

TUI President Martin Marjoram's speech at TUI's Consultative Conference on Technological Universities at
The Millennium Theatre, Limerick campus of the Technological University of the Shannon – Friday, 11th
March 2022

On behalf of the TUI's 21,000 members, and particularly of our 15 third level Branches represented today, I welcome the Minister for Further and Higher Education, Research, Innovation and Science to our conference, as well officials from his department, Management and Governing Body Representatives, Prof. Peter Scott, Louis Mooney from the Workplace Relations Commission, colleagues from other unions, and honoured guests. We are thankful to the Technological University of Shannon: Midlands Midwest for graciously agreeing to host this conference and extend those thanks to its President, Professor Vincent Cunnane who will address us later. We appreciate also the attendance of Dr Joseph Ryan of THEA and the Presidents of TU Dublin and MTU, Prof. David Fitzpatrick and Prof. Maggie Cusack who will participate in a panel discussion this afternoon chaired by Professor Tom Collins.

This conference is timely as the ultimate shape of the Technological University sector becomes more apparent. Amidst opportunities which we all hope will be realised, there are enormous challenges – challenges in funding, in establishing a coherent, unified identity and mission for the sector, in finding the mechanisms to include Dundalk IT and IADT within TUs, in Governance and Organisational Design, in creating a substantially improved environment for industrial relations, in agreeing the career framework and work practices appropriate for academic staff in Irish Technological Universities, and most of all, in agreeing how the new sector can build on, enhance and further develop the outstanding legacy of education, of service to both students and communities, of the predecessor institutions from which it emerges. On all fronts the TUI will engage, respectfully and constructively, as well as forcefully, with Managements and the Department.

For decades, the Teachers' Union of Ireland, as the democratic voice of Academic Staff, has been central in the operation and evolution of first Regional Technical Colleges, then Institutes of Technology and now Technological Universities. We negotiated honourable agreements which underpinned and supported what is an unmatched success story for Ireland in both regional development and in higher education. The extraordinary additional work of TUI members, on a no-precedent basis, in maintaining education during the pandemic is further testimony to our values and our abiding commitment to our students.

As the Technological University legislation took shape, the TUI was at the forefront of ensuring specific inclusion of apprentice education, the full range of provision across levels 6 to 10 of the national framework of qualifications, and significantly strengthened language regarding the regional mission of the new institutions.

While concerns regarding the merger requirement were shared by others, concerted industrial action and political lobbying by the TUI was needed to protect the sector from the ill-considered 2015 draft of the TU Bill – a draft which would have seen mergers of IoTs take place without any guarantee of TU status to follow. Rightly committed as we were to protect our terms and conditions, our many proposed amendments to the legislation demonstrated the range of our concerns with it, including its educational, structural and governance risks. As demonstrated on countless occasions before and since, the TUI is both responsible and far-seeing in its contributions to framing education policy. The value to the system of the TUI as a national representative body has rarely been seen to better effect while none could be left in any doubt that industrial action can be both necessary and constructive – on that occasion, by no means the only one, our action demonstrably protected the education system from significant harm.

The TUI and its members take the long view. The decades-long (in many cases career-long) commitment of our members to our students, our institutions and our academic disciplines gives us a perspective of very specific value. TUI policy adopted through our democratic structures may be viewed by some as inconvenient or as an impediment to progress, but it is framed by the practitioners on the ground and based on realistic appraisal of what will and will not work. Our responsibility to this year's students is always balanced against the value and reputation of the qualifications of those who came before and will come after.

The most obvious point to make regarding Technological Universities is that they must be properly funded. The chronic underfunding of our sector must end. If Technological Universities are to achieve their considerable potential, then staffing and current and capital budgets to support them must be provided. While we acknowledge improvement in recent years, much more needs to be done. Spending less than 1% of national wealth on tertiary education is simply unsustainable, and unacceptable when compared to the OECD average of 1.4%. We reiterate our policy that there be a 1% levy on corporate profits towards funding higher education. Based on the net receipts as set out by Revenue, such a levy could have yielded €947m in 2020. We fully agree with Management Representatives who have highlighted the need for a TU borrowing framework as well as a phased, almost 4-fold increase in the dedicated €5m Research and Innovation Fund put to such excellent effect since first made available to the sector in 2019.

TU funding must be sufficient to greatly expand research and engagement capacity, but also to uphold the particular strengths and achievements which TUs inherit from RTCs and IoTs – engagement and support for a diverse student base featuring significant numbers from groups under-represented in third level education through a truly inclusive educational model; smaller class sizes and the accessibility of lecturers to students at the heart of that model; and a regional focus which has been vital to communities and local economies. Rooted in those communities and working in close contact in support of our students, there has never been any room for ivory towers with us.

No President of the TUI would be forgiven for neglecting to mention at this point our absolute determination that necessary funding for the sector should remove the last vestiges of the atrocious pay discrimination which caused so much damage and demoralisation.

Of relevance to our education model is the TUI's engagement with the current OECD process. Members need no reminding of how long we have waited for a realistic review of lecturing. We bear the scars of the hijacking of an earlier review process which, amidst the financial collapse, was seized upon and twisted into a crude and opportunistic assault on our conditions of service and the imposition under threats of significantly increased lecturing loads on top of what were already well beyond international comparators. The slow unwinding of the damage wrought has yet to repair the catastrophic breakdown in trust from TUI members towards all proposals for reform and development of the sector. That the review of lecturing, reinvigorated by the May 2016 Agreement, was allowed to lie mired for so long did not inspire renewed confidence, though we acknowledge the eventual progress made and thank Professor Tom Collins, here present, for the valuable work of himself and his colleagues in the first module of the process.

The new process will hopefully make a realistic evaluation regarding weekly lecturing hours in our career grade, set in 1982 before I had even entered secondary school and at a time when the sector was still in transition from significant levels of second level teaching, with third level offerings focused on national certificates and diplomas. That Assistant Lecturers since 1998 have been burdened with even more class contact hours, at a time in their career when the opposite should be the case, heightens the urgency of making progress – particularly in light of the development of the sector towards levels 8, 9 and 10 on the framework while the TU process itself will require significant expansion of our capacity for research and community engagement.

A viable and healthy structure for the career path of academic staff is also decades overdue. Given our history and the roots of our sector, we will insist that any such structure does nothing to discriminate against or disadvantage those whose primary career focus is on teaching or engagement as opposed to research – our work to advance our members' interests mirrors our commitment to all levels of education supported in our classrooms and laboratories – parity of esteem from apprenticeship to Ph.D. is part of our very DNA.

No new career path or academic workload model will win the support of TUI members if built upon exploitative or casualised contracts for others – nor can there be obstacles to the extraordinarily positive level of engagement we have always enjoyed with our students, and which has been essential in their and the sector's success.

Neither will we do less for our colleagues on research contracts, generally with inferior terms and conditions, pension rights and pay compared to lecturing staff. We will continue to insist upon comprehensive negotiations regarding their place in our developing sector with significant focus on the greatest possible degree of integration between lecturing and research activity and equitable treatment and terms between those engaged in each.

This brings forward one of the most significant challenges facing the sector, which is the glacial progress of industrial relations negotiations. Terms, conditions and pensions of researchers are among the vital industrial relations issues for which no discernible forward movement can be detected over a period of years. The union's reasonable national claim regarding recognition of the additional workload associated with online delivery is another source of frustration and indeed anger across third level branches. Of particular concern are attempts to impose upon recently appointed, often fixed term colleagues, to engage in online lecturing without any consideration of the additional workload burden for which due account is taken in numerous local agreements. We are also disturbed by repeated suggestions made to us in these national negotiations that progress must await some future event which is somehow bound to magic the issue away. Professor Collins' report featured heavily in this regard before its publication, now replaced by the OECD report, no doubt to be followed by something else. Industrial relations cannot take place on the basis of a Mr Micawber-like faith that something will turn up. The TUI will continue to engage constructively, but we expect real determination and commitment from all parties to resolve issues and to reach agreements.

The TUI's last TU consultative conference led to the negotiation of the May 2017 Agreement. Members welcomed clarity on terms and conditions, pensions, and place of work as well as the positive response from the Department of Education regarding provision of level 6 to 10 programmes in all the regions of a Technological University; collective agreements would be implemented as before (i.e., by Circular Letter) while redrafted legislation would better protect the regional mission of TUs, create a one-step designation process bypassing the danger of mergers of IoTs with no TU to follow, and clarify and improve democratic staff representation on Governing Bodies; positive indications on funding and clear commitments regarding ongoing communication and consultation, including the establishment of the National Negotiation Forum, won the approval of our members.

While not specifically enshrined in the May 2017 Agreement, it became apparent in negotiations that the individual circumstances of each TU Consortium required that the national agreement be bolstered by a local Memorandum of Understanding. Subjects of intense negotiation, these agreements, in addition to their Industrial Relations value, give each Technological University a welcome element of democratic validation. In another public forum recently, I heard the Minister too recognise the value of our ballots across the Branches in TU Consortia. On behalf of the TUI, I express deep appreciation for the exemplary work of our negotiation teams all across the country.

The TUI takes agreements very seriously, and we have included the Workplace Relations Commission in the work and programme for this conference to reinforce the importance we attach to adherence to what has been agreed after arduous negotiation. We look forward to the WRC's contribution to our deliberations and, on behalf of the TUI, I commit that the union will fully respect all agreements.

With regard to Governing Body, one element of the May 2017 Agreement was not implemented in that no academic staff representation was included on an initial Governing Body. This circumstance will hopefully not be repeated, and significant work has so far isolated the problem to a single instance. Yesterday evening, in response to the TUI's very strong representations, we received the welcome news from the Department that the legislative provisions for staff elections to Governing Bodies agreed with us in 2017 will remain and will not be changed by the new HEA Bill. A vital democratic pillar of TU Governance is hereby protected.

While less prescribed in legislation or our national agreement, the structure of Academic Councils in TUs is of vital importance. The maintenance of academic standards and the long-term value of our qualifications and programmes are highly dependent on transparent, representative Academic Councils which include sufficient front-line academic staff to constitute a majority.

The requirement for a National Negotiation Forum was a red line for the TUI in the 2017 negotiations. The then parent Government Department and the umbrella body for all employers agreed to its establishment and that the subjects for discussion at the Forum include:

- terms and conditions, salaries, recruitment, promotion and grading of existing and future members of academic staff in Technological Universities
- Geographical/Locational issues relating to existing and future members of academic staff
- Appointment policies in Technological Universities

The clear collective will of all parties in 2017 was that there be functioning, effective national negotiations and national agreements on the issues listed (as well as the others for which I do not have the time) and that the National Negotiation Forum would be the vehicle for arriving at those national agreements. We expect the commitments of others to be honoured as we honour ours and demand a rededication of all parties to the Forum. This will mean representation at the Forum at an appropriate decision-making level from all parties involved as well as coordination on the official side. We in the TUI have been deeply frustrated that recent engagements have seen us faced by disarray and confusion instead of the coordination required.

It is interesting in this context to look backwards to the Port Report regarding WIT's ultimately unsuccessful Section 9 application for university status. That report, as well as the OECD Report in 2004, emphasised the dangers of mission drift of the IoT sector towards legacy Universities and the importance of our sector's distinctive mission and identity. This perceived danger was clearly significant in the decision not to grant WIT's application and to pursue instead an alternative put forward by Dr Port, namely the development of Technological Universities which ultimately led us here.

Of interest too is the value identified by the OECD of the Council of Directors, which would evolve into the IOTI and then THEA in having "...furthered the alignment of Government needs and policy with institutional direction..." How will such alignment be achieved now? The decision to protect the distinctive mission and identity of our sector by developing Technological Universities cannot be allowed to culminate in the abandonment of that mission. There must not be a slow-motion realisation of all of the risks identified 15 years ago in straightforward designation as Universities.

Decades of clear commitment by successive Governments to the binary model of tertiary education is now under significant threat. While the TUI raised the strategic direction and identity of the sector as a matter of direct relevance to the OECD process, we were informed that, though an important issue, it fell outside

the terms of reference of that process. In which case, we will insist on another process to address the concern because it is central to the future of the Irish Technological University as a distinct, identifiable entity. It is essential for Irish TUs to forge a clear, well-defined place nationally and internationally instead of embarking on five divergent trajectories or losing their way entirely in imitation of legacy Universities. The TUI will insist on engagement to explore this vital issue.

The merger requirement for the establishment of Technological Universities was never welcomed by the TUI. The Port Report identified the risk that one University designation of an IoT might become 14 as political pressure minded regional interests. The merger requirement was presented as a protection against such a proliferation of TUs that the credibility of the new entity might be undermined. The TUI accepted this unpalatable element of the May 2017 Agreement, balanced as it was by significant commitments from the Department and employers, not all of which have been fulfilled.

As a Government stipulation, responsibility for the implications of the merger requirement rests with Government through the new Department. One such arises from the loose, unstructured process whereby potential partners for TU Consortiums were identified. Given the enormity of the implications for regional and national policy, it must at least give us pause that influence on the direction and final configuration of the sector rested to such an extent on a small number of Presidents.

In this context we now reach what we hope will not be an absurd endpoint. Dundalk IT and IADT Dun Laoghaire remain outside of any designated TU and outside of any consortium. Inclusion among the ranks of the TUs rests upon a section 38 application which will require not only agreement from the remaining IoT but also from the partner TU. For all of the disappointment involved, at least DIT's and WIT's unsuccessful Section 9 applications were considered by objective national processes which, certainly in one case, explicitly referred to the national implications of the decision.

Government insistence on the merger requirement and previous, in the TUI's view deeply unwise, decisions to remain aloof from the TU process now mean that any decision by DkIT or IADT in favour of seeking TU status rests primarily not with national policy makers, not with the Department or the Government, but with newly established TUs, in some cases removed from, and feeling little responsibility for, the region to which they may deny a Technological University, with all of the social and economic implications that could flow from that denial. Here surely lies a major flaw in national policy.

The TUI has sufficient confidence in the Technological University project that we want no third level member to be excluded from it. Given recent history, we are delighted to look forward to the inclusion of St Angela's College within the Atlantic TU. While punctuated by a sequence of regional decisions, this is a national reconfiguration of the sector. We insist that the same national perspective be applied by the Department and the HEA and the same confidence expressed in our new sector so that none of the communities and regions previously served by an IoT be excluded from the benefits of having its own Technological University. Whatever incentives and assistance are required by DkIT and IADT must be provided or the failure to serve all regions equally rests with the Government and the Department.

A further consequence of the merger requirement is that particular sensitivity must be applied in relation to decisions on the headquarters of a Technological University and great care taken to protect the interests of campuses geographically remote from those headquarters. The regional success of RTCs and IoTs must not be put at risk. While assured by the Department in the May 2017 Agreement that "the HEA will ensure that the funding model for Technological Universities will take into account the constituent IOTs of a Technological University for a period of time following the establishment of a Technological University", we believe that long-term investment and appropriate organisational design to protect regional interests will be essential in delivering vibrant campuses and the same high-quality education and range of services and experiences for students across our TUs.

Here is another matter which we raised with the OECD which we are told is beyond their remit. As with the potential lack of over-arching collaboration and coordination between TUs, the TUI will continue to emphasise the protection of regional interests and demand the monitoring, the structures and the resources to protect and build on the legacy of constituent IoTs within each Technological University. It will present a significant challenge to safeguard the success of complex, multi-campus organisations formed from merging IoTs with distinct cultures and histories across geographical divides, some very wide indeed. In meeting that challenge the TUI will insist as ever on full engagement and negotiation, building on our success to date nationally and of our inter-Branch negotiating teams.

We have other concerns regarding organisational design. The Human Resources function will be even more vital in dealing with the additional complexity of TUs. The TUI is concerned that any diminution or undermining of the HR function carries significant risks. In dealing with IR and HR issues, there must be sufficient focus and responsibility, and decision-making at a sufficiently high level, for matters to be dealt with decisively and effectively, commanding and retaining the confidence and goodwill of staff. The subordination of HR to other functions, particularly the Finance function, would appear to us unwise and contradictory and indeed unfair to all involved and we very much favour a dedicated HR Manager reporting directly to the President.

Technological Universities must be academically led. Key decision-making teams and committees must have majority academic representation. A vital element of Organisational Design will be a Senior Management Team whose academic members will carry real sway. Those with direct responsibility for the education of students must have the greatest say in forging the culture and formulating the policies of our new Technological Universities.

The TUI position is clear: from Academic Council through all academic management grades to the most senior level, we favour academic representation and leadership which is as democratic and devolved as possible with clear communication and access from front-line academic staff to the most senior level. Through the rotation of academic management positions, hopefully by the votes of those to be managed, we look forward to a creating a truly open and academic management culture of enormous benefit to the success of our Technological Universities.

The TUI is committed to doing all which may bring about that success as we continue to develop our policy and strategy on TUs. Today's conference is welcome in allowing respectful engagement and debate, and a full exploration of areas of both agreement and disagreement. It can only improve our understanding of the issues we face and the different perspectives which will lead to resolution of those issues. The TUI has shown our good faith as constructive partners in such engagement, and indeed our determination and tenacity when such engagement is denied.

Many thanks for your attention and I hope that you enjoy a constructive and engaging conference.