STATUTORY INSTRUMENTS

1975 No. 152

EDUCATION, ENGLAND AND WALES

The Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1975

Made - - - -	*11th February* 1975
Coming into Operation	*12th February* 1975

Whereas—

(1) in pursuance of section 2(2) of the Remuneration of Teachers Act 1965**(a)** ("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 ("the Committee") have transmitted to the Secretary of State for Education and Science ("the Secretary of State") recommendations agreed on by them with respect to the remuneration of 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 1973**(b)**, the Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1974**(c)**, the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 2) Order 1974**(d)**, the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 3) Order 1974**(e)** and the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 4) Order 1974**(f)**;

(3) it appears to the Secretary of State that effect can more conveniently be given to the recommendations of the Committee by amending the scales and other provisions set out in the document referred to in the said Order, namely, the document published by Her Majesty's Stationery Office on 24th May 1973 under the title "SCALES OF SALARIES FOR TEACHERS IN PRIMARY AND SECONDARY SCHOOLS, ENGLAND AND WALES, 1973" ("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 his 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 made such modifications thereof as were requisite for giving effect to representations made by the Committee.

(a) 1965 c. 3.
(b) S.I. 1973/956 (1973 II, p. 2887).
(c) S.I. 1974/747 (1974 I, p. 2836).
(d) S.I. 1974/1050 (1974 II, p. 3934).
(e) S.I. 1974/1664 (1974 III, p. 6063).
(f) S.I. 1974/2099 (1974 III, p. 8164).

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

Citation and commencement

1. This Order may be cited as the Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1975 and shall come into operation on 12th February 1975.

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. The scales and other provisions contained in the Document are hereby amended as follows:—

(1) In Part IV of the Document (which relates to additional payments and allowances) the following section shall be substituted for section 12:—

"12. SOCIAL PRIORITY SCHOOLS

(1) (*a*) Except in the case of a teacher who is in receipt of an additional payment under sub-section (*a*) or (*c*) of section 11 of this document, an additional payment of £201 per annum shall be made to a qualified teacher and £156 per annum to any other teacher employed in a Social Priority School—

(i) with effect from 1st June 1974 in the case of a teacher who was employed in such a school before 1st September 1974 and who either continues in such employment after that date or had previously ceased to be so employed by reason only of death or retirement on age or health grounds;

(ii) with effect from 1st September 1974 in all other cases.

(*b*) With effect from 1st September next following the completion of two years and six months qualifying service the additional payment specified in the last preceding sub-section shall be increased to £276 per annum in the case of qualified teachers and £210 per annum in the case of other teachers.

(*c*) A teacher who on 1st June 1974 was serving in a Social Priority School and had not less than three years qualifying service at that date shall receive, with effect from that date, the appropriate increased additional payment specified in sub-section (*b*) above. It shall be the responsibility of a teacher whose qualifying service includes service with two or more local education authorities to submit a claim under this provision to the authority by whom he was employed on 1st June 1974.

(*d*) For the purpose of this section "qualifying service" means continuous service in a school designated as a Social Priority School and, as regards schools so designated as at 1st June 1974, includes continuous service in such schools prior to that date.

(a) 1889 c. 63.

(2) Whether or not a school is designated as a Social Priority School a local education authority in their discretion may increase the maximum of the points score range of a school in accordance with paragraph 8 of appendix II to this document where they consider that, regard being had to one or more of the following criteria the maximum should be so increased—

(i) the social and economic status of the parents of children at the school;

(ii) the absence of amenities in the homes of children attending the school;

(iii) the proportion of children in the school receiving free meals and belonging to families in receipt of supplementary benefits under the Ministry of Social Security Act 1966(a); and

(iv) the proportion of children in the school with serious linguistic difficulties.

(3) When a Social Priority School or a School of Exceptional Difficulty is closed or reorganised or in the case of a Social Priority School has ceased to be so designated any teacher employed therein shall thereupon cease to qualify for the additional payment specified in this section:

Provided that—

(*a*) as regards Social Priority Schools, a teacher who—

(i) was in receipt of the payment immediately before the closure or reorganisation and who continues to be responsible substantially for the education of children who would have attended the school had it not been closed or reorganised, or

(ii) is appointed to a school provided for children who would have attended a school or schools formerly designated as a Social Priority School—

shall continue to be eligible for the payment appropriate to his case specified in sub-section (1) above; and

(*b*) as regards a School of Exceptional Difficulty which is not designated as a Social Priority School, a teacher who—

(i) was employed on 1st January 1975, or is employed on or after that date in pursuance of an appointment made before it, in such a school; or

(ii) satisfied either of the conditions specified in paragraph (*a*) of this proviso (any reference therein to a Social Priority School being treated for the purpose of this paragraph as a reference to a School of Exceptional Difficulty),

shall so long as he continues to be so employed or satisfy such condition as the case may be, receive an additional payment of £114 per annum in the case of a qualified teacher and £87 per annum in the case of any other teacher.

(a) 1966 c. 20.

(4) A teacher in a Social Priority School previously recognised as a School of Exceptional Difficulty who is in receipt of an additional payment under sub-section (*a*) or (*c*) of Section 11 of this document shall, so long as he continues to be engaged in taking charge of a special class within the meaning of either of those sub-sections, receive an additional payment of £114 per annum in the case of a qualified teacher and £87 per annum in the case of any other teacher.

(5) For the purpose of this section—

(*a*) a Social Priority School is a school other than a special school which is designated as a Social Priority School by a committee ("the Designating Committee") consisting of the persons who are for the time being members of, and acting in accordance with the rules of procedure of, the Committee constituted under section 1(1) of the Remuneration of Teachers Act 1965 for the consideration of remuneration payable to teachers in primary and secondary schools;

(*b*) in exercising their functions under sub-section (*a*) above, the Designating Committee shall take into account schools proposed by local education authorities for their consideration; and in designating a school shall have regard to one or more of the following criteria—

(i) the social and economic status of the parents of children at the school;

(ii) the absence of amenities in the homes of children attending the school;

(iii) the proportion of children in the school receiving free meals and belonging to families in receipt of supplementary benefits under the Ministry of Social Security Act 1966;

(iv) the proportion of children in the school with serious language difficulties; and

(v) the proportion of retarded, disturbed and handicapped children;

(*c*) a School of Exceptional Difficulty is a school which on 31st March 1973 was recognised as such by the Secretary of State for Education and Science and which has not subsequently been closed or reorganised.

(6) The Designating Committee may review and may vary the list of Social Priority Schools and shall supply each local education authority with copies of the initial list and of all subsequent amendments thereto."

(2) In Part V of the Document (which contains supplementary provisions relating to teachers' salaries)—

(*a*) in sub-section 17(1)(*a*), for the words "applicable to teachers in primary and secondary schools recognised by the Secretary of State as of exceptional difficulty except as provided in sub-section 12(1)(*b*) or (*c*) of this document" there shall be substituted the words "specified in section 12 of this document, other than those to which the proviso to sub-section 12(3) applies";

(*b*) in sub-section 17(1)(*d*)(ii), for the words "sub-section 12(1)(*b*) or (*c*)" there shall be substituted the words "the proviso to sub-section 12(3)".

(3) In Appendix II—

(*a*) in paragraph 8 for the words "where a local education authority has regarded a school as one of exceptional difficulty in accordance with sub-section 12(2) of this document" there shall be substituted the words "where a local education authority considers that the criteria set out in section 12(2) of this document so justify";

(*b*) in the annex to the said appendix for the additional footnote to the table relating to schools other than special schools there shall be substituted the following additional footnote:—

"Where the maximum of the points score range of a school in Group 1 or Group 2 has been increased under the provisions of sub-section 12(2) of this document, one assistant teacher may be placed on scale 2".

(4) In paragraph 12(4) of appendix III, for the reference to section 12(1) there shall be substituted a reference to section 12.

Given under the Official Seal of the Secretary of State for Education and Science on 11th February 1975.

(L.S.)

Reg Prentice,
Secretary of State for Education
and Science.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which gives effect to the recommendations agreed on by the Committee for the consideration of the remuneration of teachers in primary and secondary schools, provides for the payment of additional remuneration to such teachers serving in schools which are designated as Social Priority Schools.

The Order has retrospective effect by virtue of section 7(3) of the Remuneration of Teachers Act 1965.

SI 1975/ 152
ISBN 0-11-050152-7

