1972. No. 30 [C]

EDUCATION

Teachers' Salaries and Allowances

REGULATIONS, DATED 14TH FEBRUARY 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

PLACING OF TEACHERS ON THE SALARY SCALES

5. Salary scales
6. Existing teachers
7. Teachers other than existing teachers
8 to 11. Teachers appointed to a post on any of the scales 2 to 5
12. Rate of salary

PRINCIPALS

13. Additional provisions relating to scales and allowances

VICE-PRINCIPALS AND SECOND MASTERS/MISTRESSES

14. Definition
15. Posts of vice-principal
16. Posts of second master or second mistress

POINTS AVERAGE, POINTS SCORE, POINTS CATEGORY, SCALE SCORE

17. Points average
18. Determination of points score
19. Points category
20. Scale scores

ALLOWANCES

21. Allowance for teachers of handicapped pupils
22. Acting allowances

INCREMENTS

23. Award of increments
24. Credit for periods of absence

ABSENCES OF TEACHERS

25. Definitions
26. Absence due to illness
27. Absence for other causes
28. Leave for other purposes

UNQUALIFIED TEACHERS

29. Minimum salary
30. Appointed in primary schools before 1st January 1947

TEMPORARY TEACHERS

31. Remuneration

PART-TIME TEACHERS

32. Remuneration

MISCELLANEOUS

33. Re-assessment of salary following incorrect placing
34. Deductions for board and lodging
35. Deductions for compensation awarded under the Government of Ireland Act
36. Safeguarding of existing salaries
37. Payment of salaries

The Ministry of Education, hereinafter called "the Ministry", 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 all other powers 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 Teachers' Salaries Regulations (Northern Ireland) 1972 and shall be deemed to have come into operation on 1st April 1971.

Regulations revoked

2. The Regulations set out in Schedule 7 are hereby revoked.

Definitions

3.—(1) In these Regulations

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

"assistant teacher" means a qualified teacher who is not a principal;

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

(a) 1947. c. 3.

"existing teacher" means an assistant teacher or a principal who was in full-time service in a recognised school on 1st April 1971;

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

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

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Ministry by the local education authority or the managers of a school or schools;

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

"unqualified teacher" means a teacher who is not eligible for recognition as a qualified teacher in the school in which he is employed;

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

"1969 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1969(**b**);

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

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

(*b*) "salary" shall not, except in Regulations 26 to 28 and 31, include any allowance under Regulations 21 or 22 or compensation allowances payable under the Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(**c**) or any Regulations superseding those Regulations; and

(*c*) the rates indicated for salaries and allowances 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) 1948(**d**), the Nursery Classes in Primary Schools Regulations (Northern Ireland) 1956(**e**), the Primary Schools (General) Regulations (Northern Ireland) 1961(**f**), the Handicapped Pupils and Special Schools Regulations (Northern Ireland) 1957(**g**), the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1965(**h**), shall have for the purposes of these Regulations the same respective meanings in relation to the schools to which those Regulations respectively apply.

(**b**) S.R. & O. (N.I.) 1969, No. 183; 1970, No. 86; 1970, No. 148; 1971, No. 306.
(**c**) S.R. & O. (N.I.) 1972, No. 31.
(**d**) S.R. & O. (N.I.) 1948, No. 97; 1951, No. 83; 1953, No. 12; 1953, No. 90; 1962, No. 228; 1963, No. 47; 1964, No. 124; 1965, No. 93; 1967, No. 193; 1969, No. 93.
(**e**) S.R. & O. (N.I.) 1956, No. 69; 1969, No. 95.
(**f**) S.R. & O. (N.I.) 1961, No. 104; 1962, No. 12; 1962, No. 230; 1963, No. 48; 1964, No. 123; 1965, No. 39; 1965, No. 65; 1966, No. 120; 1966, No. 157; 1967, No. 192; 1968, No. 185; 1969, No. 179.
(**g**) S.R. & O. (N.I.) 1957, No. 153; 1959, No. 83; 1961, No. 154; 1962, No. 232; 1963, No. 49; 1965, No. 136; 1967, No. 190.
(**h**) S.R. & O. (N.I.) 1965, No. 64; 1966, No. 49; 1966, No. 121; 1966, No. 156; 1967, No. 191; 1967, No. 316; 1968, No. 149; 1968, No. 178; 1969, No. 178; 1970, No. 149.

Application

4.—(1) These Regulations shall apply to teachers employed in grant-aided schools other than technical intermediate schools.

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

PLACING OF TEACHERS ON THE SALARY SCALES

Salary scales

5. The scales of salaries for teachers shall be those set out in Schedule 2.

Existing teachers

6. An existing teacher shall be placed on the appropriate scale as set out in Schedule 4 in accordance with the provisions of Part I of Schedule 5, provided that an existing teacher appointed on or after 1st January 1972 as a second vice-principal, second master/mistress or to any of the scales 2 to 5, or an existing teacher, other than one to whom paragraph 12 of Part I of Schedule 5 applies, who is re-appointed after the date of these Regulations, shall be placed on the appropriate scale in accordance with Part II of Schedule 5.

Teachers other than existing teachers

7. A teacher other than an existing teacher shall be placed on the appropriate salary scale in accordance with the provisions of Part II of Schedule 5 subject to the following:—

(1) the scale of salary of a principal shall be determined in accordance with Regulation 19 and Part III of Schedule 2;

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

(3) the scale of salary of a teacher who at any time after 1st April 1971 held a graded allowance awarded under the 1969 Salaries Regulations shall be the same scale as that on which an existing teacher would have been placed by virtue of holding a graded allowance of the same value;

(4) subject to the provisions of sub-paragraph (3) of this paragraph an assistant teacher, other than a vice-principal or second master/mistress, who has not been appointed to a post on any of the scales 2 to 5 shall be paid on scale 1.

Teachers appointed to a post on any of the scales 2 to 5

8. Without prejudice to the power of an employing authority to appoint subject to the provisions of these Regulations other teachers in special circumstances to any of the assistant teacher scales 2 to 5, the teachers who may be appointed to any of these scales shall include heads of departments and teachers undertaking special responsibility or special work of an advanced character.

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 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. 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 or the Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1969(i) or any Regulations superseding those Regulations.

11. The number of teachers in a school who may be paid on any of the scales 2 to 5 shall be determined in accordance with the provisions of Regulation 20 in relation to scale scores, and

(1) 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;

(2) 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.

Rate of salary

12. When a teacher's rate of 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.

PRINCIPALS

Additional provisions relating to scales and allowances

13.—(1) If a teacher in a primary school holds a principalship for which he is eligible under the Primary Schools (General) Regulations (Northern Ireland) 1961 and the enrolment of the school increases so as to warrant the raising of the grade of the principalship to a grade for recognition in which the teacher is not as yet eligible under the said Regulations, the teacher shall nevertheless be entitled to be placed on the higher scale and, if he is employed in a permanent capacity, to remain so employed.

(2) The scales for principals of primary schools shall apply also to superintendent teachers in nursery schools.

(3) Subject to the provisions of Regulation 29 an unqualified teacher serving as principal—

(*a*) in a primary school, shall receive in addition to his salary under Regulation 29 or 30(1) an allowance of £125,

(*b*) in a special school, shall receive in addition to his salary under Regulation 29 an allowance of such amount as the Ministry may approve.

VICE-PRINCIPALS AND SECOND MASTERS/MISTRESSES

Definition

14. For the purposes of Regulation 15 and 16 'points category' means the points category as determined in accordance with Regulation 19.

(i) S.R. & O. (N.I.) 1969, No. 182; 1969, No. 276.