1984 No. 350

EDUCATION

Teachers' Salaries Regulations (Northern Ireland) 1984

Made . . . . . *3rd October 1984*
Coming into operation . . . *30th October 1984*

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The Department of Education, in exercise of the powers conferred on it by Articles 57(1) and (4) 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 Teachers' Salaries Regulations (Northern Ireland) 1984 and shall come into operation on 30th October 1984 and shall have effect on and from 1st April 1984.

Revocation

2. The regulations set out in Schedule 6 are hereby revoked.

Interpretation

3.—(1) In these regulations—

"approved" means approved by the Department;

"employing authority" means a board or, in the case of a school not under the management of a board, the managers of the school;

"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;

"points category" means the points category as determined in accordance with regulation 13;

"qualified teacher" means a teacher who is recognised as a qualified teacher in the school in which he is employed or as a qualified peripatetic or supply teacher;

"recognised" means recognised by the Department;

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

"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 eligible for recognition as a qualified teacher in the school in which he is employed or as a qualified peripatetic or supply teacher;

"working day" means a day on which a school is in operation or such other day as the Department may determine to be a working day for the purposes of these regulations;

"1975 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1975(**c**);

"1981 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1981(**d**).

(**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. 1975 No. 59 as amended by S.R. 1975 No. 267
(**d**) S.R. 1981 No. 103 as amended by S.R. 1982 No. 194; S.R. 1983 No. 157 and S.R. 1983 No. 258

(2) In these regulations—

(*a*) "salary" shall not include any allowance under regulation 18(2), 20, 21 or 22 or a reorganisation allowance payable under the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1976(**a**), and

(*b*) the rates indicated for salaries, allowances and increments are rates per annum.

(3) A grammar school containing a preparatory department in addition to a secondary department shall be regarded as a single school for the purposes of these regulations.

(4) Other expressions to which meanings have been assigned in the Nursery Schools Regulations (Northern Ireland) 1973(**b**), the Nursery Classes in Primary Schools Regulations (Northern Ireland) 1973(**c**), the Primary Schools (General) Regulations (Northern Ireland) 1973(**d**), the Handicapped Pupils and Special Schools Regulations (Northern Ireland) 1973(**e**), the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973(**f**), shall have for the purposes of these regulations the same respective meanings in relation to the schools to which those regulations respectively apply.

Application

4. These regulations shall apply to teachers employed in grant-aided schools and to peripatetic and supply teachers.

Placing of Teachers on the Salary Scales

Salary scales

5. The scales of salaries for teachers shall be those set out in Schedule 1.

Placing on scales

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

Appropriate salary scales

7. The appropriate salary scale—

(*a*) for a principal of a primary or secondary school shall, subject to regulation 9, be determined in accordance with regulation 13 and Part III of Schedule 1, and for a principal of a special school shall, subject to regulation 9, be determined in accordance with regulation 15, Schedule 3 and Part III of Schedule 1;

(*b*) for a vice-principal, second master or second mistress of a primary or secondary school shall, subject to regulation 9, be determined in accordance with regulation 13 and Part II of Schedule 1, and for a vice-principal, second master or second mistress of a special school shall, subject to regulation 9, be determined in accordance with regulation 15, Schedule 3 and Part II of Schedule 1; and

(*c*) for a teacher, other than a principal, vice-principal, second master or second mistress, shall be any of the scales set out in Part I of Schedule 1.

(**a**) S.R. 1976 No. 237
(**b**) S.R. & O. (N.I.) 1973 No. 400, as amended by S.R. 1974 No. 104
(**c**) S.R. &. O. (N.I.) 1973 No. 401
(**d**) S.R. & O. (N.I.) 1973 No. 402, as amended by S.R. 1974 No. 105
(**e**) S.R. & O. (N.I.) 1973 No. 390, as amended by S.R. 1974 No. 81
(**f**) S.R. & O. (N.I.) 1973 No. 403, as amended by S.R. 1974 No. 107; S.R. 1975 No. 183; S.R. 1981 No. 111; S.R. 1982 No. 177; S.R. 1982 No. 196 and S.R. 1983 No. 167

Teachers to be paid on any of the scales 2 to 4, or as senior teachers in primary and secondary schools

8.—(1) The number of teachers in a primary or secondary school who may be paid on any of the scales 2 to 4 shall be determined in accordance with regulation 14.

(2) The number of teachers in a primary or secondary school who may be paid on the senior teacher scale shall be determined in accordance with regulation 14 and sub-paragraphs (*a*) and (*b*).

(*a*) Schools in points categories as determined for purposes of Schedule 1	Number of teachers who shall be paid on the senior teacher scale
2401—3300	1
3301—4600	2
4601 and above	3

(*b*) Where the scale score of the school permits the number of teachers who may be paid on the senior teacher scale, additional to those under sub-paragraph (*a*) may, with the approval of the Department, be increased as follows:

Schools in points categories as determined for purposes of Schedule 1	Number of senior teachers additional to those under sub-paragraph (*a*)
2401—3300	2
3301—4600	2
4601—6000	1
6001 and above	2

(3) Subject to regulation 14(6), the limitation indicated in Schedule 4 as to the scales on which teachers, other than principals, vice-principals, second masters or second mistresses, may be paid shall apply, except that a teacher who is on a scale above the highest scale to which the school is entitled by virtue of its points category shall continue on that scale so long as he continues in the same post.

PRINCIPALS, VICE-PRINCIPALS, SECOND MASTERS AND SECOND MISTRESSES

Salary protection for certain teachers

9.—(1) Where a points category is determined for a primary or secondary school in accordance with regulation 13(1) or 13(2) or a school group is determined for a special school in accordance with regulation 15 and Schedule 3, a principal, vice-principal, second master or second mistress in service at the date from which such points category or school group takes effect and who was employed in the same school in the same capacity immediately preceding such date shall, subject to paragraphs (4), (5) and (6), have his salary safeguarded and shall not be paid on a scale below that on which he was receiving salary immediately prior to such date.

(2) Where, subsequent to the appointment to a school of a vice-principal or a second vice-principal, the points category of such school falls below 151 in the case of the vice-principal or below 2701 in the case of the second vice-principal, such teacher shall, subject to paragraphs (4), (5) and (6), have his salary safeguarded and shall not, for any period during which the points category remains below 151 or 2701 as the case may be, be paid on a scale below that on which he was receiving salary as vice-principal or second vice-principal provided he continues to be employed as a teacher in the same school.