STATUTORY INSTRUMENTS

1971 No. 437

EDUCATION, ENGLAND AND WALES

The Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1971

Made - - - 17*th March* 1971

Coming into Operation 1*st April* 1971

Whereas—

(1) in pursuance of section 2(2) of the Remuneration of Teachers Act 1965(**a**) (hereinafter referred to as "the Act") the Committee constituted under section 1 thereof for the purpose of considering the remuneration payable to teachers in primary and secondary schools maintained by local education authorities (hereinafter referred to as "the Committee") have transmitted to the Secretary of State for Education and Science (hereinafter referred to as "the Secretary of State") recommendations agreed on by them with respect to the remuneration of certain such teachers;

(2) there are in force orders made under section 2 of the Act with respect to the remuneration of teachers in primary and secondary schools maintained by local education authorities, namely, the Remuneration of Teachers (Primary and Secondary Schools) Order 1969(**b**), the Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1970(**c**), the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 2) Order 1970(**d**) and the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 3) Order 1970(**e**);

(3) it appears to the Secretary of State that effect can more conveniently be given to the recommendations of the Committee by further amending the scales and other provisions set out in the document referred to in the said Orders, namely, the document published by Her Majesty's Stationery Office on 28th April 1969 under the title "SCALES OF SALARIES FOR TEACHERS IN PRIMARY AND SECONDARY SCHOOLS, ENGLAND AND WALES, 1969" (hereinafter referred to as "the Document");

(4) in pursuance of section 2(5) of the Act the Secretary of State has prepared a draft Order (being the draft of this Order) setting out the amendments of the scales and other provisions which, in her opinion, are requisite for giving effect to the recommendations of the Committee; and

(5) the Secretary of State, as required by section 2(6) of the Act, has consulted the Committee with respect to the draft Order and the Committee have made no representations with respect thereto.

NOW therefore the Secretary of State, in pursuance of section 2(6) of the Act, hereby orders as follows:—

(**a**) 1965 c. 3.
(**b**) S.I. 1969/618 (1969 I, p. 1725).
(**c**) S.I. 1970/28 (1970 I, p. 222).
(**d**) S.I. 1970/251 (1970 I, p. 981).
(**e**) S.I. 1970/739 (1970 II, p. 2327).

Citation and Commencement

1. This Order may be cited as the Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1971 and shall come into operation on 1st April 1971.

Interpretation

2. The Interpretation Act 1889(a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Amendment of Document

3.—(1) The scales and other provisions set out in the Document are, with effect from 1st April 1971, hereby amended in the manner specified in the Schedules to this Order.

(2) Article 4 of the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 3) Order 1970 (which article provides that the remuneration of every full-time teacher in a primary or secondary school maintained by a local education authority should be increased by £120 a year) shall not apply in relation to a teacher in respect of whom a scale of salary is prescribed by the First Schedule to this Order.

FIRST SCHEDULE

1. In Section B of the Document (which Section contains scales and other provisions relating to qualified assistant teachers) the following paragraph shall be added after paragraph 5:—

"6. Paragraphs 1, 2, 3 and 4 above shall not apply to assistant teachers who are qualified teachers by virtue of sub-paragraph (*f*), sub-paragraph (*g*) or sub-paragraph (*h*) of paragraph (2) of regulation 16 of the Schools Regulations 1959(b) as amended (c) and for such teachers the scale shall be—

Incremental Point	£
0	980
1	1010
2	1040
3	1095
4	1150
5	1205
6	1260
7	1315
8	1370
9	1425
10	1480
11	1540
12	1600
13	1660
14	1720

"

(a) 1889 c. 63. (b) S.I. 1959/364 (1959 I, p. 1584).
(c) The relevant amending instruments are S.I. 1969/1777, 1971/342 (1969 III, p. 5573; (1971 I, p. 1082).

2. In Section D of the Document (which Section contains scale and other provisions relating to unqualified assistant teachers and supplementary teachers) the following paragraphs shall be added after paragraph 4:—

"5. The foregoing provisions of this Section shall not apply to unqualified teachers—

(*a*) who have obtained either the Diploma in the Teaching of Mentally Handicapped Children or the Declaration of Recognition of Experience awarded by the Training Council for Teachers of the Mentally Handicapped; or

(*b*) whose employment in a special school is authorised by regulation 16A of the Handicapped Pupils and Special Schools Regulations 1959(a) as amended (b).

6. For teachers of the description specified in paragraph 5(*a*) above the scale shall be that contained in paragraph 6 of Section B.

7. For teachers of the description specified in paragraph 5(*b*) above the scale shall be—

Incremental point	£
0	855
1	885
2	915
3	950
4	980
5	1010
6	1040
7	1095
8	1150
9	1205
10	1260
11	1315
12	1370

8. The scale contained in paragraph 7 above may be extended either by one increment of £50 to a maximum of £1420 a year or by two increments each of £50 to a maximum of £1470 a year in the case of a teacher who, in the opinion of the local education authority employing him, possesses a qualification of particular value in the performance of his duties.

9. The method of determining the correct position on the scale of teachers of the descriptions specified in paragraph 5 above is set out in paragraphs 14 and 15 of Appendix VI."

3. In Section E of the Document (which Section provides for additions to the scale for unqualified and supplementary teachers) the following paragraph shall be added after paragraph 2:—

"3. The foregoing provisions of this Section shall not apply to teachers of the descriptions specified in paragraph 5 of Section D".

4. In Section L of the Document (which Section relates to allowances for deputy head teachers) for paragraphs 2 and 3 the following paragraphs shall be substituted:—

"2. Deputy Head Teachers shall receive the salaries payable to them as assistant teachers under the foregoing provisions of this Document together with a Deputy Head Teacher Allowance.

(a) S.I. 1959/365 (1959 I, p. 1024).
(b) The relevant amending instrument is S.I. 1971/342 (1971 I, p. 1082).

3.—(1) The amount of the Deputy Head Teacher Allowance shall—

(*a*) in the case of a teacher in a special school whose employment therein is authorised by regulation 16A of the Handicapped Pupils and Special Schools Regulations 1959, be £132 a year; and

(*b*) in the case of any other teacher, be determined in accordance with the provisions of the following paragraphs of this Section.

(2) For the purposes of the following paragraphs of this Section the Group to which a school or department belongs shall be determined by reference to its review average or unit total as ascertained in accordance with the provisions of Appendix VIII."

5. In Section O of the Document (which Section relates to the salaries of qualified head teachers)—

(*a*) the scale and provisions contained in sub-paragraph (*b*) of paragraph 4 shall apply in relation to special schools of which the head teacher is a qualified teacher by virtue of sub-paragraph (*a*), (*b*), (*c*), (*d*) or (*e*) of paragraph (2) of regulation 16 of the Schools Regulations 1959; and

(*b*) the following sub-paragraph shall be added after sub-paragraph (*b*) of paragraph 4:—

"(*c*) Special Schools of which the head teacher is a qualified teacher by virtue of sub-paragraph (*f*) sub-paragraph (*g*) or sub-paragraph (*h*) of paragraph (2) of regulation 16 of the Schools Regulations 1959—

Incremental point	Group	1(S)	2(S)	3(S)	4(S)	5(S)	6(S)	7(S)	8(S)
	Review Average or Unit Total	Up to 60	61—180	181—360	361—600	601—900	901—1260	1261—1620	1621—1980
			£	£	£	£	£	£	£
0		As specified below	2092	2182	2351	2521	2685	2855	3025
1			2145	2244	2413	2583	2763	2933	3103
2			2198	2306	2475	2645	2843	3013	3183
3			2251	2371	2540	2710	2923	3093	3263
4			2304	2436	2605	2775	3003	3173	3343

In the case of such a school in Group 1(S) the salary scale of the head teacher shall commence at the amount which under paragraph 6 of Section B would be payable to him as an assistant teacher increased by £275, and shall proceed by increments of £53 to a maximum of £2198 a year."

6. In Section P of the Document (which Section relates to the salaries of unqualified head teachers) for paragraph 2 the following paragraphs shall be substituted:—

"2. An unqualified Head Teacher of a primary or secondary school other than a special school shall be paid the salary payable to him as an unqualified assistant teacher under Sections D and E together with a Head Teacher Allowance of £222 a year.

3. An Unqualified Head Teacher of a special school who has obtained either the Diploma in the Teaching of Mentally Handicapped Children or the Declaration of Recognition of Experience awarded by the Training Council for Teachers of the Mentally Handicapped shall be paid—

(*a*) if the school is in Group 1(S), a salary commencing at the amount which under paragraph 6 of Section D would be payable to him as an assistant teacher increased by £275, and proceeding by increments of £53 to a maximum of £2061 a year; and

(*b*) if the school is in Group 2(S) or above, in accordance with the following scale:—

Incremental point	Group	2(S)	3(S)	4(S)	5(S)	6(S)	7(S)	8(S)
	Review Average or Unit Total	61— 180	181— 360	361— 600	601— 900	901— 1260	1261— 1620	1621— 1980
		£	£	£	£	£	£	£
0		1955	2045	2214	2384	2548	2718	2888
1		2008	2107	2276	2446	2626	2796	2966
2		2061	2169	2338	2508	2706	2876	3046
3		2114	2234	2403	2573	2786	2956	3126
4		2167	2299	2468	2638	2866	3036	3206

4. An Unqualified Head Teacher of a special school to whom paragraph 3 above does not apply shall be paid the salary payable to him as an unqualified assistant teacher under Sections D and E together with a Head Teacher Allowance of £275 a year."

7. In Appendix VI of the Document (which Appendix contains provisions for determining the correct position of teachers on the appropriate salary scale) the following paragraphs shall be added after paragraph 12:—

"13. The provisions of the two paragraphs next following shall have effect notwithstanding anything in this Appendix before contained.

14.—(1) A teacher who—

(*a*) is not a qualified teacher by virtue of sub-paragraph (*a*), (*b*), (*c*), (*d*) or (*e*) of paragraph (2) of regulation 16 of the Schools Regulations 1959;

(*b*) immediately before 1st April 1971 was employed by a local health authority or a regional hospital board for purposes connected with the training of children classified under section 57 of the Education Act 1944(a) as unsuitable for education at school; and

(*c*) by virtue of the Education (Handicapped Children) Act 1970(b) became employed on that date as a teacher in a special school

shall enter the scale applicable to him under this Document at the minimum of that scale or, if his former salary exceeded that minimum, at the point next above his former salary.

(2) For the purposes of this paragraph the former salary of a teacher shall be that which would have been payable to him on 1st April 1971 if he had continued in his former employment, exclusive of any part thereof attributable to residential duties and any London allowance.

15. A teacher to whom paragraph 14 above does not apply and who becomes a teacher in a school on or after 1st April 1971, being a teacher—

(*a*) who is a qualified teacher by virtue of sub-paragraph (*f*), sub-paragraph (*g*) or sub-paragraph (*h*) of paragraph (2) of regulation 16 of the Schools Regulations 1959;

(*b*) who is an unqualified teacher who has obtained the Diploma in the Teaching of Mentally Handicapped Children or the Declaration of Recognition of Experience awarded by the Training Council for Teachers of the Mentally Handicapped; or

(*c*) whose employment in a special school is authorised by regulation 16A of the Handicapped Pupils and Special Schools Regulations 1959

shall enter the scale applicable to him under this Document at the minimum of that scale or at such higher point as the local education authority employing him may determine to be appropriate having regard to his qualifications and experience and the salaries of teachers having similar qualifications and experience."

(a) 1944 c. 31. (b) 1970 c. 52.

SECOND SCHEDULE

Section R of the Document (which Section relates to additional payments for teachers in schools of exceptional difficulty) shall be amended by the omission from paragraph 3(ii) thereof of the words "or on 31st March 1971, whichever shall be the earlier."

Given under the Official Seal of the Secretary of State for Education and Science on 17th March 1971.

(L.S.) *Margaret H. Thatcher,*
Secretary of State for Education and Science.

EXPLANATORY NOTE

(This Note is not part of the Order.)

In accordance with recommendations agreed on by the Committee for the consideration of the remuneration of teachers in primary and secondary schools this Order—

(*a*) makes provision with respect to the remuneration of teachers who, before the beginning of April 1971, were employed by local health authorities or regional hospital boards for the purpose of training children classified under the Education Act 1944 as unsuitable for education at school; and

(*b*) extends the period during which additional payments are to be made to teachers employed in schools recognised by the Secretary of State as of exceptional difficulty.