STATUTORY INSTRUMENTS

1972 No. 1657

PROBATION AND AFTER-CARE

The Probation (Conditions of Service) (Amendment) (No. 2) Rules 1972

Made - - - 1*st November* 1972

Coming into Operation 1*st November* 1972

In exercise of the powers conferred on me by Schedule 5 to the Criminal Justice Act 1948(**a**) and section 1 of the Police, Fire and Probation Officers Remuneration Act 1956(**b**), I hereby make the following Rules:—

1. These Rules may be cited as the Probation (Conditions of Service) (Amendment) (No. 2) Rules 1972.

2. These Rules shall come into operation forthwith and shall take effect from 1st July 1972.

3. For Rule 3 of the Probation (Conditions of Service) Rules 1965(**c**), as substituted by the Probation (Conditions of Service) Rules 1966(**d**) and amended(**e**), there shall be substituted the following Rule:—

"*Salaries of probation officers*

3.—(1) Subject to the provisions of this Rule, a probation officer (not being a probation officer paid a higher salary in accordance with paragraph (2) below) shall be paid a salary in accordance with the scale set out—

(*a*) in column 2 of the Table in Schedule 2 to these Rules, in the case of a London probation officer;

(*b*) in column 3 thereof, in any other case,

by reference to the length of his reckonable service as specified in column 1 of the said Table:

Provided that in the case of a probation officer who either was serving as such on 1st July 1972 or is deemed by paragraph (7)(*a*) below to have been so serving or who was on that date in employment approved by the Secretary of State for the purposes of this proviso—

(i) if his reckonable service at that date amounted to over nine years, the said Table shall have effect as if for the references to £2,034, £2,100, £2,157, £2,232, £2,325 and £2,418 there were substituted, respectively, references to £2,061, £2,157, £2,244, £2,322, £2,415 and £2,508;

(**a**) 1948 c. 58. (**b**) 1956 c. 1 (5 & 6 Eliz. 2).
(**c**) S.I. 1965/722 (1965 I, p. 2230). (**d**) S.I. 1966/273 (1966 I, p. 734).
(**e**) The relevant amending instrument is S.I. 1971/1615 (1971 III, p. 4459).

(ii) if on that date he had served for fifteen years, as a probation officer or in employment so approved for the purposes of this sub-paragraph, his annual salary shall be £2,637, in the case of a London probation officer, or £2,451, in any other case.

(2) (*a*) Each probation committee shall, as soon as may be, carry out a review of all probation officers who have served continuously for not less than three years, as probation officers or in employment which is approved by the Secretary of State for the purposes of this sub-paragraph, with a view to determining which officers are suitable for selection for advancement to a higher salary in accordance with the following provisions of this paragraph.

(*b*) A probation officer who is selected on such a review shall be paid a salary in accordance with the scale set out—

(i) in column 2 of the Table in Schedule 3 to these Rules, in the case of a London probation officer;

(ii) in column 3 thereof, in any other case;

by reference to his reckonable service as specified in column 1 of the said Table.

(*c*) A probation officer who is so selected shall be paid as aforesaid with effect from 1st July 1972.

(3) Where a person is appointed or reappointed as a probation officer and the probation committee are of the opinion that, by reason of his previous experience and qualifications (whether as a probation officer or otherwise), it is appropriate that he should be paid the higher salary provided for by paragraph (2) above, the committee may, with the approval of the Secretary of State, determine that the officer be paid a salary in accordance with the scale set out in the Table in Schedule 3 to these Rules; but, for the purpose of applying the said scale, the officer shall be treated as if he had, at the time of his appointment or reappointment, such reckonable service as the committee may, with the approval aforesaid, determine.

(4) Save as provided in paragraph (3) above, in the case of a probation officer who was serving as such immediately before 1st April 1971 or is deemed by paragraph (7)(*a*) below to have been so serving, the officer shall be treated as if he had completed the period of reckonable service which he would have completed if, immediately before the said date, his current period of continuous service as a probation officer had been that specified in column 2 of the following Table opposite to the rate of annual salary specified in column 1 thereof to which he was or, if serving would have been, entitled immediately before 1st April 1971.

TABLE

Column 1 1971 annual salary	Column 2 Length of Service
£975	No service before 1st April 1971.
£1,035	No service before 1st April 1971.
£1,095	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to one year's service.

Column 1 1971 annual salary	Column 2 Length of Service
£1,155	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to two years' service.
£1,215	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to three years' service.
£1,275	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to four years' service.
£1,341	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to five years' service.
£1,404	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to six years' service.
£1,476	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to seven years' service.
£1,551	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to eight years' service.
£1,626	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to nine years' service.
£1,701	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to ten years' service.
£1,776	Such service as, when added to the period of service beginning on 1st April 1971 and ending on the day before the date on which he next thereafter received an annual increment, amounts to eleven years' service.
£1,851	Eleven years' service or his current period of service as a probation officer immediately before 1st April 1971, whichever is the greater.

(5) Subject to the provisions of this Rule, the following periods shall be treated as the service reckonable by a probation officer for the purposes of his scale of pay, that is to say:—

(*a*) his current period of continuous service as a probation officer;

(*b*) such period of such employment, other than service as a probation officer which is reckoned under the preceding provisions of this paragraph, as the Secretary of State may approve;

(*c*) in the case of a probation officer who possesses such qualifications or has completed such training as may be recognised by the Secretary of State for the purposes of this paragraph, such period as the Secretary of State may approve in relation to the qualifications or training.

(6) In the case of a probation officer employed by the probation committee for either the inner London area or the City of London, his reckonable service for the purposes of his scale of pay, determined in accordance with the foregoing provisions of this Rule, shall be increased by two years:

Provided that this paragraph shall not apply in the case of an officer in whose case a determination under paragraph (3) above applies.

(7) For the purposes of the proviso to paragraph (1), and those of paragraphs (2)(*a*), (4) and (5) above—

(*a*) a probation officer's service shall be deemed to be continuous notwithstanding an interruption if the interruption does not exceed three months in duration;

(*b*) service as a probation officer shall not include any period of leave without any pay except in so far as the Secretary of State at the request of the probation committee approves the inclusion of any period of such leave other than sick leave.

(8) For the purposes of this Rule—

(*a*) the expression "probation officer" means a probation officer, other than a principal probation officer, deputy principal probation officer, assistant principal probation officer, senior probation officer or temporary probation officer, who devotes substantially the whole of his time to duties as a probation officer;

(*b*) the expression "London probation officer" means a probation officer employed by a probation committee for an area comprised in the London commission areas (within the meaning of the Administration of Justice Act 1964(**a**)) or by the probation committee for the City of London;

(*c*) the expression "service" includes any period of service as a whole time salaried probation officer in Scotland, and the expression "serving" shall be construed accordingly;

(*d*) the expression "salary" shall not include any addition payable under Rule 4 of these Rules, and any period during which a probation officer's rate of salary is reduced because of sick leave or leave without pay shall be treated as if it had not been so reduced.".

4. For Schedule 1 to the said Rules of 1965, as amended (**b**), there shall be substituted the following Schedule:—

(**a**) 1964 c. 42.
(**b**) The relevant amending instrument is S.I. 1971/1615 (1971 III, p. 4459).

Rule 2 "SCHEDULE 1

TABLE

SCALE OF ANNUAL SALARY FOR SENIOR PROBATION OFFICERS

Column 1 Length of Service	Column 2 Annual Salary
Up to 1 year's service	£2,772
Over 1 and up to 2 years' service	£2,883
Over 2 and up to 3 years' service	£2,994
Over 3 and up to 4 years' service	£3,102
Over 4 years' service	£3,216".

5. For Schedule 2 to the said Rules of 1965, as amended (**a**), there shall be substituted the following Schedules:—

Rule 3(1) "SCHEDULE 2

TABLE

LOWER SCALE OF ANNUAL SALARY FOR PROBATION OFFICERS

Column 1 Length of Service	Annual Salary	
	Column 2 London officers	Column 3 Other officers
Up to 1 year's service	£1,530	£1,530
Over 1 and up to 2 years' service	£1,578	£1,578
Over 2 and up to 3 years' service	£1,632	£1,632
Over 3 and up to 4 years' service	£1,689	£1,689
Over 4 and up to 5 years' service	£1,746	£1,746
Over 5 and up to 6 years' service	£1,803	£1,803
Over 6 and up to 7 years' service	£1,851	£1,851
Over 7 and up to 8 years' service	£1,911	£1,911
Over 8 and up to 9 years' service	£1,968	£1,968
Over 9 and up to 10 years' service	£2,034	£2,034

(**a**) The relevant amending instrument is S.I. 1971/1615 (1971 III, p. 4459).

Column 1 Length of Service	Annual Salary	
	Column 2 London officers	Column 3 Other officers
Over 10 and up to 11 years' service	£2,100	£2,100
Over 11 and up to 12 years' service	£2,157	£2,157
Over 12 and up to 13 years' service	£2,232	£2,232
Over 13 and up to 14 years' service	£2,325	£2,232
Over 14 years' service	£2,418	£2,232

SCHEDULE 3 Rule 3(2) and (3)

TABLE

HIGHER SCALE OF ANNUAL SALARY FOR PROBATION OFFICERS

Column 1 Length of Service	Annual Salary	
	Column 2 London officers	Column 3 Other officers
Up to 7 years' service	£2,157	£2,157
Over 7 and up to 8 years' service	£2,232	£2,232
Over 8 and up to 9 years' service	£2,310	£2,310
Over 9 and up to 10 years' service	£2,388	£2,388
Over 10 and up to 11 years' service	£2,475	£2,475
Over 11 and up to 12 years' service	£2,565	£2,565
Over 12 and up to 13 years' service	£2,661	£2,661
Over 13 and up to 14 years' service	£2,754	£2,661
Over 14 years' service	£2,847	£2,661".

Robert Carr,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

1st November 1972.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Probation (Conditions of Service) Rules 1965 by introducing higher scales of annual salary for senior probation officers and probation officers. In particular, they provide for a new higher scale of salary for probation officers with three years' service who are selected by their probation committees as suitable for advancement to this scale.

In exercise of the power conferred by section 1 of the Police, Fire and Probation Officers Remuneration Act 1956 these Rules take effect from 1st July 1972.

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