1973. No. 389 **[C]**

EDUCATION

Peripatetic and Supply Teachers Regulations

REGULATIONS, DATED 1ST OCTOBER 1973, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

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 Articles 56, 57, 58 and 125 of the Education and Libraries (Northern Ireland) Order 1972(**a**) (hereinafter referred to as "the Order") and all other powers enabling it in that behalf, and after consultation with the Ministry of Finance, hereby makes the following Regulations: —

1. These Regulations may be cited as the Peripatetic and Supply Teachers Regulations (Northern Ireland) 1973.

2. In these Regulations—

"board" means an education and libraries board established under Article 3 of the Order;

"peripatetic teacher" shall have the meaning assigned to it by Article 53(2)(*a*) of the Order;

"Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1973(**b**) or any Regulations superseding those Regulations;

"supply teacher" shall have the meaning assigned to it by Article 53(2)(*b*) of the Order;

"teacher" means a full-time peripatetic teacher or a full-time supply teacher who is recognised as a qualified teacher in a primary, secondary or special school; and an "unqualified teacher" means a teacher who is not so recognised.

3.—(1) Every advertisement issued pursuant to paragraph 8 of Schedule 10 to the Order shall state—

(*a*) the nature of the appointment, the salary scale, and if necessary, whether a man or woman is required;

(*b*) the approximate area in which the teacher will be required to serve;

(*c*) that forms of application and particulars of the position may be obtained on application from the board;

(*d*) the latest date for receiving completed application forms;

(*e*) such special conditions and other relevant particulars as the board may consider should be stated.

(2) Every such advertisement shall be published in such newspapers or educational journals, and with such frequency as the Ministry after consultation with the board, may direct.

(**a**) S.I. 1972, No. 1263 (N.I. 12). (**b**) S.R. & O. (N.I.) 1973, No. 274.

4. A teacher shall not be eligible for appointment to a post attracting a salary under any of the Scales 2, 3, 4 or 5 specified in the Salaries Regulations unless he has successfully completed his period of probation.

5. A teacher shall not be employed before he attains the age of 20 years or after 31st July next following the date on which he attains the age of 65 years, except for limited periods in cases where there are special circumstances and the Ministry so approves.

6. Every teacher will be required to satisfy the Ministry of his health and physical capacity for teaching.

7. The Ministry may refuse recognition to or withdraw recognition from a teacher on the grounds of inefficiency or misconduct.

8. The Ministry may, as a condition of recognition, or continued recognition, require a teacher to attend such further courses of study or to comply with such other conditions as it may determine.

9. If the recognition of a teacher is withdrawn the Ministry may in special circumstances provisionally restore his recognition for such period and subject to such conditions as it may determine. During such period the teacher shall be on probation and at the end of such period the Ministry shall either confirm his recognition or withdraw it.

10.—(1)(*a*) Subject to the provisions of paragraph (2) a teacher who is recognised as a qualified teacher shall be on probation for an initial period of three terms or six terms, or such period as the Ministry considers equivalent to three terms or six terms respectively. While a teacher is on probation his recognition shall be provisional.

(*b*) The initial probation period of three terms referred to in sub-paragaph (*a*) shall apply to teachers who have successfully completed an approved course of training, and the period of six terms shall apply to teachers who have not completed such a course.

(2) If a teacher has previous teaching experience or in special circumstances the Ministry may waive probation in whole or in part.

(3) Unless the Ministry in special circumstances considers that it is necessary to defer a decision, it shall at the end of the period or periods of probation referred to in paragraph (1) and of any period by which such period or periods are extended under the provisions of this paragraph confirm the teacher's recognition or extend his probation for a further period, or withdraw his recognition.

(4) If a decision is deferred under paragraph (3) but at the end of the period of deferment the Ministry confirms the teacher's recognition, the Ministry shall determine from what date recognition would have been confirmed if the decision had not been deferred and the teacher's recognition shall be deemed to have been confirmed from that date.

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

12. If the engagement of a teacher is terminated, whether by dismissal or resignation, on account of misconduct (or conviction of a criminal offence) the board shall report the facts to the Ministry.

13.—(1) The scales of salaries for teachers shall be the scales for assistant teachers, other than for vice-principals, second master/mistresses and senior teachers, as set out in the Salaries Regulations and the board shall determine in accordance with arrangements approved by the Ministry the scale to which each such teacher shall be appointed.

(2) The rates of remuneration of full-time unqualified teachers shall be the rates for unqualified teachers as set out in the Salaries Regulations.

(3) A teacher who is placed on scale 1 and who is employed for all his teaching duties as a teacher of special classes consisting mainly of handicapped pupils in a primary or secondary school or otherwise employed in teaching handicapped pupils, may at the discretion of the board and with the approval of the Ministry receive in addition to his salary on scale 1 a special class allowance of £175.

14. The arrangements for the placing or re-placing of teachers on the appropriate salary scales referred to in Regulation 13(1) and for the promotion or demotion between such scales shall be the same as apply to assistant teachers in similar circumstances under the Salaries Regulations.

15. The arrangements for dealing with the award of increments to teachers and with absences of such teachers from duty shall be the same as apply to assistant teachers under the Salaries Regulations.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 1st day of October 1973 in the presence of

(L.S.) *E. J. Kirkpatrick,*
Assistant Secretary.

EXPLANATORY NOTE

(*This note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations set out the arrangements for the appointment, recognition and payment of peripatetic and supply teachers and also prescribe the form of advertisement to be made in connection with the appointment of such teachers.