1990 No. 270

EDUCATION

Teachers' Salaries (Amendment) Regulations (Northern Ireland) 1990

Made	*20th July 1990*
Coming into operation . .	*31st July 1990*

The Department of Education, in exercise of the powers conferred on it by Articles 17A, 69(1) and (4), 70(1)(*b*) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**a**), and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**b**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Teachers' Salaries (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 31st July 1990 and except where otherwise provided shall have effect on and from 1st April 1990.

Amendment of Teachers' Salaries Regulations (Northern Ireland) 1987

2. The Teachers' Salaries Regulations (Northern Ireland) 1987(**c**) shall be amended as provided in regulations 3 to 17.

3. For the table in regulation 7 (salary of principals) there shall be substituted the following table—

(a) S.I. 1986/594 (N.I. 3) as amended by S.I. 1987/167 (N.I. 2)
(b) 1962 c. 7 (N.I.)
(c) S.R. 1987 No. 384 as amended by S.R. 1988 No. 304 and S.R. 1989 No. 275

"*Primary and Secondary School Group* (1)	*Special School Group* (2)	*Salary* (3)
		£
1		18,588
2		19,185
3		19,785
4	3(S)	20,385
5	4(S)	21,288
6	5(S)	22,779
7	6(S)	23,979
8	7(S)	25,479
9	8(S)	27,276
10	9(S)	29,073
11		31,176
12		33,273
13		34,773
14		36,573"

4. For the table in regulation 8 (salary of vice-principals) there shall be substituted the following table—

"*Primary and Secondary School Group* (1)	*Special School Group* (2)	*Salary* (3)
		£
Below 4		17,685
4	3(S)	17,988
5	4(S)	18,435
6	5(S)	18,882
7	6(S)	19,482
8	7(S)	20,385
9	8(S)	21,582
10	9(S)	22,779
11		23,682
12		24,882
13		25,782
14		26,679"

5. For the table in regulation 9 (main scale for all teachers except principals and vice-principals) there shall be substituted the following table—

"Scale Point	Annual Salary
	£
1	9,000
2	9,342
3	9,696
4	10,047
5	10,881
6	11,754
7	12,504
8	13,254
9	14,004
10	14,898
11	15,723"

6. For the table in regulation 10(1) (rate of allowances) there shall be substituted the following table—

"*Rate*	*Amount*
	£
A	927
B	1,389
C	2,775
D	3,702
E	5,088"

7. In regulation 12 (teachers of blind and deaf children) for "£552" there shall be substituted "£597".

8. For regulation 15 (payment of temporary teachers) with effect on and from 1st August 1990 there shall be substituted—

"*Payment*

15.—(1) A temporary teacher shall, except as provided in paragraph (2), be paid for each working day at the rate of 1/195th of the salary which he would receive if he were employed in a permanent capacity.

(2) A temporary teacher who is appointed for a period of not less than 12 months shall be paid salary as though he were employed in a permanent capacity.

(3) In the case of a temporary teacher who, in respect of any period of service, is paid on a daily basis in accordance with paragraph (1), each working day shall for the purposes of increment be reckoned as 1/195th of a year of service but in any twelve consecutive months any such period of service together with any other periods of teaching service which such

teacher may perform during that time shall not be reckoned as more than one year of service.

(4) For the purposes of this regulation "salary" includes any allowances to which the temporary teacher is entitled herein and any reorganisation allowance payable under the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1987(**a**).".

9. In regulation 16 (payment of part-time teachers)—

(*a*) in the table in paragraph (1) for the sums "£8·73" and "£6·99" there shall be substituted "£9·64" and "£7·48" respectively; and

(*b*) in paragraph (4) for the sum "£8·73" there shall be substituted "£9·64".

10. For regulation 16 with effect on and from 1st August 1990 there shall be substituted—

"*Payment*

16.—(1) A part-time teacher employed for a period of less than 12 months shall, except as provided in paragraphs (2) and (4) and regulation 16A, be paid for each hour worked—

(*a*) if he is a qualified teacher, at the rate of 1/1265th of the annual salary which he would have received if he were employed in a permanent capacity; and

(*b*) if he is an unqualified teacher, at the rate of £7·48.

(2) For the purposes of this regulation, a part-time teacher with qualifications acceptable to the Department may be considered to be a qualified part-time teacher although such qualifications need not necessarily be acceptable for recognition as a qualified teacher employed in a full-time capacity and shall be remunerated at the rate of £9·64 for each hour worked.

(3) A part-time teacher who is employed for a period of not less than 12 months shall be paid the same proportion of the salary which he would receive if he were employed in a full-time capacity as his part-time service bears to that full-time service.

(4) In such circumstances as the Department may determine, a part-time qualified teacher employed for a period of less than 12 months shall be paid as if paragraph (3) applied to him rather than paragraph (1)(*a*).

Incremental progression

16A.—(1) After the salary of a part-time qualified teacher has been determined in accordance with regulation 16 an increment on the appropriate scale shall, subject to the Department's approval and these Regulations, be granted each time the teacher has completed the equivalent of 12 months full-time service:

(a) S.R. 1987 No. 385

Provided that no teacher shall be entitled to more than one such increment in any period of 12 months.

(2) The proportion of the increment payable to any teacher under paragraph (1) shall be the same as that which his salary bears to the salary he would have received had he been employed in a full-time capacity.

(3) Any periods of absence without pay of a part-time teacher shall not be counted as teaching service for the purposes of paragraph (1).

(4) An increment may at any time be withheld if a teacher's service is considered by the Department to be unsatisfactory.

(5) If an increment is withheld at any incremental date or at any two or more successive incremental dates and if, at the next following incremental date, the teacher's service is considered by the Department to have reached a satisfactory standard he may be granted two increments (instead of one increment) on the main scale.''.

11. In regulation 17 (minimum salary for unqualified teachers) for ''£6,429'' there shall be substituted ''£6,879.''.

12. For regulation 18 (interpretation) with effect on and from 1st August 1990 there shall be substituted—

''*Interpretation*

18.—(1) In regulations 16 and 16A ''salary'' includes any allowances to which the part-time teacher is entitled herein and any reorganisation allowance payable under the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1987''.

(2) In regulations 19 and 20 ''teacher'' means—

(*a*) a full-time teacher, other than a temporary teacher who is paid at the daily rate of 1/195th of his annual salary; and

(*b*) a part-time teacher who is paid in accordance with regulation 16(3).

(3) In regulation 19 ''full rate'', in relation to any teacher mentioned in paragraph (2)(*b*), means the rate of remuneration which would have been payable to the teacher concerned had he not been absent due to illness, and ''full-time rate'' shall be construed accordingly.''.

13. In regulation 19 for ''full-time service'', wherever it occurs, there shall be substituted ''service''.

14. In regulation 22 (transitional provisions)—

(*a*) for the words ''31st March 1989'' wherever they occur there shall be substituted ''31st March 1990'';

(*b*) for paragraph (4) with effect on and from 1st August 1990 there shall be substituted—

''(4) This regulation shall not apply to a temporary teacher paid in accordance with regulation 15.''.

15. In Schedule 1 (groups, unit totals, promotion allowances and

provisions for principals and vice-principals) with effect on and from 1st August 1990 for Table 2 in Annex B there shall be substituted—

"TABLE 2

LIMITS RELATING TO VICE-PRINCIPALS AND PROMOTION ALLOWANCES IN SPECIAL SCHOOLS

Group	*Number paid as vice-principals*	*Percentage limits for promotion allowances*		
		Rate C	*Rate D*	*Rate E*
(1)	(2)	(3)	(4)	(5)
3(S)	0–1	—	—	—
4(S)	1	—	—	—
5(S)	1	10–25	—	—
6(S)	1	15–25	—	—
7(S)	2	15–25	0–15	—
8(S)	2	15–25	5–15	0–15
9(S)	2–3	15–25	5–15	5–15"

16. In Schedule 2 (method of determining the position of a teacher on the main scale) with effect on and from 1st August 1990—

(*a*) in Part I paragraph 6A shall be revoked;

(*b*) in Part II there shall be inserted "other than a temporary teacher paid on a daily basis in accordance with regulation 15(1)"—

(i) in paragraph 7(2) between "teacher" and "shall";

(ii) in paragraph 7(3) between "teacher" and "who";

(iii) in paragraph 7(4) between "teacher" and "enters"; and

(iv) in paragraph 7(5) between "teacher" and "from";

(*c*) in Part II for paragraph 7(6) with effect on and from 1st August 1990 there shall be substituted—

"(6) A temporary teacher paid on a daily basis in accordance with regulation 15(1) shall be awarded an increment with effect from the first working day following completion of 195 working days satisfactory service."; and

(*d*) with effect on and from 1st August 1990 Part III shall be revoked.

17. For Schedule 3 (transitional arrangements for teachers in service on 31st March 1989) there shall be substituted the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Education on 20th July 1990.

(L.S.) *S. Peover*

Assistant Secretary

SCHEDULE Regulation 17

"SCHEDULE 3 Regulations 9, 10 and 22

TRANSITIONAL ARRANGEMENTS FOR TEACHERS IN SERVICE ON 31ST MARCH 1990

1. A teacher, other than a principal or vice-principal, who on 1st April 1990 was, and had immediately before that date been, in teaching service in a grant-aided school or as a peripatetic or supply teacher, shall from that date be placed on the main scale in regulation 9 at the point on the scale corresponding to that on which he would have received salary had the scale in operation on 31st March 1990 continued to apply.

2. A teacher who was, on 31st March 1990, being paid a salary of £14,141 (excluding allowances) in accordance with paragraph 2 of Schedule 3 as it had effect on 31st March 1990 shall from 1st April 1990 be paid a salary of £15,131 and on the date of his next increment transfer to point 11 of the main scale.

3.—(1) Subject to regulation 10(6) and (7) a teacher who was on 31st March 1990 in receipt of a promotion allowance payable under regulation 10 as it had effect on 31st March 1990 shall from 1st April 1990 be paid the corresponding promotion allowance set out in regulation 10(1) except that in the case of an allowance payable under regulation 10(4)(*a*) or (*b*) this sub-paragraph shall apply only so long as the teacher holds the same post.

(2) Subject to sub-paragraph (3) a teacher who was on 31st March 1990 in receipt of a promotion allowance payable under paragraph 2(2) of Schedule 3 as it had effect on 31st March 1990 shall be paid the corresponding promotion allowance set out in regulation 10(1), unless it is superseded by an allowance of an equal or greater amount payable under regulation 10 or regulation 11.

(3) Sub-paragraph (2) shall apply only so long as the teacher holds the same post."

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Teachers' Salaries Regulations (Northern Ireland) 1987, as amended, and give effect from 1st April 1990 to an average increase of 7% in salaries together with an average increase of 8% in allowances.

Revised scales and rates of salary are set out in regulations 3 to 5.

Revised rates of promotion allowances are set out in regulation 6.

The revised rate of allowance for teachers of blind and deaf children is set out in regulation 7.

Regulation 8 provides that, with effect from 1st August 1990, all temporary teachers paid on a daily basis shall be placed on the main salary scale according to qualifications and experience rather than placing certain teachers on specific 'age points'.

Regulation 10 provides that, with effect from 1st August 1990, all qualified part-time teachers shall be placed on the main teachers' salary scale and remunerated pro-rata for the hours worked. This replaces fixed hourly rates for such teachers.

Regulation 11 sets out the revised minimum rate of salary for full-time unqualified teachers.

Regulation 12 provides that with effect from 1st August 1990 all part-time teachers paid on an annual basis shall be entitled to paid sick leave and to be granted leave of absence with salary.

Regulations 14 and 17 and the Schedule detail the transitional arrangements for teachers in service on 31st March 1990.

Regulation 15 sets out revised percentage limits for promotion allowances in special schools with effect from 1st August 1990.

Regulation 16 makes minor and consequential amendments.

These Regulations have retrospective effect by virtue of section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.