1976 No. 141

EDUCATION

Institutions of Further Education Salaries Regulations (Northern Ireland) 1976

Made . . . . . 28*th April* 1976

Coming into operation . . . 29*th April* 1976

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The Department of Education(a), hereinafter referred to as "the Department", in pursuance of the powers vested in it by Articles 57 and 125 of the Education and Libraries (Northern Ireland) Order 1972(b), hereinafter referred to as "the Order", and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(c) and of all other powers enabling it in that behalf and after consultation with the Department of Finance, hereby makes the following regulations:

INTRODUCTION

Citation and commencement

1. These regulations may be cited as the Institutions of Further Education Salaries Regulations (Northern Ireland) 1976 and shall come into operation on 29th April 1976 and shall have effect from 1st April 1976.

Regulations revoked

2. The following regulations are hereby revoked:
the Institutions of Further Education Salaries Regulations (Northern Ireland) 1975(d).

Definitions

3.—(1) In these regulations—

(*a*) "approved" means approved by the Department for the purposes of the context;

"board" means an education and library board established under Article 3 of the Order;

"compensation allowance" means a compensation allowance payable under the Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(e) or the Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(f) or any regulations superseding these regulations;

(a) Formerly the Ministry of Education; *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) S.I. 1972/1263 (N.I. 12)
(c) 1962 c. 7 (N.I.)
(d) S.R. 1975 No. 72, as amended by S.R. 1975 No. 236
(e) S.R. & O. (N.I.) 1972 No. 31 (p. 142), as amended by S.R. & O. (N.I.) 1972 No. 93 (p. 358)
(f) S.R. & O. (N.I.) 1972 No. 279 (p. 1466)

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

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

"recognised" means recognised by the Department for the purposes of the context;

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

"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(**h**);

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

(*b*) other expressions 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.

(2) In these regulations, except where otherwise provided—

(*a*) "allowance" means an allowance payable under these regulations;

(*b*) "salary" shall not, except where otherwise provided, include any allowance under regulations 10, 11, 12 or 14, or any increase in remuneration under regulation 16, or a compensation allowance; and

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

Application

4.—(1) These regulations shall apply only to teachers employed in recognised institutions of further education.

(2) In the regulations which follow, except where otherwise indicated "teacher" means a full-time qualified teacher.

Establishment and grading

5.—(1) The number of lecturers grade II, senior lecturers, principal lecturers and heads of departments in an institution of further education to be placed on the appropriate salary scales in Schedule 1 shall, in accordance with approved arrangements, be determined or reviewed by the board in whose area the institution is situated.

(2)(*a*) 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

(g) S.R. & O. (N.I.) 1973 No. 429 (II, p. 2594) as amended by S.R. 1974 No. 108 (I, p. 352)

(h) S.R. 1974 No. 134 (I, p. 455), as amended by S.R. 1974 Nos. 139 (I, p. 489), 220 (I, p. 937) and 294 (II, p. 1394)

(*b*) 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 in accordance with approved arrangements.

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 other teachers 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 the provisions of Schedule 2 and Part II of that Schedule shall apply to a teacher who does not come within the provisions of Part I of the Schedule.

Additional qualifications or approved courses

8.—(1) A lecturer grade I who on or after 1st April 1976 for the first time obtains a qualification or successfully completes a course of training for which an addition would be awarded under sub-paragraphs (1), (2) or (3) of paragraph 3 of Part II of Schedule 2 were the teacher being placed under those provisions shall, subject to the provisions of paragraph (2), 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 appropriate scale not being exceeded.

(2) The number of increments which a teacher may receive under the provisions of sub-paragraphs (1) and (2) of paragraph 3 of Part II of Schedule 2 and as an addition payable under this regulation for qualifications covered by the said sub-paragraphs (1) and (2) shall not exceed a total of four increments.

Re-assessment of salary following incorrect placing

9.—(1) Where evidence becomes available that a teacher's placing on the salary scales is incorrect and a re-assessment of his salary is carried out with the result that the rate of salary is to be increased, the revised rate shall, subject to the provisions of paragraph (2), come into operation from a date not earlier than 1st April 1976.

(2) The Department may determine that a revised rate re-assessed under paragraph (1) shall come into operation from a date earlier than 1st April 1976 where it is satisfied that the need for re-assessment did not arise because of the teacher's failure to supply in writing for the purpose of determination of his rate of salary and allowances under the provisions of the regulations which from time to time governed the salaries of teachers in institutions of further education, full and correct information—

(*a*) when the initial assessment was made or within three months thereafter; or

(*b*) at a time when the teacher was replaced for salary purposes following a general revision of teachers' salaries and allowances or within three months thereafter; or

(*c*) at the time of a re-assessment following a break in service or within three months thereafter.

(3) For the purposes of this regulation "salary" includes any allowances properly payable to the teacher under the provisions of the regulations which from time to time governed the salaries of teachers.

ALLOWANCES

Acting principal, vice-principal, head of department

10. Where a post of principal, vice-principal or head of department is vacant or in the prolonged absence of the holder of such a post the Department has considered it reasonable to approve the appointment of a teacher to the appropriate post in an acting capacity, the teacher may be paid an allowance of such amount as the Department may determine subject to the condition that the aggregate of the rates of salary and allowance payable shall not exceed the rate of salary he would receive if he were appointed to the particular post.

Head of Department

11.—(1) Where a head of department is appointed by a board with the approval of the Department to discharge the duties and responsibilities of a vice-principal, he shall receive, in addition to the salary otherwise payable to him, an allowance of such amount not exceeding £651 per annum as the board with the approval of the Department deems appropriate.

(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 the salary otherwise payable to him, an allowance of such amount not exceeding £582 per annum as the board in whose area the institution is situated, with the approval of the Department, deems appropriate.

Additional allowances

12. An allowance of £234 per annum granted under the provisions of regulation 14(1) of the 1974 Salaries Regulations to a lecturer grade I and which is still in payment may be continued so long as he remains in post and carries out the responsibilities which had justified the allowance.

Teachers in receipt of compensation allowances

13. Unless the Department shall approve otherwise, a board shall appoint to any vacant senior post a teacher serving in the institution of further education who is in receipt of a compensation allowance.

Allowances for evening work

14.—(1) Subject to the provisions of this regulation, a teacher shall, in accordance with approved arrangements, be entitled to payments in respect of evening work.

(2) The rate of remuneration for such work shall be £2.57 per hour for each reckonable hour calculated in accordance with the approved arrangements.

(3) Payments shall not by virtue of this regulation be made to a teacher who is paid on a working day basis under the provisions of paragraph (1) of regulation 27 or to a head of department, vice-principal or principal of an institution.