

1991 No. 256**EDUCATION****Teachers' Salaries (Amendment No. 2) Regulations
(Northern Ireland) 1991**

Made 19th June 1991

Coming into operation 28th June 1991

The Department of Education, in exercise of the powers conferred on it by Articles 69(1) and (2) and (3)(a), 70(1)(b)(b) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(c), and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(d) and of every other power enabling it in that behalf, after consultation in accordance with Article 69(5)(a) of the Education and Libraries (Northern Ireland) Order 1986(c) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Teachers' Salaries (Amendment No. 2) Regulations (Northern Ireland) 1991 and shall come into operation on 28th June 1991 and except where otherwise provided shall have effect on and from 1st April 1991.

Amendment of Teachers' Salaries Regulations (Northern Ireland) 1987

2. The Teachers' Salaries Regulations (Northern Ireland) 1987(e) shall be amended as provided in regulations 3 to 15.

3. In regulation 3(1) (interpretation)—

(i) after the definition of "the Order" there shall be inserted —
" "part-time teacher" means a qualified teacher who is not full-time;"

(ii) after the definition of "recognised" there shall be inserted—
" "relevant body" means—

(a) in the case of a school without a delegated budget, the employing authority; and

(b) in the case of a school which has a delegated budget, the Board of Governors of the school;

(a) Article 69 was substituted by Article 166 of and Schedule 9 to S.I. 1989/2406 (N.I. 20)
 (b) Article 70 was substituted by Article 8 of S.I. 1987/167 (N.I. 2) and amended by Article 157 of S.I. 1989/2406 (N.I. 20)
 (c) S.I. 1986/594 (N.I. 3) to which there are other amendments not relevant to the subject matter of these Regulations
 (d) 1962 c. 7 (N.I.)
 (e) S.R. 1987 No. 384 as amended by S.R. 1988 No. 304, S.R. 1989 No. 275, S.R. 1990 No. 270 and S.R. 1991 No. 16

and any reference to a school which has a delegated budget shall be construed in accordance with Article 50 of the Education Reform (Northern Ireland) Order 1989(a);”.

4. For the table in regulation 7 (salary of principals) there shall be substituted the following table—

<i>“Primary and Secondary School Group</i>	<i>Special School Group</i>	<i>Salary</i>
(1)	(2)	(3)
		£
1		20,640
2		21,285
3		21,930
4	3(S)	22,575
5	4(S)	23,544
6	5(S)	25,155
7	6(S)	26,661
8	7(S)	28,380
9	8(S)	30,210
10	9(S)	32,361
11		34,725
12		36,981
13		38,487
14		40,746”

5. For the table in regulation 8 (salary of vice-principals) there shall be substituted the following table—

<i>“Primary and Secondary School Group</i>	<i>Special School Group</i>	<i>Salary</i>
(1)	(2)	(3)
		£
Below 4		19,674
4	3(S)	19,995
5	4(S)	20,640
6	5(S)	20,964
7	6(S)	21,609
8	7(S)	22,575
9	8(S)	23,865
10	9(S)	25,155
11		26,232
12		27,522
13		28,812
14		29,670”

6. For the table in regulation 9 (standard scale for all teachers except principals and vice-principals) there shall be substituted the following table—

<i>“Scale Point (as at 31st March 1991)”</i>	<i>New Scale Point</i>	<i>Annual Salary</i>
		£
1	1	10,212
2	1	10,212
3	2	10,752
4	3	11,292
5	4	11,832
6	5	12,639
7	6	13,446
8	7	14,253
9	8	15,060
10	9	16,134
11	10	17,208”

7. In regulation 10 (promotion allowances for teachers other than principals and vice-principals)—

(a) for paragraph (3) there shall be substituted—

“(3) Subject to the provisions of this regulation and of paragraph 4 of Schedule 1 the relevant body may determine that a promotion allowance at one of the above rates shall be paid to a teacher in a primary or secondary school.”;

(b) in paragraph (4)(b) the words “with the approval of the Department” and “or who is responsible for remedial education in a primary or secondary school” shall be omitted;

(c) in paragraph (6) for “employing authority” there shall be substituted “relevant body”;

(d) in paragraphs (6) and (7) for the words “paragraph 3(2) of Schedule 3” there shall be substituted the words “paragraph 2(2) of Schedule 3”.

8. In regulation 12 (teachers of blind and deaf children) for “£597” there shall be substituted “£642”.

9. In regulation 16 (part-time teachers: payment)—

(i) In paragraph (1)(b) for “£7·48” there shall be substituted “£8·04”;

(ii) In paragraph (2) for “£9·64” there shall be substituted “£10·36”;

(iii) In paragraph (5) for “£9·64” there shall be substituted “£10·36”.

10. In regulation 17 (mimimum salary for unqualified teachers) for “£6,948” there shall be substituted “£7,470”.

11. With effect on and from 1st August 1991, in regulation 20 (absences for other causes) for "his employing authority" there shall be substituted "the relevant body".

12. In regulation 22 (transitional provisions)—

- (a) for the words "31st December 1990", wherever they occur, there shall be substituted "31st March 1991";
- (b) paragraph (4) is hereby revoked.

13. In Schedule 1 (groups, unit totals, promotion allowances and provisions for principals and vice-principals)—

- (a) in Part I in paragraph 3(2) for the words "shall be determined by the Department within the limits specified in column (3) of the table" there shall be substituted "shall be determined by the relevant body within the limits specified in the table in Annex A";
- (b) in Part I for paragraph 4 (promotion allowances) there shall be substituted—

"Promotion allowances

4.—(1) Subject to sub-paragraphs (2) to (4) and to paragraph 2(2) of Schedule 3, the maximum rate of promotion allowance and, where appropriate, the number of such maximum rate allowances which may be paid in a school which has been assigned to a group specified in column (2) of the Table are set out opposite thereto in column (4) of the Table.

(2) The limits shown in column (4) of the Table may be increased where the relevant body is of the opinion that the staffing and organisational needs of the school cannot be met within the limits prescribed and in forming this opinion it shall have regard in particular, but not exclusively, to—

- (i) whether the school is a secondary school in a group below group 9;
- (ii) the difficulties of recruiting and retaining teachers to serve in the school;
- (iii) the proportion of children in the school belonging to families receiving income support.

(3)(a) A teacher may be paid a promotion allowance at a rate for which no provision is made in the Table for the relevant group if—

- (i) the difference between (a) the sum of that allowance and the maximum of the standard scale and (b) the salary of the lowest vice-principal in the school or, where there is no vice-principal, that of the principal, is not less than £700; or
- (ii) the allowance is payable pursuant to the transitional provisions in paragraph 2(2) of Schedule 3; or

(iii) the teacher is already being paid such an allowance and the school is assigned to a lower group for which the particular allowance is no longer provided for in the Table.

(b) Teachers being paid a promotion allowance in circumstances provided for in this sub-paragraph shall continue to receive it for so long as they remain in post at the same school.

(4) When the assignment of a school to a lower group causes the limits in column (4) of the Table to be exceeded (not counting any teacher who is being paid a promotion allowance in circumstances provided for in sub-paragraph (2) or (3) the teachers in the school being paid promotion allowances in excess of the limits shall continue to be paid those allowances while they remain in post at that school but no further promotion allowances in excess of the limits shall be paid.”;

(c) in paragraph (8) there shall be substituted for the words “paragraph 3(2) of Schedule 3” the words “paragraph 2(2) of Schedule 3”;

(d) in paragraph 8(2)(i) for “£400” there shall be substituted “£700”;

(e) with effect on and from 1st August 1991 for the Table in Annex A there shall be substituted—

“LIMITS RELATING TO PROMOTION ALLOWANCES AND
VICE-PRINCIPALS IN PRIMARY AND SECONDARY SCHOOLS

<i>Unit Total</i>	<i>Group</i>	<i>Number of Vice-principals</i>	<i>Limits on Promotion Allowances</i>
(1)	(2)	(3)	(4)
Up to 100	1	0-1	Not higher than B
100- 200	2	0-1	Not higher than B
201- 300	3	1	Not higher than B
301- 500	4	1	Not higher than B
501- 700	5	1	Not higher than B
701-1000	6	1-2	Not higher than C
1001-1300	7	1-2	Not higher than C
1301-1800	8	1-3	Not higher than D
1801-2400	9	2-3	Not more than 3 allowances at Rate E
2401-3300	10	2-3	Not more than 4 allowances at Rate E
3301-4600	11	2-3	Not more than 5 allowances at Rate E
4601-6000	12	2-4	Not more than 5 allowances at Rate E
6001-7600	13	3-4	Not more than 6 allowances at Rate E
over 7600	14	4	Not more than 8 allowances at Rate E

Note:

There shall be a vice-principal in a group 2 school with a unit total of 151 or higher.”.

14. In Schedule 2 (method of determining the position of a teacher on the standard scale) for Part I (starting pay) there shall be substituted—

“PART I

STARTING PAY

1. Subject to paragraphs 2, 3 and 4, a teacher shall enter the standard scale—

(a) at point 1; or

(b) if he is a good honours graduate at point 3.

2. (a) A teacher who has passed his 23rd birthday may, at the discretion of the Department, enter the standard scale at whichever point the Department considers appropriate having regard to any qualifications or experience he may have which the Department considers to be of value to him in the performance of his duties, provided that the point of entry shall not be higher than that which he would have reached by incremental progression, taking account of paragraph 5, had he entered in accordance with the provisions of paragraph 1 at age 22.

(b) The Department may decide that the point of entry for a teacher transferring to teaching service in Northern Ireland from teaching service in a grant-aided school in England and Wales may be higher than that which he would have reached by incremental progression, taking account of paragraph 5, had he entered in accordance with the provisions of paragraph 2 at age 22.

3. Paragraphs 1 and 2 shall apply to a teacher who takes up his first appointment as a teacher as well as to a teacher who takes up a new appointment or, subject to paragraph 8(3), re-enters teaching after a break in service save that the point of entry for a teacher who takes up a new appointment or who after a break in service re-enters teaching in a full-time or part-time capacity shall be no lower than—

(a) the scale point on which he was last paid under these regulations; or

(b) if he was last employed as a teacher before the coming into operation of these regulations, such point as is determined by the Department.

4. A teacher who was last employed as a principal or vice-principal and who takes up a new full-time appointment as a teacher in a full-time or part-time capacity shall enter at point 10 of the standard scale.

4A. For the purpose of paragraph 4 “vice-principal” includes a teacher who was last employed as a second master or second mistress under the provisions of—

- (a) regulation 14B(a) of the Handicapped Pupils and Special Schools Regulations (Northern Ireland) 1973(b); or
- (b) regulation 23B(a) of the Primary Schools (General) Regulations (Northern Ireland) 1973(c); or
- (c) regulation 29B(a) of the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973(d).

5. A teacher who has been placed on the standard scale and who subsequently becomes a good honours graduate for the first time shall have the salary payable to him from the first day of service after the date of obtaining the qualification increased by 2 increments subject to the maximum of the scale not being exceeded.

6. A “good honours graduate” means a teacher who has obtained—
- (i) a first or second class honours degree or a higher degree, obtained as a result of examination or as a result of research work, of a university in the United Kingdom or in the Republic of Ireland or of the Council for National Academic Awards; or
 - (ii) any other qualification, whether obtained in the United Kingdom or abroad, which the Department regards as being of equivalent standard to a degree of the kind described in sub-paragraph (i).”

15. For Schedule 3 (transitional arrangements for teachers in service on 31st December 1990) there shall be substituted the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Education on 19th June 1991.

(L.S.)

S. Quinn

Assistant Secretary

(a) Revoked by S.R. 1987 No. 384

(b) S.R. & O. (N.I.) 1973 No. 390; relevant amending Regulations were contained in S.R. 1981 No. 113

(c) S.R. & O. (N.I.) 1973 No. 402; relevant amending Regulations were contained in S.R. 1981 No. 112

(d) S.R. & O. (N.I.) 1973 No. 403; relevant amending Regulations were contained in S.R. 1981 No. 111

TRANSITIONAL ARRANGEMENTS FOR TEACHERS IN SERVICE ON 31ST MARCH
1991

1. A teacher, other than a principal or vice-principal, who on 1st April 1991 was and had immediately before that date been in teaching service in a grant-aided school or as a peripatetic or supply teacher, shall from that date be placed on the standard scale at the point on the scale corresponding to that on which he would have received salary had the scale in operation on 31st March 1991 continued to apply.

2.—(1) A promotion allowance payable under regulation 10(4)(a) or (b) shall apply only so long as the teacher holds the same post.

(2) Subject to sub-paragraph (3) a teacher who has on 31st March 1991 in receipt of a promotion allowance under paragraph 2(2) of Schedule 3 to the Teachers' Salaries Regulations (Northern Ireland) 1987 as they had effect on 31st March 1991 shall continue to be paid the promotion allowance set out in regulation 10(1), unless it is superseded by an allowance of an equal or greater amount payable under regulation 10 or regulation 11.

(3) Sub-paragraph (2) shall apply only so long as the teacher holds the same post."

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Teachers' Salaries Regulations (Northern Ireland) 1987, as amended, and give effect from 1st April 1991 to an increase of 7.5% in salaries for teachers in primary, secondary and special schools and for peripatetic and supply teachers.

Regulation 3 defines "relevant body" for the purposes of these regulations, to allow for the exercise of certain powers and authorities by Boards of Governors of schools with delegated budgets.

Revised scales and rates of salary for principals, vice-principals and for other full-time qualified teachers are set out in regulations 4 to 6.

Regulation 7 provides that a Board of Governors of a school with a delegated budget may determine that a promotion allowance shall be paid to a teacher in the school. It also removes the reference to Special Class Allowances for teachers who are responsible for remedial education in a primary or secondary school.

Revised hourly rates of pay for certain part-time teachers are set out in regulation 9.

Regulation 10 sets out the revised minimum rates of salary for full-time unqualified teachers.

Regulation 11 provides that a Board of Governors of a school with a delegated budget may grant leave of absence to a teacher in the school.

Regulations 12 and 15 and the Schedule detail the transitional arrangements for teachers in service on 31st March 1991.

Regulation 13 makes minor and consequential amendments to Schedule 1 and revises the limits relating to promotion allowances and vice-principals in primary and secondary schools.

Regulation 14 revises Part I of Schedule 2 as a consequence of the abolition of the first point of the Standard Scale.

Except where otherwise provided, these Regulations have retrospective effect by virtue of section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.