



GMB submission:

Setting up the School Support Staff Negotiating Body (SSSNB)

June 2025

This consultation explores who should be included in or excluded from the School Support Staff Negotiating Body (SSSNB), and how key staff groups should be defined.

This document highlights the information given in the consultation, including government proposals. GMB's responses to the consultation questions can be found within the text boxes below.

Topic 1: Definition of 'School Support Staff'

This section asks for views on **which staff should be included in or excluded** from the SSSNB.

Summary of our proposals

We believe the broad definition of 'school support staff' in the Employment Rights Bill (ERB) captures most of the right groups. However, we are proposing some important exceptions and clarifications:

1. Exclusions based on existing pay and negotiating bodies

We propose to **exclude staff** whose pay and/or conditions are already set through certain other pay or negotiating bodies.

Note: The department expects that school support staff currently employed on **National Joint Council (NJC) for Local Government Services** arrangements will move from the NJC process to the new SSSNB process.

We propose to **exclude** staff in the following bodies:

- **School Teachers' Review Body (STRB)** – for teachers and school leaders (where the definition in the ERB doesn't already exclude these staff)
- **Joint Negotiating Committee (JNC) for Youth and Community Workers.** This JNC covers youth workers and community development staff, often employed by local authorities.
- **Soulbury Committee.** Covers educational psychologists, educational improvement professionals, and managers of youth or community services.
- **Joint Negotiating Committee for Local Authority Craft and Associated Employees.** This JNC covers skilled tradespeople such as plumbers, electricians, and maintenance workers employed by local authorities.
- **Joint Negotiating Committee for Chief Officers of Local Authorities.** Covers senior officers, such as directors of services within local authorities.
- **Committee for Support Staff (subcommittee) of the National Joint Council for Staff in Sixth Form Colleges.** Covers support staff in sixth form colleges under a separate national agreement.

These staff groups are covered by sector-specific arrangements that we believe are more suited to their workforce needs.

2. Inclusion of academy trust employees in support staff roles who work from locations other than academies

We propose to **include academy trust employees** in support staff roles **even if they work from locations other than academies** (e.g. a central head office), provided their roles support schools and would otherwise fall within the SSSNB's scope.

The current definition in the ERB requires school support staff to work 'wholly' at one or more schools or academies. This means that academy trust employees working centrally — such as HR officers or administrative staff based in a head office — would not currently be included. Our proposal aims to address this gap and ensure parity with maintained schools, where support staff typically work within the school setting.

3. Exclusion of executive leaders of academy trusts

We propose to **exclude executive leaders** of academy trusts (e.g. CEOs, COOs, CFOs). These individuals are not typically considered support staff, but they are currently covered by the broad ERB definition, if they work 'wholly' at academies. They hold senior leadership roles with responsibility for planning, directing and controlling activities of the trust, and are accountable to the board for the trust's overall performance — giving their roles different needs from staff in supporting roles.

These leaders would be defined in line with the Children's Wellbeing and Schools Bill as: 'Staff appointed by the proprietor of an academy as an executive leader of the proprietor'.

Topic 1: Definition of 'School Support Staff'

Who should be included in or excluded from the SSNB?

Question 20

Do you agree with our proposal to exclude staff from the SSSNB whose pay and conditions are determined through existing pay and negotiating bodies (other than the NJC for Local Government Services)?

Yes

Question 21

Do you agree with our proposal to include academy trust employees in support staff roles who work from locations other than academies?

The current definition of 'school support staff' in the Employment Rights Bill requires that support staff work 'wholly' at one or more schools or academies. Academy trusts often have central head offices away from academy sites. This means that, for example, human resources, finance or administrative staff working from a head office in this way would not be included in the SSSNB. Our proposal aims to bring parity with maintained schools, where support staff usually work within the school.

When answering this question, **ignore executive leaders** of academy trusts, such as chief executives. We are asking for separate views on this group of staff in the next question.

Yes

Question 22

Do you agree with our proposal to exclude executive leaders of academy trusts from the SSSNB?

For this question, please consider whether you agree that executive leaders of academy trusts should be excluded from the SSSNB. These are senior individuals — such as chief executive officers, chief operating officers, and chief financial officers — who are appointed by the academy trust and have overall responsibility for running it.

We are asking whether, in principle, these roles should fall outside the scope of the SSSNB. You will be able to give your views on the specific definition of ‘executive leaders’ on the next page.

If you agree that executive leaders should be excluded **in principle**, but disagree with how we have defined that group, please respond ‘Yes’ to this question.

Yes

Topic 1: Definition of ‘School Support Staff’

Views on how staff groups should be defined. The department proposes to use further (‘secondary’) legislation to include and exclude the staff as proposed. Responses to this section will inform how we define these groups in secondary legislation.

Question 23

Do you agree with how we have defined 'staff covered by the named existing pay and negotiating bodies'?

This question is about whether we have correctly identified the relevant negotiating bodies and the staff they cover. If you think any bodies should be added or removed (in full or partly), please answer 'No' and state what you would do differently.

The named bodies we are proposing to exclude from the SSSNB are:

- **School Teachers' Review Body** – Covers teachers and school leaders, where the definition in the Employment Rights Bill does not already exclude these staff.
- **Joint Negotiating Committee (JNC) for Youth and Community Workers** – Covers youth workers and community development staff, often employed by local authorities.
- **Soulbury Committee** – Covers educational psychologists, educational improvement professionals, and managers of youth or community services.
- **JNC for Local Authority Craft and Associated Employees** – Covers skilled tradespeople such as plumbers, electricians, and maintenance workers employed by local authorities.
- **JNC for Chief Officers of Local Authorities** – Covers senior officers, such as directors of services within local authorities.
- **Committee for Support Staff (subcommittee) of the NJC for Staff in Sixth Form Colleges** – Covers support staff in sixth form colleges under a separate national agreement.

Yes

Question 24

Do you agree with how we have defined central academy trust staff?

We are proposing that the SSSNB **includes** academy trust employees who work:

- In **support staff roles**, and
- From **locations other than academies** (support staff working in academies are already included in the SSSNB definition of 'school support staff')

Yes

Question 25

Do you agree with how we have defined executive leaders of academy trusts?

We propose defining these staff in line with the Children's Wellbeing and Schools Bill, as:

'Staff appointed by the proprietor of an academy as an executive leader of the proprietor'.

In plain terms, this means senior leaders – such as chief executive officers, chief operating officers and chief financial officers – who are directly appointed by the academy trust and have overall responsibility for running the trust.

Yes

Topic 1: Definition of ‘School Support Staff’

Other considerations.

This topic ends with two questions on who else might need to be included or excluded but isn't covered by our proposals on previous pages. The examples below are indicative of the kind of roles classified as 'support staff' in the School Workforce Census.

Roles listed as 'support staff' in the School Workforce Census

	Categories of support staff	Types of roles and job titles
1	Teaching assistants	Teaching assistant, higher level teaching assistant, special needs assistants, minority ethnic support staff and any other staff with support roles in the classroom.
2	Auxiliary staff	Other staff essential to the running of the school such as catering, midday supervisors, cleaning and maintenance staff.
3	Administrative staff	Staff employed for administrative tasks such as office staff, secretaries, and central support staff.
4	Other school support staff	Support staff that are not classroom based, for example matrons / nurses / medical staff, librarians, invigilators, pastoral support and attendance staff.
5	School business professionals	Include roles such as bursar, business manager, finance officer, office manager, premises manager or ICT network manager.

6	Technicians	Those employed to support science, design and technology, craft and ICT.
7	Leadership – non teacher	Members of the school's senior leadership team who are not reported in a teaching post.

Question 26

Are there any other staff who, under the broad definition of 'school support staff' in the Employment Rights Bill, would still be included (after the proposed exclusions above) — but who you think should not be?

Put simply, the Employment Rights Bill defines 'school support staff' as **anyone who is not a teacher, is employed by a maintained school or academy in England, and works at one or more of those schools.**

This definition includes two main groups of staff:

1. Staff employed by local authorities and governing bodies to work wholly at one or more maintained schools, as long as their pay is not set through the statutory teacher pay process.
2. Staff employed by academy trusts to work wholly at one or more academies, who are not qualified teachers.

No

Question 27

Are there any other staff working centrally for academy trusts who you think should be included (but would not be under our current proposal)?

No

Topic 2: Call for evidence on existing pay and terms and conditions

The SSSNB will bring together employer and employee representatives to negotiate on pay and terms and conditions.

The Bill allows the Secretary of State to:

- Specify factors that the SSSNB must consider
- Approve (or ‘ratify’) agreements on pay and terms and conditions reached by the SSSNB by setting them out in law (regulations) to change contracts, or
- Introduce changes to contracts in law (regulations) if agreement is not reached

These laws will incorporate agreed pay levels and terms and conditions into individual employment contracts.

The precise way in which the SSSNB will operate – including how it sets pay, how this links to the roles that support staff hold, and the content of any core terms and conditions – will be determined by the SSSNB once it is established and has received a remit from the Secretary of State.

The government has stated the intention for support staff in all state-funded schools in England to benefit from a core pay and conditions offer. **No one should be paid less or have worse conditions because of the move to the SSSNB.** At the same time, employers will keep the flexibility to respond to local circumstances and offer staff contracts beyond the minimum agreements reached by the SSSNB.

Topic 2: Call for evidence on existing pay and terms and conditions

This section was for employers only.

Topic 3: Agency workers

We are also seeking views on whether **agency workers** should be included in the scope of the SSSNB in future legislation. **This will inform future primary legislation, not the Employment Rights Bill or related secondary legislation.**

In this consultation, ‘agency workers’ means people who have a **contract with an employment business** (or ‘agency’) and **work temporarily for a ‘hirer’** – in this case, a school employer. This is normally called ‘temporary agency work’ or ‘temping’.

If someone gets a permanent or fixed-term job at a school through an agency, they are employed by the school, not the agency.

More information on determining whether someone is an agency worker or an employee can be found here: [Employment status: Employee - GOV.UK](#)

What we are asking

We are gathering evidence on how agency workers currently carry out school support staff roles. This includes questions about how agency workers are deployed, how their pay and conditions compare to other roles, and whether NJC frameworks are used to inform those arrangements.

We are also seeking your views on the potential inclusion of agency workers within the SSSNB in future. We're particularly interested in the possible implications of this — including any anticipated benefits, challenges, or impacts on workers, schools, and agencies.

Topic 3: Agency workers

Views on bringing agency workers into the SSSNB.

Bringing agency workers into the SSSNB would require changes to law. This change would not be made through the Employment Rights Bill currently in parliament. If ministers decide to extend the SSSNB's remit after this consultation, we would look for another way to make this change in law at a later date.

Question 42

Do you think agency workers should be included in the SSSNB in the future?

Yes

GMB is opposed to the exploitation of short term and agency labour to undermine the terms and conditions that trade unions are trying to improve in workplaces. We are in favour of agency workers having the same terms and conditions and rates of pay as directly employed workers in the same workplace.

Question 43

If agency workers were included in the SSSNB, do you think they would need to have contracts to work only in school settings?

By 'only in school settings', we mean roles that take place exclusively within schools or academies — not in other sectors such as retail, hospitality, or healthcare.

For the purposes of this question, please interpret support staff roles in academy trust offices according to your own views. We recognise that views may differ, and we do not wish to pre-empt the outcomes of this consultation.

No

GMB believe that any hours an agency worker is working within a schools setting should be included within the SSSNB. It would be unfair to exclude those agency workers who are deployed in other work, one example might be that an agency worker is working 20 hours per week in school and working 15 hours elsewhere in another sector. We believe that agency workers should also have protections so that employment service can count from day one and transfer to a company in a process similar to TUPE when such employees are recruited by the employer directly.

Question 44

Are there any other conditions you think would need to be met for agency workers to be included in the SSSNB?

No

Topic 3: Agency workers

Views on impacts.

Please tell us what impact you think including agency workers in the remit of the SSSNB would have on each of the following groups.

First, select whether you think the impact would be positive, neutral, negative, or if you're unsure.

Then, use the text boxes below to explain your answers — including any expected costs, benefits, or unintended consequences.

Question 45

What impact do you think including agency workers in the remit SSSNB would have on the following groups?

	Positive	Neutral	Negative	Unsure
Agency workers	X			
Employment agencies		X		
School and academy leaders		X		

Permanent or fixed term employees		X		
The SSSNB (and how it will function)		X		

Please explain your answers for each group below, including any expected costs, benefits, or unintended consequences.

You should provide a separate response for each group. If you don't have a view on a particular group, feel free to leave that box blank.

Agency workers

Positive.

GMB have been at the forefront of campaigning to end all forms of precarious work, including agency contracts. We believe that amending legislation to bring agency workers into the SSSNB would be positive as they would be entitled to the pay, terms and conditions that those support staff who are directly employed are entitled to. This would create equality across the board and is a step towards ending the exploitation of agency and temporary workers which both disadvantages agency workers and is used to drive down wages for the permanent workforce.

Employment agencies

Neutral.

School and academy leaders

Neutral.

Permanent or fixed term employees

Neutral.

The SSSNB (and how it will function)

Neutral.

Equality impacts

In accordance with the Equality Act 2010, ministers must have “due regard”, when making decisions, to the need to eliminate unlawful discrimination; advance equality of opportunity; and foster good relations, in relation to 'protected characteristics'. The department has been taking this requirement into account in developing these proposals and will use findings from this consultation to develop a full assessment.

The relevant **protected characteristics** are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The following questions ask what, if any, impacts our proposals may have on these characteristics.

Question 52

Could any of the proposals have an impact – positive or negative – on people with any of the following protected characteristics?

Please select all characteristics below which you think will be impacted — positively or negatively — by the proposals we've outlined in this consultation.

Highlight any you are selecting

Age

Disability

Gender reassignment

Marriage and civil partnership

Pregnancy and maternity

Race

Religion or belief

Sex

Sexual orientation

For any characteristics you selected above, please use the relevant text box below to explain how the proposals could impact people with that characteristic. Your response cannot exceed 2,000 characters per characteristic.

Age

The spread of ages of people in support staff roles currently varies across the regions of England and by school type. For example, the 2023/24 government school workforce stats show that in Inner London, 6.3% of support staff are aged 25-29; in contrast, the same stat is 3.9% in the North East. These differences mean that staff of different age groups in different contexts currently receive different pay, terms and conditions. Nationally agreed pay, terms and conditions through the SSSNB will allow for an equal experience of work regardless of geography or school type – and including all the job types which GMB has agreed to in the questions above, plus agency workers, will allow for the widest impact in increasing age equality.

Disability

For the 2024 school workforce stats, 60% of schools did not obtain information on whether their support staff are disabled. This suggests schools may need more support in obtaining and understanding this data, to allow them to properly support disabled support staff. The SSNB will enhance the equal treatment of disabled support staff across school type, staff role and geography, including on matters such as sickness leave, sick pay, reasonable adjustments and disability leave – enhancing equality between disabled and non-disabled support staff. There is data showing that in the economy as a whole, some disabled people are attracted to casual and agency work rather than permanent employment as this work enables disabled workers the flexibility to work around fluctuating health conditions. Therefore, including all the job types which GMB has agreed to in the questions above, plus agency workers, will allow for the widest impact in increasing equality for disabled school support staff.

Gender reassignment

Including all the job types which GMB has agreed to in the questions above, plus agency workers, will allow for the widest impact in increasing equality for trans and non-binary staff. Currently, there may be variations in terms and conditions relating to

medical absences which some trans and non-binary support staff may need; and there may be variations in policies around bullying and harassment.

Marriage and civil partnership

Pregnancy and maternity

Currently, pay and terms and conditions for pregnant school support staff and parents varies according to employer. This means inequality and discrimination against pregnant staff and parents may be more likely in some areas. Therefore, including all the job types which GMB has agreed to in the questions above, plus agency workers, will allow for the widest impact in increasing equality and reducing discrimination of pregnant and parent school support staff.

Race

There is some evidence that supply teachers are more likely to be of Black, Asian and minority ethnic heritage than of white heritage. We know that outside the school sector, temporary and outsourced staff in many sectors are more likely to be of non-white heritage. There is less reliable data on the ethnicity (race) of supply and agency school support staff – however, this trend may follow for these staff groups, meaning that including agency staff in the SSSNB will be important for reducing racial inequality.

Religion or belief

Pay, terms and conditions may currently vary in state and academy religious schools, which may attract (or require) staff with particular religion or belief. Including all the job types which GMB has agreed to in the questions above, plus agency workers, will allow for the widest impact in increasing equality for school support staff who hold a religion or belief.

Sex

There has been some evidence that supply teachers are more likely to be women than permanently employed teachers. There is less reliable data on the sex (gender) of supply and agency support staff – however, this trend may follow for these staff groups, meaning that including agency staff in the SSSNB will be important for reducing sex inequality.

Sexual orientation

Including all the job types which GMB has agreed to in the questions above, plus agency workers, will allow for the widest impact in increasing equality for LGBTQ+ staff. Currently, there may be variations in policies around bullying and harassment which are relevant to negative workplace experiences for LGBTQ+ workers.

Question 53

What action could help reduce any negative impacts you identified in the previous question?

If you are unsure or don't think there will be any negative impacts, please leave this box blank and continue. Your response cannot exceed 2,000 characters.

Question 54

Are there any other equality-related impacts you think we should consider?

Please tell us anything else you think we should consider regarding impacts on protected characteristics. Your response cannot exceed 2,000 characters.

Any other comments

Question 55

Do you have any other comments on any of the topics covered in this consultation?

Please provide any other comments. Your response cannot exceed 2,000 characters.

The broad categories of staff as detailed within this consultation covers auxiliary staff. Many auxiliary staff have been subject to TUPE and have seen the pay, terms and conditions they were once entitled to eroded. GMB is acutely aware of issues related to the outsourcing of cleaning and catering contracts from local authorities and schools to private contractors. TUPE transfers often lead to a worsening of pay, terms and conditions.

GMB Congress 2024 reinforced our commitment to working to end outsourcing in the public sector. GMB want to see the government commit to insourcing private contracts back into public ownership as promised by the Deputy Prime Minister Angela Rayner in 2023 and believe now is the time to start insourcing these contracts ready for SSSNB negotiations.

GMB believe that the government should consider and look again at recent amendment Schedule 4, page 208, line 4, “(8) Subsections (4) to (7) (a) do not apply in relation to a term or condition of a person’s employment if, and to the extent that, giving effect to the regulations would alter the term and condition to that persons detriment; (b) do not prevent the terms and conditions of a person’s employment from including a term or condition that is more favourable to the person than that which would otherwise have effect by virtue of those subsections.”

GMB would approve of the amendment in (a); we too want to protect employees transitioning to the SSSNB so that an employee on more favourable terms would be protected at transfer. However, we disagree with (b), which appears to offer employers the ability to offer pay, terms and conditions above the “minimums” or “floors” agreed

with the SSSNB. GMB are opposed to this and have campaigned to create a negotiating body that will create national consistency so that whether you work in Sheffield or Southampton you know what rate of pay you get for the job and have a set of terms and conditions that all employers have to adhere to.