

# Factsheet: School Support Staff Negotiating Body in the Employment Rights Bill

### What is the current policy/legal framework?

There is no statutory, national pay body for school support staff. Most school support staff are employed on terms and conditions set by the National Joint Council (NJC) for Local Government Services. The NJC agrees a national framework with potential for local modification. There are no national job descriptions for school support staff, but the NJC also publishes advisory staff role profiles.

Without a national body, school support staff have not had the voice and national consistency that recognises the crucial role they play in children's education and the smooth running of schools.

#### **Policy intent**

The government intends to recognise the value and professionalism of the whole school workforce by reinstating the School Support Staff Negotiating Body. The body will give a voice to support staff, who make up roughly half of the school workforce. It will enable bespoke negotiation on pay, and terms and conditions to ensure that staff are paid fairly for the work they do, as well as advise on suitable training and career progression routes for the varied roles support staff undertake. The body will support work to drive high and rising standards in schools and ensure we give children the best possible life chances.

#### How will it work?

The Employment Rights Bill will establish the School Support Staff Negotiating Body. The body will comprise employee and employer representatives, a representative of the Secretary of State and an independent chair. It may also include other, non-voting, members. The body will have a remit to negotiate pay and terms and conditions, and to advise on training and career progression for school support staff in state-funded schools in England. When agreements have been reached and ratified by the Secretary of State on pay and/or terms and conditions, the outcomes will go into individual employee contracts. The Secretary of State will also be able to issue statutory guidance following recommendations and advice from the body on training and career progression.

After primary legislation, we will use secondary legislation to name the representative organisations for employers and employees, and to further define support staff for the purposes of the body. In order to inform this, we will consult the TUC on membership of the employee side, and consult more widely on the right definition of school support staff given the wide range of roles that now exist in schools.

Secondary legislation will also be required for ratified agreements to go into individual employee contracts. We will consult prior to this on whether any element of pay protection is necessary, to ensure that any changes to pay and conditions from existing terms are fair.

## **Key stats**

- 798,085 support staff in state-funded schools in England in 2023/24
- 510,392 FTE support staff in state-funded schools in England in 2023/24