STATUTORY INSTRUMENTS

1971 No. 1615

PROBATION AND AFTER-CARE

The Probation (Conditions of Service) (Amendment) Rules 1971

Made - - - 28*th September* 1971

Coming into Operation 28*th September* 1971

In exercise of the powers conferred upon 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) Rules 1971.

2. These Rules shall come into operation forthwith and shall take effect from 1st April 1971.

3.—(1) In Rule 3(1) of the Probation (Conditions of Service) Rules 1965(**c**), as amended (**d**), after the word "shall" there shall be inserted the words "subject to the provisions of paragraph (4A) of this Rule".

(2) After Rule 3(4) of the said Rules of 1965, as amended (**d**), there shall be inserted the following paragraphs:—

"(4A)(*a*)(i) A probation officer who immediately before 1st April 1971 has completed a period of service for which he has been entitled to receive the maximum rate of pay of probation officers for not less than ten years in all shall, on and after that date, be entitled to a rate of annual salary of £2,150.

(ii) A probation officer who on or after 1st April 1971 and before 31st March 1972 has completed a period of service for which he has been entitled to receive the maximum rate of pay of probation officers for not less than ten years in all shall, from the date on which he completes that period of service, be entitled to a rate of annual salary of £2,150.

(iii) Subject to the foregoing provisions of this sub-paragraph, a probation officer who immediately before 1st April 1971 has completed a period of service for which he is entitled to receive the maximum rate of pay of probation officers, shall, on and after 1st April 1972, be entitled to a rate of annual salary of £2,150.

(iv) A probation officer who on or after 1st April 1971 and before 30th June 1971 has completed a period of service for which he is entitled to receive the maximum rate of pay of probation officers, shall be entitled to a rate of annual salary of £2,150 after completing twelve months of service from the date on which he became so entitled.

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

(*b*) A probation officer whose period of continuous service is deemed to include a period of employment other than service as a probation officer by virtue of paragraph (2) of this Rule and who immediately before he ceased so to serve was in receipt of the maximum rate of pay of probation officers, shall be deemed for the purposes of this paragraph to have been entitled to receive the maximum rate of pay of probation officers in respect of such part, if any, of that period of employment as the Secretary of State may approve.

(*c*) In this paragraph the expression—

"maximum rate of pay" means the maximum rate of pay for the time being payable under rules made under Schedule 5 to the Criminal Justice Act 1948 or Schedule 3 to the Criminal Justice (Scotland) Act 1949(**a**), excluding any addition payable under Rule 4 of these Rules or the corresponding rule revoked by these Rules (London addition) or any rate of pay specified in this paragraph ; and any period during which a probation officer's rate of pay is reduced because of sick leave or leave without pay shall be treated as if it had not been so reduced ;

"service" means service calculated in accordance with the provisions of this Rule.

(4B)(*a*) In relation to a probation officer who was serving as such immediately before 1st April 1971, the length of service prior to 1st April 1971 which he may reckon for the purposes of column 1 of the Table in Schedule 2 to these Rules shall be 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 entitled immediately before 1st April 1971 :

Provided that, in relation to a probation officer whose length of service includes service reckonable under sub-paragraph (*b*) or (*c*) of Rule 3(2), the length of service which he may reckon for the purposes of column 1 of the Table in Schedule 2 to these Rules shall, in addition to that specified in relation to him in column 2 of the following Table, include such service as may be determined by the Secretary of State :—

TABLE

Column 1 Existing rate of 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 receives his next annual increment, will amount to 1 year's 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 receives his next annual increment, will amount to 2 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 receives his next annual increment, will amount to 3 years' service.

(**a**) 1949 c. 94.

Column 1 Existing rate of annual salary	Column 2 Length of 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 receives his next annual increment, will amount to 4 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 receives his next annual increment, will amount to 5 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 receives his next annual increment, will amount to 6 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 receives his next annual increment, will amount to 7 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 receives his next annual increment, will amount to 8 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 receives his next annual increment, will amount to 9 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 receives his next annual increment, will amount to 10 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 receives his next annual increment, will amount to 11 years' service.
£1,851	Over 11 years' service.

(*b*) A probation officer whose service is calculated in accordance with the preceding provisions of this paragraph shall receive annual increments on the dates on which he would have received them had the Probation (Conditions of Service) (Amendment) Rules 1971 not been made except that in relation to a probation officer who is not entitled to reckon any service before 1st April 1971 the dates on which he shall receive annual increments shall be calculated on the basis that he commenced service on 1st April 1971.

(*c*) This paragraph shall apply to a probation officer who was not serving as such on 1st April 1971 but whose period of continuous service is deemed to include that date by virtue of paragraph (3) of this Rule as though he was serving on that date and was entitled to the rate of annual salary to which he would have been entitled immediately before the Probation (Conditions of Service) (Amendment) Rules 1971 were made.".

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

(**a**) The relevant amending instrument is S.I. 1970/677 (1970 I, p. 2189).

Rule 2 "SCHEDULE 1

TABLE

SCALE OF ANNUAL SALARY FOR SENIOR PROBATION OFFICERS

Column 1 Length of Service	Column 2 Rate of Annual Salary
Up to 1 year's service	£2,298
Over 1 and up to 2 years' service	£2,375
Over 2 and up to 3 years' service	£2,456
Over 3 and up to 4 years' service	£2,537
Over 4 years' service	£2,618 "

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

Rule 3 "SCHEDULE 2

TABLE

SCALE OF ANNUAL SALARY FOR PROBATION OFFICERS

Column 1 Length of Service	Column 2 Rate of Annual Salary
Up to 1 year's service	£1,395
Over 1 and up to 2 years' service	£1,443
Over 2 and up to 3 years' service	£1,491
Over 3 and up to 4 years' service	£1,545
Over 4 and up to 5 years' service	£1,599
Over 5 and up to 6 years' service	£1,653
Over 6 and up to 7 years' service	£1,701
Over 7 and up to 8 years' service	£1,758
Over 8 and up to 9 years' service	£1,823
Over 9 and up to 10 years' service	£1,908
Over 10 and up to 11 years' service	£1,993
Over 11 years' service	£2,078 "

R. Maudling,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th September 1971.

(**a**) The relevant amending instrument is S.I. 1970/677 (1970 I, p. 2189).

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. Paragraph (4A) inserted by Rule 3(2) provides for the payment of an extra increment to certain probation officers with long service. The new scale for probation officers has fewer incremental steps than the old scale and paragraph (4B) inserted by Rule 3(2) makes special provision for the counting of existing service for the purposes of the new scale.

By virtue of section 1 of the Police, Fire and Probation Officers Remuneration Act 1956 the Rules take effect from 1st April 1971.