



TUI PRESIDENT'S ADDRESS

TU Consultative Conference, 1 February 2017

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Introduction

Everyone here in this room has a vested interest in the continued development of the Institute of Technology sector. It serves the best interests of all concerned that the sector would enjoy a reputation for excellence. To state the obvious, there is a range of views at management level, within the political establishment and within this union, in regard to the proposed move towards Technology Universities.

It behoves us to engage rationally and strategically in determining what is best for our Institutes, our towns, our regions and in the case of the TUI, our members.

It is important to note that we represent in excess of 4,000 academic and research staff who bring a professional view and expertise to their consideration of the matter. Our members develop, lecture on and are engaged in research in relation to the full range of higher education programmes from NFQ Level 6 (apprenticeships and Professional Development courses) to Level 10 (doctorates/PhDs). It is foolhardy in the extreme to ignore or seek to side-line the view of these professionals, our members.

I am stating an undeniable fact rather than issuing a threat.

It is clear to me that our members have not, thus far, been convinced either by the grandiose plans and visions of some of the potential consortia or the rationale for moving towards Technological Universities advanced by the HEA and the Department of Education and Skills.

Our members have been entirely unimpressed by the crude, threadbare, underfunded mechanism for moving to Technological University status that was set out in the TU Bill.

IoTs

IoTs, then known as Regional Technical Colleges (RTCs) were established in the early 1970s. They provided, in the main, National Certificate and National Diploma courses. Today's emphasis is on honours degrees, masters and PhDs. courses, while still retaining a principled commitment to apprenticeship education.

The Mulcahy Report in 1967 stated 'We are concerned that the progress of these colleges should not be deterred by any artificial limitation of either the scope or the level of their educational achievements'. There was no such limitation, until recently. Had the status quo been adopted by the IoTs/RTCs or, by our members, during the last 40 years, the transformation the sector has seen over the decades would not have been possible. The IoTs have been and remain models of innovative practice.

It is precisely because TUI is proud of the IoT sector and of the contribution of our members to this sector over decades, that we will not support proposals that would undo the good work; that would tear down what has been built so painstakingly. We want our sector to develop, but wisely, with proper resourcing and in full and genuine consultation and negotiation with TUI.

While we commend the Mulcahy report for its foresight and vision, we, in TUI have altogether different feelings about the Hunt Report – a report that focussed almost exclusively on the IoTs and virtually ignored the University sector. Without casting any aspersions on those who participated, it is a report of its time. A report distorted and warped by fear and by a slavish adherence to the austerity agenda. It was written at a time of deep financial crisis when saving money was this state's prime (and at times it seemed, only) ambition.

Let us be more ambitious now, as our state finances (and hopefully, at some stage, our society too) start to show signs of recovery.

Transfer of Undertakings

The vehicle for the proposed move to Technological universities is the Technological Universities Bill, 2014.

TUI remains deeply concerned about the absence from the Technological Universities Bill, of any reference to the Statutory Instrument, Protection of Employees on Transfer of Undertakings Regulation (2003) - TUPE. While we have been told that TUPE applies, the failure of the department, the drafters of the Bill, to provide unambiguous written confirmation and make reference to its application in the Bill has left our members deeply sceptical. We note that, in contrast, assurances regarding terms and conditions were provided in the Water Services (No. 2) Act 2013.

Let's be clear. We need and currently do not have, written confirmation that our members' remuneration, terms of employment and conditions of service will continue to apply. There is a fundamental lack of trust due to the failure, over the last number of years, to provide what should be routine reassurance on terms and conditions. Moreover, the mechanism for consulting with our members vary from reasonable to poor to unacceptable. Our members are entitled to be, are prudent to be and are right to be sceptical. It is up to others – Government and its agencies - to allay or to remove that scepticism.

As a trade union, we are also deeply concerned by the threats posed to national collective bargaining and need reassurance in this regard also.

New Appointees

Let's equally be clear, our concern extends to the conditions of service that would apply to those first appointed to a Technological University, were such to exist.

Information and Consultation

There has been inconsistency in the tone, pace and attitude in terms of consultation with and providing information to our members. TUI has always

said that you must consult properly with us about key issues. If this is not done, we will not cooperate with proposals for change.

You may well ask why we have a directive not to cooperate with any merger activities relating to the proposed Technological Universities. This directive was decided by members, arising from the views of our members, expressed in a ballot. Their concern was and remains, the Government's failure to address our deep concerns. In order to secure a negotiated, national resolution of these issues we have a directive not co-operate.

Essentially, our members' concern is linked to the fact that any such local consultation as had occurred was fragmented, had no national overview, was predicated on decisions to merge that were deaf to the views and excluded the voice of academic staff and that fundamentally sought to ignore key bread and butter demands that TUI legitimately has.

There is an unacceptable absence from the Bill of robust provisions for real and meaningful consultation with trade unions and the provision of full, relevant information prior to any decision to either merge or apply for university designation. TUI asserts that the Bill must expressly reference the terms of the Employees (Provision of Information and Consultation) Act (2006). TUI has already raised serious concerns with Institutes of Technology that have not engaged in adequate consultation. TUI has formally stated that where consultation and information is not fully provided for, the union will utilise all available options to protect the interests of members. That is what we are doing.

Mergers

We believe that the artificial and unacceptable requirement that Institutes must merge before they can apply for technological university status is more related to an ill-conceived rationalisation agenda than to educational considerations based on the missions, values and ethos of particular institutes.

The Higher Education Authority (HEA) has publicly stated that mergers must be carried out on a 'shoestring' basis. This is completely unacceptable at a time of an unprecedented funding crisis in the Irish Higher Education sector. To merge costs money. All we have seen so far is funding for PR and for showy insubstantial consultative processes – nothing for the core activities of a Higher Education institution. Money for selling a message rather than enhancing a service.

In Ireland, we are now talking about and experiencing economic growth. Even with Trump and Brexit and other external factors, there is still an expectation of further growth.

Funding

As everyone in this room knows, between 2008 and 2015, funding for the Institute of Technology sector fell by 35% while student numbers rose by a staggering 32% and lecturer numbers fell by 10%. This is unsustainable for our students, our members and unsustainable for management. The problem is worse in the IoT sector than the University sector. The current ratio of student to teaching staff in third level is 20:1 – somewhat worse than this in the IoT sector. Whereas the OECD average is 17:1. This is a fundamental problem – there is no time for the research that a technological university sector would require.

Clearly, the IoT sector has already been hacked back to the bare bones by relentless cuts, yet there seems to be an expectation that money can be found, from what little remains, to fund merger activities.

As a result, students who are already experiencing larger class sizes, less access to laboratories and libraries and sharp cuts to tutorials and other supports as a result of cutbacks will suffer additional deficits in services. Such an approach would not be acceptable to TUI and the sour irony is that even if a proposed merger proceeds, this does not guarantee that the merged entity would subsequently attain technological university designation. This would leave the merged entity in an unwanted limbo that would damage its reputation. We

need a change of approach, clarification and reassurance in respect of this issue.

Infeasible Mergers

We believe that a number of infeasible merger proposals have been put forward. These are made even more unworkable by the one-size-fits-all governance structures in the proposed legislation.

A single Governing Body and a single Academic Council stretching across vast areas and several counties is simply not going to work.

Furthermore, following some of the proposed merging, smaller institutions in particular will be left under-represented or indeed not represented at all on vital decision-making bodies. Given Ireland's geography and infrastructure, and given the parochial nature of our political and corporate cultures, TUI simply cannot see what is being proposed ever working effectively.

Yet we are told mergers are essential in order that the new TUs will be of sufficient scale. Well the facts tell us that some of our IoTs are already of sufficient scale without a merger. In terms of student enrolments, DIT is already the second biggest third level institution in the country, bigger on its own than six of our existing universities. Cork IT is bigger than Maynooth University and only barely smaller than DCU (by about 200 students). If not quite as large, WIT is almost 80% the size of Maynooth University and has obvious potential to grow if designated as a technological university. So the scale argument simply does not stand up to scrutiny.

TUI views the insistence on merging as a hang-over from the Hunt Report; a rationalisation measure which was ill-considered even then. The blind determination that the same approach must apply everywhere is that, even where a merger might be viable, TUI could not cooperate with that proposal now that we are aware that it would be used as a model, or more accurately as a Trojan horse, to force through unworkable and inappropriate mergers elsewhere.

Regional Provision

TUI is concerned that the Bill, if implemented as most recently drafted would damage the regional provision of programmes and lead to acute geographical inequity in respect of access to higher education. That inequity would inevitably compound existing socio-economic inequity.

The Institute of Technology sector is expert in and renowned for, the regional provision of programmes which meet the needs of local industry, enterprise and crucially, of local communities. That local provision facilitates access to higher education programmes, by students who themselves or whose families, could not support the direct and opportunity cost of studying away from home.

Given the extent to which Irish students attend third level institutions in their home region, and given the growing cost of studying away from home, TUI does not accept what the Hunt Report and the HEA Landscapes Document have to say about so-called “wasteful and unnecessary duplication”. TUI will defend the services our members have built up in all regions and will oppose further centralisation and the asset-stripping of smaller institutions.

Regional provision of multi-level higher education programmes in our view is a cornerstone of the Institute of Technology sector and must be a cornerstone of any new technological university that may be established. It must be borne in mind that IoTs started from nothing, a mere 40 odd years ago and now enrol nearly half of all the students attending third level education in the state. This speaks volumes regarding meeting a societal need that was not previously served.

The mission of the IoT sector has always been distinct, with a strong focus on meeting local and regional needs. At a time when there is much public discourse about and even a new national action plan for rural development, those towns and regions with an existing institute that is being coerced by the requirement to merge could see an invaluable part of their local economy asset-stripped or downgraded. The TUI makes no apology for the fact that it is

driven by the democratic imperative of ensuring that our citizens have, to the greatest extent possible, equal educational opportunities at all levels, irrespective of where they live.

Just consider how barren the landscape would have been without RTCs/IoTs and how barren it would become if a programme of crass rationalisation is followed.

Other provisions of the Bill

In our view, the Bill is excessively focused on the perceived concerns, as opposed to the real needs of businesses and enterprise. It would be a serious mistake to prioritise the short-term needs of employers over the long-term needs of students, community, local enterprise and society. An appropriate balance is required.

TU Bill

The TUI has been and will continue to be proactive, engaged, thoughtful and strategic, in addressing our concerns about the TU Bill. There were 123 amendments proposed to the Bill, which demonstrates the level of concern around a range of key issues. Addressing these valid concerns is a necessity in the interests of maintaining and enhancing the quality of educational provision by the institutes and of protecting the educational, economic, cultural and social infrastructure in the regions that they serve. Addressing them is also necessary if the Government wishes to secure the co-operation of our members, that is, the key personnel who will be charged with delivering the service.

Conclusion

Our experience is that local engagement to date has been largely ineffective in dealing with our issues. Indeed, some representatives at local management level have destabilised this process by misrepresenting engagements elsewhere in the sector in order, presumably, to pressurise the TUI team they are dealing with. TUI deplores these efforts to undermine the union and I can clearly state that the TU process will not progress anywhere so long as such

tactics are employed. It goes without saying that we will act as a united union and will not allow developments in any one region to undermine our national position.

National Negotiating Forum

It is very clear from this that a National Negotiating Forum is sorely needed – by all sides. We have balloted for this and an offer has been made by the Department of Education and Skills with conditions attached, which appear to us to put the cart before the horse.

The Department, IoT Management and the HEA should be aware that, notwithstanding and in contrast to the request to suspend the current industrial action, there is significant pressure from members to escalate our action further.

Pensions

On a more positive note, TUI is pleased that some of our concerns are being addressed and some of our suggested improvements to the Technological University proposals are being listened to. We have recently received some significant assurances regarding pension entitlements of our members. While we have seen nothing in writing as yet, we welcome recent indications from the Department that no merger of IoTs will take place without a guarantee that TU status will follow, and in a short timeframe – this is vital for TUI and necessary to reassure students.

Terms and Conditions

We will continue to demand, quite understandably, that the terms and conditions of our members be explicitly protected in the legislation. Lest there be any doubt, this, in our view, applies both to existing and to prospective members.

By way of providing context, it is important to note that TUI is currently engaged in a campaign for equal pay for recently appointed teachers and

lecturers. By the same principle, we will not tolerate the introduction of a two-tier employment in new institutions – we will demand the same terms and conditions for new appointees as are enjoyed by our current members. We will continue to demand nationally agreed contracts, one central IR Forum and the same obligation on new institutions to abide by agreements with TUI, as is the case for IoTs now.

TUI – a Trade Union

We urge the Department of Education and Skills, the HEA and Institute management to engage with us to seek a sustainable and manageable resolution to the issues we have raised.

We are a strong and growing trade union. We are not going away. You are going to have to deal with us.

We would prefer to be meaningfully engaged rather than engaged in industrial action but it is your move now – give us that national negotiating forum to address our concerns. Don't apply conditions.

Negotiate with us, in good faith, as we will with you.

Thank you.

Joanne Irwin

TUI President