

What changes has the Act made to the Law?

The Employment Rights Act provides for the establishment of the School Support Staff Negotiating Body (SSSNB). The body will bring together employer and employee representatives to negotiate minimum pay, terms and conditions for support staff in the school sector – similar to national level collective bargaining.

The Act gives the Secretary of State the power to refer matters to the SSSNB and ratify their agreements through regulations, which incorporate new terms and conditions in the employment contracts of school support staff.

Under the Act, regulations made by the Secretary of State cannot worsen existing terms of employment or prevent more favourable terms being offered to school support staff.

The SSSNB will mean that in future years, around 800,000 school support staff employed by local authorities, governing bodies and academy trusts, and working in maintained schools and academies in England, will be contractually entitled to at least the statutory minimums for pay and conditions, which are agreed through the SSSNB process and established in regulations by the Secretary of State for Education.

The Secretary of State for Education will also be able to issue statutory guidance following recommendations and advice from the body on training and career progression for school support staff.

How is this different from the previous legislation?

There is no pre-existing law for sectoral agreements for school support staff and no national pay and conditions body specifically 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.

The Employment Rights Act provides for the establishment of a statutory body specifically for school support staff (the SSSNB), with a remit to negotiate pay, terms and conditions, and to advise on training and career progression.

Agreements ratified by the Secretary of State on pay, terms and conditions will be incorporated into individual employee contracts, where they are currently on terms below the new statutory minimums agreed by the SSSNB. This will establish a consistent national 'floor' that all school support staff can expect, whilst protecting individual employee entitlements beyond this, and allowing room for employers to innovate.

The body will give a sector specific voice to support staff, who make up roughly half of the directly employed school workforce, by bringing together employer and employee representatives.

The body will recognise the varied and vital roles support staff undertake, and in turn support work to drive high and rising standards in schools and ensure we give children the best possible life chances.

When will these changes come into force?

We anticipate that school support staff will continue to be covered by their existing arrangements in 2026-27. The first outcomes arising from the SSSNB will be from the 2027-28 financial year at the earliest.

What further detail will be consulted on and when?

We held a [public consultation](#) from 11 June-18 July 2025 to inform the set-up of the SSSNB. The first topic in the consultation on the definition of school support staff will inform secondary legislation to confirm which staff will be in the remit of the SSSNB. The government will publish the consultation findings and response in early 2026.

There is a duty for the Secretary of State to consult the Trades Union Congress (TUC) on which organisations should represent school support staff on the SSSNB. The government will consult the TUC before making secondary legislation to constitute the body.

Key Stats ¹

854,200 support staff in state-funded schools in England in 2024/25.

517,500 FTE support staff in state-funded schools in England in 2024/25.

Common questions

Who do you mean by 'school support staff'?

¹ ['Size of the school workforce' from 'School workforce in England', Permanent data t...](#)

- Put simply, for the purposes of the Act, ‘school support staff’ means anyone who is not a teacher, is employed by a maintained school or academy in England and works wholly at one or more of those schools. We will further refine the definition of support staff in secondary legislation, to confirm which staff are in the SSSNB’s remit before it starts operating.

When will the SSSNB have an impact on pay and conditions?

- Outcomes arising from the SSSNB will be incorporated in school support staff contracts from the 2027-28 financial year at the earliest.
- This factors in the time it takes to legislate, set up the body, and ensure a smooth transition from the current National Joint Council (NJC) process, the terms of which most school support staff are currently employed on.

Is the body’s activity collective bargaining?

- The SSSNB is being established as a negotiating body, which will empower employer and employee representatives, and others, to negotiate pay and terms and conditions. Any agreements reached will need to be ratified by the Secretary of State before being incorporated into employee contracts through regulations. The body will operate under a new, bespoke legal framework for school support staff in maintained schools and academies in England. This is separate to that provided for by the Trade Union and Labour Relations (Consolidation) Act 1992, which deals with individual employer and union negotiations, and will not preclude such collective

bargaining from continuing to take place to agree more favourable terms than any minimum entitlements arising from the SSSNB process.