STATUTORY INSTRUMENTS

1978 No. 68 (S.1)

EDUCATION, SCOTLAND

The Remuneration of Teachers (Scotland) Amendment Order 1978

Made - - - - - *17th January 1978*

Coming into Operation - *1st February 1978*

WHEREAS:—

(1) under section 2(2) of the Remuneration of Teachers (Scotland) Act 1967 **(a)** (hereinafter referred to as "the Act") the Scottish Teachers Salaries Committee (hereinafter referred to as "the Committee"), constituted under section 1 of the Act for the purpose of considering the remuneration payable to:—

(a) teachers employed whole time by education authorities in the provision of primary and secondary education under the Education (Scotland) Acts 1939 to 1969 and duly qualified for appointment other than temporary appointment in terms of the regulations for the time being in force under the said Acts; and

(b) teachers employed whole time by education authorities in the provision of further education under the said Acts;

have transmitted to the Secretary of State recommendations agreed on by them with respect to the relevant remuneration of teachers of the said descriptions;

(2) there are in force orders made under section 2 of the Act with respect to the remuneration of such teachers, namely the Remuneration of Teachers (Scotland) Order 1976 **(b)**, and the Remuneration of Teachers (Scotland) Amendment Orders 1976, and 1977 **(c)**;

(3) it appears to the Secretary of State that effect can more conveniently be given to the said recommendations by amending, by virtue of section 2(5) of the Act, the provisions set out in the memorandum referred to in the said orders namely the memorandum published by Her Majesty's Stationery Office under the title "Scottish Teachers Salaries Memorandum 1976";

(4) under section 2(5) of the Act, the Secretary of State has prepared a draft order setting out the amendments to the said memorandum which, in his opinion, are requisite for giving effect to the said recommendations; and

(5) the Secretary of State has consulted the Committee with respect to the draft order in accordance with section 2(6) of the Act and the Committee have made no representations with respect thereto.

(a) 1967 c. 36. **(b)** S.I. 1976/692. **(c)** S.I. 1976/1959; 1977/44, 1530.

Now therefore, the Secretary of State, in exercise of the powers conferred on him by sections 2(6) and 8(3) of the Act, and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation and commencement

1. This order may be cited as the Remuneration of Teachers (Scotland) Amendment Order 1978 and, together with the Remuneration of Teachers (Scotland) Amendment Orders 1976 and 1977, may be cited as the Remuneration of Teachers (Scotland) Amendment Orders 1976 to 1978.

2.—(1) This order shall come into operation on 1st February 1978 and, subject to paragraph (2) of this Article, shall have effect:

(a) for the purposes of Article 4 thereof. as from 1st April 1975

(b) for the purposes of Article 5 thereof, as from 1st April 1976

(c) for the purposes of Article 6 thereof, as from 7th March 1977

(d) for the purposes of Article 7 thereof, as from 1st April 1977

(e) for the purposes of Article 8 thereof, as from 1st August 1977

(2) Nothing in this order shall be construed as authorising the remuneration of any teacher to be reduced retrospectively.

Interpretation

3. In this order the "Memorandum" means the Scottish Teachers Salaries Memorandum 1976 as amended by the Remuneration of Teachers (Scotland) Amendment Orders 1976 and 1977 and 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 Memorandum with effect from 1 April 1975

4. The provisions set out in the Memorandum shall be amended in the following manner:—

(a) In Part III after paragraph 12(1) there shall be inserted the following sub-paragraph:—

"(1A) Scale 1 shall be increased by £111 in the case of a teacher who, on 31 March 1975, was in receipt of an addition to Scale 1 in accordance with the provisions of paragraph 21(1) of the Scottish Teachers Salaries Memorandum 1973 (as amended), and who remains continuously employed wholly or mainly in a special school or special class, provided that on 31 March 1975, either—

(a) being an honours graduate as defined in Appendix V of the Memorandum, the teacher was paid on point 13 of Scale 1, or

(b) not being an honours graduate so defined, the teacher was paid on point 12 of Scale 1."

(b) In Part IV after paragraph 22 there shall be inserted the following paragraph:—

"Salaries of teachers in exceptional circumstances

22A. An education authority may continue to pay a responsibility allowance to a teacher who, on 31 March 1975, was in receipt of a responsibility allowance or an increased responsibility allowance

(a) 1889 c. 63.

in accordance with the provisions of paragraph 37 of the Scottish Teachers Salaries Memorandum 1973 (as amended), and who continues to hold the post which he held on 31 March 1975.

Provided that the rate and continued payment of such a responsibility allowance shall be subject to review from time to time by the Scottish Teachers Salaries Committee."

(c) In Part B of Appendix I, at the end of paragraph 1 and with reference to the figure of "5208" in the Senior Lecturer I Scale (now to be marked "**"), there shall be inserted the following note:—

"** No teacher who was assimilated to the Senior Lecturer I Scale in accordance with the provisions of paragraph 4 of Section C of Appendix XIV of the Scottish Teachers Salaries Memorandum 1973 shall proceed beyond Point 10 of that scale unless he has been formally appointed to a Senior Lecturer post."

(d) In Part B of Appendix IV—

In sub-paragraph (1) of paragraph 2:—

(i) in line 2 after the words "3 years;" the word "or" shall be inserted;

(ii) in line 6 after the words "1 year;" the word "or" shall be inserted;

(iii) in line 7 after the words "1 year;" the word "and" shall be inserted;

(iv) in line 14 after the words "1 year;" the word "and" shall be inserted.

In sub-paragraph (2) of paragraph 2:—

(v) in line 2 after the words "2 years;" the word "and" shall be inserted;

In sub-paragraph (4) of paragraph 2:—

(vi) in line 2 after the words "2 years;" the word "or" shall be inserted;

(vii) in line 7 after the words "1 year" the word "and" shall be inserted.

(e) In Part B of Appendix VII

In sub-paragraph (1) of paragraph 2:—

in line 2 after the word "teacher" the words "or educational psychologist" shall be inserted.

Amendment of Memorandum with effect from 1 *April* 1976.

5. The provisions set out in the Memorandum, as amended by Article 4 of this order, shall be further amended in the following manner:—

In Part D of Appendix I at the end of the Notes and with reference to the figure "5520" in the Senior Lecturer I Scale in paragraph 2(1) of that Part (such figure now to be marked "(g)") there shall be inserted the following paragraph:—

"(g) No teacher who was assimilated to the Senior Lecturer I Scale in accordance with the provisions of paragraph 4 of Section C of Appendix XIV of the Scottish Teachers Salaries Memorandum 1973 shall proceed beyond Point 10 of that scale unless he has been formally appointed to a Senior Lecturer post."

Amendment of Memorandum with effect from 7 *March* 1977.

6. The provisions set out in the Memorandum, as amended by Articles 4 and 5 of this order, shall be further amended in the following manner:—

In Appendix III, Paragraph 8 shall be deleted and the following paragraph substituted therefor:—

"8. Absence from teaching employment during which a teacher remained

on the permanent staff of an education authority and

(1) with the consent of the education authority, attended a course of teacher training; or

(2) was granted special leave with pay; or

(3) in any year beginning on 1 August and ending 31 July the following year, was granted special leave without pay provided that the counting of such periods which in total exceed 30 days shall be at the discretion of the education authority; or

(4) treatment of such absence was in accordance with arrangements set out in circulars issued by the Scottish Teachers Salaries Committee; or

(5) at the discretion of the education authority, any other period."

Amendment of Memorandum with effect from 1 April 1977.

7. The provisions set out in the Memorandum, as amended by Articles 4, 5 and 6 of this order shall be further amended in the following manner:—

In Appendix I; Part D shall be deleted and the following Part substituted therefor:—

"PART D

SALARIES INCLUDING SPECIAL SUPPLEMENTS PAYABLE FROM 1 APRIL 1976 AND 1 APRIL 1977

1. School Education

SCALE 1 (Secondary)	1.4.75 Basic Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para. 40) £
Scale Point			
1	2,541	312	135
2	2,631(a)	312	138
3	2,700(a)	312	142
4	2,817(a)	312	147
5	2,946	312	154
6	3,081	312	161
7	3,216	312	167
8	3,354	312	174
9	3,504	312	182
10	3,720	312	193
11	3,936	312	199
12	4,149	312	199
13	4,365(b)	312	199

SCALE 2 (Primary)	1.4.75 Basic Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para. 40) £
Scale Point			
1	2,394	312	135
2	2,439	312	135
3	2,484(a)	312	135
4	2,547	312	135
5	2,649	312	139
6	2,751	312	144
7	2,853	312	149
8	2,955	312	154
9	3,057	312	159
10	3,159	312	165
11	3,273	312	170
12	3,396	312	176
13	3,519	312	183
14	3,648	312	189

NOTES:—

(1) The restrictions described in paragraph 39(2) about payment of the £312 supplement continue to apply from 1st April 1977, whether or not the teacher has been appointed since 1st April 1976; the restrictions apply equally to the revised salary of any teacher who has been promoted since 1st April 1976.

(2) These supplements, where less than £199, apply only to teachers with NO title to responsibility allowances or other additions. The supplement for teachers with such allowances or additions is related to their total salary, subject to a maximum supplement of £199 per annum.

(a) On appointment to Scale 1 minimum placing shall be given as follows:—

	Scale Point
(i) ordinary graduates*	2
(ii) holders of a Diploma in Art*	3
(iii) honours graduates*	4

On appointment to Scale 2 graduates* shall receive minimum placing at Scale Point 3.

(b) Only those teachers who are honours graduates* may progress to Scale Point 13 on Scale 1.

* as defined in Appendix V.

2. Further Education

(1) LECTURERS

	1.4.75 Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para. 40) £
LECTURER (B) Scale Point			
1	2,667	312	140
2	2,793(c) (d)	312	146
3	2,919	312	153
4	3,045	312	159
5	3,171	312	165
6	3,300	312	172
7	3,453	312	179
8	3,603	312	187
9	3,756	312	194
10	3,906	312	199
11	4,056	312	199
12	4,209	312	199
13	4,359	312	199
LECTURER (A) Scale Point			
1	3,216	312	167
2	3,435	312	178
3	3,666	312	190
4	3,894	312	199
5	4,125	312	199
6	4,356	312	199
7	4,587	312	199
8	4,818	312	199
9	5,046	312	199
10	5,289	312	199
11	5,529	312	199
12	5,772	312	199
13	6,012(e)	312	199
14	6,252	312	199
15	6,495	312	199

	1.4.75 Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para. 40) £
SENIOR LECTURER I			
Scale Point			
1	3,216	312	167
2	3,435	312	178
3	3,666	312	190
4	3,894	312	199
5	4,125	312	199
6	4,356	312	199
7	4,587	312	199
8	4,818	312	199
9	5,046	312	199
10	5,208(g)	312	199
11	5,370	312	199
SENIOR LECTURER II			
Scale Point			
1	5,046	312	199
2	5,289	312	199
3	5,529	312	199
4	5,772	312	199
5	6,012	312	199
SENIOR LECTURER III			
Scale Point			
1	6,000	312	199
2	6,246	312	199
3	6,492	312	199
4	6,735	312	199

	1.4.75 Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para. 40) £
SENIOR LECTURER (A) Scale Point			
1	6,000	312	199
2	6,246	312	199
3	6,492	312	199
4	6,735(f)	312	199
5	6,981	312	199
6	7,224	312	199
7	7,470	312	199
8	7,716	312	199

NOTES:—

(1) The restrictions described in paragraph 39(2) about payment of the £312 supplement continue to apply from 1st April 1977, whether or not the teacher has been appointed since 1st April 1976; the restrictions apply equally to the revised salary of any teacher who has been promoted since 1st April 1976.

(2) These supplements, where less than £199, apply only to teachers with NO title to responsibility allowances or other additions. The supplement for teachers with such allowances or additions is related to their total salary, subject to a maximum supplement of £199 per annum.

(c) On appointment to Lecturer (B) Scale ordinary graduates shall receive minimum placing at scale point 2. Honours graduates* shall receive minimum placing at scale point 3.

(d) On appointment to Lecturer (B) Scale holders of a teaching qualification* shall receive minimum placing at scale point 2.

(e) No teacher shall proceed beyond point 13 of the Lecturer (A) Scale unless he was entitled to a higher point during the salary year ending 31 July 1975 or otherwise in accordance with the provisions of a Circular issued by the Scottish Teachers Salaries Committee, and no appointment shall be made to a point on the Lecturer (A) Scale higher than point 13.

(f) No teacher shall proceed beyond point 4 of the Senior Lecturer (A) Scale unless he was entitled to a higher point during the salary year ending 31 July 1975 or otherwise in accordance with the provisions of a Circular issued by the Scottish Teachers Salaries Committee, and no appointment shall be made on the Senior Lecturer (A) Scale higher than point 4.

(g) No teacher who was assimilated to the Senior Lecturer I Scale in accordance with the provisions of paragraph 4 of Section C of Appendix XIV of the Scottish Teachers Salaries Memorandum, 1973 shall proceed beyond point 10 of that scale unless he has been formally appointed to a Senior Lecturer post.

*as defined in Appendix V.

(2) HEADS OF DEPARTMENT

Fixed Point	1.4.75 Salary	(1) 1.4.76 Stage I Supplement (Ref. Para. 39)	(2) 1.4.77 Stage II Supplement (Ref. Para. 40)
	£	£	£
1	5,400	312	199
2	5,670	312	199
3	5,940	312	199
4	6,210	312	199
5	6,480	312	199
6	6,750	312	199
7	7,020	312	199
8	7,290	312	199
9	7,560	312	199
10	7,830	312	199
11	8,100	312	199
12	8,370	130*	199
13	8,640	—	199
14	8,910	—	199
15	9,180	—	199
16	9,450	—	199
17	9,600	—	199

(3) DEPUTE PRINCIPALS

Group			
1	5,532—6,045	312	199
2	6,138—6,648	312	199
3	6,792—7,305	312	199
4	7,455—7,968	312	199
5	8,097*—8,607†	—	199
6	8,679—9,192	—	199
7	9,213—9,723	—	199
8	9,777—10,290	—	199
9	10,299—10,810 †	—	199
10	10,821—11,334	—	199
11	11,346—11,859	—	199
12	11,868—12,381	—	199

*Restricted 1.4.76 Supplement.
†1.4.76 Supplement not payable.

(4) PRINCIPALS

Group	1.4.75 Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para.40) £
1	6,627—7,239	312	199
2	7,347—7,959	312	199
3	8,136*—8,748†	—	199
4	8,931—9,543	—	199
5	9,696—10,308	—	199
6	10,398—11,008	—	199
7	11,031—11,643	—	199
8	11,706—12,318 ††	—	199
9	12,333—12,945	—	199
10	12,960—13,572	—	199
11	13,587—14,199	—	199
12	14,214—14,826	—	199

NOTES:—

(1) The restrictions described in paragraph 39(2) about payment of the £312 supplement continue to apply from 1st April 1977, whether or not the teacher has been appointed since 1st April 1976; the restrictions apply equally to the revised salary of any teacher who has been promoted since 1st April 1976.

(2) These supplements, where less than £199, apply only to teachers with NO title to responsibility allowances or other additions. The supplement for teachers with such allowances or additions is related to their total salary, subject to a maximum supplement of £199 per annum.

3. Educational Psychologists

(1) EDUCATIONAL PSYCHOLOGISTS

Scale Point	1.4.75 Salary £	(1) 1.4.76 Stage I Supplement (Ref. Para. 39) £	(2) 1.4.77 Stage II Supplement (Ref. Para. 40) £
1	3,438	312	179
2	3,669	312	190
3	3,903	312	199
4	4,134	312	199
5	4,365	312	199
6	4,599	312	199
7	4,830	312	199
8	5,061	312	199

(2) SENIOR EDUCATIONAL PSYCHOLOGISTS

Scale Point			
1	5,061	312	199
2	5,295	312	199
3	5,526	312	199
4	5,757	312	199

* Restricted 1.4.76 Supplement.

† 1.4.76 Supplement not payable.

(3) Principal educational psychologists shall be entitled to the basic salary Scale I described in paragraph 1 of this Part, to which shall be added the appropriate responsibility allowance described in Part A of Appendix VI subject to the over-riding provisions of paragraph 39 which relate to total salaries of £8,500 or more.

(4) Depute principal educational psychologists shall be entitled to the maximum point of the scale for senior educational psychologists to which shall be added half of the difference between that point and the total salary payable to the principal educational psychologist in their area subject to the over-riding provisions of paragraph 39 which relate to total salaries of £8,500 or more.

(5) Where a principal educational psychologist holds (a) an honours degree in psychology of a Scottish university, or (b) a degree of M. Ed. of a Scottish university he may be treated as an honours graduate for the purposes of qualification adjustment in similar fashion to holders of a qualification described in paragraph 1(1) of Part B of Appendix V.

NOTES:—

(1) The restrictions described in paragraph 39(2) about payment of the £312 supplement continue to apply from 1st April 1977, whether or not the teacher has been appointed since 1st April 1976; the restrictions apply equally to the revised salary of any teacher who has been promoted since 1st April 1976.

(2) These supplements, where less than £199, apply only to teachers with NO title to responsibility allowances or other additions. The supplement for teachers with such allowances or additions is related to their total salary, subject to a maximum supplement of £199 per annum."

Amendment of Memorandum with effect from 1st August 1977.

8. The provisions set out in the Memorandum, as amended by Articles 4, 5, 6 and 7 of this order, shall be further amended in the following manner:—

(a) In Part VIII, paragraph 35(1)(d) shall be deleted and the following paragraph substituted therefor:—

"(d) the salary receivable by a teacher who, for any part of a school session, is on the temporary staff shall, for that session, not exceed the annual rate of salary."

(b) In Part B of Appendix V, in paragraph 1(1) there shall be inserted after sub-paragraph (i) the following sub-paragraph:—

"(iA) a degree with first class or second class honours of a university in England, Wales or Northern Ireland or approved by the Council of National Academic Awards, but not of the Open University except as described elsewhere in this paragraph."

(c) In Part C of Appendix V, in paragraph 2 after sub-paragraph (1) there shall be inserted the following sub-paragraph:—

"(1A) a degree with first class or second class honours of a university in England, Wales or Northern Ireland or approved by the Council of National Academic Awards, but not of the Open University except as described elsewhere in this paragraph."

(d) In Part C of Appendix VI, in paragraph 4 after the word "Board" the words "or who has taken such examinations" shall be inserted.

Given under the Seal of the Secretary of State for Scotland.

Scottish Education Department,
St Andrew's House,
Edinburgh.
17th January 1978.

Ian M. Wilson
Under Secretary

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Scottish Teachers Salaries Memorandum 1976 (as amended).

Article 4 introduces with effect from 1st April 1975 various amendments and consequential amendments to the provisions of Parts III and IV of the Memorandum and Appendices.

Article 5 is a corrective amendment with effect from 1st April 1976 which relates to the application of a bar on the Senior Lecturer I salary scale.

Article 6 introduces with effect from 7th March 1977 revised provisions for the reckoning of absences from teaching employment in the reckoning of service for calculation of incremental credit.

Article 7 introduces tables of salaries, etc following the award of a supplement to salaries with effect from 1st April 1977.

Article 8 introduces, with effect from 1st August 1977:

(a) a change in the arrangements for payment of salary to temporary teachers;

(b) a change in the definition of an honours graduate for the purposes of salary calculations; and

(c) a change in the provisions for counting of pupils for the purposes of calculation of responsiblity allowances.

Articles 4, 5, 6, 7 and 8 of the Order have been given retrospective effect by virtue of the power in section 8(3) of the Remuneration of Teachers (Scotland) Act 1967 but Article 2(2) provides that nothing in the Order shall be construed as authorising the remuneration of any teacher to be reduced retrospectively.

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