1972. No. 211 **[C]**

EDUCATION

Institutions of Further Education: Teachers' Salaries and Allowances

REGULATIONS, DATED 30TH AUGUST 1972, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1971.

ARRANGEMENT OF REGULATIONS

INTRODUCTION

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

SALARIES AND INCREMENTS

6. Salary scales
7. Scale placing
8. Re-assessment of salary following incorrect placing
9. Rate of salary
10. Award of annual increments

ALLOWANCES

11. Acting principal, vice-principal, head of department
12. Head of department
13. Additional allowances
14. Teachers in receipt of compensation allowances
15. Allowances for evening work

ABSENCE OF TEACHERS

16. Definitions
17. Absences due to illness
18. Absence for other causes
19. Leave for other purposes
20. Credit for periods of absence

MISCELLANEOUS

21. Remuneration of temporary teachers
22. Remuneration of unqualified teachers
23. Payment of salaries
24. Remuneration of part-time teachers
25. Expenses
26. Safeguarding of salaries

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

INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1972 No. 2 and shall be deemed to have come into operation on 1st April 1972.

Regulations revoked

2. The following Regulations are hereby revoked:

the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1972(b).

Definitions

3.—(1) In these Regulations:

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

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

"qualified teacher" means a teacher who has been granted recognition under the Further Education (Grant Conditions) Regulations (Northern Ireland) 1963(c);

"unqualified teacher" means a teacher who is not a qualified teacher;

"temporary teacher" means a full-time teacher in respect of whose employment an agreement is not required under Section 84 of the Act;

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

"assistant lecturer" means a qualified teacher who does not hold a senior post or a post as a principal;

"working day" means a day on which an institution is in operation or such other day as the Ministry may determine to be a working day for the purposes of these Regulations;

"compensation allowance" means a compensation allowance payable under the Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(d) or the Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1969(e) or any Regulations superseding these Regulations;

(*b*) other expressions which have meanings assigned to them by the Further Education (Grant Conditions) Regulations (Northern Ireland) 1963 shall have the same respective meanings for the purposes of these Regulations.

(a) 1947. c. 3.
(b) S.R. & O. (N.I.) 1972, No. 132.
(c) S.R. & O. (N.I.) 1963, No. 210; 1966, No. 207; 1967, Nos. 183 and 189.
(d) S.R. & O. (N.I.) 1972, No. 31; 1972, No. 93.
(e) S.R. & O. (N.I.) 1969, No. 182; 1969, No.276.

(2) In these Regulations, except where otherwise provided,

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

(*b*) "salary" shall not include any allowances payable under Regulations 11, 12, 13 and 15 or a compensation allowance; and

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

Application

4. Except as otherwise provided, these Regulations shall apply only to full-time qualified teachers employed in recognised institutions of further education.

Establishment and Grading

5. The establishment of senior posts, the group of any institution and the grade of any department in an institution shall be determined or reviewed by the local education authority in accordance with approved arrangements.

Salary scales

6. The scales of salaries for teachers shall be those set out in Schedule I.

Scale placing

7.—(1) A teacher who on 1st April 1972 was in service in an institution of further education (and had been immediately before that date) shall from that date enter the scale prescribed in Schedule I of these Regulations corresponding to his scale under the Regulations in force immediately before that date, at the corresponding position on the scale, subject to the maximum of the scale not being exceeded.

(2) Teachers not in service on 31st March 1972 shall be placed on the appropriate salary scale in accordance with the provisions of Schedule II.

Re-assessment of salary following incorrect placing

8.—(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 come into operation from a date not earlier than 1st April 1972:

Provided that the Ministry may determine otherwise 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.

(2) For the purposes of this Regulation "salary" includes any allowances payable under Regulations 11, 12 and 13.

Rate of salary

9. When a teacher's salary has been determined as provided elsewhere in these Regulations, the amount thus determined shall where necessary be rounded to the nearest whole pound, an amount of 50p being rounded up.

Award of annual increments

10. After a teacher's rate of salary has been determined subsequent increments in the scale shall be granted in accordance with approved arrangements:

Provided that

(*a*) the Ministry may at any time withhold an increment or require it to be withheld if a teacher's service, in the judgment of the Ministry, does not reach a satisfactory standard;

(*b*) 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 has, in the judgment of the Ministry reached a satisfactory standard he may at the discretion of the Ministry be allowed two increments (instead of one increment) in the appropriate scale;

(*c*) a teacher appointed on any of the salary scales set out in Schedule 1 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 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 15 days of the aggregate of any periods of absence without pay of a teacher 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.

ALLOWANCES

Acting principal, vice-principal, head of department

11. If 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 Ministry may approve the appointment of a teacher to the appropriate post in an acting capacity and the teacher shall be paid an allowance of such amount as the Ministry may determine:

Provided that the aggregate of salary and allowances payable shall not exceed the rate of salary he would receive if he were appointed to the particular post.

Head of department

12.—(1) Where a head of department is appointed by the local education authority with the approval of the Ministry 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 as the authority with the approval of the Ministry deems appropriate: Provided that such an allowance shall not exceed £430 per annum.

(2) Where, in an institution in group 7 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 shall receive, in addition to the salary otherwise payable to him, an allowance of such amount as the local education authority with the approval of the Ministry deems appropriate not exceeding £375.

Additional allowances

13.—(1) A local education authority may in accordance with arrangements approved by the Ministry award to a lecturer grade I an allowance of £220 per annum in respect of responsibilities of a supervisory or administrative nature.

(2) An allowance made under the provision of Regulation 17(1) of the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1965(f) to an assistant lecturer may be continued so long as he remains in the post. The amount of the allowance shall be £145 per annum.

Teachers in receipt of compensation allowances

14. Unless the Ministry shall approve otherwise, a local education authority shall

(*a*) appoint to any vacant senior post a teacher serving in the institution who is in receipt of a compensation allowance;

(*b*) award an allowance under paragraph (1) of Regulation 13 to a lecturer grade I serving in the institution who is in receipt of a compensation allowance before making such an award to any other lecturer grade I serving in the institution.

Allowances for evening work

15.—(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 £1.65 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 remunerated on a daily basis under the provisions of paragraph (1) of Regulation 21 or to a head of department, vice-principal or principal of an institution.

ABSENCES OF TEACHERS

Definitions

16. In Regulations 17 and 18:

"teacher" means a teacher in respect of whose employment an agreement is required under Section 84 of the Act;

"temporary teacher" means a teacher who in accordance with paragraph (2) of Regulation 21 is paid salary as though he was employed in a permanent capacity; and

"salary" includes any allowances to which the teacher is entitled under Regulations 11, 12 and 13 and a compensation allowance.

(f) S.R. & O. (N.I.) 1965, No. 280.