1975 No. 72

EDUCATION

Institutions of Further Education Salaries Regulations (Northern Ireland) 1975

Made . . . . . *24th March* 1975

Coming into operation . . . *24th March* 1975

ARRANGEMENT OF REGULATIONS

INTRODUCTION

1 Citation and commencement
2 Regulations revoked
3 Definitions
4 Application
5 Establishment and grading

PLACING OF TEACHERS ON THE SALARY SCALES

6 Salary scales and salary ranges
7 Corresponding scales
8-12 Teachers in service on 24th May 1974 or at any time from 24th May 1974 to 23rd March 1975
13 Teachers entering or re-entering service on or after certain dates
14 Additional qualifications or approved courses
15 Re-assessment of salary following incorrect placing
16 Award of increments

ALLOWANCES

17 Acting principal, vice-principal, head of department
18 Head of department
19 Additional allowances
20 Teachers in receipt of compensation allowances
21 Allowances for evening work
22 Cost of living allowance

PROTECTIONS AND SPECIAL PROVISIONS

23-24 Protections
25 Discretionary scales
26 Salaries in certain institutions
27 Salaries in certain plural posts

ABSENCES OF TEACHERS

28 Definitions
29 Absence due to illness
30 Absence with salary for other causes
31 Leave with or without salary in certain other instances
32 Credit for periods of absence

MISCELLANEOUS

33 Remuneration of temporary teachers
34 Remuneration of unqualified teachers
35 Remuneration of part-time teachers
36 Safeguarding of salaries

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) 1975 and shall come into operation on 24th March 1975 and except where otherwise provided shall have effect from 24th May 1974.

Regulations revoked

2. The following regulations are hereby revoked:

the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1974(d).

Definitions

3.—(1) In these regulations—

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

"assistant lecturer" means a qualified teacher who held a post as assistant lecturer under the 1974 Salaries Regulations;

"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;

"good honours graduate" means the holder of an approved university degree with first or second class honours or other qualification adjudged by the Department to be equivalent thereto;

"graduate" means the holder of an approved university degree other than a degree with first or second class honours, or other qualification adjudged by the Department to be equivalent thereto;

(a) Formerly the Ministry of Education: *see* 1973 c. 36
(b) S.I. 1972/1263 (N.I. 12)
(c) 1962 c. 7 (N.I.)
(d) S.R. 1974 No. 134, as amended by S.R. 1974 Nos. 139, 220 and 294
(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 and "half incremental point" is the rate of salary midway between two consecutive incremental points;

"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;

(*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 17, 18, 19, 21 or 22 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 I 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 (p. 2594)

(*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.

Corresponding scales

7. The salary scales under these regulations which correspond to the salary scales under the 1974 Salaries Regulations—

(*a*) for an assistant lecturer and for a lecturer grade I under the 1974 Salaries Regulations shall be the lecturer grade I scale; and

(*b*) for lecturer grade II, senior lecturer, principal lecturer and head of department under the 1974 Salaries Regulations shall be the scales appropriate to these posts.

Teachers in service on 24th May 1974 or at any time from 24th May 1974 to 23rd March 1975

8.—(1) A teacher other than a vice-principal or a principal who was in teaching service in an institution of further education at any time during the period 24th May 1974 to 31st August 1974 inclusive shall be placed on the appropriate scale in Schedule 1 which corresponds to the scale on which he was placed under the 1974 Salaries Regulations at the scale point or half point as shown in column (2) of the table in Schedule 2 which corresponds to his incremental position determined under the 1974 Salaries Regulations as shown in column (1) of that table.

(2) A teacher other than a vice-principal or a principal who was in teaching service in an institution of further education at any time during the period 1st September 1974 to 23rd March 1975 inclusive shall be placed on the appropriate scale in Schedule 1 which corresponds to the scale on which he was placed under the 1974 Salaries Regulations at the scale point in column (3) of the table in Schedule 2 which corresponds to his incremental position determined under the 1974 Salaries Regulations as shown in column (1) of that table.

9. A vice-principal or a principal who was in service in an institution of further education on 24th May 1974 or appointed after that date and before 1st March 1975 shall be placed on 24th May 1974 or at the date of appointment or at the date of any subsequent review of the group of the institution as appropriate—

(*a*) at a rate of salary determined by the Department in accordance with approved arrangements in the salary range in Schedule 1 applicable to the group of his institution of further education subject to the provisions of regulation 23, or

(*b*) at a rate of salary equal to the rate plus any compensation allowance which he was receiving on 24th May 1974, or on the date of first appointment where appointed during the period from 24th May 1974 to 28th February 1975 inclusive, increased by 33 per cent in the case of a vice-principal, and by 34 per cent in the case of a principal, rounded up to the next whole pound,

whichever is the higher.

10. A teacher other than a vice-principal or principal who has received an increment on his salary scale under the 1974 Salaries Regulations with effect from a date in the period 24th May 1974 to 23rd March 1975 shall have his rate of salary on the corresponding scale in Schedule 1 determined with effect from the date from which the increment was awarded, on the basis of his incremental position on his scale under the 1974 Salaries Regulations at that date, and shall be placed on the scale under the provisions of the relevant table in Schedule 2, at the point or half point shown in column (2) or column (3), as appropriate, which corresponds to the said incremental position under the 1974 Salaries Regulations as shown in column (1) of the table.

11.—(1) A teacher other than a vice-principal or a principal promoted to a higher scale under the 1974 Salaries Regulations with effect from a date between 24th May 1974 and 23rd March 1975 shall have his rate of salary determined with effect from the date of his promotion, on the scale in Schedule 1 which corresponds to the scale under the 1974 Salaries Regulations to which he was promoted, on the basis of his incremental position at the effective date of his promotion on the scale to which he was promoted under the 1974 Salaries Regulations, and shall be placed on the scale in Schedule 1 under the provisions of the relevant table in Schedule 2 at the point or half point shown in column (2) or column (3), as appropriate, which corresponds to the said incremental position under the 1974 Salaries Regulations as shown in column (1) of the table.

(2) A teacher other than a vice-principal or a principal who has been promoted under the 1974 Salaries Regulations to a higher scale on or after 1st September 1974 and before 24th March 1975 shall, notwithstanding the provisions of paragraph (1) of this regulation, be entitled to have his salary re-assessed as from the date on which his promotion took effect in accordance with the provisions of sub-paragraphs 4(*b*), 5(*d*), 6(*b*), 7(*b*) or 8(*b*) of Schedule 3 as appropriate to the scale to which he was promoted, and if this results in a higher salary than that produced under paragraph (1) of this regulation, he shall be placed on the scale as from the date on which his promotion took effect at this higher rate.

12. A teacher who was promoted to a post between 31st December 1973 and 1st September 1974 on application by the teacher to the board by which he is employed within a period of six months from 31st March 1975 shall with effect from 1st September 1974 have his salary recalculated as though he had been promoted to the post with effect from 1st September 1974 and if this results in a higher salary rate, he shall be placed on the scale as from 1st September 1974 at this higher rate.

Teachers entering or re-entering service on or after certain dates

13.—(1) Subject to the provisions of paragraph (2), a teacher, other than a principal or vice-principal, appointed or re-appointed with effect from a date on or after 24th March 1975, or a principal or vice-principal appointed or re-appointed with effect from a date on or after 1st March 1975, shall be placed on the appropriate salary scale in Schedule 1 in accordance with the provisions of Schedule 3.

(2) A teacher, other than a vice-principal or a principal, who on or after 24th March 1975 is re-appointed in the same capacity as that in which he was employed at any time on or after 1st April 1971 and before 24th March 1975 shall be placed on the appropriate scale set out in Schedule 1 from the date of re-appointment—