1992 No. 505

EDUCATION

Further Education Teachers' Salaries Regulations (Northern Ireland) 1992

Made . . . . . 30th November 1992
Coming into operation . . 23rd December 1992

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The Department of Education, in exercise of the powers conferred on it by Articles 69(1) and (2) and (3)(**a**), and 70(1)(*b*)(**b**) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**c**), and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**d**) and of every other power enabling it in that behalf, after consultation in accordance with Article 69(5)(**a**) of the Education and Libraries (Northern Ireland) Order 1986(**c**) hereby makes the following regulations:

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Further Education Teachers' Salaries Regulations (Northern Ireland) 1992 and shall come into operation on 23rd December 1992 and except where otherwise provided shall have effect on and from 1st September 1992.

(**a**) Article 69 was substituted by Article 166 of and Schedule 9 to S.I. 1989/2406 (N.I. 20)
(**b**) Article 70 was substituted by Article 8 of S.I. 1987/167 (N.I. 2) and amended by Article 157 of S.I. 1989/2406 (N.I. 20)
(**c**) S.I. 1986/594 (N.I. 3) to which there are other amendments not relevant to the subject matter of these regulations
(**d**) 1962 c. 7 (N.I.)

Revocation

2. The regulations set out in Schedule 3 are hereby revoked.

Interpretation

3.—(1) In these regulations—

"experience" means experience considered by the Department to be of equivalent professional standard to teaching and to be of value to the teacher in the performance of his duties in the specific post;

"group" in relation to an institution of further education means the group to which the institution of further education is assigned in accordance with regulation 7 and Schedule 1;

"incremental point" means the rate of salary related to any of the points on the scales in Schedule 1;

"institution of further education" means any place in which a board provides facilities for further education;

"part-time teacher" means a teacher who is not a full-time teacher;

"the Order" means the Education and Libraries (Northern Ireland) Order 1986;

"qualified teacher" means a teacher who has been granted recognition under the Further Education General Regulations (Northern Ireland) 1973(**a**);

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Department by an employing authority;

"salary" shall not include any allowance under regulation 9 or any payment under regulation 22(3);

"teacher" means a full-time qualified teacher;

"temporary teacher" means a full-time teacher in respect of whose employment an agreement is not required under Article 70(3) of the Order;

"unqualified teacher" means a teacher who is not a qualified teacher;

"working day" means a day on which an institution of further education is in operation or such other day as the Department may determine to be a working day for the purpose of these regulations;

"1988 Salaries Regulations" means the Further Education Teachers' Salaries Regulations (Northern Ireland) 1988(**b**).

(2) In these regulations, the rates indicated for salaries, allowances and increments are rates per annum.

Application

4. These regulations shall apply to teachers employed in institutions of further education.

(**a**) S.R. & O. (N.I.) 1973 No. 429 as amended by S.R. 1974 No. 108

(**b**) S.R. 1988 No. 84 as amended by S.R. 1988 No. 217, S.R. 1990 No. 259, S.R. 1990 No. 349, S.R. 1991 No. 347 and S.R. 1991 No. 415

PLACING OF TEACHERS ON THE SALARY SCALES

Salaries

5. The scales and range of salaries for lecturers, head of departments, vice-principals and the rates of salary for principals shall be those set out in Schedule 1.

Placing on scales

6. A teacher, other than a principal, shall be placed on the appropriate salary scale and range in accordance with Schedule 2. A principal shall be placed on a fixed salary in accordance with Schedule 2.

Group of institution

7.—(1) The group of any institution of further education for the purpose of placing a principal lecturer, a teacher paid as a head of department and a vice-principal within the appropriate range and salary scale and for the purpose of placing the principal on the appropriate salary rate in Schedule 1 shall be determined by the Department by reference to the full-time equivalent student number count for the previous academic year.

(2) The groups referred to in paragraph (1) shall be as set out in Schedule 1.

Additional qualifications or approved courses

8.—(1) A lecturer who for the first time obtains a qualification or successfully completes a course of training for which an addition would be awarded under sub-paragraph (1), (2) or (3)(*a*) of paragraph 4 of Part II of Schedule 2 were the lecturer being placed under those provisions, shall, subject to paragraph (3), be paid the same addition, as appropriate, to his salary from the date of obtaining the qualification or successful completion of the course subject to the maximum of the lecturer scale not being exceeded.

(2) Subject to paragraphs 2, 5 and 6 of Schedule 1, to paragraph (3) and to the maximum of the appropriate scale not being exceeded a lecturer, senior lecturer or a principal lecturer who for the first time successfully completes an approved course of teacher training shall be awarded one increment from the date of successful completion of the course.

(3) The number of increments on the lecturer scale which a lecturer may receive under sub-paragraphs (1), (2) and (3) of paragraph 4 of Part II of Schedule 2 and under this regulation shall not exceed a total of three increments.

ALLOWANCES

Acting principal, vice-principal, head of department

9. Where a post of principal, vice-principal or head of department is vacant or the holder of such a post is absent for a prolonged period and where the Department has approved the appointment of a teacher to the appropriate post in an acting capacity, the teacher may be paid an allowance of such amount as is necessary to ensure that during the period for which the teacher is

to be paid the allowance, he receives the same rate of salary as he would receive if he had been appointed to the particular post.

INCREMENTS

Award of increments

10.—(1) This regulation shall not apply to a principal.

(2) After a teacher's rate of salary has been determined increments on the scale shall, subject to the Department's approval and these regulations, be granted.

(3) The normal incremental date of a teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 15(1)) shall fall on the first day of a month.

(4) A teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 15(1)) on any of the salary scales set out in Schedule 1 who has no previous service or experience at the date of his appointment shall, subject to satisfactory continuous full-time service, qualify in the following year for the award of his first increment on the first of the month corresponding to that in which he was appointed, provided that at that date his service amounts to at least 11 months and 15 days, but if at that date his service amounts to 11 months and a lesser number of days than 15, the increment will normally become due on the first day of the following month.

(5) Where a teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 15(1)) is placed or replaced on any of the salary scales set out in Schedule 1 and for this purpose his past service and experience is assessed under Schedule 2 the date on which the next complete year of service would be attained shall be calculated and if the following day falls on any of the first fifteen days of a month, his increment shall be awarded from the first day of that month but otherwise from the first day of the following month subject to satisfactory continuous full-time service in the meantime.

(6) Where the aggregate of any periods of absence without pay of a teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 15(1)) from his teaching post in a period of twelve months terminating on his normal incremental date—

(*a*) amounts to fifteen days or less it shall be counted as teaching service for the purpose of the award of increments; or

(*b*) amounts to more than fifteen days but less than thirty days the teacher's incremental date shall be retarded by one month; or

(*c*) amounts to thirty days or more the teacher's incremental date shall be retarded by one month for each complete period of thirty days and by a further month where the residue of the period amounts to more than fifteen days but less than thirty days.

(7) A temporary teacher paid on a daily basis in accordance with regulation 15(1) shall be awarded an increment with effect from the first working day following completion of 190 working days satisfactory service.