

1987 No. 267

EDUCATION

**Teachers' (Terms and Conditions of Employment)
Regulations (Northern Ireland) 1987**

Made 25th June 1987

Coming into operation 1st August 1987

The Department of Education, in exercise of the powers conferred on it by Articles 70(1) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(a) 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' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987 and shall come into operation on 1st August 1987.

Interpretation

2. In these regulations—

“Board of Governors” means the Board of Governors of a controlled school appointed under Article 10 of the Order;

“employing authority” in relation to a teacher means the board which employs the teacher or, in the case of a teacher employed in a grant-aided school which is not under the management of a board, the managers of that school;

“the Order” means the Education and Libraries (Northern Ireland) Order 1986;

“principal” and “vice-principal” mean the teachers appointed to those posts in a grant-aided school;

“qualified teacher” means a teacher who has such qualifications as are approved by the Department under regulation 5 of the Teachers' (Eligibility) Regulations (Northern Ireland) 1987(b);

“teacher” means a qualified teacher.

Application

3. These regulations shall apply to teachers employed in grant-aided schools and to part-time teachers and supply teachers.

(a) S.I. 1986/594 (N.I. 3). Article 70 was substituted by Article 8 of S.I. 1987/167 (N.I. 2)

(b) S.R. 1987 No. 266

Terms and conditions of employment

4. The terms and conditions of employment of all principals and vice-principals shall include the terms and conditions set out respectively in Schedules 1 and 2; and a teacher designated second master or second mistress in a school shall be deemed for the purposes of this regulation and regulation 5 to be a vice-principal.

5. The terms and conditions of employment of all teachers other than principals shall include the terms and conditions set out in Schedule 3, save that the terms and conditions set out in paragraph 4 of that Schedule shall not apply to vice-principals.

Sealed with the Official Seal of the Department of Education on 25th June 1987.

(L.S.)

R. T. Holmes

Assistant Secretary

TERMS AND CONDITIONS OF EMPLOYMENT OF PRINCIPALS

General functions

1. A principal shall be required to carry out his professional duties in accordance with the school's policy and objectives as determined by the employing authority and, in the case of a controlled school, the Board of Governors and shall obey the reasonable directions of the employing authority and, in the case of a controlled school, the Board of Governors.

2. Subject to paragraph 1 the principal shall be responsible for the internal organisation, management and control of the school.

3. In carrying out his duties the principal shall consult, where this is appropriate, with the employing authority, the staff of the school and, in the case of a controlled school, the Board of Governors.

Consultation

Professional duties

4. The professional duties of a principal shall include—

(1) formulating the overall aims and objectives of the school and policies for their implementation;

School aims

(2) participating in the selection and appointment of the teaching and non-teaching staff of the school;

Appointment of staff

(3) (a) deploying and managing all teaching and non-teaching staff of the school and allocating particular duties to them (including such duties of the principal as may properly be delegated to the vice-principal or other members of the staff), in a manner consistent with their terms and conditions of employment, maintaining a reasonable balance for each employee;

Management of staff

(b) ensuring that the duty of providing cover for absent teachers, as set out in paragraph 3(9) of Schedule 3 is shared equitably among all teachers in the school, taking account of their teaching and other duties;

(4) maintaining relationships, as appropriate, with organisations representing teachers and other persons on the staff of the school;

Liaison with staff unions and associations

(5) subject to the provisions of paragraph 1 determining, organising and implementing an appropriate curriculum for the school, having regard to the needs, experience, interests, aptitudes and stage of development of the pupils and the resources available to the school;

Curriculum

(6) keeping under review the work and organisation of the school;

Review

(7) evaluating the standards of teaching and learning in the school, and ensuring that proper standards of professional performance are established and maintained;

Standards of teaching and learning

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| Management information | (8) providing information about the work and performance of the staff employed at the school where this is relevant to their future employment; |
| Performance review | (9) (a) participating in any scheme of staff development and performance review of teachers who teach in the school; |
| Training and development of staff | (b) ensuring that all staff in the school have access to advice and training appropriate to their needs, in accordance with the policies of the employing authority for the development of staff; |
| Pupil progress | (10) ensuring that the progress of the pupils of the school is monitored and recorded; |
| Pastoral care | (11) determining and ensuring the implementation of a policy for the pastoral care of the pupils; |
| Discipline | (12) determining, in accordance with any written statement of general principles provided for him by the employing authority and, in the case of a controlled school, the Board of Governors, measures to be taken with a view to promoting, among the pupils, self-discipline and proper regard for authority, encouraging good behaviour on the part of the pupils, securing that the standard of behaviour of the pupils is acceptable, and otherwise regulating the conduct of the pupils; making such measures generally known within the school, and ensuring that they are implemented; |
| Relations with parents | (13) in accordance with the policy of the employing authority having responsibility for good order and discipline on the school premises whenever pupils are present, including the mid-day break; |
| Relations with other bodies | (14) making arrangements for parents to be given regular information about the school curriculum, the progress of their children and other matters affecting the school, so as to promote common understanding of its aims; |
| Relations with Board of Governors | (15) promoting effective relationships with persons and bodies outside the school as may be approved by the employing authority; |
| Relations with employing authority | (16) in the case both of a controlled school and a voluntary school (other than a school referred to in Article 11(8) of the Order), advising and assisting the Board of Governors in the exercise of their functions, including attending meetings of the Board of Governors and making such reports to it in connection with the discharge of his functions as it may properly require either on a regular basis or from time to time; |
| | (17) in the case of both a controlled school and a voluntary school referred to in Article 11(8) of the Order, providing for liaison and co-operation with the employing authority; making such reports to the employing authority in connection with the discharge of his functions as it may properly require either on a regular basis or from time to time; |

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| (18) maintaining liaison with other schools and institutions of further education with which the school has a relationship; | Relations with other educational establishments |
| (19) allocating, controlling and accounting for those financial and material resources of the school which are under the control of the principal; | Resources |
| (20) making arrangements in co-operation with the employing authority, for the security and effective supervision of the school buildings and their contents and of the school grounds; and ensuring (if so required) that any lack of maintenance is promptly reported to the employing authority or, in the case of a controlled school, the Board of Governors; | Premises |
| (21) (a) participating in any scheme of staff development and performance review of principals;
(b) participating in the identification of areas in which he would benefit from further training and undergoing such training; | Performance review of principal |
| (22) arranging for a vice-principal or, if the vice-principal is not available, another suitable person to assume responsibility for the discharge of his functions as principal at any time when he is absent from the school; | Absence |
| (23) participating, to such extent as may be appropriate having regard to his other duties, in the teaching of the pupils at the school, including the provision of cover for absent teachers; | Teaching |
| 5. Without prejudice to his duties under paragraph 4(13) and (22), a principal shall be allowed a break of at least 30 minutes between the hours of 12 noon and 2.00 p.m. | Daily break |

TERMS AND CONDITIONS OF EMPLOYMENT OF VICE-PRINCIPALS

A person appointed vice-principal in a school, in addition to carrying out the professional duties of a teacher, including those duties particularly assigned to him by the principal, shall—

- (1) assist the principal in managing the school or such part of it as may be determined by the principal;
- (2) undertake any professional duty of the principal, which may be delegated to him by the principal;
- (3) undertake, in the absence of the principal to the extent required by him or the employing authority, the professional duties of the principal;
- (4) be allowed a break of at least 30 minutes between the hours of 12 noon and 2.00 p.m.

SCHEDULE 3

Regulation 5

TERMS AND CONDITIONS OF EMPLOYMENT OF A TEACHER

Exercise of general professional duties

1. A teacher who is not a principal shall carry out the professional duties of a teacher as circumstances may require—

- (a) if he is employed as a teacher in a school, under the reasonable direction of the principal of that school;
- (b) if he is employed by a board on terms under which he is not assigned to any one school, under the reasonable direction of that board and of the principal of any school in which he may for the time being be required to work as a teacher.

Exercise of particular duties

- 2. (a) A teacher employed as a teacher (other than a principal) in a school shall perform, in accordance with any directions which may be reasonably given to him by the principal from time to time, such particular duties as may reasonably be assigned to him.
- (b) A teacher to whom paragraph 1(b) refers shall perform, in accordance with any direction which may reasonably be given to him from time to time by the board or by the principal of any school in which he may for the time being be required to work as a teacher, such particular duties as may reasonably be assigned to him.

Professional duties

3. The following duties shall be deemed to be included in the professional duties which a teacher may be required to perform—

- (1) (a) planning and preparing courses and lessons; Teaching
- (b) teaching, according to their educational needs, the pupils assigned to him, including the setting and marking of work to be carried out by the pupils in school and elsewhere;
- (c) assessing, recording and reporting on the development, progress and attainment of pupils;
- (2) (a) promoting the general progress and well-being of individual pupils and of any class or group of pupils assigned to him; Other activities
- (b) providing guidance and advice to pupils on educational and social matters and on their further education and future careers including information about sources of more expert advice on specific questions; making relevant records and reports;
- (c) making records of and reports on the personal and social needs of pupils except in instances where to do so might be regarded as compromising a teacher's own position;

- (d) communicating and consulting with the parents of pupils;
- (e) communicating and co-operating with such persons or bodies outside the school as may be approved by the employing authority and, in the case of a controlled school, the Board of Governors;
- (f) participating in meetings arranged for any of the purposes described above;
- Assessments and reports (3) providing or contributing to oral and written assessments, reports and references relating to individual pupils and groups of pupils except in instances where to do so might be regarded as compromising a teacher's own position;
- Performance review (4) participating, if required, in any scheme of staff development and performance review;
- Review (5) (a) reviewing from time to time his methods of teaching and programmes of work;
- Further training and development (b) participating in arrangements for his further training and professional development as a teacher;
- Educational methods (6) advising and co-operating with the principal and other teachers (or any one or more of them) on the preparation and development of courses of study, teaching materials, teaching programmes, methods of teaching and assessment and pastoral arrangements;
- Discipline, health and safety (7) maintaining good order and discipline among pupils in accordance with the policies of the employing authority and safeguarding their health and safety both when they are authorised to be on the school premises and when they are engaged in authorised school activities elsewhere;
- Staff meetings (8) participating in meetings at the school which relate to the curriculum for the school or the administration or organisation of the school, including pastoral arrangements;
- Cover (9) Supervising and teaching any pupils whose teacher is not available provided that:
- (a) in schools with an average daily enrolment greater than 222 pupils a teacher other than a supply teacher shall not be required to provide such cover after the second day on which a teacher is absent or otherwise not available or from the first day if the fact that the teacher would be absent or otherwise not available for a period exceeding 2 days was known to and agreed by the employing authority in advance;
- (b) in schools with an average daily enrolment of 222 pupils or less a teacher other than a supply teacher shall not be required to provide such cover after the first day on which a teacher is absent or otherwise not available or from the first day if the fact that the teacher would be absent or not otherwise available for more than 1 day was known to and agreed by the employing authority in advance;

- (c) in schools with a complement of 1, 2 or 3 teachers and in nursery units in primary schools, a teacher other than a supply teacher shall, notwithstanding heads (a) and (b), not be required to provide such cover;
- (10) participating in arrangements for preparing pupils for public examinations and in assessing pupils for the purposes of such examinations; recording and reporting such assessments; and participating in arrangements for pupils' presentation for and supervision during such examination; Public examinations
- (11) (a) contributing to the selection for appointment and professional development of other teachers, including the induction and assessment of probationary teachers; Management
- (b) co-ordinating or managing the work of other teachers;
- (c) taking such part as may be required of him in the review, development and management of activities relating to the curriculum, organisation and pastoral functions of the school;
- (12) (a) participating in administrative and organisational tasks related to such duties as are described above, including the management or supervision of persons providing support for the teachers in the school and the ordering and allocation of equipment and materials; Administration
- (b) subject to the provisions of Article 22 of the Order, attending assemblies;
- (c) registering the attendance of pupils and supervising pupils, whether these duties are to be performed before, during or after school sessions.

Working time

4. (a) A full-time teacher, other than a teacher employed in a residential establishment, shall be available for work on 195 days in any year of which not more than 190 days should involve teaching children in a classroom situation.
- (b) A teacher, other than a teacher employed in a residential establishment, shall be available to perform such duties at such times and such places as may reasonably be specified by the principal, or where he is employed by a board on terms under which he is not assigned to any one school by the board or the principal of any school in which he may for the time being be required to work as a teacher, for 1,265 hours in any year exclusive of time spent off school premises in preparing and marking lessons and time spent travelling to and from the place of work.

- (c) A teacher may not be required to teach as distinct from supervise children in a classroom situation for more than 25 hours in any week in a primary or special school and 23.5 hours in any week in a secondary school.
- (d) Unless employed under a separate contract as a mid-day supervisor, a teacher shall not be required to undertake mid-day supervision.
- (e) Subject to paragraph (f) all teachers shall be required to have a break of at least 30 minutes between the hours of 12 noon and 2.00 p.m.
- (f) Teachers in nursery schools and in nursery units in primary schools shall be required to have a break of at least 30 minutes between the hours of 12 noon and 2.30 p.m.
- (g) For the purposes of this paragraph, a "year" means a period of 12 months commencing on 31st July and a "week" means a period of 7 days commencing on a Sunday.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations make provision as to the terms and conditions of employment of teachers. They apply to all qualified teachers, including peripatetic and supply teachers (regulation 3).

Regulation 4 provides that the terms and conditions of employment of all principals and vice-principals shall include the terms and conditions set out respectively in Schedules 1 and 2. Regulation 5 provides that the terms and conditions of all teachers other than principals shall include the terms and conditions set out in Schedule 3 except that the terms and conditions set out in paragraph 4 of that Schedule shall not apply to vice-principals.

Paragraphs 1 to 3 of Schedule 1 relate to the principal's general functions and his duty to consult. Paragraph 4 of Schedule 1 sets out a number of specific duties which are included in a principal's professional duties. Paragraph 5 of Schedule 1 provides for him to be allowed a break of at least 30 minutes in the course of each school day.

The conditions for vice-principals in Schedule 2 apply in addition to those set out in Schedule 3, which apply to all teachers other than principals.

Paragraph 1 of Schedule 3 requires a teacher to carry out the general professional duties of a teacher, which include those duties set out in paragraph 3 of that Schedule, under the reasonable direction of the principal (and of his employing board, if the teacher is not assigned to a particular school). Paragraph 2 of Schedule 3 provides that a teacher must perform such particular duties as may be assigned to him in accordance with such reasonable directions.

Paragraph 4 of Schedule 3 makes provision as to working time. This paragraph does not apply to vice-principals (regulation 5).