1992 No. 197

EDUCATION

Teachers' Salaries (Amendment) Regulations (Northern Ireland) 1992

Made	*28th April 1992*
Coming into operation . .	*30th April 1992*

The Department of Education, in exercise of the powers conferred on it by Articles 69(1) and (2) and (3)(**a**), 70(1)(*b*)(**b**) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**c**), and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**d**) and of every other power enabling it in that behalf, after consultation in accordance with Article 69(5)(**a**) of the Education and Libraries (Northern Ireland) Order 1986(**c**) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Teachers' Salaries (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation on 30th April 1992 and except where otherwise provided shall have effect on and from 1st April 1992.

Amendment of Teachers' Salaries Regulations (Northern Ireland) 1987

2. The Teachers' Salaries Regulations (Northern Ireland) 1987(**e**) shall be amended as provided in regulations 3 to 13.

Interpretation

3. In regulation 3(1) for the definition of ''employing authority'' there shall be substituted—

'' ''employing authority'' means—

(*a*) in relation to teachers employed in controlled schools, the board by which they are employed;

(*b*) in relation to teachers (including supply teachers) employed by the Council for Catholic Maintained Schools, that Council;

(*c*) in relation to teachers employed in a voluntary school (other than a Catholic maintained school), the managers of that school;

(**a**) Article 69 was substituted by Article 166 of and Schedule 9 to S.I. 1989/2406 (N.I. 20)
(**b**) Article 70 was substituted by Article 8 of S.I. 1987/167 (N.I. 2) and amended by Article 157 of S.I. 1989/2406 (N.I. 20)
(**c**) S.I. 1986/594 (N.I. 3) to which there are other amendments not relevant to the subject matter of these Regulations
(**d**) 1962 c. 7 (N.I.)
(**e**) S.R. 1987 No. 384 as amended by S.R. 1988 No. 304, S.R. 1989 No. 275, S.R. 1990 No. 270, S.R. 1991 No. 16, S.R. 1991 No. 256 and S.R. 1991 No. 532

(*d*) in relation to teachers employed in a grant-maintained integrated school, the Board of Governors of the school;

(*e*) in relation to peripatetic teachers, the board by which they are employed;

(*f*) in relation to supply teachers (other than those mentioned in sub-paragraph (*b*)), the board by which they are employed;''.

Salary of principals

4. For the table in regulation 7 there shall be substituted the following table—

''Primary and Secondary School Group (1)	*Special School Group* (2)	*Salary* (3)
		£
1		23,271
2		24,000
3		24,726
4	3(S)	25,455
5	4(S)	26,544
6	5(S)	28,365
7	6(S)	30,060
8	7(S)	31,998
9	8(S)	34,062
10	9(S)	36,489
11		39,153
12		41,697
13		43,395
14		45,939''

Salary of vice-principals

5. For the table in regulation 8 there shall be substituted the following table—

"Primary and Secondary School Group (1)	*Special School Group* (2)	*Salary* (3)
		£
Below 4		22,182
4	3(S)	22,545
5	4(S)	23,271
6	5(S)	23,637
7	6(S)	24,366
8	7(S)	25,455
9	8(S)	26,910
10	9(S)	28,365
11		29,577
12		31,032
13		32,484
14		33,453"

Standard scale for all teachers except principals and vice-principals

6. For the table in regulation 9 there shall be substituted the following table—

"Scale Point	*Annual Salary*
	£
1	11,184
2	11,775
3	12,366
4	12,954
5	13,839
6	14,721
7	15,606
8	16,488
9	17,664
10	18,837"

Rate of allowances

7. For the table in regulation 10(1) there shall be substituted the following table—

"Rate	*Amount*
	£
A	1,296
B	2,097
C	4,194
D	5,595
E	7,692"

Teachers of blind and deaf children

8. In regulation 12 for "£654" there shall be substituted "£702".

Part-time teachers: payment

9. In regulation 16—

(*a*) in paragraph (1)(*b*) for "£8·19" there shall be substituted "£8·80";

(*b*) in paragraph (2) for "£10·55" there shall be substituted "£11·35";

(*c*) in paragraph (5) for "£10·55" there shall be substituted "£11·35".

Minimum salary for unqualified teachers

10. In regulation 17 for "£7,608" there shall be substituted "£8,178".

Transitional provisions

11. In regulation 22—

(*a*) for the words "30th November 1991", wherever they occur, there shall be substituted "31st March 1992";

(*b*) in paragraph (2) after the words "Subject to paragraph (3)" there shall be inserted the words "and to paragraph 2(1)(*b*) of Schedule 3";

(*c*) for paragraph (3) there shall be substituted—

"(3) Paragraph (2) shall, subject to paragraph 2 of Schedule 3, apply only so long as the teacher holds the same post.".

Groups, unit totals, promotion allowances and provisions for principals and vice-principals

12.—(1) In Part I of Schedule 1 (primary and secondary schools)—

(*a*) for paragraph 3(2) and (3) there shall be substituted—

"(2) Subject to sub-paragraph (3) the number of teachers in a school who shall be paid as vice-principals shall be determined by the relevant body.

(3) If under sub-paragraph (2) the relevant body reduces the number of teachers in a school who are to be paid as vice-principals, any teachers who were being so paid immediately before that

reduction shall continue to be paid as vice-principals while they remain in post at that school. However, this sub-paragraph shall cease to apply in the case of any teacher who is offered but unreasonably refuses to accept a post as a vice-principal in any other school at a rate of salary not lower than that which he is being paid by virtue of this sub-paragraph.'';

(*b*) for paragraph 4 (promotion allowances) there shall be substituted—

''*Promotion allowances*

4.—(1) Subject to sub-paragraphs (2) to (5) and to paragraph 2(2) of Schedule 3, the maximum rate of promotion allowances and the number of such allowances which may be paid at that rate in a school which has been assigned to a group specified in column (2) of the Table are set out opposite thereto in column (3).

(2) The limits set out in column (3) of the Table may be increased where the relevant body is of the opinion that the staffing and organisational needs of the school cannot otherwise be met and, in forming this opinion, it shall have regard in particular, but not exclusively, to—

(*a*) whether the school is a secondary school in a group below group 9;

(*b*) the difficulties of recruiting and retaining teachers to serve in the school; and

(*c*) the proportion of children in the school belonging to families receiving income support.

(3) A teacher may be paid a promotion allowance at a rate for which no provision is made in the Table for the relevant group if—

(*a*) the allowance is payable pursuant to the transitional provisions in paragraph 2(2) of Schedule 3; or

(*b*) the teacher is already being paid such an allowance and the school is assigned to a lower group for which the particular allowance is no longer provided for in the Table.

(4) A teacher in a school being paid a promotion allowance in circumstances provided for in sub-paragraph (3) shall continue to receive it for so long as he remains in post at the same school.

(5) When the assignment of a school to a lower group causes the limits in column (3) of the Table to be exceeded (not counting any teacher who is being paid a promotion allowance in circumstances provided for in sub-paragraphs (2) to (4)) the teachers in the school being paid promotion allowances in excess of the limits shall continue to be paid those allowances while they remain in post at that school but no further promotion allowances in excess of the limits shall be paid.''.

(2) In Part II of Schedule 1 (special schools)—

(*a*) for paragraph 7(1) and (2) there shall be substituted—

''(1) Subject to sub-paragraph (2) the number of teachers in a special school who shall be paid as vice-principals shall be determined by the Department.

(2) If under sub-paragraph (1) the Department reduces the number of teachers in a special school who are to be paid as vice-principals any teachers who were being so paid immediately before that reduction shall continue to be paid as vice-principals while they remain in post at that school. However, this sub-paragraph shall cease to apply in the case of any teacher who is offered but unreasonably refuses to accept a post as a vice-principal in any other special school at a rate of salary not lower than that which he is being paid by virtue of this sub-paragraph.'';

(*b*) in paragraph 8(1) there shall be substituted for the words ''columns (3) to (5) of Table 2'' the words ''columns (2) to (4) of Table 2''; and

(*c*) in paragraph 8(2)(i) the words from ''and the difference between'' to the end shall be omitted.

(3) For the Table in Annex A to Schedule 1 there shall be substituted—

''LIMITS RELATING TO PROMOTION ALLOWANCES IN PRIMARY AND SECONDARY SCHOOLS APPLYING FROM 1st APRIL 1992 TO 31st AUGUST 1992

Unit Total (1)	*Group* (2)	*Maximum rate of promotion allowances and number of such allowances* (3)
Up to 100	1	Not higher than B
100- 200	2	Not higher than B
201- 300	3	Not higher than B
301- 500	4	Not higher than B
501- 700	5	Not higher than B
701-1000	6	Not higher than C
1001-1300	7	Not higher than C
1301-1800	8	Not higher than D
1801-2400	9	Not more than 3 allowances at Rate E
2401-3300	10	Not more than 4 allowances at Rate E
3301-4600	11	Not more than 5 allowances at Rate E
4601-6000	12	Not more than 5 allowances at Rate E
6001-7600	13	Not more than 6 allowances at Rate E
Over 7600	14	Not more than 8 allowances at Rate E''

(4) For Table 2 in Annex B to Schedule 1 there shall be substituted—

"TABLE 2

LIMITS RELATING TO PROMOTION ALLOWANCES IN SPECIAL SCHOOLS

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

(5) With effect on and from 1st September 1992—

(*a*) for paragraph 4(1) in Part 1 of Schedule 1 there shall be substituted—

"(1) Subject to sub-paragraphs (2) to (5) and to paragraph 2(2) of Schedule 3, the maximum rate of promotion allowances which may be paid in a school which has been assigned to a group specified in column (2) of the Table is set out opposite thereto in column (3)."; and

(*b*) for the Table in Annex A to Schedule 1 there shall be substituted—

"LIMITS RELATING TO PROMOTION ALLOWANCES IN PRIMARY AND SECONDARY SCHOOLS APPLYING FROM 1st SEPTEMBER 1992

Unit Total (1)	*Group* (2)	*Maximum rate of promotion allowances* (3)
Up to 100	1	Not higher than B
100- 200	2	Not higher than B
201- 300	3	Not higher than B
301- 500	4	Not higher than B
501- 700	5	Not higher than B
701-1000	6	Not higher than C
1001-1300	7	Not higher than C
1301-1800	8	Not higher than D
Over 1800	9 and above	No limit"

13. For Schedule 3 (transitional arrangements for teachers in service on 30th November 1991) 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 28th April 1992.

(L.S.) *S. Quinn*

Assistant Secretary

SCHEDULE Regulation 13

"SCHEDULE 3 Regulations 9, 10 and 22

TRANSITIONAL ARRANGEMENTS FOR TEACHERS IN SERVICE ON 31st MARCH 1992

1. A teacher, other than a principal or vice-principal, who on 1st April 1992 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 standard scale at the point on the scale corresponding to that on which he would have received salary had the scale in operation on 31st March 1992 continued to apply.

2.—(1)(*a*) Subject to regulation 10(6) and (7) a teacher who was on 31st March 1992 in receipt of a promotion allowance payable under regulation 10 as it had effect on 31st March 1992 shall, subject to sub-paragraph (1)(*b*), from 1st April 1992 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.

(*b*) Sub-paragraph (1)(*a*) shall cease to apply with effect on and from 1st September 1992 in the case of an allowance payable under regulation 10(4)(*b*), as it had effect on 31st March 1991, to a teacher who was responsible for remedial education in a primary or secondary school unless the relevant body for that school decides that payment of such an allowance should continue in which case that sub-paragraph shall cease to apply in the case of that allowance with effect on and from 1st September 1993.

(2) Subject to sub-paragraph (3) a teacher who was on 31st March 1992 in receipt of a promotion allowance under paragraph 2(2) of Schedule 3 to the Teachers' Salaries Regulations (Northern Ireland) 1987 as it had effect on 31st March 1992 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 further amend the Teachers' Salaries Regulations (Northern Ireland) 1987, as amended, and give effect from 1st April 1992 to an increase of 7.5% in salaries and promotion allowances for teachers in primary, secondary and special schools and for peripatetic and supply teachers.

Regulation 3 amends the definition of ''employing authority'' to include the Council for Catholic Maintained Schools.

Revised scales and rates of salary for principals, vice-principals and for other full-time qualified teachers are set out in regulations 4 to 6.

Revised rates of promotion allowances are set out in regulation 7.

Revised hourly rates of pay for certain part-time teachers are set out in regulation 9.

Regulation 10 sets out the revised minimum rate of salary for full-time unqualified teachers.

Regulations 11 and 13 and the Schedule detail the transitional arrangements for teachers in service on 31st March 1992.

Regulation 12 makes minor and consequential amendments to Schedule I and removes the limits relating to the number of vice-principals in primary, secondary and special schools. It also removes the £700 differential, which applied in particular circumstances, between promotion allowance holders and vice-principals, or, where there was no vice-principal, principals. This regulation also removes the limits, in primary and secondary schools, on the number of promotion allowances at Rate 'E' in school groups 9 to 14 with effect from 1st September 1992.

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