1972. No. 245 **[C]**

EDUCATION

Teachers' Salaries and Allowances

REGULATIONS, DATED 27TH SEPTEMBER 1972, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1971.

The Ministry of Education, hereinafter referred to as "the Ministry", on behalf of the Secretary of State, and in pursuance of the powers vested in it by Sections 83 and 112 of the Education Act (Northern Ireland) 1947(a) and of all other powers enabling it in that behalf, and after consultation with the Ministry of Finance, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Teachers' Salaries Amending Regulations (Northern Ireland) 1972.

(2) Except as otherwise provided herein these Regulations shall be deemed to have come into operation on 1st April 1972.

2. The existing Regulations hereby amended are the Teachers' Salaries Regulations (Northern Ireland) 1972(b).

3. The following shall be substituted for Regulations 6 to 11 of the existing Regulations:—

"**6.** A teacher shall be placed on the appropriate salary scale in accordance with the provisions of Schedule 5, and Part II of this Schedule shall apply to a teacher who does not come within the provisions of Part I of the Schedule.

7. The appropriate salary scale:

(*a*) for a principal shall be determined in accordance with Regulation 19 and Part III of Schedule 2;

(*b*) for a vice-principal or second master/mistress shall be determined in accordance with Regulation 19 and Part II of Schedule 2;

(*c*) for an assistant teacher, other than a vice-principal, a second master/mistress, a senior teacher, or a teacher appointed to a post on any of the scales 2 to 5, shall be scale 1.

Teachers appointed to a post on any of the scales 2 to 5 or as senior teachers

8. The number of teachers in a school who may be paid on any of the scales 2 to 5 and on the senior teacher scale shall be determined in accordance with the provisions of Regulation 20, and also, in the case of senior teachers, in accordance with the provisions of Regulation 16A, provided however that:

(*a*) the scale score for primary schools and special schools shall be used in respect of a distribution of posts on scales 2 to 5 as set out in Part I or Part II, as appropriate, of Schedule 3;

(a) 1947. c. 3. (b) S.R. & O. (N.I.) 1972, No. 30.

(*b*) the limitation indicated in Part III of Schedule 3 as to the scales on which assistant teachers, other than vice-principals and second masters/mistresses, in secondary schools may be paid shall apply, provided however that a teacher who at the date of these Regulations 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.

9. Subject to the provisions of these Regulations, and in the case of teachers in primary schools to the provisions of the Primary Schools (General) Regulations (Northern Ireland) 1961, the employing authority may appoint to any of the assistant teacher scales 2 to 5 heads of departments, teachers undertaking special responsibility or special work of an advanced character and other teachers in special circumstances, and shall determine on which of the assistant teacher scales 2 to 5 a teacher shall be placed and the duties which may be attached to each post carrying any such scale.

10. Where a teacher is appointed to a post of senior teacher in accordance with the provisions of these Regulations, the employing authority shall determine the duties which shall be attached to each such post.

11. Unless the Ministry shall approve otherwise, the employing authority of a school shall appoint to a post on one of the scales 2 to 5 where a post on one of these scales has become vacant, a teacher serving in the school who is in receipt of a compensation allowance under the Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(c) or the Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1969(d) or any Regulations superseding those Regulations."

4. The rate of allowance specified in Regulation 13(3)(*a*) of the existing Regulations shall be increased from £125 to £150.

5. To Regulation 16 of the existing Regulations there shall be added:—

"(3) Where a second master or second mistress is in post and subsequently a vice-principal of the same sex as the second master or second mistress is appointed, the second master or second mistress shall continue to be employed in this capacity notwithstanding the provisions of paragraph (2) above."

6. After Regulation 16 of the existing Regulations there shall be inserted the following Regulation:—

"*Senior teachers*

16A. Subject to the provisions of these Regulations, there shall be designated in primary and secondary schools senior teachers as follows:—

(*a*) Schools in points categories 2401-3300 — 1 senior teacher
(*b*) Schools in points categories 3301-4600 — 2 senior teachers
(*c*) Schools in points categories 4601 and above — 3 senior teachers."

(c) S.R. & O. (N.I.) 1972, No. 31.
(d) S.R. & O. (N.I.) 1969, No. 182; 1969, No. 276.

7. For Regulation 17 of the existing Regulations there shall be substituted the following Regulation:—

"**17.** For each triennial period of school years, commencing with the period 1st August 1970 to 31st July 1973, a points average shall be determined, being the average of the points scores determined in each year of the immediately preceding triennial period: provided that if the points average so determined for the triennial period 1st August 1970 to 31st July 1973 is in a lower category than the average of the points scores determined in 1969 and 1970, the latter average shall be the points average for that triennial period."

8. For Regulation 19 of the existing Regulations there shall be substituted the following Regulation:—

"**19.**—(1) The points category for the purposes of Parts II and III of Schedule 2 and for Schedule 3 shall be determined as follows:—

(*a*) For the period 1st April 1972 to 31st July 1973:

(i) in a primary or secondary school, by reference to the points average for the triennial period 1st August 1970 to 31st July 1973 or to the points score for the school year 1969/70 whichever is the greater: provided that if such points average or points score as the case may be is in a lower category than the points average for the triennial period 1st August 1967 to 31st July 1970 the school shall be deemed to be in the next higher category;

(ii) in a special school, by reference to the points score for the school year 1969/70 or to the average of the points scores determined for the school years 1969/70 and 1970/71 whichever is the greater.

(*b*) For the year 1st August 1973 to 31st July 1974:
in the case of a primary, secondary or special school, subject to the provisions of paragraph (2) hereunder by reference to the points average for the triennial period 1st August 1973 to 31st July 1976 or the estimated points score for 1974 whichever is the greater.

(*c*) For the two years 1st August 1974 to 31st July 1976:
in the case of a primary, secondary or special school, subject to the provisions of paragraph (2) hereunder by reference to the points average for the triennial period 1st August 1973 to 31st July 1976 or the points score for 1974 whichever is the greater.

(2) Where a points category determined under paragraph (1)(*b*) or (1)(*c*):

(*a*) in the case of a primary or secondary school is a lower category than the category in which the better of

(i) the points average for the triennial period 1st August 1970 to 31st July 1973 and

(ii) the points score determined for the school year 1969/70

falls, the school shall be deemed to be in the next higher category;

(*b*) in the case of a special school is a lower category than the category in which the better of

(i) the average of the points scores determined for the school years 1969/70 and 1970/71 and

(ii) the points score determined for the school year 1969/70

falls, the school shall be deemed to be in the next higher category.

(3) In the case of a school not recognised in each year of a triennial period, or of a school which has been directly affected by reorganisation, or in such other circumstances as the Ministry may deem proper, the Ministry may determine a points category for any purpose of these Regulations in respect of part or the whole of any triennial period.

(4) Where a fraction occurs in the points average or the points score as the case may be which is used to determine the points category, a fraction of one-half or more than one-half shall be counted as a unit, and a fraction of less than one-half shall not be counted."

9. In Regulation 20 of the existing Regulations—

(*a*) the following shall be inserted at the end of paragraph (2):
"each teacher on the senior teacher scale shall count 4";

(*b*) the words "or on the senior teacher scale" shall be inserted between "scales" and "shall" in paragraph (4);

(*c*) the words "or on the senior teacher scale" shall be inserted between "scales 2 to 5" and "until" in paragraph (5);

(*d*) the date "31st July 1973" shall be substituted for "31st July 1972" where it occurs in the proviso to paragraph (5);

(*e*) the proviso to paragraph (5) shall be extended by the addition of the following:—

", and where an appointment is made under this proviso, the limitation indicated in Part III of Schedule 3 as to the scales on which assistant teachers other than vice-principals and second masters/mistresses may be paid, may be waived where it is necessary to do so;"

(*f*) the following additional proviso shall be added to paragraph (5):
"Provided also that, subject to the provisions of paragraph (4), a teacher may be promoted to the senior teacher scale on the understanding that such promotion does not cause the aggregate of scale score points being used for posts in the school to be exceeded."

10. The rate of allowance where specified in Regulation 21 of the existing Regulations shall be increased from £160 to £175.

11. To Regulation 23 of the existing Regulations there shall be added:—

"(*c*) A teacher appointed on any of the salary scales set out in Schedule 2 after the date of these Regulations who has no previous service or experience at the date of 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;

(*d*) the first fifteen days of the aggregate of any periods of absence without pay of a teacher from his teaching post in a period of twelve months terminating on his normal incremental date shall be counted as teaching service for the purpose of the award of increments."

12. The minimum rate of remuneration specified in Regulation 29 of the existing Regulations shall be increased from £775 to £850.

13. The rate of salary specified in Regulation 30(1) of the existing Regulations shall be increased from £1055 to £1179.

14. To Regulation 31 of the existing Regulations there shall be added:—

"(5) A temporary teacher to whom in respect of any period of service remuneration is paid on a daily basis in accordance with the provisions of paragraph (1):

(*a*) shall have his rate of salary determined on 1st April 1973 and on each subsequent 1st April if employed on that day, or at the date of first employment after each 1st April, and the rate so determined shall, notwithstanding the provisions of these Regulations, be the teacher's rate of salary for any periods of service until the following 31st March, and

(*b*) shall if in service on the date of these Regulations have his rate of salary determined at that date or at the date of first employment thereafter before 1st April 1973, and the rate so determined shall, notwithstanding the provisions of these Regulations, be the teacher's rate of salary for any periods of service until 31st March 1973."

15. The rate per hour specified in Regulation 32 of the existing Regulations shall with effect from 1st September 1972 be increased from £1.00 to £1.25.

16. A teacher who on or after 1st April 1972 has been placed on any of the scales set out in Schedule 2 and who subsequently obtains for the first time any of the qualifications or satisfactorily completes an approved course of study which would have entitled him to a higher salary were he then being placed on scale 1 shall have his rate of salary from the date of obtaining the qualification or the completion of such course

(1) re-calculated in accordance with the terms of paragraph 1 of Part II of Schedule 5 in the case of a teacher on scale 1; or

(2) increased by:

(*a*) £78 where the qualification or course would entitle the teacher to this amount were he an assistant teacher being placed on scale 1 in accordance with the terms of paragraph 1 of Part II of Schedule 5;

(*b*) £156 where a teacher, other than a teacher to whom (*c*) or (*d*) hereunder applies, has obtained an approved university degree or other qualification adjudged by the Ministry to be equivalent thereto;

(*c*) £312 where a teacher, other than a teacher to whom (*d*) hereunder applies, has obtained an approved university degree with first or second class honours, or other qualification adjudged by the Ministry to be equivalent thereto;

(*d*) £156 where the teacher, already being the holder of an approved university degree or other approved equivalent qualification not accepted as a degree or equivalent qualification of first or second class honours standard, has obtained an approved university degree with first or second class honours or other qualification adjudged by the Ministry to be equivalent thereto,

in the case of a teacher on scale 2 or a higher scale, subject to the maximum of the scale not being exceeded.