# **President’s Response to Minister for Education and Skills**

# **TUI Annual Congress 2017**

**Wednesday 19th April, 2017**

# **Introduction**

Minister, I wish to thank you most sincerely for attending and addressing our Congress today. It is important that you hear first-hand, the issues and concerns of TUI members. Our members, here in front of you, are the workers, the experts, at the coalface. Minister, each and every one of our members want high-quality, inclusive education provision. They deserve to be listened to and I am proud and indeed privileged, as President of the Teachers' Union of Ireland, to articulate their concerns for you and your Department's urgent attention.

Minister, our delegates are aware of the TUI’s achievements through constructive dialogue and a willingness to engage with your Department. Nevertheless, Minister, you will recall that such willingness to engage was not always reciprocated by your Department. You will remember that we had to take strike action to seek engagement. Our resolve is not to be underestimated. Minister, the Teachers’ Union of Ireland is strong and indeed we are growing. We will talk but we are, at any point, prepared to take action if talking is seen not to work.

# **Pay Equality**

The most basic principle of trade unionism is equal pay for equal work - a core value of the Teachers’ Union of Ireland. Our members who entered their profession since 2011 have been disgracefully discriminated against by Government. They have been very patient and resilient, waiting year after year for your Department and Government to address this most fundamental and outrageous inequality. Minister we call on you to bring their wait to an end. We urge you to restore justice and fairness to our profession.

We, in the TUI acknowledge that progress was made with the restoration of the value of the Honours Primary Degree allowance. Nevertheless, we will not rest Minister until pay parity has been achieved. The next necessary step to be taken in our campaign is the restoration of the H Dip./PME Allowance. You have received a detailed business case, from the TUI, for its restoration as well as a claim at the Teachers’ Conciliation Council.

Minister, it now takes 2 years, on top of a three or four-year degree, to become a second level teacher – that’s up to 6 **unpaid** years of training and intensive, demanding and expensive training. For what? To be underpaid, undervalued and underappreciated. The allowance related to the minimum qualification required to even register as a teacher, in the first place, has been removed as has incremental recognition for the time spent undertaking those qualifications. This is both wrong and unfair Minister.

The average age of a teacher entering the profession, according to research conducted for the Teaching Council, now stands at over 26 years of age. The hard fact is, that teaching is becoming less and less attractive as a profession – discriminatory pay rates, a longer pay scale, a lower starting point on the scale and a career average pension. We have seen elsewhere that if the status of teaching as a career is diminished, the quality of an education system rapidly slides downwards.

Do not be under any misapprehension Minister, these demands are part of a wider campaign within the Irish Congress of Trade Unions. The most offensive cut a previous Government implemented as part of the austerity agenda, was the unilateral cut to new entrant’s pay – in 2011. Minister, you were not in Government at the time and I trust you found this as repulsive as we did. You have an opportunity and we believe that you have a responsibility to address this issue.

Fifty years ago, Donogh O Malley, a former holder of the office you occupy, wrote himself into the history books with the introduction of free-second level education. This bold transformative step revolutionised Irish education, was a catalyst for economic success and acted as a spur for social mobility. By reversing the cut in new entrants' pay you have the opportunity to leave a footprint as positive and farsighted on the Irish educational landscape as O’Malley’s. Are you prepared to rise to that challenge Minister?

**Pensions**

Minister, when you do reverse the cuts to new entrants pay, please also look at pensions. The so-called career average ‘Single’ pension scheme for new entrants is not, in reality, a ‘Single Scheme’. Teachers are again disadvantaged due to the significant length of the teacher scale – time spent at the top of the teacher scale – if any teacher reaches it – is limited and therefore they are detrimentally affected by averaging. In our submission to the Public Service Pay Commission we called for those in the Single Pension Scheme to no longer be required to pay the Pension Related Deduction. I would ask you to persuade Government to take this necessary action without delay.

**FEMPI**

Minister, the financial emergency is over. Therefore, we cannot comprehend why your Government has not, to date, rescinded the harsh, punitive and unjust FEMPI legislation.

Minister, we have sought the repeal of the FEMPI legislation in our submission to the Public Service Pay Commission and we will continue to do so at any talks that ensue over the coming months. True collective bargaining cannot exist when members cannot choose to accept an offer from your Department without fear of a punitive response to a rejection. Furthermore, Minister, no-one thinks clearly while their fists are clenched, it is time for your Government to unclench its fists and get constructive.

## **Pay restoration**

We have played our part to put the economy back on its feet. In the pay talks due to commence within months, we will, in conjunction with other public sector unions, be pressing vigorously not only for pay parity for new and recent entrants and a repeal of FEMPI but for full pay restoration for those whose pay was cut and for pay increases for all our members.

## **NCSE New Allocation Model**

Minister, as I have said earlier, TUI promotes inclusion. We therefore, note the emergence of a new model for resource allocation for students with special educational needs in our schools which your department intends to implement from September. We are very concerned about the workload implications for our members, not least our principal teacher members, in relation to the allocation of SEN hours.

We also trust that you and your colleagues in government will ensure that the new allocation model, designed to support the most vulnerable students in our schools, will be resourced. In this respect, the teachers who choose to dedicate themselves to further study to support these students should be valued, the SEN allowance must be restored.

**Guidance**

All students should be afforded the opportunity to reach their full potential. TUI deplores the dilemma for schools trying to decide whether to sacrifice guidance or other aspects of the curriculum due to the guidance allocation model. This has caused real concern for our members who see at first-hand the gap in service to students including students facing acute difficulties.

Further to the TUI’s campaign, Budget 2017 recognised, in a limited way, the need for schools to have this vital resource on an ex-quota basis. Our students need more Minister – they need the full reinstatement of ex-quota guidance provision.

Guidance provision is equally important in our Adult and Further education centres. If your Government is to take the concept of lifelong learning seriously, then logically, guidance counselling must be available, irrespective of the age of the learners. Why should someone be deprived of guidance counselling because of their age?

# **Youthreach**

Minister, all citizens have an entitlement to an education of the highest quality. Youthreach centres meet the clear and urgent needs of a cohort of students for whom mainstream provision has not proven suitable. However, Youthreach has been marginalised and undervalued. We would ask you, in justice to these students and our members who teach them, that you recognise, in practical terms, the value that these centres bring to the education system.

What happens in Youthreach is education - frequently customised to meet the needs of individual students. This education is provided by staff who teach. However, strangely and illogically, they are categorised, for employment purposes, into 3 grades, 2 of which (resource person and co-ordinator) are treated as if they do not teach.

The impending review of Youthreach by SOLAS will provide your Department with the opportunity to affirm the value of staff in these centres, the opportunity to recognise at last that what they do is teach and to afford them the status and the terms and conditions of teachers. We implore you Minister to do so.

# **Adult Education Tutors**

Minister, for some time now, our members working in Adult and Community Education have been similarly undervalued. Many have not been provided with a written contract and those that do have un-agreed contracts with a variety of inappropriate terms and conditions. All have been designated, by their employers, as ‘tutors’, an offensive term introduced to pay our members a reduced and, the same rate of pay, indefinitely.

To add insult to injury, that rate of pay is based on an unqualified teacher’s rate of pay. Minister, many of our members working in this area of specialised education are highly qualified.

Using the services of the WRC, we have begun addressing this issue with your Department and we will, as ever, engage constructively. Nevertheless, Minister, be under no illusion, we require you and your Department to recognise the qualifications and skills of our members working in this area. Minister, I can assure you that, we will not countenance any attempt to undermine the important and critical work that they do in serving, what are often marginalised, learners for whom adult education represents a real opportunity.

Our Further and Adult Education Centres also need capital funding. Currently, they do not get a capital budget. Minister, some of the conditions that our members and their students have to endure are truly appalling. The buildings are quite literally falling down around them. I am sure you will agree Minister that this is unacceptable.

# **Apprenticeship**

Minister, high quality inclusive education provision applies across all sectors. You have set the ambitious target of recruiting over 31,000 apprentices and providing 19,000 traineeships by 2020. This includes maintaining the 25-designated trade areas and introducing 14 new apprenticeships in 2017. To secure quality and standards of apprenticeship, there is a need to increase resources, including capital expenditure as well as strengthening the social partnership model which is promoted throughout Europe. You must provide highly qualified teachers and trainers, develop quality systems and introduce a certification for work system for qualified apprentices.

Minister, our members are the experts in Apprenticeships yet you and your Government, in forming advisory boards and councils, routinely fail to recognise this. Minister, we demand to be respected and acknowledged as the experts who will be required to deliver on the plans that your Department is developing and we once again call on you to appoint a TUI education expert to the National Apprenticeship Council.

# **Technological Universities**

Minister, the TUI has real well-founded concerns over the Technological Universities Bill, as currently drafted. Within the last few weeks your Department has confirmed that it is willing to make amendments to the Bill that will explicitly protect our members’ conditions of service and protect regional provision. These amendments need to ensure the continuation of level 6 – level 10 courses in all the regions.

Your Department, to date, has insisted that there will still be a requirement for two or more institutes to merge to become a Technological University. That is a problem for the TUI, a problem for the Institutes and therefore, Minister, a problem for you.

We do note, that in relation to the requirement to merge before applying for TU status, your Department has now confirmed to us that there will be no requirement to merge, unless and until, the merged entity is guaranteed TU status. It would appear you are listening to us Minister, at last. But keep listening, we have a lot more to say.

In our discussions regarding technological universities it was clear that consultation has a very different meaning from one Institute to another. This is the very reason our members balloted to secure a national negotiation forum.

Your Department offered us this forum if we suspended our industrial action. This offer came at a time when branches were planning to escalate action. Minister, this forum must come without preconditions.

Last week we received an offer of a short time-bound discussion to develop and agree the terms of reference for a national negotiation forum. We appreciate that our efforts at constructive dialogue have been met with this offer. The TUI will, between now and the 12th May, engage in negotiations with your Department on what we want the national negotiation forum to address.

This is a significant step that may offer a path forward. However, if it does not, Minister, the TUI will, if necessary, escalate our industrial action. We are reasonable people, but we cannot countenance any further delay in addressing our genuine concerns.

This is not a threat but I want our conversation to be fully informed on both sides and honest. If the Technological Universities project proceeds in the absence of our concerns being addressed there will be, inevitably, industrial conflict.

# **Funding at third level**

Minister, while lofty aspirations in relation to Technological Universities appear to be exercising your interest, funding at third level is at crisis point and this, we believe, should be the focal point of your consideration. As has been extensively reported, over recent years, funding for the Institute of Technology sector fell significantly, student numbers rose and lecturer numbers fell. Minister, you don’t need to be an economist to understand that this cannot continue. Thankfully though, you are an economist so you will clearly be aware that the situation is untenable.

Minister, the Institutes of Technology have a unique mission to provide access to quality higher education programmes in the regions. I know first-hand Minister, as I am a graduate of an IoT and proud to be one. There is an issue, however, with the resourcing of programmes and their future sustainability. Currently, the HEA unit cost model, favours Institutes in an urban location with high population density, where larger class sizes can be achieved. Institutes in rural areas that cannot attract the same number of students, due to local demographics, receive less funding. Minister, the HEA funding model needs to be reconsidered.

Minister, let me give you an opportunity to show your dedication to regional provision: GMIT, as a multi-campus Institute, is in serious financial crisis, due to cuts in funding and the withdrawal of ring-fenced funding for GMIT Castlebar campus. Minister, there is an urgent need to reinstate the ring-fenced funding to enable the Institute to continue offering quality higher education programmes and services in the Castlebar campus. What a pity Minister that we do not have a high-profile politician in the Castlebar area!

As an economist, Minister, with a significant research history in regard to Irish public debt, I am sure you understand the necessity to have a properly resourced and fully funded third level sector in order to continue the provision of programmes of the highest quality, thus supporting our developing economy.

It is our considered view that the funding model favoured by the Cassell’s Expert Group is not the way to go and does not amount to investment. It is, in fact, privitisation - to which this union is opposed either in respect of third level, or for that matter, of Further and Adult Education. Over and above that, increasing personal debt is ill advised in what is already a heavily indebted economy.

We believe that quality is best delivered by the public education system and we reject privatisation of this vital element of the social contract. Minister, this is a red flag issue for the TUI. Privatisation, as an ideology or indeed as a practice, is not and never will be compatible with the core values of the Teachers' Union of Ireland.

We must invest in our third level sector to continue to attract Irish and international students, as well, of course, as foreign direct investment. Minister, your legacy can be to ensure that our education system is one of the best in the world if you invest in it.

Minister, be assured that we are ready to remind you of the necessity for Government to maintain the high quality of our public education system, of the need for Government to invest in that system. We remain battle-ready and we retain strong mandates to ensure our voice is heard.

# **Implementation of Agreements**

Minister, I have already acknowledged that your Department has responded positively to some of the concerns raised by our Union. However, there are outstanding issues. In relation to the flex hours at third level, I intend to be succinct and direct – one down, one to go.

Yesterday Minister, this Congress passed a motion highlighting the failure to address the removal of the second flex hour. This Congress decided that in the event of failure by your Department to re-designate the second flex hour in the 2017/2018 academic year, the TUI will be compelled to reassess our Union’s strategic trust in and commitment to negotiated resolutions and to ongoing collective agreements. This is a red line issue that needs to be funded.

Clearly associated with this is the need to restore staffing levels in our Institutes of Technology. The blunt instrument that was the Employment Control Framework inflicted unsustainable damage on the Institutes. If Government is at all serious about having a third level education system that is a world leader that damage must now be repaired. This is not something that can be further delayed. Start recruitment Minister.

Minister, management’s failure to adhere to agreements and circular letters is a huge concern for TUI. Some management deliberately misunderstands circular letters issued by your Department. For example, we have one IoT whose management is currently frustrating the implementation of the Cush Circular, cynically attempting to avoid their responsibilities to offer available hours to existing part-time staff by suggesting that full-time posts fall outside the terms of the Circular. This would deny benefit to the very people whom the Circular is designed to benefit. Minister you, and we in the TUI, both publicly welcomed the Cush Report. In good faith, your Department issued a Circular and it cannot be right or allowed that management will now frustrate its implementation.

## **Management Structures**

Minister you have begun the process of restoring middle management structures in our schools. We welcome that. A successful and well-functioning school is based on a culture of collegiality and respect rather than managerialism. It should go without saying that we will vigorously resist any move that threatens to alter this dynamic.

Under the review provided for in the May Agreement, we will meaningfully engage, without delay, to ensure that recruitment can take place in advance of or early in the next academic year. I am sure you would agree that it would not serve either side to further delay access to promotionally opportunities that have been denied for almost 10 years.

## **Island Schools**

Minister, quality education should be available in all our educational establishments. We have members working in 5 island schools, some of whom are present here today as delegates. Current budgets do not reflect the additional travel costs, school servicing and repairs or the cost of enabling students on the Islands to attend events and extra-curricular activities on the mainland.

The provision of adult education or further education courses would add significantly to island life. Courses which are common place on the mainland are not available on Islands because of the small number of participants. For example, one Island school was refused permission to run a further education course as they simply could not reach the minimum threshold of 15 participants. 15 participants would represent 10% of the population of that Island. Would 10% of the population in Cork City be required to run a course here? It is all relative Minister. As with any national treasure, the rich culture of our islands must be provided with additional support to ensure that these communities thrive. A complete review of funding and allocation to Island Schools is needed. Minister, we must ensure that these rich and vibrant communities – or in the case of Tory, Kingdoms – thrive.

## **Additional Hours**

Minister, the futile use of Croke Park hours in some of our schools is demeaning. Of the 33 hours, 10 will be individualised and left to the professional autonomy of our members from September. Minister, we want to ensure that the professional and appropriate usage of the hours is maximised and in the review, currently underway, we urge your Department to facilitate this reasonable call.

We have never been unwilling to undertake work that is of intrinsic value to our roles as educators – but we can no longer tolerate dull and unimaginative management abusing that willingness by forcing our members to participate in repetitive, valueless, work simply to fill in time and tick boxes.

Ideally, Minister, the Government will realise that self-motivation is part of the DNA of teachers. We don’t need to be herded into undertaking professional work that we have always undertaken, on our own initiative. Croke Park hours demotivate far more then they motivate. Ideally there would be no coerced hours.

# **Droichead**

Minister, earlier I mentioned the various mandates for industrial action that we retain and how they were, and will be, used by this Union in pursuing our goals. Within the next few weeks, ballot papers will issue to our members in relation to the Teaching Council’s Droichead programme.

The purpose of the ballot is to ensure that adequate resourcing is provided to enable the appropriate and effective induction and mentoring of new teachers. It is a simple premise Minister: if adequate resourcing is not provided, we will have in our armoury a strong mandate from members to take industrial action on this issue. I would ask you please to engage with us, listen to us and provide the required resourcing for the programme to work effectively.

# **Junior Cycle & Gaeilge**

Minister, I wish to acknowledge that the provision of 550 new and fully funded posts in Budget 2017 to support Junior Cycle professional time is very welcome. That said, it is not enough. The TUI has left your Department in no doubt about the need to ensure that, in providing professional time - which is a right of all teachers involved in Junior Cycle, and confirmed by your Department as such - there is not a paring back of other service within our schools. We have pointed out that it is those very schools that demonstrate the greatest level of practical commitment to the widest variety of students within our society, irrespective of their relative strengths and backgrounds, that are most at a disadvantage because of the inadequacy of the allocation model described recently by your Department.

This issue has caused such concern to our members that it is the subject of an emergency motion to be discussed tomorrow.

Minister we will pursue this issue with **absolute** determination.

Minister, I must also address the direction being taken in regard to Junior Cycle Gaeilge. The absence of an adequate emphasis and assessment of oral proficiency is a retrograde step. We should be promoting pride in our language, our heritage and our identity. The policy on Gaeltacht Education states we should support the use of Irish as the main language for families and we should promote Irish as a living language. As it stands Minister, we believe that, as written, there will be detrimental consequences for the use of Irish as a spoken language in this country. According to recent CSO figures there has been a decline in the number of people who can speak Irish. Minister, this will only get worse if we continue to ignore the importance of the spoken word. It is within your gift to redress this. After all Minister, tír gan teanga, tír gan anam.

# **Conclusion**

Minister, to conclude - collective bargaining is a deceptively simple concept. We set out the requirements of our membership, the opinions of those that we represent and we offer our views and expertise in relation to the developments you wish to implement. In exchange, you are responsible for ensuring that our views are respected and that our expertise is valued. It is a simple equation, the net product of which is industrial peace, and progress.

I am acutely aware Minister of your view that investment should yield measurable progress. We, in the TUI have argued, logically and with the authority of professional experience, that there will be both measurable and very importantly, key immeasurable outcomes that will be of huge benefit to Irish society, if Government has the courage to invest as we have suggested.

In addition Minister, surely industrial peace is an outcome that is worthy of investment. Minister, TUI would wish for industrial peace - on honourable and principled grounds - to allow us to make the progress that we believe is possible. We are always prepared to negotiate with this purpose but equally we ensure that we have the mandate to engage in appropriate action, if required.

Minister we want a high quality, inclusive education system that treats its students and staff properly and fairly. It’s as simple as that.

It is best if we can progress these aims together Minister for the sake of the students, the communities and the society that we all, in our different ways, service.

Minister, the expertise and experience that you see assembled in this hall today offers you a clear view of a just and fair society in which the value of education and its capacity to transform lives is recognised. We will work with you Minister, if possible. One way or the other. Minister we will work for and with our students and for a better and fairer society on this Island.

Minister of behalf of the TUI, I want to invite you to share and to invest in our vision, the vision of the profession.

**Joanne Irwin**

**President, Teachers’ Union of Ireland**