set out in paragraph 17.3 as the relevant body shall determine in accordance with paragraphs 17.4 and 35.1 (unqualified teacher becoming qualified).
- 17.3 The pay scale for classroom teachers is:

Scale point	Annual Salary
	£
1	15,141
2	16,050
3	16,923
4	17,844
5	18,906
6	20,046
7	21,249
8	22,524
9	23,958

- 17.4 Subject to paragraphs 23, 30 and 35.1, the relevant body shall determine the point above the minimum point on the pay scale on which each individual classroom teacher shall be paid on the basis of the criteria in paragraph 18 only. If a classroom teacher is not entitled to any points on the basis of the criteria in paragraph 18, he shall be paid at the minimum point on the pay scale.

The criteria

18. The criteria are:
- 18.1 **Good honours degree**

18.1.1 The relevant body shall award 1 point if the classroom teacher is a good honours graduate.

18.1.2 The relevant body shall award 1 point if the classroom teacher for the first time becomes a good honours graduate during the year starting on 1st September 2000 and ending on 31st August 2001, and such point shall be awarded from the first day of service after the relevant pass lists are published or otherwise notified in writing to the teacher.

18.2 **Experience**

18.2.1 Subject to paragraphs 18.2.2 to 18.2.5 the relevant body:

- (a) shall award 1 point for each year of service which the classroom teacher has completed, unless the teacher has been notified in writing before the end of the subsequent school year and before the determination is made that the relevant body consider that his service has not been satisfactory. Where a classroom teacher remains in service on 1st September in the school in which he has been employed during the previous year, the relevant body, in determining whether or not his service has been unsatisfactory, shall seek and take into account advice from the head teacher;
- (b) where a classroom teacher has been notified that a year of service has not been satisfactory, may nevertheless subsequently determine that a point should be awarded in respect of that year;
- (c) shall award 1 point for each year of service which the classroom teacher has completed in an MOD school;
- (d) shall award 1 point for each year of service as a teacher which the classroom teacher has completed in the employment of an Education Action Forum; and
- (e) may award 1 point a year for years of experience other than employment as a teacher which the relevant body consider of value to the performance of the classroom teacher's duties.

18.2.2 Subject to paragraph 18.2.3, in the case of a classroom teacher who is not a good honours graduate, the relevant body shall not award a point for the teacher's first year of service which would otherwise qualify for a point under sub-paragraph (a), (c), or (d) of paragraph 18.2.1, or where there are no such years of service, shall not award a point for the first year of service in respect of which a point would otherwise be awarded under sub-paragraph (b) or (e) of paragraph 18.2.1.

18.2.3 Paragraph 18.2.2 does not apply in the case of a classroom teacher who is not a good honours graduate and who-

(a) is appointed to his first post following his qualification on or after 1st September 1999; or

(b) with effect from 1st September 1999 did not have any points awarded for experience.

18.2.4 For the purposes of paragraph 18.2.1:

(a) a teacher has completed a year of service if on 1st September he has completed periods of employment as a teacher, or in the case of paragraph 18.2.1(c) periods of employment to teach in an MOD school, or in the case of paragraph 18.2.1(d) periods of employment by an Education Action Forum amounting to at least twenty-six weeks in the aggregate within the previous twelve months. For the purposes of this provision a period of employment runs from the beginning of the week in which the employment commences to the end of the week in which the employment is terminated, including any holiday periods and any periods of absence from work in consequence of sickness or injury, whether the teacher's service during that period has been full-time or part-time or regular or otherwise;

(b) where a teacher is absent from work in exercise of her right to maternity leave conferred by section 71 of the Employment Rights Act 1996^(a) or conferred by her

(^a) 1996 c.18. A new section 71 was substituted by Part I of Schedule 4 to the Employment Relations Act 1999 (c.26) with effect from 15th December 1999 in relation

contract of employment or because of her pregnancy and has the right to return to work by virtue of the said section 71 or by virtue of her contract of employment, the period of absence shall count towards the period of service of at least twenty-six weeks referred to in sub-paragraph (a); and

- (c) where a teacher is absent from work for any reason other than as specified in paragraph 18.2.4(a) or (b), the relevant body may determine that the period of absence shall count as if the teacher was in service as a teacher during it or was in employment to teach in an MOD school, or was employed by an Education Action Forum, as the case may be.

18.2.5 For the purposes of the annual determination of a classroom teacher's salary on or after 1st September 2001, the relevant body may award one additional experience point where the teacher's performance in the previous twelve months was excellent having regard to all aspects of his professional duties but in particular classroom teaching.

18.3 **Fast-track**

18.3.1 The relevant body shall award one point to a classroom teacher:

- (a) whose first post following his qualification is as a fast-track teacher; and
- (b) who on 1st September 2000 does not have any points awarded for experience under paragraph 18.2.

18.3.2 If a fast-track teacher ceases on or after 1st September 2001 to be a fast-track teacher, he shall lose the additional point awarded under paragraph 18.3.1.

18.4 Subject to paragraph 18.2.2 and paragraph 18.3.2 points awarded under paragraphs 18.1, 18.2 and 18.3 shall be permanent, whether the classroom teacher remains in the same post, or takes up a new one.

to employees whose expected week of childbirth begins on or after 30th April 2000. The Regulations in force under section 71 are S.I. 1999/3312.

Pay scale for post-threshold teachers

- 19.1 A teacher to whom paragraph 19.2 applies (“a post-threshold teacher”) shall be paid such salary based on the pay scale set out in paragraph 19.3 as the relevant body shall determine in accordance with paragraphs 19.4 to 19.8.
- 19.2 This paragraph applies to-
- (a) a classroom teacher who has passed the performance threshold, and
 - (i) in the case of a classroom teacher whose remuneration is paid by an authority in England, who applied for threshold assessment on or before 5th June 2000, and who on 1st September 1999 was entitled to a total of nine points under paragraphs 18.1.1 (good honours degree) and 18.2.1 (experience) of the 1999 Document,
 - (ii) in the case of a classroom teacher whose remuneration is paid by an authority in Wales, who applied for threshold assessment on or before 29th September 2000, and who on 1st September 1999 was entitled to a total of nine points under paragraphs 18.1.1 and 18.2.1 of the 1999 Document,
 - (iii) in the case of a classroom teacher whose remuneration is paid by an authority in England, who applied for threshold assessment on or after 6th June 2000 and before 4th June 2001, and who on 1st September 2000 was entitled to a total of eight points under paragraphs 18.1 (good honours degree) and 18.2 (experience),
 - (iv) in the case of a classroom teacher whose remuneration is paid by an authority in Wales, who applied for threshold assessment on or after 30th September 2000 and before 4th June 2001, and who on 1st September 2000 was entitled to a total of eight points under paragraphs 18.1 and 18.2,

- (v) in the case of a classroom teacher who applied for threshold assessment on or after 5th June 2001 and before 8th April 2002, who on 1st September 2001 was entitled to a total of eight points under paragraphs 18.1 and 18.2; or
- (b) a classroom teacher who-
 - (i) was last employed as a head teacher, deputy head teacher or assistant head teacher, and
 - (ii) in the case of a teacher who was first appointed to a post of head teacher, deputy head teacher or assistant head teacher on or after 1st September 2000, occupied a post or posts of head teacher, deputy head teacher or assistant head teacher for an aggregate period of three years or more;
- (c) a classroom teacher who has occupied a post of advanced skills teacher; or
- (d) a classroom teacher who-
 - (i) on 1st September 1999 was entitled to a total of nine points under paragraphs 18.1.1 (good honours degree) and 18.2.1 (experience) of the 1999 Document, or on 1st September 2000 was entitled to a total of eight points under paragraphs 18.1 (good honours degree), 18.2 (experience), and 18.3 (fast track), and
 - (ii) has been certified by an assessor appointed by the Secretary of State as eligible for appointment to an advanced skills teacher post but who has not been so appointed.

19.3 The pay scale for post-threshold teachers is:

Scale point	Annual Salary
	£
1	25,959
2	26,919
3	27,915

4 28,947
5 30,018

19.4 Where a teacher first becomes entitled to be paid as a post-threshold teacher, the relevant body shall determine that he shall be paid on scale point 1 on the pay scale set out in paragraph 19.3.

19.5 In making a determination of the salary of a post-threshold teacher pursuant to paragraph 3.1(a) the relevant body shall not determine that there has been any movement up the pay scale set out in paragraph 19.3 unless-

(a) there has first been a review of the performance of the post-threshold teacher; and

(b) the achievements of the post-threshold teacher and his contribution to the school have been substantial and sustained.

19.6 Save in exceptional circumstances, the relevant body shall not determine a movement up the pay scale set out in paragraph 19.3 until the second annual salary determination after the date on which the post-threshold teacher's salary was last increased by the award of an additional point on that pay scale.

19.7 A post-threshold teacher's salary shall not be increased by more than one scale point in the course of a single annual salary determination.

19.8 Paragraphs 19.5 to 19.7 shall not apply to the annual determination with effect from 1st September 2001 of the salary of a teacher who was first paid as a post-threshold teacher with effect from 1st September 2000.

19.9 For the purposes of paragraph 19.2(a)(i) and (iii), a classroom teacher who applied for threshold assessment on or before 14 July 2000 shall be treated as if he had applied before 5 June 2000 if his head teacher or other person assessing the application endorses it on the basis that it seemed to him reasonable to do so in the light of:

(a) confusion on the part of the teacher about the deadlines for application; or

- (b) personal circumstances which made it difficult for the teacher to submit the application on or before 5 June 2000.

Allowances for classroom teachers

Management allowance

- 20.1 The relevant body may award a first, second, third, fourth or fifth management allowance of the value set out in the following table to a classroom teacher in accordance with paragraphs 20.2 to 20.4:

Allowance	Amount
	£
1st	1,485
2nd	3,000
3rd	5,151
4th	7,092
5th	9,573

- 20.2 A management allowance may be awarded to a classroom teacher who undertakes significant specified management responsibilities beyond those common to the majority of classroom teachers.
- 20.3 The relevant body shall determine when making an award whether the allowance should be awarded for a fixed period of time or that it is to be retained while the classroom teacher remains in the same post.
- 20.4 Where the relevant body determine that a classroom teacher who holds a management allowance while he remains in the same post should be awarded a higher management allowance which is awarded for a fixed period, that teacher shall retain his original management allowance while he remains in the same post if the higher management allowance is subsequently withdrawn following the expiry of the fixed period.

Recruitment and retention allowance

21.1 The relevant body may award a first, second, third or fourth recruitment and retention allowance of the value set out in the following table to a classroom teacher in accordance with paragraphs 21.2 to 21.6:

Allowance	Amount
	£
1st	909
2nd	1,782
3rd	2,703
4th	3,765

21.2 A first or second recruitment and retention allowance (or a third recruitment and retention allowance in the case of a classroom teacher in the Inner London Area who is not in receipt of an additional Inner London Area supplement under paragraph 37.5) may be awarded to a classroom teacher who is employed to teach subjects in which there is a shortage of teachers, or in a post which is difficult to fill.

21.3 A third recruitment and retention allowance (or a fourth recruitment and retention allowance in the case of a classroom teacher in the Inner London Area who is not in receipt of an additional Inner London Area supplement under paragraph 37.5) may be awarded to a classroom teacher who is employed at a school to which section 15 of the School Standards and Framework Act 1998 applies by virtue of subsection (6) (school requiring special measures) ^(a).

21.4 The relevant body may review the award of a recruitment and retention allowance biennially with effect from 1st September, starting with effect from the second 1st September following the initial award.

21.5 Subject to paragraph 21.6 the relevant body may award a recruitment and retention allowance for the current or previous pay year, or part of such allowance, in the form of a lump sum.

^(a) 1998 c.31.

21.6 The relevant body shall not award a recruitment and retention allowance in the form of a lump sum where they consider that a classroom teacher's service in the previous year has not been satisfactory.

Special educational needs allowance

22.1 In paragraph 22, a first special educational needs allowance means an allowance of £1,515, and a second special educational needs allowance means an allowance of £3,000.

22.2 The relevant body shall award a first special educational needs allowance to a classroom teacher:

- (a) in a special school; or
- (b) in an ordinary school who is engaged wholly or mainly:
 - (i) in teaching pupils with statements of special educational needs, whether in designated special classes or otherwise; or
 - (ii) in taking charge of special classes consisting wholly or mainly of children who are hearing impaired or visually impaired.

22.3 Subject to paragraph 22.2(b) the relevant body may award a first special educational needs allowance to a classroom teacher in an ordinary school who is engaged wholly or mainly in teaching children with special educational needs, none or not all of whom have statements.

22.4 The relevant body may award a second special educational needs allowance to a classroom teacher who would otherwise be entitled to, or eligible for, a first special educational needs allowance and who has experience or qualifications or both which the relevant body consider are particularly relevant to the teacher's work.

Assimilation safeguarding

Assimilation safeguarding: half points for experience

23

A classroom teacher who-

- (a) on 31st August 2000 was entitled to receive a half point under paragraph 18.2.1(e) of the 1999 Document (experience); or
- (b) if he was not in service on 31st August 2000, on his last date of service before 31st August 2000 was entitled to receive a half point for experience under paragraph 18.2.1(e) of the 1999 Document or an equivalent provision in an earlier Document,

shall with effect from 1st September 2000, or if he resumes service on a later date, with effect from that date receive in place of such half point one full point under paragraph 18.2 (experience).

Assimilation safeguarding: the 1999 Document

24.1 The relevant body shall determine whether a classroom teacher who is in post on 31st August 2000 and who continues to hold that post on 1st September 2000, other than in circumstances where the school year begins in August and the teacher did not hold the post on the day before the beginning of the school year in August 2000, is entitled to assimilation safeguarding in accordance with the following provisions of this paragraph and paragraphs 25 to 29.

24.2 The relevant body shall determine with effect from 1st September 2000-

- (a) the salary to which a classroom teacher would have been entitled had his salary been determined in accordance with paragraphs 17 (excluding paragraph 17.5(a)) and 18, 19, 20, 21 (excluding paragraphs 21.1.2 and 21.1.3), 22 or 32 of the 1999 Document ("the first salary");
- (b) any sums representing the following elements in the first salary of a classroom teacher:
 - (i) the value of the sum to which he would be entitled under paragraph 22.2 of the 1999 Document,

- (ii) the value of the additional points to which he would be entitled under paragraph 19 of the 1999 Document,
- (iii) the value of the points (including half points) to which he would be entitled under paragraph 18.4 of the 1999 Document (excellence),
- (iv) the value of any half point to which he would be entitled under paragraph 18.5 of the 1999 Document (recruitment and retention) awarded other than for the duration of his post,
- (v) the value of any half point to which he would be entitled under paragraph 18.6 of the 1999 Document (special educational needs) awarded other than for the duration of his post,
- (vi) the value of any half point to which he would be entitled under paragraph 18.3 of the 1999 Document (responsibility) awarded other than for the duration of his post,
- (vii) the value of any half point to which he would be entitled under paragraph 18.5 of the 1999 Document (recruitment and retention) awarded for the duration of his post,
- (viii) the value of any half point to which he would be entitled under paragraph 18.6 of the 1999 Document (special educational needs) awarded for the duration of his post, and
- (ix) the value of any half point to which he would be entitled under paragraph 18.3 of the 1999 Document (responsibility) awarded for the duration of his post,

and the sums referred to in paragraphs (ii) to (ix) shall be calculated in accordance with paragraph 25.1;

- (c) a classroom teacher's assimilation entitlement salary calculated in accordance with paragraph 26; and

- (d) a classroom teacher's "second salary" calculated in accordance with paragraph 27.1.
- 24.3 The relevant body shall not include additional allowances awarded under Part VI or paragraphs 34 to 38 of the 1999 Document when determining the first salary, the assimilation entitlement salary or the second salary.
- 24.4 The points under paragraph 18.4 of the 1999 Document (excellence) to which a classroom teacher would be entitled for the purpose of paragraph 24.2(b)(iii) are the points to which he was entitled under paragraph 18.4 of the 1999 Document on 31st August 2000.
- 24.5 Paragraphs 24 to 29 shall not apply in the case of a classroom teacher who:
- (a) on 31st August 2000 is entitled to be paid safeguarded remuneration as a former head teacher or former deputy head teacher pursuant to paragraph 32 of the 1999 Document;
 - (b) on 1st September 2000 is entitled to be paid safeguarded remuneration on the leadership group pay spine pursuant to paragraph 40;
 - (c) on 31st August 2000 is entitled to be paid safeguarded remuneration in respect of a former post of advanced skills teacher pursuant to paragraph 32 of the 1999 Document; or
 - (d) on 1st September 2000 is entitled to be paid safeguarded remuneration in respect of a former post of advanced skills teacher pursuant to paragraph 40.

Assimilation safeguarding: calculation of the value of points

- 25.1 The value of a point referred to in paragraph 24.2(b) is calculated as follows.
- 25.1.1 Where a classroom teacher's salary contains only one of the types of point referred to in paragraphs (ii) to (ix) of paragraph 24.2(b), the value of the point shall be the difference between the value of his first salary and the value of his first salary were he not entitled to that point.

25.1.2 Where a classroom teacher's salary contains two or more of the types of point referred to in paragraphs (ii) to (ix) of paragraph 24.2(b), the value of each type of point shall be calculated in the order set out in paragraph 25.1.3. The value of the highest valued point shall be calculated by the method described in paragraph 25.1.1. The value of the next highest valued point shall be the difference between the classroom teacher's first salary less the value of the highest valued point and the classroom teacher's first salary less the values of the highest and next highest valued points. The value of a subsequent point of a type referred to in paragraphs (ii) to (ix) of paragraph 24.2(b) shall be calculated in a similar manner.

25.1.3 For the purpose of this paragraph, the highest valued point of a classroom teacher's salary is a point referred to in paragraph (ii) of paragraph 24.2(b) followed (in descending order) by a point awarded under paragraph (iii), (iv), (v), (vi), (vii), (viii) and (ix) of that paragraph.

25.2 Paragraphs 25.1.1 to 25.1.3 shall apply for the purpose of determining the value of a full point under paragraph 18.6 of the 1999 Document (special educational needs) in a classroom teacher's first salary for the purpose of paragraph 26(d)(ii), with the modifications that:

- (a) a full point for recruitment and retention shall be treated as a type of point referred to in paragraphs (ii) to (ix) of paragraph 24.2(b) which for the purpose of determining its value in accordance with paragraph 25.1.3 ranks immediately after a point referred to in paragraph 24.2(b)(ix); and
- (b) a full point for special educational needs shall be treated as a type of point referred to in paragraphs (ii) to (ix) of paragraph 24.2(b) which for the purpose of determining its value in accordance with paragraph 25.1.3 ranks immediately after a full point for recruitment and retention.

25.3 In paragraph 25, "point" includes a half point.

Assimilation safeguarding: calculation of the assimilation entitlement salary

A classroom teacher's assimilation entitlement salary is the sum of-

- (a) the value of the scale point on the pay scale set out in paragraph 17.3 at which he is entitled to be paid with effect from 1st September 2000, or in the case of a teacher who is entitled to be paid as a post-threshold teacher with effect from that date, the value of the maximum of the pay scale set out in paragraph 17.3;
- (b) the value of the management allowance equivalent to the number of full points under paragraph 18.3 of the 1999 Document (responsibility) included in the first salary determined in accordance with the following table:

number of responsibility points	management allowance
1	1st
2	2nd
3	3rd
4	4th
5	5th;

- (c) the value of the recruitment and retention allowance equivalent to the number of full points under paragraph 18.5 of the 1999 Document (recruitment and retention) included in the first salary determined in accordance with the following table:

number of recruitment and retention points	recruitment and retention allowance
1	1st
2	2nd
3	3rd
4	4th;

- (d) the higher of-

- (i) the value of the special educational needs allowance equivalent to the number of full points under paragraph 18.6 of the 1999 Document (special educational needs) included in the first salary determined in accordance with the following table:

number of special educational needs points	special educational needs allowance
1	1st
2	2nd, or

- (ii) the value of the number of full points under paragraph 18.6 of the 1999 Document included in the first salary calculated by the method described in paragraph 25.2; and

- (e) the value of any sum or point referred to in paragraph 24.2(b) which corresponds to a component of the classroom teacher's first salary.

Assimilation safeguarding: determination of a classroom teacher's second salary

27.1 A classroom teacher's second salary as of 1st September 2000 is the sum of:

- (a) the value of the scale point on the pay scale set out in paragraph 17.3 at which he is entitled to be paid with effect from 1st September 2000, or in the case of a teacher who is entitled to be paid as a post-threshold teacher with effect from that date, the value of the maximum of the pay scale set out in paragraph 17.3;
- (b) the value of any allowance referred to in paragraph 20, 21 or 22 which the relevant body determine to award him with effect from 1st September 2000 for the duration of his post;
- (c) the value of any allowance referred to in paragraph 20, 21 or 22 which corresponds to the number of points for responsibility,

recruitment and retention or special educational needs awarded to him other than for the duration of his post to which he was entitled on 31st August 2000, and which the relevant body determine to award him with effect from 1st September 2000 other than for the duration of his post;

- (d) the value of any sum or point referred to in paragraph 24.2(b) which corresponds to a component of the classroom teacher's first salary.

27.2 The relevant body shall determine whether an allowance referred to in paragraph 20, 21 or 22 corresponds to a number of points for responsibility, recruitment and retention or special educational needs for the purposes of paragraph 27.1(c) by reference to the appropriate table in paragraph 26(b), (c) or (d).

Assimilation safeguarding: calculation of sums to be safeguarded

28.1 A classroom teacher shall be entitled to be paid a sum in addition to his salary entitlement determined under other provisions of this Document in respect of the value of any sum, point or half point referred to in paragraph 24.2(b)(i) to (ix) which corresponds to a component of his first salary. A sum to which a teacher is entitled under this paragraph shall be safeguarded for a period to be determined in accordance with paragraph 29.1.

28.2 Where a classroom teacher's assimilation entitlement salary is greater than his second salary, he shall be entitled to be paid a sum in addition to his salary entitlement under other provisions of this Document corresponding to the difference. A sum to which a teacher is entitled under this paragraph shall be safeguarded on the basis described in paragraph 29.2.

28.3 Where a classroom teacher's first salary is greater than his assimilation entitlement salary, he shall be entitled to be paid a sum in addition to his salary entitlement under other provisions of this Document corresponding to the difference between:

- (a) his first salary; and

- (b) his second salary plus any sum to which he is entitled under paragraph 28.2.

A sum to which a teacher is entitled under this paragraph shall be safeguarded on the basis described in paragraph 29.3.

Assimilation safeguarding: method of safeguarding

29.1.1 A classroom teacher's entitlement under paragraph 28.1 in respect of a sum, or a sum corresponding to the value of a point, referred to in paragraph 24.2(b)(i) or (iii) shall end immediately before 1st September 2001.

29.1.2 A classroom teacher's entitlement under paragraph 28.1 in respect of a sum corresponding to the value of a point referred to in paragraph 24.2(b)(iv), (v) or (vi) shall:

- (a) in the case of a point awarded for a fixed period be retained for the remainder of that period;
- (b) in the case of a point awarded on a reviewable basis be retained for the remainder of the period ending with the date of the next review.

29.1.3 Subject to paragraphs 29.1.4 to 29.1.6, a classroom teacher's entitlement under paragraph 28.1 in respect of a sum corresponding to the value of a point referred to in paragraph 24.2(b)(ii), (vii), (viii), or (ix) shall be retained while the teacher remains in the same post.

29.1.4 A classroom teacher's entitlement under paragraph 28.1 in respect of a sum corresponding to the value of a point referred to in paragraph 24.2(b)(vii) shall cease if with effect from 1st September 2000 he is awarded a recruitment and retention allowance for the duration of the post the value of which equals or exceeds the value of the sum of-

- (a) the sum corresponding to the value of the point referred to in paragraph 24.2(b)(vii);
and
- (b) the value of any recruitment and retention allowance equivalent to the number of full points under paragraph 18.5 of the 1999 Document (recruitment and retention) included

in his first salary determined in accordance with the table in paragraph 26(c).

29.1.5 A classroom teacher's entitlement under paragraph 28.1 in respect of a sum corresponding to the value of a point referred to in paragraph 24.2(b)(viii) shall cease if with effect from 1st September 2000 he is awarded a special educational needs allowance the value of which equals or exceeds the value of the sum of-

(a) the sum corresponding to the value of the point referred to in paragraph 24.2(b)(viii); and

(b) the higher of-

(i) the value of any special educational needs allowance equivalent to the number of full points under paragraph 18.6 of the 1999 Document (special educational needs) included in his first salary determined in accordance with the table in paragraph 26(d), or

(ii) the value of the number of full points under paragraph 18.6 of the 1999 Document included in the first salary calculated by the method described in paragraph 25.2.

29.1.6 A classroom teacher's entitlement under paragraph 28.1 in respect of a sum corresponding to the value of a point referred to in paragraph 24.2(b)(ix) shall cease if with effect from 1st September 2000 he is awarded a management allowance for the duration of the post the value of which equals or exceeds the value of the sum of-

(a) the sum corresponding to the value of the point referred to in paragraph 24.2(b)(ix); and

(b) the value of any management allowance equivalent to the number of full points under paragraph 18.3 of the 1999 Document (responsibility) included in his first salary determined in accordance with the table in paragraph 26(b).

29.1.7 In paragraph 29.1 "point" includes a half point.

29.2 A classroom teacher's entitlement under paragraph 28.2 shall be retained while the teacher remains in the same post.

29.3.1 A classroom teacher's entitlement under paragraph 28.3 shall, subject to paragraphs 29.3.2 and 29.3.3 be retained while the teacher remains in the same post.

29.3.2 Paragraph 29.3.3 applies where a classroom teacher is entitled to a sum under paragraph 28.3, and his salary entitlement under the other provisions of this Document increases, unless his salary entitlement increases by reason of his becoming entitled to be paid as a post-threshold teacher.

29.3.3 From the date on which his salary entitlement under this Document increases, he shall be entitled to be paid a sum in addition to such salary corresponding to the sum determined under paragraph 28.3 less:

(a) if the salary increase is less than £500, the amount of the salary increase; or

(b) if the salary increase equals or exceeds £500, the sum of £500,

on the occasion of his first salary increase; and the sum determined under paragraph 28.3 shall on the occasion of each subsequent salary increase be further reduced by the amount of the subsequent salary increase or if such salary increase equals or exceeds £500, by an additional sum of £500 until such safeguarded sum is eliminated.

29.3.4 A classroom teacher's entitlement under paragraph 28.3 shall terminate if he moves to another post.

Second or subsequent appointment

30.1 A classroom teacher taking up an appointment which is his second or subsequent one as a teacher (whether or not after a break in service and whether on a full-time, part-time, regular, day to day or short term basis) on or after 1st September 2000, (but not in circumstances where paragraph 40 applies) shall be paid the greater of the salary at the time of appointment determined under paragraphs 17 and 18 and the minimum number of points calculated in accordance with paragraphs 30.2 to 30.5.

30.2 Subject to paragraphs 30.3 and 30.5, the minimum number of points is:

- (a) if he was last being paid as a qualified teacher under the provisions of the 1999 Document either before or after its amendment on 1st April 2000 by the Education (School Teachers' Pay and Conditions) Order 2000^(a), or under the provisions of the 1998, 1997, 1996, 1995, 1994 or 1993 Document, the equivalent such point ascertained in accordance with the following table:

1993 to 1998 Documents and 1999 Document before its amendment by S.I. 2000/868 (1st September 1999 to 31st March 2000): minimum number of points	1999 Document after its amendment by S.I. 2000/868 (1st April 2000 to 31st August 2000): minimum number of points	Minimum number of points
0	0	0
1	0	0
2	1	1
3	2	2
4	3	3
5	4	4
6	5	5
7	6	6
8	7	7
9	8	8

- (b) if he was last being paid as a qualified teacher under the provisions of the 1992, 1991, 1990, 1989, 1988 or 1987 Documents, the equivalent such point ascertained in accordance with the following table:

1987-1990 Documents: last point on standard scale	1991-1992 Documents: last point on standard scale	Minimum number of points
1	-	0
2	1	0
3	2	0

^(a) S.I. 2000/868.

4	3	1
5	4	2
6	5	3
7	6	4
8	7	5
9	8	6
10	9	7
11	10	8

(c) if he was last being paid as a qualified teacher under the provisions of the document published by Her Majesty's Stationery Office pursuant to section 2(4) of the Remuneration of Teachers Act 1965^(a) entitled "Scales of Salaries for Teachers: Primary and Secondary Education, England and Wales 1974"^(b) or any subsequent such document^(c), the equivalent such point ascertained in accordance with the following table:

Scales 1974 to 30.9.87							
Scale 1	Scale 2	Scale 2(S)	Scale 3	Scale 3(S)	Scale 4	Senior Teacher Scale	Minimum number of points
0-4	0	0					0
5	1	1					0
6	2	2					1
7-8	3-4	3-4					2
9-10	5-6	5-6	0	0			3
11-12	7-8	7	1-2	1			4
13-14	9-10	8-9	3-4	2-3			5
15	11	10	5	4	0		6
	12	11	6	5	1		7
			7-10	6-9	2-8	0-8	8

^(a) 1965 c.3.

^(b) ISBN 0 11 270279 1.

^(c) ISBN 0 11 270411 5;
 ISBN 0 11 270453 0;
 ISBN 0 11 270479 4;
 ISBN 0 11 270496 4;
 ISBN 0 11 270549 9;
 ISBN 0 11 270550 2 (the 1983 Document).

- or (d) if he was last being paid as a qualified teacher under the provisions of a pre-1974 document the equivalent such point determined by the relevant body.

30.3 A classroom teacher who:

- (a) was last employed as a head teacher, deputy head teacher or assistant head teacher; and
- (b) in the case of a teacher who was first appointed to a post of head teacher, deputy head teacher or assistant head teacher on or after 1st September 2000, occupied a post or posts of head teacher, deputy head teacher or assistant head teacher for an aggregate period of three years or more,

shall not be paid at less than point 1 on the pay scale for post-threshold teachers set out in paragraph 19.3.

30.4 A classroom teacher who:

- (a) was last employed as a head teacher, deputy head teacher or assistant head teacher;
- (b) was first appointed to a post of head teacher, deputy head teacher or assistant head teacher on or after 1st September 2000; and
- (c) occupied a post or posts of head teacher, deputy head teacher or assistant head teacher for an aggregate period of less than three years,

shall not be paid at less than point 9 on the pay scale set out in paragraph 17.3.

30.5 A post-threshold teacher taking up an appointment which is his second or subsequent one as a teacher (whether or not after a break in service and whether on a full-time, part-time, regular, day to day or short term basis) on or after 1st September 2000, (but not in circumstances where paragraph 40 applies) shall be paid the greater of the salary at the time of appointment determined under paragraph 19 and point 1 on the pay scale for post-threshold teachers set out in paragraph 19.3.

- 30.6
- (a) For the purposes of paragraphs 30.2 to 30.4, service on a day to day or short notice basis shall be disregarded unless taking such service into account would result in a higher number of points;
 - (b) for the purposes of paragraphs 30.3 and 30.4 "deputy head teacher" includes a teacher designated as a second master or second mistress under section 5(2) of the 1983 Document; and
 - (c) references in paragraph 30 to "salary" do not take account of allowances under paragraphs 20, 21 and 22.

Advanced Skills Teachers

Spine for advanced skills teachers

- 31.1 An advanced skills teacher shall be paid such salary based on the following pay spine as the relevant body shall determine in accordance with paragraphs 31.2 to 31.8.

Spine Point	Annual Salary
	£
1	26,943
2	27,423
3	27,906
4	28,386
5	28,866
6	29,349
7	29,832
8	30,312
9	30,792
10	31,272
11	31,755
12	32,397
13	33,039
14	33,681
15	34,320
16	34,962
17	35,604
18	36,246
19	36,888
20	37,530
21	38,169
22	38,970
23	39,774
24	40,575
25	41,379
26	42,177
27	42,981

- 31.2 A relevant body which appoints an advanced skills teacher shall select a pay range consisting of five consecutive points on the pay spine set out in paragraph 31.1 on which the advanced skills teacher shall be paid.
- 31.3 When determining an appropriate five point pay range, the relevant body shall have regard in particular (but not exclusively) to the following criteria:

- (a) the nature of the work to be undertaken, including any work with teachers from other schools;
- (b) the scale of the challenges to be tackled;
- (c) the professional competencies required of the postholder;
- (d) any other recruitment considerations which they consider relevant.

31.4 The relevant body may increase the pay range of an advanced skills teacher as of 1st September 2000, and if they do so they shall ensure that his salary is not less than the minimum of the increased pay range.

31.5 The salary of a newly appointed advanced skills teacher shall be that corresponding to the lowest point on that five point range.

31.6 The relevant body shall agree performance criteria with the advanced skills teacher and review performance against those criteria.

31.7 When determining the salary of an advanced skills teacher, the relevant body shall not determine that there shall be any movement up the pay spine unless there has first been a sustained high quality of performance by the advanced skills teacher in the light of the performance criteria previously agreed between the relevant body and the advanced skills teacher.

31.8 In making a determination referred to in paragraph 31.7, the relevant body shall have regard (but not exclusively) to any work the advanced skills teacher has undertaken involving working with teachers from other schools, whether at the school of the advanced skills teacher, at that of the other teacher, in higher education institutions, at facilities of the authority or elsewhere.

PART V - UNQUALIFIED TEACHERS

Pay scale for unqualified teachers

32.1 An unqualified teacher shall be paid such salary based on the following pay scale as the relevant body shall determine in accordance with paragraphs 32.2 to 32.7 and 34:

Scale point	Annual Salary
	£
1	12,012
2	12,549
3	13,074
4	13,617
5	14,166
6	14,694
7	15,234
8	16,494
9	17,922
10	18,996

32.2 The relevant body shall determine where each newly appointed unqualified teacher shall enter the scale having regard to any qualifications or experience he may have which they consider to be of value in the performance of his duties.

32.3 Subject to paragraphs 32.4 to 32.6, an unqualified teacher who remains in the same post shall on 1st September in each year be entitled to an increment until the maximum of the scale is reached if at that date he has completed periods of employment as a teacher amounting to at least twenty-six weeks in the aggregate within the previous twelve months, where a period of employment runs from the beginning of the week in which the employment commences to the end of the week in which the employment is terminated, including any holiday periods and any periods of absence from work in consequence of sickness or injury, whether the teacher's service during that period has been full-time or part-time or regular or otherwise.

- 32.4 The relevant body may at any time allocate an extra increment or increments to an unqualified teacher until the maximum of the scale is reached. The allocation of such an increment on a date other than 1st September shall not preclude the payment of a further increment if one would otherwise be payable on 1st September following the date of the allocation.
- 32.5 Where an unqualified teacher is absent from work in exercise of her right to maternity leave conferred by section 71 of the Employment Rights Act 1996 or conferred by her contract of employment or because of her pregnancy and has the right to return to work by virtue of the said section 71 or by virtue of her contract of employment, the period of absence shall count for incremental purposes towards the period of service of at least twenty-six weeks referred to in paragraph 32.3.
- 32.6 Where an unqualified teacher is absent from work for any reason other than as specified in paragraph 32.3 or 32.5, the relevant body may determine that the period of absence shall count for incremental purposes as if the teacher was in service as a teacher during it.
- 32.7 The relevant body may withhold an annual increment if they are of the opinion that the unqualified teacher's service in the year preceding 1st September is unsatisfactory and they have so notified him in writing. Where an unqualified teacher remains in service on 1st September in the school in which he has been employed during the previous year, the relevant body, in determining whether or not his service has been unsatisfactory, shall seek and take into account advice from the head teacher. An increment withheld may be paid in a subsequent year in addition to any further increment due.

Allowance payable to unqualified teachers

33. The relevant body may determine that such additional allowance as they consider appropriate shall be paid to an unqualified teacher where they consider that his salary is not adequate having regard to his responsibilities or to any qualifications or experience relevant to his specialised form of teaching.

Cash safeguarding for unqualified teachers

34. An unqualified teacher who was on 31st August 1994 being paid an allowance under paragraph 9 or 10 of the 1993 Document shall, if he remains in the same post on 1st September 2000 and if the remuneration which would have been payable to him on that date under paragraph 17 of the 1994 Document is in total higher than point 10 on the scale, continue to be paid that higher remuneration.

An unqualified teacher becoming qualified

- 35.1 An unqualified teacher who becomes a qualified teacher shall transfer to the next point on the pay scale in paragraph 17.3 above the sum of his salary and any allowance payable under paragraph 33, or to such higher point as the relevant body consider appropriate.
- 35.2 A teacher who is awarded the status of a qualified teacher retrospectively under Schedule 3 to the Teachers' Qualifications and Health Standards Regulations shall be paid a lump sum of the amount specified in paragraph 35.3 by any authority or governing body by whom his remuneration has been paid since the date from which his qualified teacher status runs.
- 35.3 That lump sum shall be equivalent to the difference (if any) between the remuneration he received and the remuneration he would have received from them as a qualified teacher.

PART VI - ADDITIONAL ALLOWANCES

Social priority allowance

36. A teacher in receipt of an allowance under paragraph 17 of the 1988 Document on 31st July 1988 shall continue to be paid that allowance for so long as he continues to be employed at the school at which he was then employed or for so long as he continues to be employed in a post in which his salary is paid by the same authority and to which he has moved at their instigation.

London Area allowances

- 37.1 A teacher serving in the London Area shall receive a London Area allowance of:
- (a) if he is serving in the Inner London Area, £2,316 per annum from 1st April 2000;
 - (b) if he is serving in the Outer London Area, £1,524 per annum from 1st April 2000; and
 - (c) if he is serving in the Fringe Area, £591 per annum from 1st April 2000.
- 37.2 A teacher normally serving in the London Area but temporarily employed elsewhere shall continue to receive the London Area allowance at the rate appropriate to his normal area of employment.
- 37.3 A teacher who on 31st August 2000 was being paid a London Area allowance shall continue to be paid that allowance at the appropriate rate, notwithstanding that he would not otherwise be entitled to it under the provisions of this Document, for so long as he remains in the post that he held on that date.
- 37.4 A teacher who moves out of the London Area or to a part of the London Area with a lower rate of allowance may continue to be paid a London Area allowance at the rate being paid before he moved for so long as he continues to be employed as a teacher in a post in which his salary is paid by the same authority.

Inner London Area supplement

- 37.5 A teacher who on 1st September 2000 continues to hold the post he held on 31st August 2000 and was being paid the Inner London Area supplement under sub-paragraph (5) or (6) of paragraph 18 of the 1993 Document shall continue to receive that supplement unless:
- (a) he changes post and paragraph 40 does not apply; or
 - (b) he is appointed as a member of the leadership group; or
 - (c) in the case of a member of the leadership group the relevant body place him on a spine point which immediately after the change occurs takes that teacher's remuneration equal to or above that to which he was entitled on 31st August 2000; or
 - (d) in the case of a classroom teacher the relevant body determine a points total under paragraph 17.2 and allowances under paragraph 20, 21 or 22 which immediately after the change occurs and when any additional points awarded after 31st August 2000 under paragraphs 18.1, 18.2 or 18.3 or an increase in salary caused by the teacher having become entitled to be paid as a post-threshold teacher are ignored, takes that teacher's remuneration above that to which he was entitled on 31st August 2000.

37.6 For the purpose of paragraphs 21 and 37.1 to 37.5:

"the Inner London Area" means the area comprising the areas of the inner London councils as defined in section 163(2) of the Education Reform Act 1988^(a) and the areas of the London Boroughs of Barking and Dagenham, Brent, Ealing, Haringey, Merton and Newham;

"the Outer London Area" means Greater London, excluding the Inner London Area;

"the Fringe Area" means:

in Berkshire: the Districts of Bracknell Forest, Slough and Windsor and Maidenhead;

^(a) 1988 c.40.

in Buckinghamshire: the Districts of South Buckinghamshire and Chiltern;

in Essex: the Districts of Basildon, Brentwood, Epping Forest, Harlow and Thurrock;

in Hertfordshire: the Districts of Broxbourne, Dacorum, East Hertfordshire, Hertsmere, St Albans, Three Rivers, Watford and Welwyn Hatfield;

in Kent: the Districts of Dartford and Sevenoaks;

in Surrey: the whole County; and

in West Sussex: the District of Crawley;

"the London Area" comprises the Inner London Area, the Outer London Area and the Fringe Area.

- 37.7 In paragraph 37.5, "remuneration" means salary plus any allowances but does not include any sum paid under paragraph 42, 43, 44, 45 or 46.

Acting allowance

- 38.1 Where a teacher is assigned and carries out duties of a head teacher, deputy head teacher or assistant head teacher, but has not been appointed as an acting head teacher, deputy head teacher or assistant head teacher the relevant body shall within the period of four weeks beginning on the day on which he is first assigned and carries out duties of a head teacher, deputy head teacher or assistant head teacher determine whether or not he shall be paid an allowance in accordance with the following provisions of this paragraph.
- 38.2 If the relevant body's determination referred to in paragraph 38.1 is that the teacher shall not be paid the allowance there referred to, but the teacher continues to be assigned and to carry out duties of a head teacher, deputy head teacher or assistant head teacher (and has not been appointed as an acting head teacher, deputy head teacher or assistant head teacher), the relevant body may at any time after that determination make a further determination as to whether or not he shall be paid such an allowance.

- 38.3 If the relevant body determine that the teacher shall be paid such an allowance, subject to paragraph 38.4 it shall be of such amount as is necessary to ensure that he receives remuneration equivalent to such point on the leadership group pay spine set out in paragraph 4.5 as the relevant body consider appropriate.
- 38.4 The remuneration of a teacher who is assigned and carries out duties of a head teacher shall not be lower than the minimum of the individual school range, and where a teacher is assigned and carries out the duties of a deputy or assistant head teacher in relation to whom a deputy or assistant head teacher pay range (as the case may be) has been determined, his remuneration shall not be lower than the minimum of that range.
- 38.5 The teacher may be paid the allowance with effect from such day on or after the day on which he is first assigned and carries out duties of a head teacher, deputy head teacher or assistant head teacher as the relevant body may determine.
- 38.6 Where a teacher is paid an allowance under this paragraph, then for so long as he is paid that allowance:
- (a) where he is assigned and carries out duties of a head teacher, Part IX shall apply to him as if he had been appointed to the post of head teacher and Parts X, XI and XII shall not apply to him;
 - (b) where he is assigned and carries out the duties of a deputy head teacher or assistant head teacher, Parts X and XII shall apply to him as if he had been appointed to the post of deputy head teacher or assistant head teacher and Part XI shall not apply to him.

PART VII - SUPPLEMENTARY

Unattached teachers

- 39.1 The remuneration of an unattached teacher shall be determined in accordance with whichever provisions of this Document the relevant body consider appropriate in the circumstances of the case except that a teacher employed on 17th May 1978 as a teacher in the provision of primary and secondary education otherwise than at a school (but not including a teacher in an establishment maintained by a local authority in exercise of a social services function) shall continue to be paid under the salary arrangements applicable to him on that date for so long as those arrangements give him total remuneration higher than that which would otherwise be determined in his case.
- 39.2 Where, in accordance with paragraph 39.1, the remuneration of a teacher in charge of a pupil referral unit is determined in accordance with the provisions applicable to a head teacher, Part IX shall apply to him and Part XII shall not apply to him.
- 39.3 Where, in accordance with paragraph 39.1, the remuneration of an unattached teacher (other than a teacher in charge of a pupil referral unit) is determined in accordance with the provisions applicable to a member of the leadership group, Part XII shall not apply to him and his conditions of employment that relate to his professional duties and working time shall be agreed between him and the relevant body.

General safeguarding

- 40.1 Subject to paragraphs 40.4 to 40.9 and 40.11:
- 40.1.1 where as a result of:
- (a) the closure or reorganisation of an educational establishment; or
 - (b) a direction relating to a course for the training of teachers given by the Secretary of State under regulation 3(2) of the Further

Education Regulations 1975^(a), under regulation 15 or 16 of the Education (Schools and Further Education) Regulations 1981^(b) or under regulation 12 or 13 of the Education (Schools and Further and Higher Education) Regulations 1989^(c),

a teacher (including a teacher in further or higher education) loses his post or would (but for this paragraph) suffer a diminution in his remuneration, and is thereupon employed full-time as a teacher in the provision of primary or secondary education (whether or not at a school) in a post where his remuneration is paid by the same authority as before, he shall be deemed for all salary purposes to continue to hold the post he held, and to be entitled to those allowances listed in paragraph 40.2 to which he was entitled immediately before the closure, reorganisation or direction;

40.1.2 where, in circumstances other than those mentioned in paragraph 40.1.1 such a teacher loses his post or would (but for this paragraph) suffer a diminution in his remuneration, and is thereupon employed full-time as a teacher in the provision of primary or secondary education in a post (whether or not at a school) in which his remuneration is paid by the same authority as before he may, at the discretion of the authority be deemed for all salary purposes to continue to hold the post he held, and to be entitled to those allowances listed in paragraph 40.2 to which he was entitled immediately before the circumstances occurred; and the authority shall not unreasonably refuse to exercise their discretion in this matter in favour of the teacher;

40.1.3 where in the circumstances described in paragraphs 40.1.1 or 40.1.2 such a full-time teacher or such a teacher in regular part-time service loses his post or would (but for this paragraph 40.1.3) suffer a diminution in his remuneration, and is thereupon employed as stated in paragraph 40.1.1

(^a) S.I. 1975/1054, now revoked.

(^b) S.I. 1981/1086; regulations 15 and 16 have been revoked.

(^c) S.I. 1989/351.

but as a teacher in regular part-time service, he shall (subject, in the circumstances described in paragraph 40.1.2, to the same discretion to be similarly exercised) be entitled to that proportion of the salary and of those allowances listed in paragraph 40.2 to which he was entitled immediately before the relevant change in circumstances which his part-time employment bears to full-time employment.

40.2 The allowances referred to in paragraphs 40.1.1 to 40.1.3 are:

- (a) allowance for unqualified teachers (paragraph 33);
- (b) an allowance paid to a teacher in further or higher education as head of department discharging the duties and assuming the responsibilities of vice-principal or assuming co-ordinating responsibilities within the faculty, excluding such an allowance payable only for so long as he continues to discharge the relevant duties or assume the relevant responsibilities;
- (c) an Inner London Area supplement (paragraph 37.5).

40.3 A teacher whose remuneration is safeguarded under paragraph 40 shall be entitled to the following allowances only where appropriate to the circumstances of his present employment:

- (a) Social priority allowance (paragraph 36) (except where provided for in sub-paragraphs (1) and (3) of paragraph 17 of the 1988 Document);
- (b) London Area allowance (paragraph 37) (except where provided for in paragraphs 37.2 to 37.4);
- (c) acting allowance (paragraph 38).

40.4 Subject to paragraph 40.5, the salary to be safeguarded pursuant to paragraph 40.1 means:

- (a) in the case of a classroom teacher who was not entitled to be paid as a post-threshold teacher with effect from immediately before the circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, the sum of:

- (i) any salary to which he is entitled under paragraph 17,
 - (ii) any allowance to which he is entitled under paragraphs 20 to 22, and
 - (iii) any assimilation safeguarding payment to which he is entitled under paragraph 28;
or
- (b) in the case of a classroom teacher who was entitled to be paid as a post-threshold teacher with effect from immediately before the circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, the sum of:
- (i) any salary to which he is entitled under paragraph 19,
 - (ii) any allowance to which he is entitled under paragraphs 20 to 22, and
 - (iii) any assimilation safeguarding payment to which he is entitled under paragraph 28.

40.5 For the purpose of the determination of a classroom teacher's entitlement under paragraph 40.4-

- (a) a teacher's points awarded for experience under paragraph 18.2.1 shall be re-assessed in accordance with paragraph 3.1 until the maximum of the pay scale in paragraph 17.3 has been reached, and an amount based on such points shall be included in the safeguarded salary;
- (b) a management allowance awarded for a fixed period shall only be included in the safeguarded salary for the period of that award;
- (c) a recruitment and retention allowance awarded on the basis that it is reviewed shall only be included in the safeguarded salary until the date on which it is first due to be reviewed, unless the relevant body determine that the teacher should continue to receive the allowance on the basis of the criteria set out in paragraph 21;

- (d) any sum to which he is entitled pursuant to paragraph 28 shall be included in the safeguarded salary in accordance with the provisions of paragraph 29;
- (e) in the case of a classroom teacher who-
 - (i) on 31st August 2000 was entitled to be paid a salary safeguarded pursuant to paragraph 32 of the 1999 Document, and
 - (ii) who on 1st September 2000 is entitled to be paid a salary safeguarded pursuant to this paragraph,

for the purpose of determining whether he is entitled to be paid any sums pursuant to paragraph 28, the amounts at sub-paragraphs (a) to (d) of paragraph 24.2 shall be determined by reference to his entitlement pursuant to paragraph 32 of the 1999 Document; and
- (f) where the circumstance mentioned in paragraph 40.1.1 or 40.1.2 takes effect on 1st September 2000, paragraphs 23 to 29 shall apply as they would have applied had the circumstance not arisen.

40.6.1 Where a head teacher is, immediately before a circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, receiving a head teacher's salary under the provisions relating to the salary of head teachers contained in the 1998 Document or an earlier Document, he shall be entitled (subject, in the circumstances described in paragraph 40.1.2 to the same discretion to be similarly exercised) to be paid:

- (a) at the point on the leadership group pay spine set out in paragraph 4.5 corresponding to the point at which he was entitled to be paid immediately before that circumstance arose ("the first point"); or
- (b) where the first point does not correspond to any point on the leadership group pay spine, at the next highest point on the leadership group pay spine above the first point.

40.6.2 Subject to paragraph 40.6.3, where a head teacher is, immediately before a circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, receiving a

head teacher's salary under Part III of the 1999 Document, he shall be entitled (subject, in the circumstances described in paragraph 40.1.2 to the same discretion to be similarly exercised) to be paid at the point on the leadership group pay spine in the second column of the table set out in paragraph 4.5 corresponding to the spine point on pay spine A in the first column of that table at which he was entitled to be paid immediately before that circumstance arose.

40.6.3 Where in the case of a head teacher who has an entitlement under paragraph 40.6.2 the circumstance mentioned in paragraph 40.1.1 or 40.1.2 takes effect on 1st September 2000, Part III shall apply as it would have applied had the circumstance not arisen for the purpose of determining the pay point on the leadership group pay spine at which he is entitled to be paid under paragraph 40.6.2.

40.6.4 Where a head teacher is, immediately before a circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, receiving a salary determined pursuant to paragraph 5 or 6, he shall be entitled (subject, in the circumstances described in paragraph 40.1.2 to the same discretion to be similarly exercised) to be paid at the point on the leadership group pay spine set out in paragraph 4.5 at which he was being paid immediately before that circumstance arose.

40.6.5 Where a head teacher to whom paragraph 40.6.1, 40.6.2 or 40.6.4 applies holds a leadership group post, paragraphs 5 to 11, 12 to 14, or 15 and 16 shall apply for the determination by the relevant body of the salary payable to him by virtue of the other paragraphs of this Document for the purpose of paragraph 40.9.

40.7.1 Subject to paragraph 40.7.2, where a deputy head teacher is, immediately before a circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, receiving a deputy head teacher's salary under the provisions relating to the salary of deputy head teachers contained in the 1999 Document or an earlier Document, he shall be entitled (subject, in the circumstances described in paragraph 40.1.2 to the same discretion to be similarly exercised) to be paid:

- (a) at the point on the leadership group pay spine set out in paragraph 4.5 corresponding

to the point at which he was entitled to be paid immediately before that circumstance arose ("the first point"); or

- (b) where the first point does not correspond to any point on the leadership group pay spine, at the next highest point on the leadership group pay spine above the first point.

40.7.2 Where in the case of a deputy head teacher who has an entitlement under paragraph 40.7.1 the circumstance mentioned in paragraph 40.1.1 or 40.1.2 takes effect on 1st September 2000, Part III shall apply as it would have applied had the circumstance not arisen for the purpose of determining the pay point on the leadership group pay spine at which he is entitled to be paid under paragraph 40.7.1.

40.7.3 Where a deputy head teacher is, immediately before a circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, receiving a salary determined pursuant to paragraph 12 or 13, he shall be entitled (subject, in the circumstances described in paragraph 40.1.2 to the same discretion to be similarly exercised) to be paid at the point on the leadership group pay spine set out in paragraph 4.5 at which he was being paid immediately before that circumstance arose.

40.7.4 Where a deputy head teacher to whom paragraph 40.7.1, or 40.7.3 applies holds a leadership group post, paragraphs 5 to 11, 12 to 14, or 15 and 16 shall apply for the determination by the relevant body of the salary payable to him by virtue of the other paragraphs of this Document for the purpose of paragraph 40.9.

40.8.1 Where an assistant head teacher is, immediately before a circumstance mentioned in paragraph 40.1.1 or 40.1.2 arises, receiving a salary determined pursuant to paragraph 15, he shall be entitled (subject, in the circumstances described in paragraph 40.1.2 to the same discretion to be similarly exercised) to be paid at the point on the leadership group pay spine set out in paragraph 4.5 at which he was being paid immediately before that circumstance arose.

40.8.2 Where an assistant head teacher to whom paragraph 40.8.1 applies holds a leadership group post, paragraphs 5 to 11, 12 to 14, or 15 and 16 shall

apply for the determination by the relevant body of the salary payable to him by virtue of the other paragraphs of this Document for the purpose of paragraph 40.9.

40.9 Paragraph 40.1 shall not apply or, as the case may be, shall cease to apply, to a teacher:

- (a) who at any time is offered but unreasonably refuses to accept an alternative post in an educational establishment maintained by the authority by whom his salary is paid;
- (b) if the remuneration payable to him by virtue of the other paragraphs of this Document equals or exceeds the remuneration payable under paragraph 40.

40.10 Where a teacher takes up employment with a different authority having relinquished a post in which he was being paid safeguarded remuneration pursuant to paragraph 40.1, the relevant body may determine that he shall continue to be paid that safeguarded remuneration.

40.11 A teacher does not suffer a diminution in remuneration for the purposes of paragraph 40.1 in circumstances where by reason of the introduction of the new pay structure for classroom teachers, head teachers, deputy head teachers or assistant head teachers on 1st September 2000, his salary entitlement following assimilation to the new structure is less than his entitlement immediately before such assimilation.

40.12 For the purpose of paragraph 40:

- (a) "educational establishment" means an establishment in England and Wales which is:
 - (i) an institution of further or higher education maintained or assisted by an authority;
 - (ii) a school;
 - (iii) a teachers' centre; or
 - (iv) an establishment other than a school at which primary or secondary education is provided by an authority;

- (b) "leadership group post" means a post of head teacher, deputy head teacher or assistant head teacher of a school;
- (c) "remuneration" means salary plus any allowances but does not include any sum paid under paragraph 42, 43, 44, 45 or 46;
- (d) "salary" means:
 - (i) in the case of a school teacher, the salary payable in accordance with paragraphs 4, 17, 19, 31, 32 and 34 including allowances payable under paragraphs 20 to 22, and
 - (ii) in the case of a teacher in further or higher education his basic salary excluding all allowances;
- (e) a school is reorganised where it was or is reorganised in pursuance of proposals made under section 28 or 31 of the School Standards and Framework Act 1998 ^(a) or proposals referred to in regulation 14 of the Education (Transition to New Framework) (School Organisation Proposals) Regulations 1999 ^(b);
- (f) any transfer of the responsibility for maintaining an establishment shall be disregarded.

Part-time teachers and teachers employed on a short notice basis

41.1 Teachers in regular part-time service (including persons who are employed full-time in teaching but only partly as a school teacher) shall be paid a proportion of the remuneration that would be appropriate if they were employed full-time as school teachers. The proportion shall correspond to the proportion of the school week that the authority deem the teacher to be normally employed as a school teacher (breaks between school sessions being excluded).

^(a) 1998 c.31.

^(b) S.I. 1999/704.

- 41.2 Teachers employed on a day to day or other short notice basis shall be paid in accordance with the provisions of this Document on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata.
- 41.3 A teacher to whom paragraph 41.2 applies and who is employed by the same authority throughout a period of 12 months beginning in August or September shall not be paid more by way of remuneration in respect of that period than he would have received had he been in regular service throughout the period.

Residential duties

42. Any payment to teachers for residential duties shall be determined by the relevant body.

In-service training for teachers

43. Payment to teachers for in-service training may only be made:
- (a) in respect of such training undertaken on a day other than any of the 195 days on which the teacher must be available for work in accordance with paragraph 59.2,
 - (b) in the case of teachers employed to teach part-time, assistant head teachers and deputy head teachers, in respect of such training undertaken on a Saturday or Sunday or during school holidays,
- and shall be determined by the relevant body.

Initial teacher training activities

44. Any payment for activities related to the provision of initial teacher training as part of the ordinary conduct of the school shall be determined by the relevant body.

Out-of-school hours learning activity

45. A relevant body may make such payment as they see fit to a teacher, other than a member of the leadership group or an advanced skills teacher, who participates in out-of-school hours learning activity provided that:
- (a) the teacher has been asked by the head teacher to participate in such activity and has agreed to do so;
 - (b) the teacher has made a substantial and, where appropriate, regular commitment to such activity;
 - (c) such activity has taken place outside the 1265 hours of working time referred to in paragraph 59.3;
 - (d) the basis on which such payment is made by the relevant body to the teacher is reviewed on a regular basis.

School Achievement Award Scheme

- 46 The relevant body in relation to a school receiving a School Achievement Award may make such payments as they see fit to teachers at the school.

CONDITIONS OF EMPLOYMENT

PART VIII - GENERAL

Conditions to be included

- 47.1 The conditions of employment of all head teachers shall include the conditions set out in Part IX, the conditions of employment of deputy head teachers and assistant head teachers shall include the conditions set out in Part X and the conditions of employment of advanced skills teachers shall include the conditions set out in Part XI.
- 47.2 Subject to paragraph 38.6, 39.2 and 39.3, the conditions of employment of all teachers other than head teachers shall include the conditions set out in Part XII, save that the conditions set out in paragraph 59 (working time) shall not apply to deputy head teachers, assistant head teachers, advanced skills teachers or to teachers employed to teach part-time.
- 47.3 Nothing in this Document shall be taken to conflict with Council Directive 93/104/EC of 23rd November 1993 concerning certain aspects of the organisation of working time^(a).

^(a) O.J. No.L307, 13.12.93 p.18 which was implemented by the Working Time Regulations 1998 (S.I. 1998/1833).

PART IX - CONDITIONS OF EMPLOYMENT OF HEAD TEACHERS

Overriding requirements

- 48.1 A head teacher shall carry out his professional duties in accordance with and subject to:
- (a) the provisions of the Education Acts;
 - (b) any orders and regulations having effect thereunder;
 - (c) the instrument of government of the school of which he is head teacher;
 - (d) where the school is a voluntary, foundation or foundation special school, any trust deed applying in relation thereto;
 - (e) any scheme prepared by the local education authority under section 48 of the School Standards and Framework Act 1998^(a).
- 48.2 A head teacher shall carry out such duties in accordance with and subject to the following (to the extent to which they are not inconsistent with paragraphs 49 to 52):
- (a) in the case of a school which has a delegated budget:
 - (i) any rules, regulations or policies laid down by the governing body under their powers as derived from any of the sources specified in paragraph 48.1; and
 - (ii) any rules, regulations or policies laid down by the authority with respect to matters for which the governing body is not so responsible;
 - (b) in any other case, any rules, regulations or policies laid down by his employers; and
 - (c) the terms of his appointment.

General functions

^(a) 1998 c.31.

49. Subject to paragraph 48.1 a head teacher shall be responsible for the internal organisation, management and control of the school.

Consultation

50. In carrying out his duties a head teacher shall consult, where this is appropriate, with the authority, the governing body, the staff of the school and the parents of its pupils.

Professional duties

51. The professional duties of a head teacher shall include:
- 51.1 **School aims:**
formulating the overall aims and objectives of the school and policies for their implementation;
- 51.2 **Appointment of staff:**
participating in the selection and appointment of the teaching and non-teaching staff of the school;
- 51.3 **Management of staff:**
- 51.3.1 deploying and managing all teaching and non-teaching staff of the school and allocating particular duties to them (including such duties of the head teacher as may properly be delegated to a deputy head teacher, assistant head teacher or other member of the staff) in a manner consistent with their conditions of employment, maintaining a reasonable balance for each teacher between work carried out in school and work carried out elsewhere;
- 51.3.2 considering in particular in relation to such allocation of duties how far the duties of the head teacher may be delegated to any deputy head teacher or assistant head teacher;
- 51.3.3 ensuring that the duty of providing cover for absent teachers is shared equitably among all teachers in the school (including the head teacher), taking account of their teaching and other duties;
- 51.3.4 ensuring that teachers at the school receive information they need in order to carry out their professional duties effectively;

- 51.3.5 reporting to the chair of governors annually on the professional development of all teachers at the school;
- 51.3.6 advising the governing body on the adoption of effective procedures to deal with incompetent teachers; and
- 51.3.7 keeping the governing body informed of the general operation of such procedures;
- 51.4 **Liaison with staff unions and associations:**
- maintaining relationships with organisations representing teachers and other persons on the staff of the school;
- 51.5 **Curriculum:**
- 51.5.1 determining, organising and implementing an appropriate curriculum for the school, having regard to the needs, experience, interests, aptitudes and stage of development of the pupils and the resources available to the school; and his duty under sections 351(4), 357(1), and 400(4) of the Education Act 1996^(a) and section 69 of the School Standards and Framework Act 1998^(b);
- 51.5.2 securing that all pupils in attendance at the school take part in daily collective worship in pursuance of his duty under section 70 of the School Standards and Framework Act 1998;
- 51.6 **Review:**
- keeping under review the work and organisation of the school;
- 51.7 **Standards of teaching and learning:**
- evaluating the standards of teaching and learning in the school, and ensuring that proper standards of professional performance are established and maintained;
- 51.8 **Appraisal, training, development and induction of staff:**
- 51.8.1 supervising and participating in arrangements made in accordance with regulations made under section 49 of the Education (No. 2) Act 1986^(c) for the appraisal of the

^(a) 1996 c.56.

^(b) 1998 c.31.

^(c) 1986 c. 61; the regulations currently in force under this provision are S.I. 1991/1511 amended by S.I. 1999/2261.

performance of teachers in the school; participating in arrangements made for the appraisal of his performance as head teacher, and that of other head teachers who are the responsibility of the same appraising body in accordance with such regulations; participating in the identification of areas in which he would benefit from further training and undergoing such training;

51.8.2 ensuring that all staff in the school have access to advice and training appropriate to their needs, in accordance with the policies of the maintaining authority and governing body;

51.8.3 ensuring that newly-qualified teachers and those returning to teaching after a break in service have access to adequate support in their first year of service or resumed service;

51.8.4 being responsible for the supervision and training of teachers during their induction periods in accordance with the Induction Regulations, and making a recommendation at the end of such induction periods as to whether such teachers have met the prescribed induction standards as required by those Regulations;

51.8.5 ensuring that teachers serving induction periods under the Induction Regulations do not teach for more than 90% of the time a teacher at that school who does not receive a management allowance under paragraph 20 would be expected to teach;

51.8.6 assessing whether a teacher at the school who requests an assessment has passed the threshold, subject to approval of the assessment arrangements by an assessor, and where requested by him to do so providing assistance to an assessor in relation to threshold assessments at the school;

51.9 **Management information:**

providing information about the work and performance of the staff employed at the school where this is relevant to their future employment;

51.10 **Pupil progress:**

ensuring that the progress of the pupils of the school is monitored and recorded;

51.11 **Pastoral care:**

determining and ensuring the implementation of a policy for the pastoral care of the pupils;

51.12 **Discipline:**

51.12.1 determining, in accordance with any written statement of general principles provided for him by the governing body, measures to be taken with a view to promoting, among the pupils, self-discipline and proper regard for authority, encouraging good behaviour on the part of the pupils, securing that the standard of behaviour of the pupils is acceptable and otherwise regulating the conduct of the pupils; making such measures generally known within the school, and ensuring that they are implemented; and

51.12.2 ensuring the maintenance of good order and discipline at all times during the school day (including the midday break) when pupils are present on the school premises and whenever the pupils are engaged in authorised school activities, whether on the school premises or elsewhere;

51.13 **Relations with parents:**

making arrangements for parents to be given regular information about the school curriculum, the progress of their children and other matters affecting the school, so as to promote common understanding of its aims;

51.14 **Relations with other bodies:**

promoting effective relationships with persons and bodies outside the school;

51.15 **Relations with the governing body:**

advising and assisting the governing body of the school in the exercise of their functions, including (without prejudice to any rights he may have as a governor of the school) attending meetings of the governing body and making such reports to them in connection with the discharge of his functions as they may properly require either on a regular basis or from time to time;

51.16 **Relations with the authority:**

providing for liaison and co-operation with the officers of the maintaining authority; making such reports to the authority in connection with the discharge of his functions as they may properly require, either on a regular basis or from time to time;

51.17 **Relations with other educational establishments:**

maintaining liaison with other schools and further education establishments with which the school has a relationship;

51.18 **Resources:**

allocating, controlling and accounting for those financial and material resources of the school which are under the control of the head teacher;

51.19 **Premises:**

making arrangements, if so required by the maintaining authority or the governing body of a community, voluntary, foundation or community or foundation special school (as appropriate), for the security and effective supervision of the school buildings and their contents and of the school grounds; and ensuring (if so required) that any lack of maintenance is promptly reported to the maintaining authority or, if appropriate, the governing body;

51.20 **Absence:**

arranging for a deputy head teacher or other suitable person to assume responsibility for the discharge of his functions as head teacher at any time when he is absent from the school;

51.21 **Teaching:**

participating, to such extent as may be appropriate having regard to his other duties, in the teaching of pupils at the school, including the provision of cover for absent teachers.

Daily break

52. A head teacher shall be entitled to a break of reasonable length in the course of each school day, and shall arrange for a suitable person to assume responsibility for the discharge of his functions as head teacher during that break.

PART X - CONDITIONS OF EMPLOYMENT OF DEPUTY HEAD TEACHERS AND ASSISTANT HEAD TEACHERS

Professional duties

53. A person appointed as a deputy or assistant head teacher in a school, in addition to carrying out the professional duties of a teacher other than a head teacher (as described in Part XII) including those duties particularly assigned to him by the head teacher, shall:
- 53.1 play a major role under the overall direction of the head teacher in:
- (a) formulating the aims and objectives of the school;
 - (b) establishing the policies through which they shall be achieved;
 - (c) managing staff and resources to that end; and
 - (d) monitoring progress towards their achievement;
- 53.2 undertake any professional duties of the head teacher reasonably delegated to him by the head teacher;
- 53.3 in the case of a deputy head teacher only, undertake to the extent required by the head teacher or the relevant body or, in the case of a foundation, voluntary aided or foundation special school, the governing body, the professional duties of the head teacher in the event of his absence from the school; and
- 53.4 be entitled to a break of reasonable length as near to the middle of each school day as is reasonably practicable.

PART XI - CONDITIONS OF EMPLOYMENT OF ADVANCED SKILLS TEACHERS

Professional duties

54. A teacher who is an advanced skills teacher, in addition to carrying out the professional duties of a teacher other than a head teacher (as described in Part XII) including those duties particularly assigned to him by the head teacher, may be required to carry out the following professional duties:
- (a) participating in initial teacher training;
 - (b) participating in the induction and mentoring of newly qualified teachers;
 - (c) advising other teachers on classroom organisation and teaching methods;
 - (d) producing high quality teaching materials;
 - (e) disseminating to other teachers materials relating to best practice and educational research;
 - (f) advising on the provision of in-service training;
 - (g) participating in the appraisal of other teachers;
 - (h) helping teachers who are experiencing difficulties;
 - (i) working with teachers from other schools, whether at the school of the advanced skills teacher, at that of the other teacher, in higher education institutions, at facilities of the authority or elsewhere;
 - (j) producing high quality resources and materials, including video recordings of lessons, for dissemination in their own school and other schools.

Daily break

55. An advanced skills teacher shall be entitled to a break of reasonable length as near to the middle of each school day as is reasonably practicable.

PART XII - CONDITIONS OF EMPLOYMENT OF TEACHERS OTHER THAN HEAD TEACHERS

Exercise of general professional duties

- 56.1 Subject to paragraph 38.6, 39.2, 39.3 and 56.2, a teacher who is not a head teacher shall carry out the professional duties of a teacher as circumstances may require:
- 56.1.1 if he is employed as a teacher in a school, under the reasonable direction of the head teacher of that school;
- 56.1.2 if he is employed by an authority on terms under which he is not assigned to any one school, under the reasonable direction of that authority and of the head teacher of any school in which he may for the time being be required to work as a teacher.
- 56.2 A teacher who has failed satisfactorily to complete an induction period and who is employed pursuant to regulation 16(5) of the Induction Regulations must only carry out such limited teaching duties as the Secretary of State determines pursuant to that regulation.

Exercise of particular duties

- 57.1 Subject to paragraph 38.6, 39.2, 39.3, and 56.2 a teacher employed as a teacher (other than a head teacher) in a school shall perform, in accordance with any directions which may reasonably be given to him by the head teacher from time to time, such particular duties as may reasonably be assigned to him.
- 57.2 A teacher employed by an authority on terms such as those described in paragraph 56.1.2 shall perform, in accordance with any direction which may reasonably be given to him from time to time by the authority or by the head teacher of any school in which he may for the time being be required to work as a teacher, such particular duties as may reasonably be assigned to him.

Professional duties

58. Subject to paragraph 38.6, 39.2, 39.3, and 56.2 the following duties shall be deemed to be included in the professional duties which a teacher (other than a head teacher) may be required to perform:
- 58.1 **Teaching:**

In each case having regard to the curriculum for the school:

- 58.1.1 planning and preparing courses and lessons;
- 58.1.2 teaching, according to their educational needs, the pupils assigned to him, including the setting and marking of work to be carried out by the pupil in school and elsewhere;
- 58.1.3 assessing, recording and reporting on the development, progress and attainment of pupils;

- 58.2 **Other activities:**
 - 58.2.1 promoting the general progress and well-being of individual pupils and of any class or group of pupils assigned to him;
 - 58.2.2 providing guidance and advice to pupils on educational and social matters and on their further education and future careers, including information about sources of more expert advice on specific questions; making relevant records and reports;
 - 58.2.3 making records of and reports on the personal and social needs of pupils;
 - 58.2.4 communicating and consulting with the parents of pupils;
 - 58.2.5 communicating and co-operating with persons or bodies outside the school; and
 - 58.2.6 participating in meetings arranged for any of the purposes described above;

- 58.3 **Assessments and reports:**

providing or contributing to oral and written assessments, reports and references relating to individual pupils and groups of pupils;

- 58.4 **Appraisal:**

participating in arrangements made in accordance with regulations made under section 49 of the Education (No.

2) Act 1986^(a) for the appraisal of his performance and that of other teachers;

58.5 **Review, induction, further training and development:**

58.5.1 reviewing from time to time his methods of teaching and programmes of work;

58.5.2 participating in arrangements for his further training and professional development as a teacher;

58.5.3 in the case of a teacher serving an induction period pursuant to the Induction Regulations, participating in arrangements for his supervision and training;

58.6 **Educational methods:**

advising and co-operating with the head teacher and other teachers (or any one or more of them) on the preparation and development of courses of study, teaching materials, teaching programmes, methods of teaching and assessment and pastoral arrangements;

58.7 **Discipline, health and safety:**

maintaining good order and discipline among the pupils and safeguarding their health and safety both when they are authorised to be on the school premises and when they are engaged in authorised school activities elsewhere;

58.8 **Staff meetings:**

participating in meetings at the school which relate to the curriculum for the school or the administration or organisation of the school, including pastoral arrangements;

58.9 **Cover:**

58.9.1 subject to paragraph 58.9.2, supervising and so far as practicable teaching any pupils whose teacher is not available to teach them:

58.9.2 subject to the exceptions in paragraph 58.9.3, no teacher shall be required to provide such cover:

(^a) 1986 c.61; the regulations currently in force under this provision are S.I. 1991/1511 amended by S.I. 1999/2261.

- (a) after the teacher who is absent or otherwise not available has been so for three or more consecutive working days; or
- (b) where the fact that the teacher would be absent or otherwise not available for a period exceeding three consecutive working days was known to the maintaining authority or, in the case of a school which has a delegated budget to the governing body, for two or more working days before the absence commenced;

58.9.3 the exceptions are:

- (a) he is a teacher employed wholly or mainly for the purpose of providing such cover ("a supply teacher"); or
- (b) the authority or the governing body (as the case may be) have exhausted all reasonable means of providing a supply teacher to provide cover without success; or
- (c) he is a full-time teacher at the school but has been assigned by the head teacher in the timetable to teach or carry out other specified duties (except cover) for less than 75 per cent of those hours in the week during which pupils are taught at the school;

58.10 **Public examinations:**

participating in arrangements for preparing pupils for public examinations and in assessing pupils for the purposes of such examinations; recording and reporting such assessments; and participating in arrangements for pupils' presentation for and supervision during such examinations;

58.11 **Management:**

- 58.11.1 contributing to the selection for appointment and professional development of other teachers and non-teaching staff, including the induction and assessment of new teachers and teachers serving induction periods pursuant to the Induction Regulations and assisting the head teacher in carrying out threshold assessments of other teachers;
- 58.11.2 co-ordinating or managing the work of other teachers; and
- 58.11.3 taking such part as may be required of him in the

review, development and management of activities relating to the curriculum, organisation and pastoral functions of the school;

58.12 **Administration:**

58.12.1 participating in administrative and organisational tasks related to such duties as are described above, including the management or supervision of persons providing support for the teachers in the school and the ordering and allocation of equipment and materials; and

58.12.2 attending assemblies, registering the attendance of pupils and supervising pupils, whether these duties are to be performed before, during or after school sessions.

Working time

59.1 The provisions of this paragraph shall not apply to deputy head teachers, assistant head teachers, advanced skills teachers or to teachers employed to teach part-time and are subject to paragraphs 38.6, 39.2 and 39.3.

59.2 A teacher employed full-time, other than in the circumstances described in paragraph 59.4, shall be available for work for 195 days in any school year, of which 190 days shall be days on which he may be required to teach pupils in addition to carrying out other duties; and those 195 days shall be specified by his employer or, if the employer so directs, by the head teacher.

59.3 Such a teacher shall be available to perform such duties at such times and such places as may be specified by the head teacher (or, where the teacher is not assigned to any one school, by his employer or the head teacher of any school in which he may for the time being be required to work as a teacher) for 1265 hours in any school year, those hours to be allocated reasonably throughout those days in the school year on which he is required to be available for work.

59.4 Paragraphs 59.2 and 59.3 do not apply to such a teacher employed wholly or mainly to teach or perform other duties in relation to pupils in a residential establishment.

59.5 Time spent in travelling to or from the place of work shall not count against the 1265 hours referred to in paragraph 59.3.

- 59.6 Such a teacher shall not be required under his contract as a teacher to undertake midday supervision, and shall be allowed a break of reasonable length either between school sessions or between the hours of 12 noon and 2.00pm.
- 59.7 Such a teacher shall, in addition to the requirements set out in paragraphs 59.2 and 59.3, work such additional hours as may be needed to enable him to discharge effectively his professional duties, including, in particular, the marking of pupils' work, the writing of reports on pupils and the preparation of lessons, teaching material and teaching programmes. The amount of time required for this purpose beyond the 1265 hours referred to in paragraph 59.3 and the times outside the 1265 specified hours at which duties shall be performed shall not be defined by the employer but shall depend upon the work needed to discharge the teacher's duties.