Further Education (Grant Conditions)

REGULATIONS DATED 23RD MARCH, 1948, MADE BY THE MINISTRY OF EDUCATION, UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947, AND OTHER ENACTMENTS, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

1948. No. 62.

The Ministry of Education (hereinafter referred to as " the Ministry") in pursuance of the powers vested in it by Sections 104 and 112 of the Education Act (Northern Ireland), 1947, (hereinafter referred to as " the Act ") and by Section 6 of the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939, and of all other powers enabling it in that behalf, with the approval of the Ministry of Finance, hereby makes the following Regulations :—

Introductory

1. For the purposes of these Regulations, unless the context requires otherwise :—

" approved " means approved by the Ministry for the purposes to which the context relates ;

" recognised " means recognised by the Ministry for the purposes of these Regulations ;

" educational year " means the year beginning with 1st August ;

" institution " means an Institution of Further Education ;

other expressions which have meanings assigned to them by the Act shall have the same respective meanings for the purposes of these Regulations.

2. These Regulations prescribe the conditions for the recognition of expenditure by a local education authority or the Queen's University Joint Committee for Adult Education in respect of facilities for further education in any institution affording to persons over compulsory school age full-time or part-time education or leisure-time occupation in organised cultural training or recreative activities or other approved facilities for further education.

Conditions applicable to local education authorities

3. In order to be recognised, an institution shall comply with the requirements imposed thereon by, or under, the Act, and if it does not comply recognition may be withdrawn.

4. Every institution shall be kept on a satisfactory level of efficiency and shall be open to inspection by officers of the Ministry.

5. Such registers or records shall be kept and such information and returns shall be furnished from time to time as the Ministry may require.

6. All time-tables and courses of study shall be subject to the approval of the Ministry.

7. Arrangements for the charging of fees, together with the rates of fees proposed, shall be submitted for the approval of the Ministry.

8. Every institution under the control of a local education authority shall be organised with due regard to the circumstances and needs of the locality which it is intended to serve and shall be suitably co-ordinated with other institutions either in the area of the local education authority or in adjacent areas.

9. In every institution controlled by a local education authority in which provision is made for technical, commercial or art education, the Ministry will require to be satisfied that appropriate arrangements have been made for consultation and co-operation with organisations representing industry and commerce.

10. The number of students under instruction together by one teacher shall not, without the sanction of the Ministry, exceed

(*a*) 30 for a lesson in mechanical drawing in any of its various forms ;

(*b*) 20 for a practical lesson ;

(*c*) 40 for any other lesson :

Provided that if a class assistant whose qualifications are accepted by the Ministry be present the number may be increased to 30 for a practical lesson, and to 45 for a lesson in mechanical drawing.

Conditions applicable to teachers employed in institutions of further education under the control of local education authorities

11.—(1) A full-time teacher is —

(*a*) the principal of one or more institutions ; or

(*b*) the vice-principal and the head of a Department of the Belfast Municipal College of Technology ; or

(*c*) a teacher teaching classes approved by the Ministry for not less than 20 hours weekly ; provided that the Ministry shall have the power at its discretion, after consideration of the particular circumstances, to decide —

(i) that a teacher so employed is a full-time teacher notwithstanding that he is teaching for less than the aforesaid 20 hours ; or

(ii) that a teacher who is required for limited periods, to teach for not less than the aforesaid 20 hours shall not be a full-time teacher within the meaning of this Regulation.

(2) A part-time teacher is a teacher who is not a full-time teacher.

12. In order to be eligible for appointment a teacher must possess the necessary qualifications in accordance with Schedule I to these Regulations.

13. Every full-time teacher (including a substitute teacher) will be required to satisfy the Ministry of his health and physical capacity for teaching.

14. Where the local education authority desires that a teacher shall give instruction in a subject or subjects in which he has not been granted recognition the Ministry may sanction such an arrangement, subject to any conditions which the Ministry may consider necessary.

15. Where the Ministry is satisfied that a local education authority is unable to secure the services of a teacher who complies with the conditions necessary for recognition under these Regulations the appointment of a person who is not eligible for recognition may be sanctioned and such person may be permitted to teach for a limited period.

16. A teacher shall not engage in any activities which, in the opinion of the local education authority or of the Ministry, would interfere with the proper discharge of his duties as a teacher.

17. A teacher shall not be employed before he attains the age of 20 years or after he attains the age of 65 years except for limited periods in cases where there are special circumstances and with the approval of the Ministry.

18. A teacher shall be regarded as being on probation for not less than two complete years' service in the institution and, while on probation, his recognition will be provisional :

Provided that the Ministry may waive part of, or the whole of, the probationary period in the case of teachers who have had teaching experience in approved institutions or schools and who produce satisfactory evidence of efficiency.

19.—(1) The Ministry's Inspectors and (if the probationer is not himself a principal) the principal of each institution in which the teacher on probation is engaged shall report to the Ministry at the end of each year of probationary service upon the manner in which the teacher has discharged his duties and upon his fitness for continued recognition :

(2) After consideration of the reports furnished under the provisions of this Regulation, the Ministry shall decide whether to confirm recognition, to extend the probationary period, or to refuse recognition.

20. The Ministry may, before confirming recognition, or at any time as a condition of continued recognition, require a teacher to attend

further courses of study and to pass such examinations as it may determine.

21. The Ministry may on grounds of misconduct or inefficiency refuse or withdraw recognition.

Salaries of teachers in institutions under the control of local education authorities

22.—(1) The scales of salary and allowances for teachers in institutions under the management of local education authorities and the conditions for admission to such scales of salaries and for the granting of such allowances shall be those which are prescribed from time to time by the Ministry and it shall be a condition for the payment of any grant from the Ministry under Section 104 of the Act in respect of an institution that the teachers shall be remunerated at the appropriate rates determined in accordance therewith.

(2) The contributions payable by a teacher under the Superannuation Scheme shall be deducted from the salary of the teacher and shall be paid forthwith by the local education authority to the Ministry.

23.—(1) Subject to the provisions of the following paragraphs of this Regulation a teacher shall remain on the commencing salary of the appropriate scale until he has satisfactorily completed his period of probation.

(2) A teacher may be given credit for incremental purposes in respect of any period of approved industrial or commercial experience or of time spent in approved professional or research work, after the teacher attained the age of 21 years as if it were teaching service, but no part of the aforesaid period, which has been reckoned for the purposes of the admission of the teacher to one of the Salary Scales, shall also be reckoned for the purposes of the award of increments.

(3) In order to be eligible for credit under the provisions of paragraph (2) of this regulation, a teacher shall be engaged in teaching classes in institutions of further education for at least six hours per week ; provided that the Ministry may, at its discretion regard a teacher who for limited periods in the educational year, is teaching the said classes for less than the aforesaid six hours as satisfying the requirements of this paragraph.

(4) The provisions of paragraph (2) of this Regulation shall not apply to —

(*a*) Principals of institutions ; or

(*b*) the Vice-principal, Head of Department or Senior Lecturer of the College of Technology, Belfast.

(5) A person who before becoming employed in contributing service has undertaken war service as defined by the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939, and who becomes employed in contributing service before 1st April, 1951,

may be given credit for incremental purposes in accordance with the appropriate salary Scale as from the date of entering contributing service in respect of any complete years of war service as if it had been teaching service, but no further increments shall be awarded until the teacher has satisfactorily completed his period of probation. For the purposes of this paragraph war service given by a person before attaining the age of eighteen years shall not be reckoned.

24. Subject to the provisions of Regulation 23 of these Regulations, a full-time teacher shall be placed at the point on the salary scale applicable to him under Schedule II to these Regulations and shall receive credit for approved teaching service as if the scale had been in operation throughout the period of his service as a teacher :

Provided that —

(*a*) a person who is employed as —

(i) a principal ; or

(ii) the Vice-principal, a Head of Department, or a Senior Lecturer in the College of Technology, Belfast,

shall be placed on the appropriate scale at the point he would have reached if the scale had been in operation throughout the full period of any service given by him and adjudged by the Ministry to have been equivalent in importance and responsibility to the post in respect of which he is being placed on one of the salary scales ;

(*b*) a teacher to whom paragraph (5) of Regulation 23 applies may, on satisfactory completion of his probationary period, be re-placed as from the date of entering contributing service as if he had completed his probationary period on the date on which he would have done so if his war service had been teaching service ;

(*c*) a teacher shall not be placed on the scale of salary at the point which would be appropriate in view of his past service unless the Ministry is satisfied as to his efficiency.

25. After a teacher's rate of salary has been determined in accordance with the provisions of these Regulations, subsequent increments in the scale shall be granted annually on the teacher's normal incremental date :

Provided that the Ministry may require that one or more increments in respect of any teacher shall be withheld or withdrawn if, in the judgement of the Ministry, such increments are not deserved either on account of inefficiencey or for any other reason.

Leave of absence from duty

26.—(1) A teacher shall, subject to these Regulations, be entitled while absent owing to illness to receive full salary for a period not exceeding six months and thereafter half-pay for a further period not