1985 No. 304

EDUCATION

Further Education Teachers' Salaries Regulations (Northern Ireland) 1985

Made . . . . . *8th November 1985*

Coming into operation . . . *29th November 1985*

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The Department of Education, in exercise of the powers conferred on it by Articles 57(1) and (4), 58(2) and 125(1) of the Education and Libraries (Northern Ireland) Order 1972(**a**), and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**b**) and of every other power enabling it in that behalf hereby makes the following regulations:

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Further Education Teachers' Salaries Regulations (Northern Ireland) 1985 and shall come into operation on 29th November 1985 and except where otherwise provided shall have effect on and from 1st April 1985.

Revocation

2. The regulations set out in Schedule 4 are hereby revoked.

The Teachers' Compulsory Absence and Special Sick Leave Regulations (Northern Ireland) 1973

3. The Teachers' Compulsory Absence and Special Sick Leave Regulations (Northern Ireland) 1973(**c**) shall cease to have effect on and from 29th November 1985 in so far as they relate to teachers employed in institutions of further education.

Interpretation

4.—(1) In these regulations

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

"the Order" means the Education and Libraries (Northern Ireland) Order 1972;

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

"reorganisation allowance" means a reorganisation allowance payable under the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern

(**a**) S.I. 1972/1263 (N.I. 12); a new Article 57 was substituted by Article 9 of S.I. 1980/1958 (N.I. 16)
(**b**) 1962 c. 7 (N.I.)
(**c**) S.R. & O. (N.I.) 1973 No. 371
(**d**) S.R. & O. (N.I.) 1973 No. 429 as amended by S.R. 1974 No. 108

Ireland) 1976(**a**) or the Institutions of Further Education Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1976(**b**);

"salary" shall not include any allowance under regulation 10, 11 or 12, or any payment under regulation 25(3) or a reorganisation allowance;

"senior post" means a post of a lecturer grade II, senior lecturer, principal lecturer, head of department or vice-principal;

"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 58 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 purposes of these regulations;

"1974 Salaries Regulations" means the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1974(**c**);

"1975 Salaries Regulations" means the Institutions of Further Education Salaries Regulations (Northern Ireland) 1975(**d**);

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

(3) Expressions, other than those in paragraph (1), which have meanings assigned to them by the Further Education General Regulations (Northern Ireland) 1973 shall have the same respective meanings for the purposes of these regulations.

Application

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

Placing of Teachers on the Salary Scales

Salary scales and salary ranges

6. The ranges of salary relating to principals and vice-principals and the scales of salary for lecturers and heads of department shall be those set out in Schedule 1.

Placing on scales

7. A teacher shall be placed on the appropriate salary scale in accordance with Schedule 2.

Group of institution and grading of department

8. The group of any institution of further education for the purpose of placing the principal and vice-principal within the appropriate salary range in Schedule 1 and the grade of any department of an institution of further education for the purpose of placing a head of department on the appropriate salary scale in Schedule 1 shall be determined by the Department.

Additional qualifications or approved courses

9.—(1) A lecturer grade I 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) of paragraph 4 of Part II of Schedule 2 were the teacher being placed under those provisions shall, subject to paragraph (2) be paid the

(a) S.R. 1976 No. 237
(b) S.R. 1976 No. 236
(c) S.R. 1974 No. 134 as amended by S.R. 1974 No. 139; S.R. 1974 No. 220 and S.R. 1974 No. 294
(d) S.R. 1975 No. 72 as amended by S.R. 1975 No. 236

same addition, as appropriate, to his salary from the date of obtaining the qualifications or successful completion of the course subject to the maximum of the lecturer grade I scale not being exceeded.

(2) The number of increments which a lecturer grade I may receive under sub-paragraphs (1) and (2) of paragraph 4 of Part II of Schedule 2 and as an addition payable under this regulation for qualifications covered by sub-paragraphs (1) and (2) shall not exceed a total of four increments.

ALLOWANCES

Acting principal, vice-principal, head of department

10. 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.

Head of department

11.—(1) Where a head of department is appointed to discharge the duties and responsibilities of a vice-principal, he shall receive, in addition to his salary, an allowance not exceeding £1,389.

(2) Where, in an institution of further education in group 5 or higher, departments are grouped into a faculty and a head of department, other than one to whom paragraph (1) applies, exercises co-ordinating responsibilities within the faculty, he may receive, in addition to his salary an allowance not exceeding £1,236.

Lecturer grade I

12. Subject to the provisions of paragraph 2 of Part III of Schedule 2 an allowance payable under regulation 14(1) of the 1974 Salaries Regulations to a lecturer grade I which is still in payment at 31st March 1985 may be continued so long as the lecturer remains in post and carries out the responsibilities which justified the allowance, and such allowance shall be increased to £489.

INCREMENTS

Award of increments

13.—(1) After a teacher's rate of salary has been determined increments on the scale shall, subject to the Department's approval and this regulation, be granted.

(2) The normal incremental date of a teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 18(1)) shall fall on the first day of a month.

(3) A teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 18(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.

(4) Where a teacher (other than a temporary teacher paid on a daily basis in accordance with regulation 18(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.

(5) 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 18(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.

(6) A temporary teacher paid on a daily basis in accordance with regulation 18(1) shall be awarded an increment with effect from the first working day following completion of 190 working days satisfactory service.

(7) An increment may at any time be withheld if a teacher's service is considered by the Department to be unsatisfactory.

(8) If an increment is withheld at any incremental date or at any two or more successive incremental dates and if, at the next following incremental date, the teacher's service is considered by the Department to have reached a satisfactory standard he may be allowed two increments (instead of one increment) on the appropriate scale.

Protections and Special Provisions

Protections

14. Where as a result of a determination under regulation 8 an institution of further education is placed in a group lower than that previously applicable the principal and vice-principal of the institution in service immediately before the institution was placed in a lower group and continuing in post shall receive—

(*a*) an annual salary determined by the Department from the appropriate range of salaries in the group immediately above the lower group for as long as the institution remains in the lower group and, where required,

(*b*) a personal allowance of such amount as may be necessary to ensure that the principal and vice-principal each receive the same rate of salary as was applicable before the determination.

15.—(1) Where as a result of a determination under regulation 8 a department is placed in a grade lower than that previously applicable a head of department who was in post at that time and continuing in the same post shall receive—

(*a*) salary on a scale applicable to the grade immediately above the lower grade for so long as the department remains in that lower grade; and, where required,

(*b*) a personal allowance of such amount as may be necessary to ensure that he receives the same rate of salary as was applicable to him before the determination.