

Schools Bill to bring changes to teachers' pay and conditions

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This article is part of our series of briefings on [The Children's Wellbeing and Schools Bill](#).

The Children's Wellbeing and Schools Bill proposes potentially significant changes to teachers' pay and conditions through the introduction of a unified pay and conditions framework for all state-funded schools, including academies.

Presently, academy trusts have freedom to depart from the School Teachers' Pay and Conditions Document (STPCD), which applies to maintained schools in England. In practice that freedom has been fettered considerably by the requirement to comply with protections for terms and conditions upon TUPE transfer and owing to pressure exerted by the trade unions.

The government's proposal would see STPCD compliance become mandatory for all state-funded schools, including academy trusts.

Extending the remit of the review body

The government proposes to extend the remit of the School Teachers' Review Body (STRB) to include academies, with academy trust representatives becoming consultees in the annual national pay review process.

The change is not proposed to extend to senior executive leaders of academy trusts. STPCD has not historically catered well for such individuals, which would appear to be an acknowledgement that such individuals are less likely to be undertaking teaching work.

Why is this important?

Currently, STPCD sets out a common framework for a number of teachers' terms and conditions including:

- The requirement for employers to implement pay orders from the Secretary of State, relating to annual pay uplifts.
- Providing a statutory pay range for teachers' pay, including leadership pay and unqualified teachers' pay, and TLR and SEN allowances.
- Imposing salary safeguarding protections in the event of restructures or significant changes.
- Mandating that teachers' directed time may not exceed 1,265 hours per academic year and must fall within 195 days.
- Guaranteeing teachers at least 10% of their timetabled teaching time as PPA time.
- Preventing teachers' from routinely being required to participate in administrative tasks or external examination invigilation.
- Restricting the occasions upon which teachers can be required to provide cover to rare occasions only in circumstances that are not foreseeable.

Whilst the majority of academy trusts have continued to adopt STPCD, there are a number of academy trusts that seized the opportunity to depart from it and instead carved out their own terms and conditions, including in respect of teachers' pay. The Conservatives recently announced that they believe more than 20,000 teachers working in academies are paid more than provided for in the existing STPCD pay scales.

Why is the government proposing this?

The government wants to create a consistent pay and conditions package across all state-funded schools. It believes that this will not only promote partnership and enhance collaboration between schools, but that it will also help to attract and retain top teaching talent. The government has also argued that the change will give academy trusts a voice in pay and conditions for the first time.

What could the change mean for academy trusts?

The Department for Education has given assurances that it will task STRB with considering additional flexibilities to make STPCD most effective for all schools, which appears to be a nod to academy trusts. It remains to be seen what such flexibilities may look like.

Speaking to the Commons Education Select Committee on 15 January 2025, Bridget Phillipson confirmed that “schools will have flexibility to innovate with the floor but no ceiling”. Reducing the autonomy academies currently enjoy might also hamper the ability of academy trusts to adapt quickly to the unique demands of their communities. This shift could potentially impact the dynamic nature of academies, making it more challenging for them to address specific needs.

Welcome clarification

Crucially, Ms Phillipson confirmed that academy trusts will be permitted to continue paying teachers above the maximum pay ranges in STPCD, praising the flexibility and innovation that academies have shown in respect of recruitment and retention. This is a welcome clarification that will no doubt leave academy trusts sighing in relief that they are not going to have to cut the pay of some 20,000 teachers.

As ever, the devil is likely to be in the detail of how STPCD flexibilities apply. The changes are not expected to be made earlier than September 2026 and will follow a consultation period, during which we should receive greater clarification regarding the available flexibilities for schools and academy trust.

On the note of pay, mandatory adherence to STPCD would bring a greater number of academy trusts within the umbrella of threatened national industrial action arising from annual pay offers within national pay bargaining. NEU recently announced an indicative ballot of its members, threatening fresh rounds of industrial action over STRB's latest annual pay offer of 2.8% for the 2025/26 academic year.

Things to be thinking about

Academy trusts should do their due diligence to ensure they understand the terms and conditions in operation across their trust. For example, do you follow STPCD currently and if not, how do you deviate from the existing STPCD?

If you are on the brink of launching a new pay policy or other new terms and conditions, you may wish to consider the impact the proposals above may have on this. Whilst changes can still be made ahead of the draft legislation coming into force, consideration should be given to the proportionality of doing the same where further changes may have to be made shortly thereafter to align with a future version of STPCD.

There's no need to panic and change your terms and conditions to match the existing STPCD, as under the proposals a revised STPCD will apply and we have yet to see what those revisions will look like.

Most importantly, schools and academy trusts will want to ensure that they keep abreast of the developments in this area as these proposals play out.

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Key contact

Sarah Linden

Legal Director

sarah.linden@brownejacobson.com

+44 (0)330 045 2186

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