



TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN

news

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March 2020

THE CHALLENGE OF
CORONAVIRUS (COVID-19)

A TIME FOR
SOLIDARITY

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Important!

Coronavirus (COVID-19)

Clearly, the challenges posed to us all by the Coronavirus (COVID-19) are serious and far-reaching. As this is a rapidly developing situation, you will appreciate that some of what is registered here will shortly be overtaken by events. The TUI will endeavour to keep you updated through our website, social media channels and the TUI App. We will also communicate as necessary with members through the usual email channels. We would strongly encourage you to log onto the Union's website, which will be updated with all relevant information provided to us by the appropriate Government departments. The priority of all of us is the safety and welfare of all our citizens. While we as teachers and lecturers have a personal and professional commitment to the younger members of society, we are acutely conscious of the need to protect those who are elderly or otherwise vulnerable. Following discussions between the Department of Education and Skills, unions and management bodies on March 12th, the following points of clarification and information were released:

- An announcement was made by the Taoiseach Leo Varadkar TD of the closure of schools, pre-schools and further and higher education settings, for a period from 6pm, 12th March 2020 until 29th March 2020, to support efforts to contain the spread of Covid-19. This is in line with the advice of the National Public Health Emergency Team.

- It was recommended that schools/centres consult with staff on 12th March to finalise contingency planning
- Schools/centres are closed to students/learners during the period of closure.
- In order to minimise the impact on teaching and learning, all schools are asked to continue to plan lessons and, where possible, provide online resources for students or online lessons where schools are equipped to do so. Schools are asked to be conscious of students that may not have access to online facilities and to consider this actively in their response.
- Teachers should in the first instance work from home during normal school hours where this is possible. Where facilities are available in a school for online delivery, teachers who wish to avail of this should be facilitated, once this is in line with HSE advice on social distancing etc.
- It is important in particular that absences such as maternity leave etc. are keyed into the OLCS/ ETB payroll system to facilitate continued payment of salary.
- Schools/Centres are asked to prioritise supporting exam classes to continue to prepare for State examinations.

If this information is overtaken by subsequent advice, we will keep you posted. We wish all of you and yours safe passage over this challenging time for all.



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A Word from the President – Seamus Lahart



TUI PRESIDENT, SEAMUS LAHART

Coronavirus (COVID-19) – A time for solidarity

At the time of writing, schools, colleges and education centres have been closed to students until 29th March and our Annual Congress, scheduled for April in Killarney, has just been postponed. What we are experiencing is clearly unprecedented. This is a time for solidarity, and we urge you to follow all public health advice provided as our nation seeks to deal with the various challenges posed by the Coronavirus. Keep an eye on the TUI website, App and social media channels for updates and the latest information.

The need for change

The 2020 General Election delivered a message to the political class that real change is required across our society, particularly in terms of equity and fairness. TUI members stood together on picket lines outside workplaces on February 4th February in solidarity with more recent entrants who are discriminated against in terms of pay. Members unanimously supported the action and delivered a strong message that this unfairness must end now. Thank you for playing a vital part in that. While a new Government has, at

the time of writing, yet to be formed, TUI has written to all the political parties stating that we expect equal pay to be implemented immediately, or otherwise further industrial action will ensue. In that regard I have once again written to our colleagues in the ASTI seeking their cooperation in further actions should the incoming Government not act immediately to resolve the issue. It has always been TUI's strong position that the teacher unions should campaign jointly on this most critical of issues.

Senior Cycle review

Senior Cycle review is ongoing, and TUI is keeping a close eye on developments. The consultation process has been completed, and the resultant data is being formulated into a report to be forwarded to the new Minister for Education and Skills. We must be vigilant in ensuring that any new programme maintains the current high level of public trust.

SLAR meetings

TUI has been engaged in discussion with the Department regarding the holding of SLAR meetings. It remains our position that the professional trust and autonomy allowed for in the 'Joint Principles' document of 2015, which underpinned the methodologies for the introduction of the JCPA, is the best practice. The current arrangements whereby the coordinating teacher plans the meeting in consultation with, and with the agreement of, the other subject teachers is what we agreed to in 2015. Alternative methods sought by other parties would reduce the quantity of professional time granted to teachers and increase workload. A further consequence would be a reduction in teacher allocation to schools which would affect those who were hoping for augmentation to their contractual hours and may result in redeployment of staff.

Teaching Council Elections 2020

Congratulations are extended to Anne Howard (Community & Comprehensive constituency), Noel Cronin (ETB – Ireland

South) and Ciaran O' Donnell (ETB – Ireland North) on their election to the Council. Another TUI-endorsed candidate, Anne Mulcahy (Education and Training Board Sector – Ireland South), was not opposed and has been deemed elected. Jerriann Sullivan (Voluntary Secondary School Sector – Ireland South) and Aisling Geraghty (Voluntary Secondary School Sector – Ireland North) should also be commended for their excellent campaigns and strong showing in their respective constituencies. I want to draw attention to the dedicated service of the outgoing TUI representatives. Mairéad Glynn, Séamus Ó Fearraigh, Denis Magner and Gerry Quinn, who have worked tirelessly for our members and deserve our thanks and appreciation.

Technological University consortia – process continues

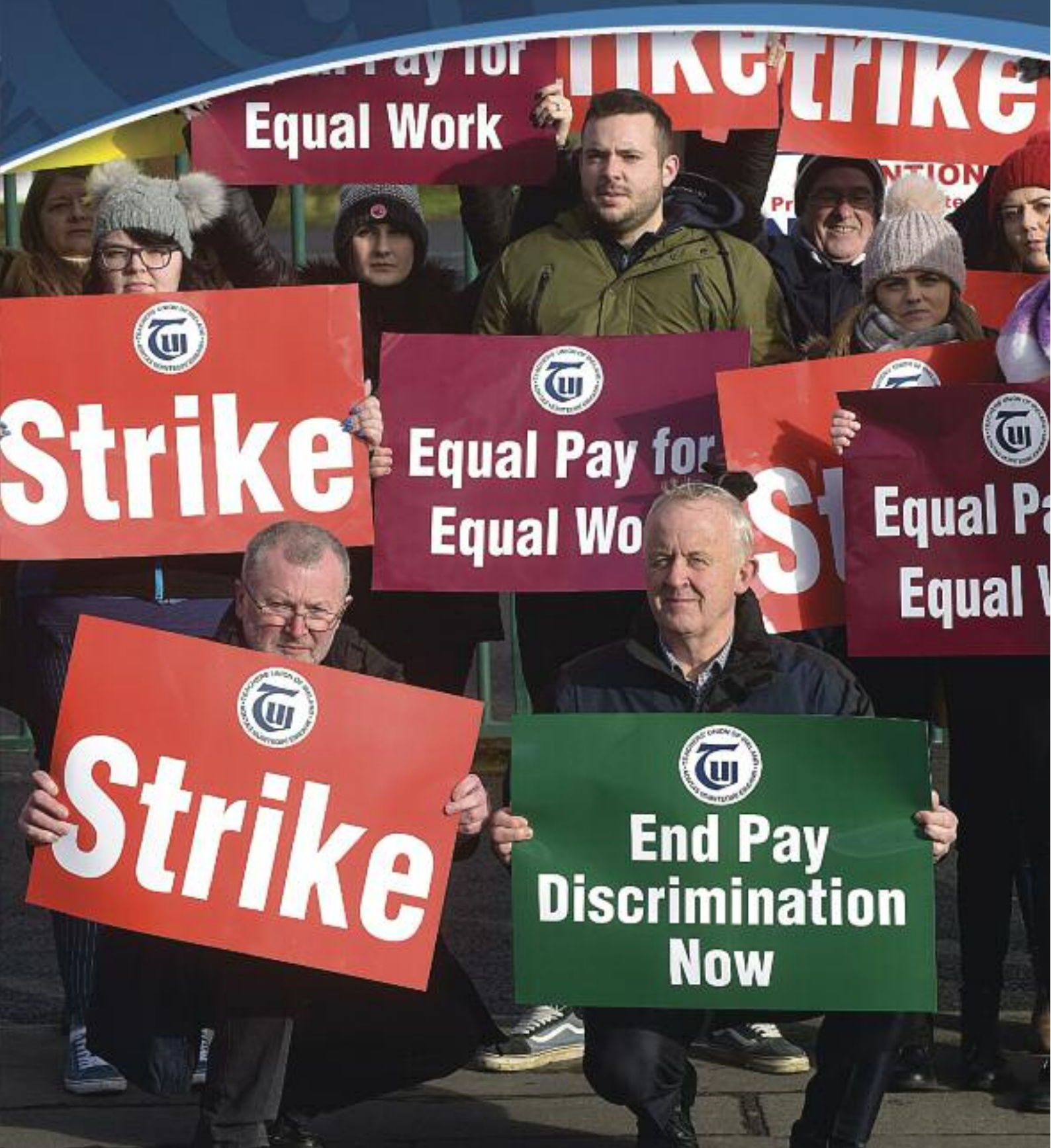
At third level, our representatives in the Technological University consortia are working to reach agreement on memoranda of understanding and our representatives in TU Dublin continue to work to ensure compliance with the terms as already agreed. Work is underway in a subgroup of the IOTIR Forum on the issue of a contract for our members working as Researchers. In addition, the long-awaited workload review is about to commence.

Submission to Labour Court over conditions for tutors

TUI has made a submission to the Labour Court in conjunction with the other relevant union on behalf of Adult Education Tutors in order to break the impasse in reaching an agreement on a proper contract for our members who work in this area. Enough is enough – these members must be provided with appropriate terms and conditions for the valuable work that they do.

**19,000 TUI MEMBERS SEND
MESSAGE TO NEW GOVERNMENT:**

**CAMPAIGN WILL CONTINUE UNTIL
PAY DISCRIMINATION ELIMINATED**



Party leaders and education spokespeople visit TUI pickets on pay discrimination strike day



FINE GAEIL – OUTGOING MINISTER FOR EDUCATION
JOE MCHUGH



GREEN PARTY – PARTY LEADER CATHERINE MARTIN



SINN FÉIN – PARTY LEADER MARY LOU MCDONALD



FIANNA FÁIL – EDUCATION SPOKESPERSON THOMAS BYRNE



PEOPLE BEFORE PROFIT – PARTY LEADER RICHARD
BOYD BARRETT

Party leaders and education spokespeople from all main political parties visited pickets as 19,000 TUI members took strike action on 4th February over pay discrimination. We will be reminding politicians – particularly those in Government – of this support as our campaign continues. In this regard, the letter reproduced on p.11 has been forwarded to all elected TDs.

TUI members ta

‘Injustice of pay disc



TUI DEPUTY GENERAL SECRETARY ANNETTE DOLAN INTERVIEWED BY RTE'S EILEEN MAGNER AT IT SLIGO

19,000 TUI members took strike action over pay discrimination on 4th February, warning any prospective new Government – however it might be constituted – that it must act urgently to end this injustice. The strike received extensive media coverage throughout the day, with TUI representatives outlining the effects of pay discrimination on staff morale and also on the service to students.

Union President Seamus Lahart warned that there would be no ‘honeymoon period’ for any new Government. ‘What is a complete injustice under one Government will continue to be a complete injustice under a new Government, and we expect immediate action on its elimination,’ he said.

As you will see elsewhere in the magazine, politicians from across the political spectrum visited TUI pickets in their constituencies, some even holding placards. We will not be shy about reminding them of their support for our campaign in the coming months.

The TUI President has since written to all newly elected politicians outlining our clear view on the issue (see text of letter overleaf).



EXECUTIVE MEMBER DAVID WATERS INTERVIEWED BY RTE OUTSIDE GREENHILLS COLLEGE

Timeline – TUI campaign to eliminate pay discrimination

February – September 2016

4,000 TUI members at third level took strike action on 3rd February 2016 over pay discrimination and related issues. Similar planned strike action at second level and in the further/adult education sector for 24th February 2016 was lifted when the Union secured negotiations that ultimately led to an agreement in September 2016 to incorporate the value of the Higher Primary Degree Allowance (€4,918) into the ‘new entrant’ scale.

September 2017- January 2018

TUI members gave a strong mandate for industrial action in a national ballot. In 2018, pressure applied by TUI ensured that a further significant gain was achieved with the removal of points 4 and 8 from the new entrant scale, which allowed new and recent entrants to progress up the scale quicker. This measure was accepted by members in a national ballot. Two lunchtime protests in February and May 2018 also drew significant public attention to the injustice.

October 2019 – February 2020

When it became clear that the Union had exhausted every available avenue in seeking to have the remaining issues addressed, and with the Government’s failure to act on undertakings given by the Minister for Education and Skills at the teacher conferences in April 2019, a new, unequivocal mandate for industrial action from members (92% voting in favour) was secured by national ballot in October 2019. In November 2019 the Union announced that it would be taking strike action over pay discrimination in February 2020.

March 2020 onwards

While TUI is open to constructive engagement on this issue, it is quite clear what any new Government now needs to do. It is inevitable that the Union’s strong and unequivocal mandate for industrial action will once again be activated if a new Government fails to end this injustice.

What remains to be achieved?

The largest discrimination still occurs in the early years of employment, with new entrants to second level teaching earning 14% less on initial appointment and 10% less in the first 10 years than they would have before the imposition of a two-tier pay system. Within the first ten years of their career, they earn over €50,000 less. Over a 40-year career, they earn over €110,000 less.

The following measures are required to end pay discrimination:

- Elimination of the remaining differences in the early points of scale for ‘new entrant’ grades
- Commencement on point 3 of scale in recognition of the six-year (primary degree and PME) unpaid training period

- Reinstatement of the HDip/PME allowance to those who started teaching since 2012. TUI has lodged a claim with the Conciliation and Arbitration Scheme for Teachers on this issue.

What TUI grades are affected by pay discrimination?

Teacher, Assistant Lecturer, Youthreach Resource Person, BTEI Adult Educator, Adult Guidance Counsellor/Co-ordinator, Adult Literacy Organiser and Community Education Facilitator

ke strike action – rimination must end’

Key media coverage on 4th February

On **Newstalk’s Breakfast Briefing**, **TUI Vice President Martin Marjoram** made clear that the Union will not tolerate pay discrimination affecting teachers, lecturers, Youthreach resource persons and other affected grades.

‘Not alone were teachers hunted down in 2011 with cuts, they were hunted down again in 2012 with additional cuts,’ said **General Secretary John MacGabhann** on **RTE’s Morning Ireland** programme, which also featured interviews with post-2011 teachers **Eamonn Maguire (Donegal)** and **Zara Blake (Dublin)**.

Virgin Media’s Ireland AM reported live from picket line at Greenhills College, Dublin with **President Seamus Lahart** and **Executive Committee member David Waters**.

Brian O’Connell reported live from the picket line outside Glanmire Community College in Cork on **RTE’s Today with Sean O’Rourke** with **Executive Committee member Mike Lyons** and colleagues.

Newstalk’s The Pat Kenny Show reported live from picket line at Greenhills College.

RTE’s News At One interviewed TUI members outside Limerick Institute of Technology.



SEAMUS LAHART INTERVIEWED BY VIRGIN MEDIA NEWS AT GREENHILLS COLLEGE

TUI President Seamus Lahart interviewed outside Greenhills College on **RTE** and **Virgin Media News** bulletins.

RTE evening news bulletins also featured interviews and footage from IT Sligo and LIT.



CLOCKWISE FROM BOTTOM LEFT: PICKETS AT VTOS GALWAY, COLAISTE POBAIL SETANTA DUBLIN, GONZAGA COLLEGE DUBLIN, IADT AND O’ FIACH COLLEGE CO LOUTH

TUI PDA TEACHER RECRUITMENT AND RETENTION SURVEY

'Four in five schools have had no application for an advertised post' - Survey findings confirm worsening teacher supply crisis

The latest survey findings of recruitment and retention difficulties in Irish schools show worsening difficulties across the country, with four in five schools having had no application for an advertised post in the previous six months.

The poll was carried out in December 2019

and January 2020 by the Principals' and Deputy Principals' Association of the TUI.

The survey findings were released a week before the Union's national strike on pay discrimination, publicly highlighting the severe damage that the two-tier pay system is inflicting on the profession and the service to students.

Q Has your school experienced teacher recruitment difficulties over the last six months?



Q Has your school experienced teacher retention difficulties over the last six months?



Q In the past six months, has there been a situation where no teacher applied for an advertised teaching post in your school?



Situation has worsened since the question was last asked in April 2019, when 68% answered 'Yes'

Q Does your school currently have unfilled vacancies due to recruitment and retention difficulties?



Situation has worsened since the question was last asked in April 2019, when 67% answered 'Yes'

Survey of 131 second level schools carried out in December 2019 and January 2020



PRINCIPALS AND DEPUTY PRINCIPALS' ASSOCIATION
CUMANN PRÍOMHOIDÍ AGUS PRÍOMHOIDÍ TÁNAISTEAICH

Subject areas in which the most severe teacher recruitment/retention difficulties were experienced – ranked 1 to 10

1 Irish

2 Home Economics

3 French

4 Mathematics

5 Spanish

6 Biology

7 Physics

8 Chemistry

9 German

10 PE

What do you think is the primary cause of teacher recruitment and retention difficulties? (Respondents were asked to rank from the four choices)

1



More attractive options for new graduates in other employments

2



Discriminatory pay rates affecting new and recent entrants to teaching

3



The unavailability of contracts of full hours upon appointment

4

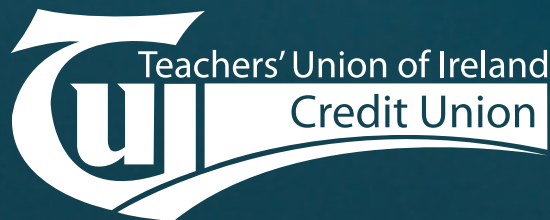


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www.tuicu.ie

The following letter has been sent to all newly elected TDs:

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 e-mail: tui@tui.ie
 website: <https://www.tui.ie>



26th February 2020

TUI Pay Equality Campaign

Dear TD,

We write to you today in this post-election period as talks to establish a Government are ongoing.

As you are no doubt aware, the electorate sent out a strong message that there are issues which they expect to be addressed as a matter of urgency.

The Teachers' Union of Ireland (TUI) has campaigned to have the discriminatory pay regime, imposed on the profession in 2011, finally and fully dealt with. Having exhausted all possible avenues open to us, TUI members took strike action on this unacceptable injustice in February 2020.

Unequal, unfair and discriminatory pay has blighted and continues to blight our profession and must be eliminated now. As a result of this two-tier pay system, schools are experiencing severe difficulties in the recruitment and retention of the suitably qualified teachers required to deliver the curriculum in their schools. In a recent survey of over 130 second-level schools (January 2020) carried out by TUI's Principals and Deputy Principals' Association, 77% indicated that, in the previous six months, their schools placed advertisements for teaching posts which did not attract a single application.

Quite clearly, continuation of discriminatory pay into the future will not be acceptable to our members. Our mandate for industrial action is strong and unequivocal and I note that our sister union has indicated that it will shortly pursue a similar route of balloting its membership on the same issue. We will take further action if there is no solution forthcoming.

Therefore, I ask that you listen to the voice of reason and include in your provision for the incoming Government immediate steps to end this gross injustice of pay discrimination.

We are available to meet with you to explain why the issue of pay discrimination must now be fully resolved for the good of the education system to continue to serve the nation well.

We wish you well in your endeavours to formulate a good Government which will deal with the key issues raised by the electorate.

Yours sincerely,

Seamus Lahart, President

Liz Farrell elected incoming Vice-President of TUI

Following a national ballot of TUI members, Liz Farrell has been elected incoming Vice-President of TUI (position effective from July 2020).



LIZ FARRELL

Update on Curriculum Development

In Ireland, the power to prescribe the curriculum is vested within the legal power of the Minister for Education and Skills under the Education Act 1998. However, in practice, decisions in regard to the curriculum are informed by extensive work undertaken by the National Council for Curriculum and Assessment (NCCA). A wide range of stakeholders is represented on the NCCA including the teacher unions and management bodies. The last few months have seen developments in a number of areas, as summarised below.

As well as the overall review of Senior Cycle by the NCCA, which is covered elsewhere in this edition of the TUI News, the Council has been involved in a review of a number of existing Senior Cycle subjects as well as development of some new subject specifications.

Ongoing Leaving Certificate subject specification work

Sciences:

Three development groups are currently working on revised specifications for Physics, Biology and Chemistry.

Gaeilge:

A development group is nearing completion of work on a revised specification for Leaving Certificate Irish.

Modern Foreign Languages:

A development group is nearing completion of work on a revised specification for Leaving Certificate MFL (Polish, Lithuanian, Portuguese, Chinese).

Arabic:

The NCCA is currently in the process of establishing a development group to examine the updating of the Leaving Certificate specification in Arabic.

In addition to the above, the NCCA is currently establishing a development group to carry out work on post-primary RSE in schools. This work will encompass RSE in both Junior Cycle and Senior Cycle.

The TUI would like to take this opportunity to acknowledge the exceptional work carried out, voluntarily, by our representatives on NCCA boards and committees.

Four TUI-endorsed candidates elected to Teaching Council



ANNE HOWARD



NOEL CRONIN



CIARAN O' DONNELL



ANNE MULCAHY



JERRIEANN SULLIVAN



AISLING GERAGHTY

The Teaching Council Elections 2020 have been completed and the Union would like to thank all officially-endorsed candidates for their commitment and hard work throughout the campaign.

Congratulations to Anne Howard (Community & Comprehensive constituency), Noel Cronin (ETB – Ireland South) and Ciaran O'Donnell (ETB – Ireland North) on their success in the elections. Another TUI-endorsed candidate, Anne Mulcahy (ETB– Ireland South), was not opposed and had already been deemed elected.

Jerriann Sullivan (Voluntary Secondary School Sector – Ireland South) and Aisling Geraghty (Voluntary Secondary School Sector – Ireland North) should also be commended for their excellent campaigns and very strong showing in their respective constituencies.

Thanks also to outgoing TUI representatives Mairéad Glynn, Séamus Ó Fearraigh, Denis Magner and Gerry Quinn.

Standardisation of the School Years 2020/21, 2021/22 and 2022/23

Circular Letter 5/2020 sets out, the standardisation of the breaks at Christmas, Easter and mid-term in the first and second terms for the school years 2020/21, 2021/22 and 2022/23.

Guidance for schools in relation to making up for time lost due to unforeseen school closures is included in Appendix B of this circular. Where these measures are not considered adequate, contingency arrangements to make up for time lost due to extensive or prolonged unforeseen school closures are also set out

A summary of the key information is set out below.

School Year 2020/21

October 2020 mid-term break

All schools will close from Monday 26th October 2020 to Friday 30th October 2020 inclusive.

Christmas 2020

All schools will close on Tuesday 22nd December 2020, which will be the final day of the school term. All schools will re-open on Wednesday 6th January 2021.

February 2021 mid-term break

Post-primary schools will close from Monday 15th February 2021 to Friday 19th February 2021 inclusive unless changes are required as part of contingency arrangements to make up for time lost due to unforeseen school closures.

Easter 2021

All schools will close on Friday 26th March 2021. All schools will re-open on Monday 12th April 2021.

School Year 2021/22

October 2021 mid-term break

All schools will close from Monday 25th October 2021 to Friday 29th October 2021 inclusive.

Christmas 2021

All schools will close on Wednesday 22nd December 2021, which will be the final day of the school term. All schools will re-open on Thursday 6th January 2022.

February 2022 mid-term break

Post-primary schools will close from Monday 21st February 2022 to Friday 25th February 2022.

Easter 2022

All schools will close on Friday 8th April 2022 which will be the final day of the school term. All schools will re-open on Monday 25th April 2022.

School Year 2022/23

October 2022 mid-term break

All schools will close from Monday 31st October 2022 to Friday 4th November 2022 inclusive.

Christmas 2022

All schools will close on Wednesday 21st December 2022, which will be the final day of the school term. All schools will re-open on Thursday 5th January 2023.

February 2023 mid-term break

Post-primary schools will close from Monday 13th February 2023 to Friday 17th February 2023.

Easter 2023

All schools will close on Friday 31st March 2023, which will be the final day of the school term. All schools will re-open on Monday 17th April 2023.

The following article was submitted by the State Examinations Commission

State Examinations Commission expands Online Marking for the 2020 examinations

The online marking of examination scripts involves examiners viewing scanned images of candidates' scripts on screen and marking those scripts by interacting with software specially designed for the purpose. In February 2020, the State Examinations Commission (SEC) issued Circular S02/20 which provided to schools the expanded range of Leaving Certificate and Junior Cycle subjects being marked online this year and related information for teachers and students.

For 2020, the Leaving Certificate subjects English, History, French, Accounting, Home Economics (written paper), Geography, Business and Physical Education have been added to the subjects already being marked

online (i.e. Mathematics, Biology, Chemistry, Physics, Politics and Society and LCVP Link Modules – written paper). At Junior Cycle, the new subjects for 2020 are German, Spanish and Home Economics (adding to English, Science, Business Studies and French).

The circular can be accessed in full here <https://www.examinations.ie/online-marking>

Online marking does away with time-consuming manual tasks, such as sorting, counting and numbering scripts and totting marks. It allows examiners to focus on the marking exercise, not on the administration

of the marking. In general, the feedback from examiners is that the system is easy to use and they have expressed a strong preference for online marking. As with any change, there is always room to improve. We are actively listening to feedback in order to refine and improve the marking experience for all examiners.

The SEC is currently recruiting examiners and would love to hear from teachers at any level of experience. The software is easy and comprehensive training will be provided. Examiners will have access to a help-desk to provide back-up and support. Recruitment information is available from <https://www.examinations.ie/recruitment/>.

Upcoming changes to school admission policies

In January 2020, the Minister for Education and Skills announced that new rules are coming into effect from the start of February in relation to admission to schools.

The Minister has signed a Commencement Order in respect of the Education (Admission to Schools) Act.

The new laws around admission to schools has the aim of ensuring greater transparency, equity and consistency in school enrolment generally.

From February 2020 every recognised school will have to draft a new school admission policy, in accordance with the act's requirements, following consultation with the patron, the staff of the school and parents of current pupils.

The Commencement Order provides for the new laws to come into effect in respect of applications made for admission to schools for the 2021/2022 school year onwards.

Newly revised school admission policies

(under the commenced provisions of the Act) will require

- That the school admit all applicants, where the school has places available and is not oversubscribed.
- Set out the manner and sequence in which selection criteria will be applied in the case of oversubscription.
- Set out requirements for schools to make offers and for applicants to accept offers and arrangements where offers may be withdrawn.
- Place a ban on waiting lists, apart from waiting lists maintained for the school year concerned. There is a provision that will allow for a five-year period for current waiting lists to expire, allowing schools to honour commitments they have already made to parents.
- Require all schools to consult with and inform parents where changes are being made to their admissions policies.
- Prohibit interviews, consideration of a student's academic ability, skills or

aptitude, consideration of a parent's occupation, financial status, academic ability, skills or aptitude, apart from in the case of the stated exceptions, as a consideration for the offer of a place.

- Provide details of the school's arrangements in respect of students, where the parent, or the student if they are 18 or over, has requested that the student attend the school without attending religious instruction.

The TUI has previously made submissions on the Education (Admission to Schools) Act and has met with the DES on the matter. The TUI broadly agrees with the thrust of the Act and believes that all schools should be open to all students insofar as is possible. The TUI has welcomed the concept of templates being provided to schools, to use if they wish, but has pointed out that principals are entitled to holidays so dates for implementation should be extended beyond the summer holidays. The DES agreed with this and it has been taken into account in the directions since issued.

Senior Cycle Review: a summary of the process

This article was submitted by the National Council for Curriculum and Assessment (NCCA)

A review of senior cycle education undertaken by NCCA in late 2016 is nearing completion. The review took place in three phases. Phase one (2016-2017) established a process for conducting the review, informed by national and international research and dialogue, including an Upper Secondary Education in Nine Jurisdictions Overview Report.



together to discuss feedback from schools and to add their voices to the discussion. A detailed collation of the feedback gathered during phase 1 and 2, was then published for further consultation in the Interim Report on the Review of Senior Cycle Education.

Phase three (2019 – 2020) comprised of a public consultation on ideas

emerging from the review. The public consultation generated a lot of interest and engagement and included 21 bilateral meetings and 12 focus group meetings nationwide, including a number of TUI/NCCA co-hosted meetings; 4,300 responses to an online survey; 48 written submissions on behalf of organisations, 38 submissions on behalf of individuals and 191 submissions from third-level students. Feedback from this public consultation was collated in the Senior Cycle Review Public Consultation Report.

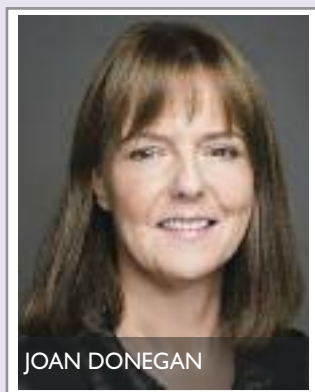
Communication and consultation with schools and stakeholders occurred throughout the review process. Review

materials were made available on NCCA.ie throughout the review. To ensure awareness of the review was raised consistently throughout the process, a series of update bulletins were published online and posted in hard copy to schools and to a wide range of stakeholders. These bulletins outlined progress in the review and invited expressions of interest to participate in the review, in the national seminar series and in public consultation events. All publications and materials relating to the review can be accessed online at <https://www.ncca.ie/en/senior-cycle/senior-cycle-review>

The review identified a lot of positives in the current senior cycle as well as flagging potential areas for improvement. Arising from the review process, NCCA will shortly issue advice to the Minister for Education and Skills on future directions in senior cycle education. NCCA wishes to thank all in TUI who were involved in and who helped to shape the review process throughout. Ongoing collaboration with schools and stakeholders will continue to be a core feature of NCCA's work and will contribute significantly in the years ahead to shaping and realising the vision for senior cycle emerging from this review process.

The following article was originally published in December 2019 by French journal *La Vie de la Recherche Scientifique*. It is reproduced by kind permission.

Academic Freedom and Research in Ireland



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ABSTRACT:

Though protected in Irish law, academic freedom in Irish Higher Education Institutes is subject to significant threat and interference. These arise chiefly from the collapse in higher education funding since the financial crisis; precarious, casualised academic contracts (particularly for researchers); and funding and policy decisions which favour certain disciplines and research topics (especially those geared towards commercial and economic priorities).

Legal Protection for Academic Freedom

Internationally recognised principles of academic freedom have legal protection in Ireland, e.g. in the Universities Act 1997, Section 14 (2)¹:

A member of the academic staff of a university shall have the freedom, within the law, in his or her teaching, research and any other activities either in or outside the university, to question and test received wisdom, to put forward new ideas and to state controversial or unpopular opinions and shall not be disadvantaged, or subject to less favourable treatment by the university, for the exercise of that freedom.

Similar provisions can be found in the Institutes of Technology Act 2006, Section 7 (2)² and the Technological Universities Act 2018, Section 10 (2)³.

Threats to Academic Freedom and Challenges for Academics and their Trade Unions

In spite of such legislation, the Teachers' Union of Ireland (TUI)⁴ and the Irish Federation of University Teachers (IFUT)⁵ are deeply concerned about threats to academic freedom in Ireland's Higher Education Institutions (HEIs) which have developed in recent years, most notably the

use of exploitative, precarious contracts for some academic staff (mostly researchers). Austerity budgets since the financial collapse have also added to the tension between academic freedom and institutional autonomy on the one hand and government control, neo-liberal managerialism, business interests and the commercialisation of research on the other. Difficulties faced by academics include strategic plans of HEIs that specify priority areas of research to the exclusion or marginalisation of others; inappropriate performance metrics; changes to governance models that lean towards increased managerialism; state funding research calls that target and prescribe certain areas of knowledge and enquiry; and pressure regarding the retention rates of students (who pay the second highest level of fees in Europe after the UK).

Exploitation of Researchers

Around the beginning of the current century, a practice developed of hiring significant numbers of researchers in Higher Education. Research had previously been conducted as an essential and integrated part of the career of lecturing staff alongside the other standard academic roles of teaching and service to the community. Full-time researchers were, up to then, found only in certain specialist research institutes. The latest figures available from Ireland's Higher Education Authority⁶ from

December 2017 illustrate how far this practice has developed in terms of whole-time equivalent (WTE) staff numbers:

	Academic Core-Funded Staff (WTE)	Research/ Specialist Academic Staff (WTE)
Universities	4669.6	3677.5
Institutes of Technology (IoTs) ⁷	4695.0	511.2

While Academic Core-Funded staff is primarily full-time and permanent (80.53% of WTEs Universities and 81.89% in IoTs⁶), most researchers have been and continue to be employed on precarious, fixed-term or fixed-purpose contracts. Many contracts of such employment are linked to, and dependent upon, financing from sources outside of the HEI, in many cases from the private sector. This represents a significant (and unacknowledged) subsidy from the state to private entities which would have to pay much more if required to employ their own research staff.

Besides the preponderance of precarious contracts among researchers, the terms and conditions of researcher contracts (including the pay and pension) are typically inferior to those of lecturing staff. Sub-standard precarious contracts, the continuation of which depends on the success of the next round of funding awards, do not allow the exercise of academic freedom in any real sense.

Indeed, the overall funding of third level education in Ireland has collapsed since the financial crisis, with state funding per student reduced by about 50%. This has coincided with an increasing emphasis on where Irish HEIs are placed in international league tables, the criteria of which are heavily focused on research, as well as increasing pressure from Government to develop research which will serve the economy. Long-term underfunding creates

an environment in which casualisation and other poor employment practices flourish as managements struggle to maintain services more and more cheaply. It is difficult in such circumstances not to see the creation and expansion of a vulnerable cohort of research staff who have little choice but to align their research topics with priorities chosen by Government and management as a deliberate and cynical act which severely impinges on the exercise of academic freedom.

Government Hypocrisy

Despite the sub-standard and disrespectful treatment routinely meted out to researchers, those primarily responsible for their predicament – HEI managements and the Government – regularly issue deeply disingenuous and hypocritical proclamations about the central importance and great value to society and the economy of the work being conducted by these same researchers. Coinciding with these high-minded declarations, the HEIs (actively supported by Government) aggressively fought case after case where researchers, with the support of their trade unions, invoked their entitlement – under EU laws outlawing lengthy periods of precarious employment – to have their posts declared to be permanent.

Shockingly, around the same time when a national agreement was negotiated between the Irish Congress of Trade Unions and the State containing clauses reducing the length of time that employees could be kept on temporary contracts, Government published a written statement declaring that these clauses would **not apply** to researchers. Not surprisingly therefore, IFUT has calculated that in recent years the union has spent approximately 70% of its time on individual casework fighting for the rights of precarious university employees, most of whom were employed as researchers.

Action and Campaigning BY IFUT and TUI

IFUT has recently affiliated to Eurodoc⁸ and previously entered into a Memorandum of Understanding with the Irish Research Staff Association in an effort to broaden the fight for basic employment rights and equality of treatment for researchers.

IFUT and TUI are members of Education International (European Region) and have been to the forefront in prompting EI's Higher Education and Research Standing Committee to campaign actively at a European level on behalf of researchers. This campaign has scored notable successes through the medium of EU-sponsored Sectoral Social Dialogue where useful declarations on the rights of research workers have been endorsed by the representatives of both trade unions and education employer bodies.

While the numbers of researchers in TUI workplaces are not as high as in IFUT's, TUI too has experience of individual claims on behalf of researchers (including at the Labour Court) and has collective claims in train to improve researchers' salaries, contracts, and pensions. Through a lengthy campaign of industrial action allied to significant political lobbying, TUI negotiated beneficial amendments to the Technological Universities Act 2018 which it believes will result in a much more collegiate and less managerial model of governance leading to better protection for the exercise of academic freedom.

Marketisation and Commercialisation

HEIs in Ireland, in line with global trends, are not only expected to teach and conduct research, but to generate market-driven knowledge; they are to some extent defined as market entities themselves within a competitive European and International system of higher education. In the neo-liberal university where governance is centralised and hierarchical, academics have

less decision-making power in relation to policy making and strategic development. Research policies driven by commercialisation and market demands can and do limit academic freedom by under-resourcing and discouraging certain subjects and disciplines that are not perceived to generate economic impact. TUI has also had to challenge instances of progression from Assistant Lecturer (the entry grade for most academic staff in IoTs) to Lecturer being called into question because impressive research profiles of applicants did not sufficiently align with management's chosen list of research priorities, a very concrete example of "less favourable treatment" arising from the exercise of academic freedom in contravention of the legislation.

"Innovation 2020", Ireland's strategy for research and development, science and technology, includes a commitment to review Ireland's research priorities. The very clear commercial focus of the review is evident from the criteria⁹:

The process of determining the refreshed priority areas involved utilising the following four high level criteria:

1. The priority area is part of, or associated with, a large global market or markets in which Irish-based enterprises already compete or can realistically compete.
2. The priority area requires publicly performed RDI (Research, Development, and Innovation) to complement private sector research and innovation in Ireland.
3. Ireland has built or is building objectively measured strengths in

research disciplines relevant to the priority area.

4. The priority area represents an appropriate approach to a recognised national challenge and/or a global challenge to which Ireland should respond.

While the "impact" of research for the purposes of securing competitive funding is assessed under a range of headings, it is clear that the emphasis is economic. Science Foundation Ireland's list of "impact reviewers" is illuminating in this regard¹⁰:

In nearly all cases, SFI will use international experts with specific/documented interests in impact evaluation from other jurisdictions to review and rank the impact statements of scientifically excellent projects. These impact reviewers have included Company R&D Directors, Heads of Translational Institutes, Senior Technology Transfer Professionals, Investors in scientific/technology early-stage companies, for example.

The undue influence of commercial interests and market ideologies on Higher Education in Ireland has for some time been identified as a significant threat to academic freedom, particularly as HEIs have come under increasing pressure with regard to funding. There is every indication that the current policy approach is firmly embedded and will present an enormous challenge to academics and trade unions for the foreseeable future, as identified by scholars Kathleen Lynch and Mariya Ivancheva on the previous research prioritisation report, though their verdict remains just as true for this one¹¹:

Academics who have the 'freedom' to research new ideas or to introduce new subjects are increasingly confined to fields of scholarship that are supported by government, which, in turn, are strongly influenced by business interests, especially those in science and technology. The impact of commercial interests is reflected especially in the funding of research. None of the subjects in the Arts Humanities and Social Sciences were listed as priority funding areas in the Research Prioritisation report for Ireland in 2011. Not only are science and technology prioritised for research funding, but within these fields, very specific areas are targeted.

Conclusion

Teaching and research driven by market interests, framed by political and institutional agendas, and measured and funded according to inappropriate output-only metrics cannot represent the academic freedom protected in our laws. IFUT and TUI will continue to campaign against the damage to academic freedom posed by the closely related threats of chronic underfunding and market ideologies. Through lobbying, individual and collective claims and cases, hopefully genuine social dialogue with Government, and industrial action where necessary, we promote and fight for our vision of education, not as a commodity, but as a public good to be realised through permanent academic contracts reflecting the appropriate balance between teaching and research in Higher Education Institutes which should foster a culture of collegiality and support for all academic staff including researchers.

¹ <http://www.irishstatutebook.ie/eli/1997/act/24/enacted/en/print#sec14>

² <http://www.irishstatutebook.ie/eli/2006/act/25/section/7/enacted/en/html#sec7>

³ <http://www.irishstatutebook.ie/eli/2018/act/3/section/10/enacted/en/html#sec10>

⁴ TUI represents academic staff (including researchers) in Institutes of Technology and Technological University Dublin, as well as teachers and education staff at second level and in further and adult education.

⁵ IFUT represents academic and professional staff (including researchers) in Universities, Colleges of Education and some Research Institutes.

⁶ <https://hea.ie/assets/uploads/2018/01/Higher-Education-Institutional-Staff-Profiles-by-Gender-2018.pdf>

⁷ "Core-funded" staff are those whose salaries are included in direct government funding which should pay for the "core" or fundamental activities and costs of a HEI. "Research/Specialist Academic Staff" are defined as "Non-core grant funded research and specialist posts. These may include posts funded from both Exchequer and Non-Exchequer resources".

⁸ Dublin Institute of Technology, Institute of Technology Blanchardstown, and Institute of Technology Tallaght have since merged to become Technological University Dublin.

⁹ The European Council of Doctoral Candidates and Junior Researchers.

¹⁰ <https://dbei.gov.ie/en/Publications/Publication-files/Research-Priority-Areas-2018-to-2023.pdf> (Page 7)

¹¹ <http://sfi.ie/funding/award-management/research-impact/>

¹² Kathleen Lynch and Mariya Ivancheva, 'Academic freedom and the commercialisation of universities: a critical ethical analysis' in *Ethics in Science and Environmental Politics* 15(1), January 2015.

Important advice to TUI Members regarding DES Circular 17/2020 - Junior Cycle SLAR Meetings

Circular Letter 17/2020 was issued recently by the Department of Education and Skills. It provides 4 options for arranging SLAR Meetings.

We strongly advise members to choose Option A or Option B.

Both of these options are fully compliant with the terms of the Junior Cycle Agreement – Joint Statement on Principles and Implementation (May 2015) and Appendix to the Joint Statement (July 2015). Any suggestion that these options do not comply with the agreement is simply wrong. These options describe, moreover, what you are already doing.

Option C is also compliant with the 2015 agreement but it is much more awkward to arrange, involves more work than is necessary and is invested with a lesser level of trust in the teacher.

Option D has nothing at all to recommend it. It is hugely impracticable and involves the loss of jobs and income for members. However, it is a reminder that the time for

SLAR meetings has already been paid for by the State – by way of professional time – and that the State will not pay on the double by providing substitution as well.

The 2015 agreement is clear in this regard – a proportion of the 22-hours of professional time (40-minutes per week) is used for SLAR meetings.

The 2015 agreement is also clear in protecting the 28-hours of tuition time per week for students.

In your school you should seek a consensus for Option A or Option B. If a consensus is not reached, the Board of Management decides on the option to be used. In such circumstances, TUI members and the TUI workplace committee should formally ask the Board of Management to nominate Option A or Option B.

We in TUI have made an agreement in relation to Junior Cycle and have honoured that agreement. There is no reason to veer from that path.

Solidarity with New and Recent Entrants

Any arrangement for SLAR meetings that involves the use of substitution will cost our new entrant colleagues hours and income. That would be unconscionable. Therefore, keep faith with the agreement we made, act in solidarity with our new entrant and part-time colleagues, respect the right of our students to 28-hours of tuition time and make the professional choice by choosing Option A or Option B.

A poster summarising this information has been sent to all workplaces and is reproduced on the page opposite.



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FOR THE ATTENTION OF TUI MEMBERS

Junior Cycle Subject Learning and Assessment Review (SLAR) Meetings

TUI Advice to Members regarding DES Circular 17/2020

The Circular sets out 4 options – A, B, C and D

TUI advises that you read the Circular carefully and

Choose Option A or Option B

- Both are “high trust”. Both respect “professional time” and student tuition time.
- Both work – they represent what you are already doing.

Be wary of Option C

- It comes with a lower level of trust.
- It involves increased workload for the teacher and the facilitator.

Avoid Option D

- This is a low trust option.
- It involves a loss of professional time and teaching posts.
- It hurts part-time and new entrant teachers.
- It presents major practical difficulties.

**NB Substitution and Supervision cannot be used
in facilitating SLAR Meetings**

Options A and B are true to the Junior Cycle Agreement.

**They provide opportunities and income for
your part-time and new entrant colleagues.**

They are the professional choice.

Choose Option A or Option B

Help protect what matters most

with the TUI Income Continuance Plan

Benefits include:

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15304 TUI ICP Ad 02-20

REPORT ON RESOLUTIONS OF CONGRESS 2019 AND ACTIONS TAKEN



ANNUAL CONGRESS 2019

MOTION UNDER RULE 23

Noting

- the TUI's commitment to prosecute the ongoing campaign for pay equality to resolution
- that the measure of removing scale points 4 and 8 represents progress but does not achieve pay equality and
- that the current mandate for industrial action was secured in 2017 and requires to be refreshed

Congress directs the Executive Committee to commence a ballot of members before the end of September 2019 for renewal of the mandate for a campaign of industrial action, up to and including strike action, in pursuit of the just goal of pay equality.

TUI conducted a ballot of all members in September/October 2019. Members voted by a margin of 92% to 8% to renew the Union's mandate for industrial action, up to and including strike action, as part of the campaign to end pay discrimination. The ballot result makes clear that members are united in solidarity with new and recent entrants and are prepared to take industrial action should the process of pay equalisation not be completed in the near future. The Executive Committee proceeded to act on the mandate provided. The Union attracted significant media

coverage in relation to the

- ***August 2019 announcement of ballot,***
- ***October announcement of ballot result,***
- ***November announcement of February date.***

A. CONDITIONS OF SERVICE - SECOND LEVEL

4. Co. Donegal

Congress instructs the Executive Committee to liaise with the Department of Education and Skills and urgently seek that a national redeployment scheme, that includes all counties every year, be created instead of the current pilot situation.

The extension nationwide of the redeployment scheme has been raised, by the TUI, at the Teachers' Conciliation Council. In 2020, the scheme is available to members in all counties who wish to be redeployed into a school in Dublin.

14. Co. Meath

Congress instructs the Executive Committee to negotiate a scheme of leave for teachers in ETB schools in line with those in Voluntary Secondary and Community & Comprehensive schools where "management may grant special leave to a teacher for up to five

school days in a school year for any reason which they may consider sufficient noting that substitute cover is not paid by the Department of Education and Skills".

This matter is being pursued. It should be noted that where such leave is provided it requires classes to be covered by colleagues without use of paid substitution or the S&S scheme.

26. Co. Monaghan

Congress instructs the Executive Committee to renegotiate a yearly Circular to include a yearly opt-in and opt-out option for teachers and to remove the 15-year length of service clause in order to opt-out as this is discriminatory to newly qualified teachers. It should be compulsory that once you have 15 years S&S completed, either as an unbroken period or broken period, that you will receive a pension on the S&S.

The provision of a further S&S Opt-out and Opt-in Scheme has been raised at the Teachers' Conciliation Council. At the time of writing, the matter is being considered by the official side.

19. Dublin City

The Croke Park hours were imposed upon teachers in Post Primary and Further Education in February 2011. The supply and retention of teachers is a problem in education. To address the problem, Congress acknowledges and demands the immediate removal of the Croke Park hours. The TUI Executive Committee will campaign fully to this end.

The TUI will continue to seek the removal of the Croke Park Hours, including in the next round of national pay talks due to commence in 2020.

2. Co. Carlow

Congress demands that the Executive Committee negotiate with the Department of Education and Skills that when a teacher undertakes further



ANNUAL CONGRESS 2019

study and completes an educational diploma/master's degree that gives them a better result than in their original teaching diploma/master's degree, that a higher allowance would be paid to the teacher.

The reinstatement of allowances that have been denied to new beneficiaries since 1st February 2012 is being pursued by the Union. In this context, the Union has prioritised the reinstatement of the HDip/PME allowance as it is paid in respect of a mandatory qualification and its withdrawal represents a core element of pay inequality.

16. Co. Galway

While the recruitment of teachers is a national issue, the small minority of island schools also face increased difficulties. Congress instructs the Executive Committee to negotiate the restoration of the island allowance for teachers.

See Motion 2

8. Co. Kildare

Congress instructs the Executive Committee to negotiate an agreement with the DES and ETBI to put in place agreed procedures to appeal senior management positions of Deputy Principal and Principal to reflect due process and transparency.

An appeal procedure was agreed between the second level unions and the relevant management bodies and is with the DES for implementation by way of a circular letter.

23. Co. Meath

Congress directs the Executive Committee to renegotiate Circular 0006/2014. The demand that teachers be available for 5 periods a week of S&S is excessive for those on a 1-hour period timetable and should be reduced.

This matter has been brought to the attention of the Teachers' Conciliation Council.

5. Dublin & Dún Laoghaire (Amended by Dublin & Dún Laoghaire)

Congress calls on the Executive Committee to negotiate with the Department of Education and Skills to demand adequate provision of Guidance Counselling services in schools to help meet the needs of the whole school body with an additional key focus on the most marginalised. To ringfence this service demands adequate guaranteed resource provision using the services of fully qualified guidance counsellors who are ensured security of tenure.

We call on the Executive Committee to address this issue as a matter of urgency.

Full restoration of guidance counselling provision has been demanded by the TUI and highlighted in various press statements. Political parties will be polled on the issue in advance of the General Election. In its pre-budget submission, the TUI sought full restoration.

29. Co. Donegal

Congress instructs the Executive Committee to negotiate with the Department of Education and Skills with a view to altering parental leave provision to include the option of one day a week, a shorter week, or the current block situation.

The current scheme allows a teacher to avail of Parental Leave in the form of individual days where a child has particular medical problems that require the attendance of a parent with the child at a hospital, clinic or therapeutic appointment on a regular basis.

11. Co. Laois

Congress notes,

- (a) The failure of the TUI/ETBI Transfer Agreement, despite its initial purpose, to provide basic protection for TUI members against arbitrary and unfair transfer. and
- (b) The more favourable current circumstances to secure appropriate amendments.

Therefore, Congress instructs the Executive Committee to: Renegotiate this agreement to ensure that it provides a fair and reasonable basis for unavoidable transfers. To this end it is essential that the word "educational" is replaced by the word "curricular" as the basis for transfers in the ETB sector.

At the time of writing, the ETBI had not re-engaged with the Union in relation to this issue.

21. Co. Monaghan/Co. Cavan/ Executive Committee

Congress notes the inequality and practice that has developed in many schools and ETBs of membership subscriptions to some professional associations being paid from school/ETB funds (public funds). Noting that membership subscriptions to other professional associations are not paid from school/ETB funds, it appears that whoever holds the purse determines where it is spent. Congress instructs the Executive Committee to engage with the Department of Education and Skills to secure a fair and consistent approach to the payment of such subscriptions to eliminate this inequality.

The TUI has endeavoured to ensure a balance of fairness in relation to the above issue. The issue fell into three main categories:

- *The TUI has endeavoured to safeguard parity for the Principals' and Deputy Principals' Association (PDA) in ensuring ETBs who sponsor membership of the NAPD also sponsor membership of the PDA.*
- *Further Education Professional Associations: The TUI secured a number of changes to the funding model following requests to intervene from a number of the associations.*
- *Subject Association Subscriptions: It is the understanding of the TUI that schools expect teachers to pay their own subscriptions to the relevant subject associations.*

B. CONDITIONS OF SERVICE - THIRD LEVEL

44. Executive Committee

Congress, notes the increasing use of online learning, blended learning and e-learning and the absence of a national sectoral agreement regarding conditions and safeguards that should apply to such models of delivery and learning. Congress instructs the Executive Committee to negotiate such a national sectoral agreement as a matter of urgency.

A claim for a national sectoral agreement on on-line learning, blended learning and e-learning was submitted by the TUI at the IoT IR Forum. This claim was rejected by the Official Side. Consequently, the TUI balloted its members. Third Level members voted overwhelmingly (92.69%) in favour of industrial action over the refusal of the Official Side to concede TUI's claim.

In response to the outcome of the TUI ballot, the DES agreed in December 2019 to set up a working group of the IOT IR Forum to discuss the claim.

42. IT Tralee

Congress instructs the Executive Committee to protect staff from any possible forced reassignment or redeployment which might occur as a result of the merger of Institutes of Technology and or establishment of Technological Universities. In addition, Congress instructs the Executive Committee to negotiate a policy for voluntary mobility and transfer of staff between the different locations of a TU in order to protect the terms and conditions of members.

A transfer protocol is being developed by the TUI for presentation at the National Negotiation Forum.

52. Dundalk IT (Amended by Cork Colleges)

Congress notes the development of the following roles and duties for Lecturer grades in excess of traditional lecture, tutorial and laboratory class contact hours; Module Coordinator, Programme Directors, Year Convenor, Dissertation Supervision, Group Project Supervision or equivalent. Congress notes the time allocation for these duties and the inclusion in the timetables varies within Institutes and across the IoT sector. Congress instructs the Executive Committee to negotiate an appropriate time allocation for these duties and roles on a standard, national basis and ensure they are transparently timetabled.

This will be for consideration under the review of lecturing; in the meantime, local agreements remain in operation. Where the issue has arisen in TU consortia, the TUI has sought the upward equalisation of allowances.

46. Executive Committee

Congress instructs the Executive Committee to seek pay equity for members who were placed on point one of the Assistant Lecturer scale, irrespective of experience, while their more recently recruited colleagues are being placed on significantly higher scale points.

This matter will be brought by the TUI for discussion at the next national pay talks.

47. Donegal Colleges

In the event that there is no satisfactory national agreement

between the Union and the management side in regard of the development and delivery of all forms of online and digital learning by the 1st of September 2019, then Congress instructs the Executive Committee to conduct a ballot of all Third Level members to authorise industrial action – specifically to systematically withdraw from all forms of activity relating to the development and delivery of all online modules and all online courses, this action to commence in January 2020.

See Motion 44.

53. Dundalk IT

Congress notes with alarm the inadequacy of many current Grievance and other procedures to protect members from online attacks and cyber-bullying and condemns the failure of IoT management to develop fit for purpose procedures and processes to address the phenomena of online attacks and cyber-bullying targeting our members. Congress instructs the Executive Committee to support any member subjected to such attacks and develop a strategy to ensure management are compelled to fulfil their obligations to protect members from the harmful effects of such attacks.

At the biennial delegate conference of the ICTU, a motion proposed by the Ulster Teachers' Union and supported by the TUI in relation to cyber-bullying was carried. Employers are required under law to have health and safety and dignity and respect in the workplace policies to protect staff from bullying and harassment.

48. Dublin Colleges (Amended by Cork Colleges)

Congress believes that the IoT/TU sector will be damaged by the creation of an artificial division between lecturing and research. Congress instructs the Executive Committee to negotiate appropriate contracts for researchers which are nationally agreed and views the current situation as an attempt to undermine lecturers' contracts and conditions.

A claim was lodged in the IoT IR Forum and the issue is being progressed by a subcommittee of the Forum.

51. Donegal Colleges

Congress notes that the weekly lecturing load of 16 and 18 hours for Lecturers and Assistant Lecturers respectively dates from a time when the IoT sector operated predominantly at level 6 and 7 on the National Framework of Qualifications.

Congress instructs the Executive Committee to immediately launch a campaign for a reduction in teaching loads as part of the move to a Technological University to ensure quality in teaching, learning and research.

This matter was raised at the IoT IR Forum and local consortia have also raised the matter. The matter will be central to the review of lecturing.

93. Dublin Colleges

Congress instructs the Executive Committee to immediately rectify the anomaly whereby all staff employed between 2011 and 2016 were denied incremental credit. This has resulted in a major injustice against staff employed between these dates. Congress instructs the Executive Committee to include this issue in any pay talks and associated campaigns relating to pay equality.

See motion 46.

82. Donegal Colleges

Congress instructs the Executive Committee to negotiate in all relevant forums that all policies and procedures in a proposed or established Technological University are identical across all of its constituent campuses without exception.

At the NNF and in discussions involving the various consortia the Union has insisted on standardisations of policies across all of the constituent campuses.

81. Cork Colleges

Congress instructs the Executive Committee to seek timetable alleviation for non-teaching duties performed by academic staff such as year co-ordination and course co-ordination.

This issue is being dealt with at local level and in the context of

agreements or ongoing discussions in TU consortia.

88. IT Tralee(X2)

Congress instructs the Executive Committee to demand that IoTs sign up to the Code of Practice for the appointments to positions in the Civil Service and Public Service which would engender a higher degree of robustness and transparency in recruitment.

Claim lodged at the IoT IR Forum and a draft document has been received from THEA for consideration.

54 Limerick Colleges (Amended by Cork Colleges)

In line with recent directives issued to Second Level, Congress instructs the Executive Committee to issue a directive to the Institutes that maximum class sizes are as follows: computing and drawing labs: 20 students
tutorials: 20 students
lab practicals, workshops: 16 students
counselling: 14 students.

The matter is before the IoT IR Forum. As a directive constitutes industrial action, a ballot of members would be required.

67. IT Tralee

IT Tralee presented a motion to Congress 2017 regarding a review of the nationally agreed grievance procedure which was carried. This motion also included an amendment by Cork Colleges 'to take appropriate action at national level to pressure IoT management into complying with the grievance procedure particularly its timelines'. The grievance procedure is fundamental to the resolution of industrial relations issues. Timelines are still not being adhered to with management delaying the progression of grievances up through the levels because there are no deadlines given in the procedure. Congress now instructs the Executive Committee to seek to update the nationally agreed grievance procedure to include appropriate timelines.

The Union is keenly aware that failure to adhere to reasonable timeframes undermines confidence in the procedures.

The TUI is in the final stages of preparing a survey of all third level members to ascertain the number of grievances lodged, the number of grievances resolved and whether or not timelines were adhered to by the management side.

Amendment to the existing nationally agreed grievance procedure would require the support of all the relevant parties including the other Unions and the management authorities.

40. Executive Committee

Congress demands that the Executive Committee negotiate with the DES and THEA with a view to ensuring that recruitment is to the Assistant Lecturers/Lecturer grades other than in the limited circumstances where the recruitment of HPALs to cover time-limited vacancies is appropriate. Congress instructs the Executive Committee to conduct a ballot for industrial action if inappropriate recruitment of HPALs continues and/or if the agreement arising from the HRA in relation to HPALs is not implemented properly.

The TUI is currently in talks with the DES and THEA to identify the number of HPALs in the system and to identify the very limited circumstances in which the issue of a HPAL is appropriate.

41. Limerick Colleges

Congress notes that there are an increasing number of students in Third Level with a wide range of learning difficulties. Congress requests that adequate support be made available to all lecturing staff in Third Level education to facilitate students across a range of learning difficulties, to help provide an inclusive, productive and safe classroom environment for all students and staff.

The TUI has raised, with the NCSE, the difficulties caused for students with special needs when they proceed to third level given the absence of structured supports. The Union has also liaised with advocacy organisations such as AHEAD to establish how best to address the

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issue. The TUI has foregrounded the issue for many years at the HEA Access Advisory Group.

C. CONDITIONS OF SERVICE - GENERAL

I 10. Dublin City/Co. Carlow

Congress instructs the Executive Committee of TUI to negotiate with the Government that in the event of certified sick leave, that weekend days be excluded from calculation of that leave and that only the days that a member is expected to attend work be counted. It is understood that this would be public sector wide not simply for teachers as there is a public sector sick leave scheme.

Discounting of weekend days for the purposes of calculated usage of sick leave would disadvantage members who have exhausted their paid sick leave entitlement as the deduction from salary would be based on a less favourable divisor.

I 09. Donegal Colleges

Congress instructs the Executive Committee (in conjunction with other public sector unions) to negotiate the revision of the current sick pay arrangements and to revert back to the pre – September 2014 arrangements.

This remains TUI policy but cannot be achieved other than on a whole public service basis.

I 14. Co. Donegal (Amended by Cork Colleges)

Congress instructs the Executive Committee to negotiate with the Department of Education and Skills to increase the amount of compassionate leave or create a new form of leave in a situation where a member [has] a caring responsibility to someone with a recognised serious medical condition and who is receiving ongoing medical care.

Amendments to leave entitlements are not amenable to sectoral discussion and require a whole public service approach. Carer's leave is provided in accordance with the relevant statute (Carer's Leave Act, 2001).

I 02. Dundalk IT

Congress instructs the Executive Committee to campaign for the restoration of pre-austerity sick leave provisions which applied to the Education sector.

See Motion I 09 above.

I 04. Co. Mayo

Congress instructs the Executive Committee to seek legal advice regarding the liability which applies to members in the course of their duties, with regard to issues such as Health and Safety and GDPR, in particular in relation to any liability which may apply to the member personally. Furthermore, that this advice be propagated widely to members to make them aware of the risks they might be exposed to.

The TUI is developing and progressively disseminating advice in relation to GDPR as it applies to them in their representative capacity. It is a matter for the employer to advise and, where appropriate, train employees in relation to GDPR insofar as it applies to them as employees. The Safety, Health and Welfare at Work Acts set out the obligations of an employer and employee in relation to health and safety at work.

I 03. Co. Offaly

Congress instructs the Executive Committee to negotiate with the DES and the Education Shared Business Services (ESBS), (which is the ETB Payroll Shared Services that is being phased in over the next twelve months), to ensure that part-time staff are paid fortnightly in the same way that full time staff will be under the new ETB Payroll Shared Services. The present system that is running in two ETBs will mean that part-time staff will have to work for six weeks before they are paid for their work and will be paid monthly thereafter. Congress abhors this inequality in payments for staff.

The TUI has been in discussions with the Project Management Office (PMO) and have a commitment that when all ETBs have migrated to shared services, the PMO will prioritise consideration of fortnightly

payments for all staff including part-time staff.

D. ADULT EDUCATION

I 24. Co. Longford

Congress instructs the Executive Committee to pursue a policy to actively stop ETBs outsourcing the work that tutors do, immediately.

The TUI has engaged with SOLAS on this issue and has been assured that 97% of its funding is for public service delivery of services. The TUI will continue this engagement to ensure that public service delivery is maximised.

I 44. Executive Committee

Congress condemns the failure of the Department of Education and Skills to progress the Chairman's Note discussion in relation to Adult Education Tutors. Congress instructs the Executive Committee to utilise all mechanisms available to the Union to ensure that the DES delivers on this commitment entered into under the terms of the HRA and subsequent National Agreements.

This matter has been referred to the Labour Court following engagement through the WRC.

I 30. Co. Mayo

Congress instructs the Executive Committee to engage with the Department of Education and Skills, ETBI, SOLAS, QQI and other stakeholders, to address the additional administrative work which is impacting the amount of time co-ordinators and centre managers have to deal with. This reduces the support which can be given to students. Our primary focus must be on delivering education and training not paperwork and statistics.

The TUI is seeking to address this issue through Phase II of the Organisational Design process in ETBs. The matter was referred to the WRC by the staff side unions with a view to having a resolution that encompasses all of the remaining tiers and grades and that addresses issues of workload and the assignment of functions.

129. Co. Clare

Congress instructs the Executive Committee to advocate that the conversion process offered to members of BTEI be extended to our members in Adult Literacy and Community Education settings.

See Motion 144. The focus of the Union is on getting the appropriate career structures and, where appropriate, conversion to the teacher grade.

142. Co. Roscommon/Co. Longford/Tipperary NR/Tipperary SR (Amended by Executive Committee)

Congress instructs the Executive Committee to request that Education and Training Boards act without delay on the issuing of contracts to Adult Education teaching staff; ensuring recognition of service so that members are placed on a suitable salary scale and that contracts issued are in line with the nationally agreed contracts providing Adult Education tutors and teachers with the equal status and conditions as BTEI teachers.

See motion 144 and 129.

127. Co. Clare

Congress instructs the Executive Committee to lobby the DES to acknowledge work experience to date of newly appointed teachers/ALOs/BTEI Coordinators/CEF/Guidance Coordinators in Further Education and Training sector, rather than starting at point 1 of the salary scale. Circular Letter 55/2014 states Point 19. It should be noted that it remains Government policy that new appointees to any grades will start at the minimum point of the scale. However, incremental credit may continue to apply for relevant recognised service.

The TUI has utilised a Circular from DPER to devise a system of promotion which will ensure the rules of promotion will apply to new entrants in certain grades i.e. new entrants will commence at the next point not below their current public sector salary and receive one increment further on the new scale. The DES is currently drafting a circular letter to give effect to this agreement.

**125. Limerick City Schools**

Congress instructs the Executive Committee to seek full negotiating rights for TUI members who work as instructors in Training Centres. These members pay a full subscription and are entitled to full representation.

The TUI does not currently have collective bargaining rights for this grade. Discussions are ongoing with the relevant union. The TUI can, however, represent members on an individual basis.

streamlining of the current structures for inspection. The Inspectorate indicated that it too is seeking a streamlined process and that it does not require the level of paperwork that is sometimes produced by schools. There is a commitment on both sides to ongoing contact.

150. Boyne Area/Executive Committee

Congress instructs the Executive Committee to negotiate with the relevant bodies to establish a Charter of Rights for teachers.

The TUI is, at time of writing, involved in drafting a charter for teachers in conjunction with the ASTI and the INTO. The draft charter will form the basis for discussion with the DES.

E. EDUCATION**145. Executive Committee**

Congress notes the increasing level of workload and bureaucracy arising from the range of inspections carried out in schools. Congress considers that this is not consistent with terms of the May 2016 Agreement.

Congress therefore instructs the Executive Committee to demand a review of the current inspection models and practices with a view to ensuring that they are consistent, professionally supportive of schools/centres and teachers, do not involve excessive workload (such as that arising from the SSE and LOOKING AT OUR SCHOOLS 2016 – A Quality Framework for Post-Primary Schools document) and have appropriate regard for school/centre context.

The TUI met with the Inspectorate and sought

147. Co. Mayo

Congress instructs the Executive Committee to negotiate to establish that all engagement with the inspectorate be conducted during timetabled hours.

See Motion 145.

155. Co. Cork

Congress notes that DES CL 14/2017 created a significant and unforeseen workload for TUI members in providing for Personal Pupil Plans (PPP), Individual Learning Plans (ILP), Individual Action Plans (IAP) and Student Support Files (SSF) in the area of Special Education Needs (SEN). Principals can use some of the hours

allocated under this SEN Allocation model to alleviate Special Education Teacher (SET) timetables but that is inadequate and is not a universal practice. Congress demands that TUI negotiate a discrete and ring fenced post, equivalent to Programme Coordinator, to manage the increased administrative and bureaucratic workload on teaching staff imposed by the revised SEN allocation model. Circular 03/2018 should be amended to include provision for such a post when secured by negotiation.

The TUI's position on IEPs (and similar documents by a different name) and full implementation and funding of the EPSEN Act is very clear and has been communicated to the DES and NCSE on many occasions. The TUI is currently involved in a working group with a number of disability rights groups, with a view to designing an approach that best supports children with SEN. The TUI made presentations to the Oireachtas Committee on Education and Skills, on the topic of IEPs/EPSEN and provision for students with SEN on two occasions in 2019 (March and April). The issue of supports for students with SEN was also a topic for discussion between the TUI and the Department of Children and Youth Affairs during 2019.

Budget 2020 (October 2019) did not make any provision for additional posts of responsibility in spite of TUI's insistence that it should have done so.

F. EQUALITY

180. Co. Donegal

Congress instructs the Executive Committee to liaise with the Department of Education and Skills urgently in order to insist that pregnancy-related sick leave is recorded separately to sick leave. Teachers are being forced to start maternity leave early, and therefore reducing time at home with their baby during the first six months of their new-borns' lives where sick leave, due to multiple pregnancy issues, over a 4-year period results in them being reduced to half-pay.



Confirmation was received at the TCC that such sick leave is recorded separately.

in restoring the overlap provision.

178. Cork Colleges

Context: In Budget 2013 it was announced that arrangements for maternity and adoptive leave-in-lieu (up to 30 days) that currently apply to teachers are to be ended. In other words, a mother is not entitled to any holidays that fall during her maternity leave. This is the difference between leaving a 5-month old in childcare to return to work in comparison to a 6-month old.

Congress abhors the discrimination the Government has subjected female teachers/lecturers to, in comparison with women in other public sector posts, by way of the Budget 2013 maternity legislation.

It is disingenuous of Government to feign concern for female teachers/lecturers while

- i. targeting a woman because of her level of education and vocation
- ii. allowing a new born child to be discriminated against because of the mother's profession
- iii. introducing inequality among women working in the public sector.

In light of the Minister of State with special responsibility for Higher Education's announcement about the establishment of a Gender Equality Taskforce, Congress instructs the TUI Executive Committee to engage with other unions to restore the thirty days leave.

The matter has been discussed at appropriate fora and raised with the other teaching unions. To date, there has been no progress

175. Co. Donegal

Congress notes the provision made by the Department of Education and Skills to address the mental health and wellbeing of students and learners. However, it starkly highlights the glaring lack of provision for staff. Congress instructs the Executive Committee to seek to enter into negotiations with the Department of Education and Skills to formulate and implement a well-resourced, effective and accessible wellbeing programme for members.

TUI is working with the other unions and the management bodies on an initiative entitled 'Health and Safety Work Positive Project'. Discussions are also ongoing in relation to this issue under the auspices of the Teaching Council. The matter of members' welfare as it relates to workload and accountability processes is regularly raised at the relevant industrial relations fora.

176. Co. Roscommon

Congress requests the Executive Committee to promote an awareness campaign for the role of the Workplace Committee in schools to create an effective communication body between management and staff so as build education systems on strong foundations of respect and dignity in the workplace.

The TUI has in place a training programme aimed at workplace representatives. Training under



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this programme is provided in co-operation with branches at a local level. The Union's online training programme is also designed to provide the necessary guidance to workplace representatives and branch officers. Since 2011, a protocol has been in place between the TUI and the Principals' and Deputy Principals' Association (PDA) to ensure conducive relationships for the effective operation of WPCs.

G. EXAMINATIONS

192. Co. Laois (Amended by Co. Laois)

Congress notes that there are moves afoot to "reform" the Leaving Certificate. While genuine reform is welcome, the interpretation of reform can be distorted by financial cuts and underinvestment in education. This was very much in evidence during the Junior Cycle dispute. Consequently, Congress advises the Executive to take heed of the lessons of the TUI Junior Cycle campaign. Congress instructs the Executive to campaign to retain nationally certified examinations, to oppose any re-emergence of an attempt to impose teacher assessment of their own students for certified examinations and to oppose any increase in already unfair workloads. Congress instructs the Executive to seek to develop a joint strategy with the ASTI in order to achieve these goals and to include preparations for industrial action, up to and including strike action, in such collaboration.

The TUI has made it very clear to the NCCA and DES that our members will not engage in assessing student work for state certification purposes. At all times the TUI has emphasised the importance of the independent validation of student work carried out by the SEC. At the time of writing, the TUI is awaiting a copy of the draft NCCA advisory report to be issued, following consultation, to the Minister regarding Senior Cycle Review. The TUI and other stakeholders, including our sister unions, have also made clear that workload and resourcing are among the key considerations in determining

whether or not recommendations that may be included in the NCCA advisory report are acceptable.

191. Executive Committee/ Co. Cork (Amended by Executive Committee)

Congress notes a strong emphasis on inquiry-based teaching and learning by advocates of educational reform in Ireland. In the context of the NCCA's Senior Cycle Review, constructivism, discovery, problem-solving, experiential and inquiry-based teaching are assumed to be superior methodologies to prepare students for the 21st century in developing ill-defined skills such as critical thinking or creativity. Such methodologies can be fostered through teaching knowledge, skills and competencies but should not displace other tried, tested and well-evidenced approaches. Congress instructs that TUI negotiates with the NCCA/DES to insist that educational reform in the context of the NCCA Senior Cycle Review is evidence-informed and fit for purpose

The TUI has insisted to the NCCA and DES that educational reform in the context of the NCCA Senior Cycle Review must be evidence-informed, fit for purpose, properly resourced and must not lead to additional work for our members.

222. Co. Carlow

Congress instructs the Executive Committee, in light of Senior Cycle reform, to vehemently defend the integrity of the State Exam system and reiterate our fundamental thinking that the leaving certificate should be wholly externally assessed.

See Motion 192.

202. Co. Laois

Congress notes that the document entitled Junior Cycle Reform - Joint Statement on Principles and Implementation, as agreed by TUI and the DES in 2015, included the key union objective that Junior Cycle reform would "not impose additional workload and time demands on teachers" (p.ii). Also, with regard to assessment, it was agreed that the NCCA be requested "to pay particular attention to avoiding "over-assessment" and the cumulative burden on students and teachers of multiple assessments

across the full range of subjects." (p.2). In order to ensure that these and other commitments are honoured it was agreed that "Implementation of this agreement will be monitored by an Implementation Committee comprised of the signatories to the agreement" (p.5). It was also agreed that "Interpretation issues that arise with regard to this Appendix [professional time] will be referred to the Implementation Committee" (p.4, Appendix).

Congress is gravely concerned that the Implementation Committee has been deprioritised and undermined. It needs to be used to its full potential to prevent any increase in workload and time demands on teachers. Consequently, Congress instructs the Executive Committee to actively co-operate with our colleagues in the ASTI to maximise the significant potential of the Implementation Committee. Also, if this committee is prevented from stopping workload increases then the TUI must lead the way in terms of industrial action including directives to boycott implementation of CBAs.

At the insistence of the TUI, meetings of the Implementation body are to occur on a scheduled and regular basis. In 2019, the work of the implementation body per se was complemented by the working group on Subject Learning Assessment Review meetings where issues particular to SLARs were extensively discussed.

198. Co. Donegal

Congress notes with concern the practice by some schools and centres of demanding that Junior Cycle professional time carried out by members be documented and submitted to management. Congress confirms that members are not required to engage in this activity.

In accordance with the 2015 Agreement, Junior Cycle Professional time operates on a 'high trust' basis. This has been confirmed by the DES at meetings of the Junior Cycle Implementation Committee. Intrusive oversight by local management is neither required nor desirable. Where it occurs, it should be reported to the TUI locally.

H. FURTHER EDUCATION

223. Executive Committee

The TUI notes the increasing burden of Quality Assurance (QA) and assessment procedures for ETBs and for other FET providers in Ireland. Congress demands that the Executive Committee negotiate a rational, properly resourced and coherent approach to the implementation of QA and assessment measures having regard to the following:

- That 'initiative overload' by QQI and ETBI in FET be halted.
- That unnecessary and excessive bureaucratisation of teaching and learning in FET be resolved.
- That the resources required to provide evidence of quality assured teaching, learning, administration and assessment be nationally standardised and simplified across ETBs and FET providers.
- That an agreed method of QA oversight and implementation be nationally negotiated for the ETB sector to ensure that the same governance systems are applied nationally.
- That the application of national standards be uniformly applied in a reasonable and coherent fashion in all settings.
- That each organisation be required to meet the same operational standards of teaching, learning and delivery uniformly and nationally irrespective of whether courses are provided on a part-time, full-time, private or public basis.

Meetings have taken place with QQI at which the TUI expressed its concerns and sought a resolution of this issue.

228. Executive Committee/Co. Mayo/Limerick City Schools

Congress instructs the Executive Committee to do all in its power to secure a seat on the board of SOLAS.

The TUI has continued to seek a seat on the board of SOLAS but we have to date been unsuccessful. The Union has no statutory right to such a seat.

227. Executive Committee

Prospective PLC students in receipt of social welfare payments from the Department of Employment Affairs and Social Protection currently wait for at least three months before being eligible

to enrol on a PLC course and get a Back to Education Allowance (BTEA). Congress instructs the Executive Committee to negotiate with Government to remove this qualifying period immediately. Potential students who are unemployed, parenting alone or have a disability should be allowed to take up a place on a PLC course and receive their BTEA without impediment, from the time of application.

The TUI has met with the relevant stakeholders and is progressing this issue.

229. Executive Committee

Congress notes the continuing policy of SOLAS and the DES to use public monies to fund private providers operating in the Further Education and Training sphere. Congress instructs the Executive Committee to utilise all appropriate fora, including the media, to highlight this inappropriate manner for delivery of what should be a core public service i.e. the provision of education at all levels for Irish Society.

See Motion 124.

226. Co. Kerry

In relation to students with Special Education Needs and adults with disabilities in Further Education, Congress instructs the Executive Committee to seek the granting of a teaching allocation to facilitate these students' needs adequately.

See motions 147 and 155. During 2019, the TUI also asked the NCSE, on a number of occasions, to implement the mandate it has to support students in further education.

The TUI has secured an undertaking from SOLAS that a significant budget will be dedicated to students with SENs. SOLAS has assigned the budget and is in the process of devising an allocation model. SOLAS has also been asked to liaise with the NCSE in this regard.

255. Co. Mayo/Co. Kilkenny

Congress instructs the Executive Committee to once more reiterate that the use of private resources in the delivery of education and training should be stopped where such resources are available within the ETB

to deliver these modules, thus protecting teaching jobs.

See Motion 124.

237. Co. Clare

Congress instructs the Executive Committee to meet with SOLAS and the DES to request that they develop other methods of measuring learner 'outcomes' to ensure educational, personal, economic and social aspects are included. As it currently stands - attendance, certification, progression or employment are used as a basis for future funding in the Further Education sector.

The TUI has met with SOLAS to express our concern regarding this issue.

224. Co. Kerry

In recent years we have seen a huge increase in bureaucratic procedures, paperwork and an onerous tick box culture required by QQI. In this context Congress instructs the Executive Committee to challenge vigorously the erosion of terms and conditions of colleagues delivering QQI modules.

The TUI is engaging with QQI in this respect.

231. Cork City Schools (Amended by Dublin City)

Congress instructs the Executive Committee to recognise the current crisis due to the ongoing drop in student numbers in the PLC colleges. Congress instructs that the reasons for this decline be identified as much as is possible and that a clear plan of action to protect the FE sector of our union should be drawn up and put in place as a matter of urgency. Congress believes that the arbitrary cap imposed on PLC numbers and the permanent downward no recovery nature of the cap coupled with chronic underfunding and lack of recognition of the sector must be urgently tackled.

This matter is under active consideration through the TUI's sub-committee structures. The Union has engaged at a local level where difficulties have arisen due to a decline in PLC enrolments.

I. HEALTH AND SAFETY**262. Co. Donegal (Amended by Cork Colleges)**

Congress instructs the Executive Committee to negotiate with the Department of Education and Skills to insist that Health & Safety risk assessments and/or audits are carried out by qualified health and safety officers in schools and Third Level colleges.

The TUI engaged, in the first instance, with ETBI and has agreed a new policy, in principle. Once considered by the TUI's Executive Committee this policy may be used as a template in other sectors.

J. MISCELLANEOUS**266. Dublin Colleges**

Congress expresses disbelief and frustration at the slow pace of the Irish Government's response to tackling the affordable housing emergency which is having such a detrimental impact on the lives of young teachers, lecturers, third level students and many schoolchildren and their parents. Congress instructs the Executive Committee to ensure that all protests by the Raise the Roof Campaign have an official TUI presence and that support for these protests is communicated beforehand to all TUI branches.

The TUI has been actively involved in the Raise the Roof campaign from the outset. In May 2019, the TUI attended the trade union led Raise the Roof mass rally in Dublin in protest at the ongoing and worsening housing emergency. TUI was also represented at the regional rallies in Cork and Galway. A petition in support of the Right to Housing was published on the TUI's website with a request that members sign it.

From a TUI perspective, teachers increasingly find themselves locked out of the housing market, unable to either buy or, increasingly, rent an affordable place to live. It is also having a devastating effect on a significant number of students and their families, who are forced to live

in the uncertainty of temporary and unsuitable accommodation, often a significant distance from their school or college.

As part of the Raise the Roof campaign, ICTU has put forward clear solutions to this crisis, such as the urgent need to build more public housing and to create a legal right to housing, which already exists in some 80 countries worldwide. A petition in support of the Right to Housing was published on the TUI's website.

Housing and accommodation issues were also referenced in the context of the Union's campaign against pay discrimination campaign.

K. ORGANISATION**327. Dundalk IT/IT Carlow/Co. Donegal/IADT Dun Laoghaire/IT Tallaght**

Congress notes that honoraria are no longer paid to Branch Officers and instructs the Executive Committee to negotiate a time allocation for all Branch Officers, in order to support them in a far more meaningful way in carrying out the many duties associated with their roles.

This matter was raised at the relevant fora. Consideration is also being given to the matter in the context of organisational restructuring.

L. PAY/NATIONAL AGREEMENTS**338. IT Tallaght/IT Carlow/Cork Colleges/IADT Dun Laoghaire**

Congress instructs the Executive Committee to negotiate with other teacher unions to agree a strategy to oppose any legislation which seeks to impose punitive measures on members of unions which reject national pay agreements, including the option of collectively ending their affiliation with ICTU, unless the latter body also actively opposes such legislation.

The TUI has consistently opposed the punitive provisions of FEMPI and of the Public Service Pay and Pensions Act 2017, not least in the context of

the Union's ongoing campaign against pay discrimination and exercise of the mandate for industrial action in this regard.

M. PENSIONS**343. Dublin & Dún Laoghaire/Co. Kilkenny/Co. Meath/Co. Offaly/Dublin C&C/Dublin City/Tipperary NR**

Congress directs that the Executive Committee seeks the support of other public sector unions to demand that the pay parity linkage of Public Service pensions with the salary of the pensioner's grade at retirement, or subsequent equivalent grade, be retained after the expiry of the current Public Service Stability Agreement 2018-2020, and the linkage be protected for the future by being put on a statutory basis.

Meetings have been held with the other teacher unions and a joint approach has been agreed on this issue.

349. Galway-Mayo IT/Donegal C&C

Congress instructs the Executive Committee, in co-operation with other public service unions to seek the restoration of the "final salary" pension for public servants who entered the public sector on or after the 1st of January 2013. Membership of the current pension scheme is compulsory and most members will receive no net benefit from it as the pension will be based on their career average salary.

The issue of pension is dealt with centrally. The TUI continues to seek availability of the standard pension scheme for all members conscious of the fact that benefits under the single scheme are considerably inferior. This matter has also been discussed at the New and Recent Entrants' Representative Group.

342. Co. Galway/Dublin City

While pay equality has not been achieved, the changes to teachers' pensions are also unjustly unequal. Congress instructs the Executive Committee to liaise with public sector unions and to campaign for pensions to be restored to pre-2004 levels.

See Motion 349



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345. Dublin C&C/Co. Kilkenny/ Co. Meath/Dublin City/Tipperary NR

Congress directs the Executive Committee to seek the support of other public sector unions, to demand that a statutory negotiation forum be established to deal with public sector pensioner issues.

The TUI liaises with the Retired Members' Association in relation to the best approach to securing a viable and sustainable forum for pensioner issues.

N. POSTS OF RESPONSIBILITY

350. Executive Committee

Budget 2019 did not allow for the restoration of posts of responsibility. The commencement of restoration as outlined in CL03/2018 is insufficient. Congress requests that the level of posts be restored to pre-moratorium levels and instructs the Executive Committee to negotiate with the DES to fulfil the terms of the May 2016 Agreement. Furthermore, Congress instructs the Executive Committee to endeavour to have additional posts created to assist with SSE, Junior Cycle Reform, Senior Cycle Reform and a plethora of other initiatives.

In June 2019, the TUI received a draft circular letter from the DES in relation to posts of responsibility. The TUI objected strongly to aspects of the draft and provided comprehensive feedback in this regard. Meetings have been held with the DES in relation to it and a new draft is expected shortly. The draft, as currently formed, would slightly increase the number of posts in the system. The TUI is insisting that the draft recognise that the process of restoration of posts has merely commenced and that a very significant further increase in the number of posts is required to restore the system to pre-2009 levels.

356. Co. Louth

Congress notes the issuing of Circular 3/2018 LEADERSHIP AND MANAGEMENT IN POST-PRIMARY SCHOOLS. An applicant for a POR may appeal on one or more grounds in relation to an alleged breach of

procedure to an appointment. There is no provision to appeal on the grounds of unfairness. Congress demands the renegotiation of Circular 3/2018 with the Department of Education and Skills and in that renegotiation seek to restore the grounds for alleged inconsistency and or unfairness as part of the appeal process. Congress instructs the Executive Committee to issue a regular update on progress on this issue in the TUI News.

See Motion 350

362. Co. Louth

Congress instructs the Executive Committee to enter negotiations with the DES for the restoration of posts of responsibility to pre-2009 levels (or to increase the number of both API and AP2 posts of responsibility). It is to be made clear that the existing structure with the allocation of deputy principals is to remain the same. The requirement for more posts of responsibility is required due to the large amount of new initiatives and expectations on members in all centres and to support the successful implementation of these initiatives.

See Motion 350

359. Co. Louth

Congress instructs the Executive Committee to seek a separate post of responsibility/position for all schools/colleges for the purposes of administration of Additional Educational Needs. This post should be separate to the existing structure of posts of responsibility. The allocation of resources to this position should be similar to how hours for guidance counselling are allocated.

See Motion 350 and 360.

360. Co. Wicklow/Co. Kildare

Congress instructs the Executive Committee to negotiate with the Department of Education and Skills to have a special post created for SEN Co-ordination with appropriate remuneration and timetable allowance.

See Motion 350.

O. RULES

365. Executive Committee (Amended by Executive Committee)

Congress declares its agreement, from Congress 2020, to establish a TUI Benevolent Fund for in-benefit members and members of the Retired Members' Association. Its purpose shall be to assist members who find themselves unable to deal with serious issues, financial or otherwise, having exhausted all other available options. The Fund will be financed through an allocation of a proportion of each TUI and RMA member's subscription. If the fund stands at less than €20,000 after the allocation has been processed, the General Fund will be used to defray the difference.

Branches that report a surplus in the Annual Return may decide, at an AGM, to make an additional donation to a maximum value of €3,000 in any given year.

Any fines resulting from a finding of unworthy conduct shall be allocated to the Fund.

Additional funding may also be sought through a raffle at Annual Congress.

Any surplus in the Benevolent Fund at the end of the year will remain in the Fund for the following year.

A Committee comprising of four members shall administer the fund.

The Benevolent Fund Committee shall undertake the tasks of appraising claims and deciding on the worthiness of claims and determining the level of benefit if any.

The General Secretary may assign a member of staff employed by the TUI to assist and advise the Committee. Any expenses reasonably incurred by the Benevolent Fund and the Benevolent Fund Committee shall be discharged from the General Fund of the Union.

The full terms of reference of the Benevolent Fund Committee shall be published in the Annual Report 2020.

Consequent rule changes required:

Amend Rule 101 by adding a new section (vii) Benevolent Fund
After current Rule 139, create a sub-heading 'Benevolent Fund'.

Insert new Rule 140 as follows:

- 140 The Union shall establish and administer a Benevolent Fund. The purpose of the Benevolent Fund shall be to assist members who, through no fault of their own, find themselves unable to deal with serious issues, financial or otherwise, having exhausted all other available options. €1.50 of each member's annual subscription and €1.00 of each member of the RMA's annual subscription shall be allocated to the Benevolent Fund. If the fund stands at less than €20,000 after the allocation has been processed, the General Fund will be used to defray the difference. Any fines resulting from a finding of unworthy conduct shall be allocated to the Fund.
- Any surplus in the Benevolent Fund at the end of the year will remain in the Fund for the following year.

Insert new Rule 141 as follows:

- 141 The Benevolent Fund shall be managed by a Committee of the Union consisting of three in-benefit members of the TUI and one member of the Retired Members' Association.

The three members of the TUI standing on the Committee shall represent three separate Areas by rotation; elected by their respective Areas.

The member of the RMA shall be nominated by their Association.

Members of this Committee shall serve no more than two consecutive 3-year terms, with one member elected annually. A term will commence at the close of Annual Congress. The nomination process will be held at the same time as the elections to the Executive Committee, the Standing Orders Committee and the Security Fund Committee.

Members of the Executive Committee, the Standing Orders Committee and the Security Fund Committee shall not be members of the Benevolent Fund Committee.

At the first meeting after Annual Congress, the Benevolent Fund Committee shall elect a Chairperson from amongst its members. A quorum shall consist of any three members.



Insert new Rule 142 as follows:

- 142 The audited accounts of the Benevolent Fund shall be presented at Annual Congress by the Benevolent Fund Committee Chairperson.

Insert new Rule 143 as follows:

- 143 The Benevolent Fund shall be vested in the Teachers' Union of Ireland.

And renumber all subsequent Rules.

The Rule Book has been amended to reflect this.

372. Executive Committee

Congress agrees that Rule 96 be amended by the addition of the following text at the end of the existing Rule 96:“(d) Congress declares a once-off amnesty to all members who were in arrears on 1st January 2019 and are paying their subscription via deduction at source. This amnesty will expire upon commencement of Congress 2020.”

The Rule Book has been amended to reflect this.

P. TEACHING COUNCIL

380. Dublin City

Congress instructs the Executive Committee to ensure that the TUI representation on the Teaching Council is comprised only of TUI members currently in employment in an educational institution.

This is now TUI policy.

379. Co. Limerick

In regard to ongoing issues with unfounded and/or malicious allegations made by parents and/or students against teachers, this Congress calls on the Executive Committee to pursue a campaign which demands urgent action by the Minister under Section 28 of the Education Act to vindicate the right of a teacher to have fair and due process in relation to any such complaint.

The TUI and the other teacher unions have repeatedly sought Ministerial approval for the sectoral procedures under Section 28. The DES has advised that it is Government policy to deal with this matter by way of enactment of a statute that will require each school to have a Student and Parent Charter which will require that procedures are put in place to deal with parental complaints. The DES has assured the unions and the management bodies that it is the intention that sectoral procedures will be agreed at the appropriate national forum.

386. Cork City Schools

Congress instructs the Executive Committee to ask the Teaching Council to withdraw the additional fees that are charged to teachers who wish to have new/extra subjects added to their initial registration.

The new Teaching Council, which will be appointed in 2020, will be reviewing all fees and charges. The TUI will brief our members who are on the Teaching Council

on this issue with the aim of getting it removed in any new agreed fee structures.

384. Co. Donegal

Congress instructs the Executive Committee to ask the Teaching Council to produce a post Brexit policy to ensure teachers with qualifications obtained from the UK won't be unfairly affected by potential changes in education policy after Brexit.

This matter has been considered by both the DES and the Teaching Council with a view to ensuring that teachers do not suffer any adverse effects as a result of Britain's withdrawal from the European Union.

Q. YOUTHREACH

408. Co. Offaly/Co. Donegal/ Limerick City Schools

Congress instructs the Executive Committee to negotiate the duration of the Youthreach academic year to bring it in line with the post primary 167 days.

The TUI lodged a claim at the ETB IR Forum to convert all Youthreach personnel who are qualified and registered as teachers to the teaching grade. Disagreement was recorded on the issue and it has been referred to the WRC.

400. Co. Donegal

Congress notes that Youthreach Resource Persons, teaching staff and Co-ordinators work with learners who require additional supports and are expected to carry out duties comparable to the duties of social workers and counsellors. Congress instructs the Executive Committee to seek talks with the Department of Education and Skills and ETBI to negotiate an increased budget, which will allow for the provision of additional and specialised resources in this area.

The TUI has lobbied all relevant stakeholders to extend the SENI funding currently available in 19 centres to all Youthreach centres. Until such time as this has been supplied, the TUI has

directed other centres not to produce individual learning plans. As indicated in respect of other motions, the TUI is also seeking that structured supports be put in place for students with special needs who progress to further and higher education settings.

391. Co. Cork

Congress instructs the Executive Committee to formally request the DES ensure that a safe, fit for purpose premises is provided for the staff and student body of all Youthreach Centres and that they provide adequate funding to ETBs for this to happen.

Concerns regarding the health and safety in buildings are being dealt with locally by branches and their assigned official.

390. Co. Donegal

Congress notes that, currently, Youthreach Resource Persons are expected to attend overnight residentials to supervise learners during the Youthreach year. Congress instructs the Executive Committee to undertake a complete review of Time Off in Lieu for Youthreach Resource Persons attending overnight residentials.

This review will be requested in the context of Motion 408.

401. Co. Clare

Congress instructs the Executive Committee to request that there are TUI representatives on the Implementation Body post Review of VTOS and Youthreach.

The TUI has received confirmation that there is no intention to set up an implementation body on foot of the ESRI review of Youthreach.

396. Co. Longford

Congress instructs the Executive Committee of the TUI to pursue vigorously with the Department of Education and Skills (DES) that the Youthreach Programme nationally, be recognised as a Second Level response to the Second Level challenge of early school leaving, with responsibility to the Department of Education and Skills only, and with the same pay and

conditions which currently apply to Second Level Principals and teachers automatically applying to all qualified staff in the Youthreach Programme.

See Motion 408.

394. Co. Wicklow/Dublin & Dún Laoghaire

Congress instructs the Executive Committee to address the disparity and inequity of Youthreach Resource Persons' and Coordinators' contracts and negotiate for terms and conditions in line with colleagues in full-time FET programmes, and in particular to demand that delivery of educational programmes, specifically Youthreach, which is open to inspection by the DES, be deemed as teaching.

See Motion 408.

393. Limerick City Schools

Congress instructs the Executive Committee to demand that officials negotiate rigorously with the DES in relation to getting recognition that the work carried out in Youthreach centres by Resource Persons and Coordinators is teaching and not administration.

See Motion 408.

397. Co. Offaly/Co. Clare

Congress instructs the Executive Committee to pursue vigorously with the Department of Education and Skills (DES) parity of conditions for Youthreach Resource Persons and Centre Co-ordinators with teachers in the Youthreach system.

See Motion 408.

398. Dublin City

Congress demands that, as a matter of urgency, the TUI follow through with the DES on an updated version of Circular Letter 0019/2018, as promised.

CL 0019/2018 states that "Discussions are ongoing between the Department and the TUI in regard to incremental credit in recognition of previous service that is not directly analogous to the grade of Youthreach Resource Person but which may be relevant and, subject to the outcome of those discussions, an updated version of this Circular may issue at a future date". Congress instructs the Executive

Committee to demand that the DES recognises the wide range of relevant experience employed within Youthreach by implementing a process for awarding incremental credit through the issuing a new Circular Letter.

Discussions in this regard are ongoing.

403. Co. Donegal

Congress notes the extra two hours per week that Youthreach Resource Persons and Coordinators are required to work due to the requirements of the National Collective Agreements. This increased the working week for such persons to 37 hours. Congress instructs the Executive Committee to seek to negotiate a more flexible use of these hours.

A review of usage of these hours will be requested in the context of Motion 408.

399. Limerick City Schools

Congress instructs the Executive Committee to negotiate with the DES that Youthreach Resource Persons taking up teaching contracts have the teaching element of their resource work recognised for the purpose of incremental credit.

See Motion 398

R. NEW ENTRANTS/ PAY EQUITY

409. Executive Committee (Amended by Dublin Colleges)

Congress notes the acceptance by members of the proposal on the 'new entrant' salary scale measure in the context of TUI's ongoing campaign for pay equality. Congress re-iterates its commitment to prosecute to full and successful conclusion the campaign for pay equality. Congress strongly condemns the Executive Committee for failing to show real leadership on the issue of equal pay and recommend rejection of recent Government proposals, which do not deliver equal pay. In line with the Motion passed at Congress 2018 congress now instructs the Executive Committee to initiate a campaign of industrial action, in conjunction with other teacher unions, to achieve full equality for new entrants.



See 'Motion Under Rule 23'. In addition, the TUI has sought – through the Oversight Body of the PSSA and the Officers of the PSC of the ICTU – the full resolution of pay equality to be put on the national agenda for the next round of pay talks.

414. Galway City

Congress demands the:

- Restoration of HDE/PME allowances (formerly payable to holders of the Professional Master of Education (PME) qualification)
- Restoration of commencement on point 3 of scale in recognition of a six-year (primary degree and PME) training period
- Elimination of the remaining differences in the early points of scale
- They remain a top priority with a deadline for a satisfactory agreement in order to end the hardships faced by NQT's/LPT's.

The TUI has received the finalised Agreed Report at the Teachers' Conciliation Council in which the DES did not concede the claim for the restoration of the HDip/PME allowance. The TUI, INTO and ASTI are bringing the matter to adjudication under the terms of the C&A scheme. At the time of writing, a date has not been received for the adjudication hearing.

S. TEACHER UNITY

428. Dublin City

Congress instructs the Executive Committee to approach its sister teacher unions with a view to establishing a clear mechanism for regular and ongoing meetings so that common strategic positions can be developed.

There currently is a system of regular ongoing meetings. These meetings are scheduled to be held a week in advance of each meeting of the Teachers' Conciliation Council. In addition, the unions meet as necessary in regard to individual issues of concern.

429. Cork City Schools

Congress instructs the Executive Committee to undertake a feasibility study to look at the possibility of a single unified teachers' union and that this be pursued as a matter of urgency.

The TUI has a policy of moving towards teacher unity. In the context of the Union's engagement with the ICTU in regard to the dispute with the ASTI, the TUI has strongly contended that the optimal and rational position is that the ICTU should assist the unions to move towards unity.

EMERGENCY MOTIONS**EMERGENCY MOTION NO. 3**

Co. Cork / Cork City / Cork C&C / Co. Mayo / Conamara / Limerick City Schools / Dublin & Dún Laoghaire / Co. Waterford

Currently the practical subjects of Home Economics, Art and PE, all have a requirement of 90 ECTs and Music has a requirement of 80 ECTs for registration as a teacher of these subjects. All other subjects are at 60 ECTs, The Teaching Council have proposed to now bring all subjects down to the 60 ECTs, but the ATHE along with other concerned parties are making the point that not all subjects are the same. These 90 ECTs are for the study of theoretical and practical skills in the discipline of Home Economics and are separate from the study of education required to be a Home Economics teacher. The Teaching Council now proposes to reduce the requirement which will have a huge impact on quality of student learning and quality of teaching in the classroom. 60 ECTs amounts to 24 semesterised weeks of study or 1 academic year, in order to be registered to teach the subject.

Congress demands the Executive Committee oppose the Teaching Council's proposal to reduce the ECT requirement from 90 to 60 ECT in the study of Home Economics.

During 2019, TUI members on the Teaching Council objected strongly to the proposed change in ECTs for Home Economics from 90 credits to 60. At the time of writing the matter was still under discussion at the Teaching Council which has not, to date, changed its position.

EMERGENCY MOTION NO. 4

Limerick Colleges / Dundalk IT / Athlone IT / IADT / Dublin Colleges / IT Blanchardstown / IT Carlow / IT Sligo / IT Tallaght / Donegal Colleges / GMIT

Congress notes that as outlined by existing Government Policy, the current transformation of the Third Level sector potentially involves the transition of existing IoTs into Technological Universities.

Congress also notes that TUI have abided by this policy and have entered an agreement whereby a number of IoTs have either become, or are in the process of attaining, TU status.

If any IoT proposes to change its current status via any other route, than through the provision of the TU Act, Congress instructs the Executive to immediately approve local ballots for industrial action, up to and including strike action.

Congress further instructs the Executive to ballot all Third Level members for national industrial action, up to and including strike action, should local action not resolve the issue.

The DES and HEA have confirmed to the TUI and to Institutes that the only route to achieve TU status is via the Technological Universities Act, under which two or more institutes must merge to become a TU.

EMERGENCY MOTION NO. 1

Limerick City / Co. Limerick / Co. Kerry / Dublin C&C / Co. Clare / Dublin Colleges / Cork C&C / IADT / Co. Galway / Limerick C&C / Co. Kildare

Congress instructs the Executive Committee to express public support for the second student global climate strike on May 24th and their ongoing campaign.

As part of the statement of support, Congress also instructs the Executive Committee to establish a climate change advisory committee to make recommendations and present concrete steps on how TUI can significantly reduce its carbon footprint and show leadership in tackling the current and future climate change crisis.

The TUI expressed its support and solidarity for student climate activists taking action. The actions of students are entirely understandable. Put simply, they are demanding action on a threat to the very existence of the planet. In doing so, students are showing leadership on an issue that has been routinely ignored by policy makers here and elsewhere. Their activism as concerned citizens of this planet bodes well for the future.

The TUI's Organisation and Training sub-committee is currently establishing the terms of reference for a climate action advisory group.

EMERGENCY MOTION NO. 6

Dublin City / Co. Galway / Co. Kildare / Co. Louth / Co. Carlow / IT Blanchardstown / Co. Cavan / Co. Offaly / Co. Mayo / Co. Leitrim / Dublin Colleges

Congress condemns in the strongest possible terms, the murder of journalist and LGBT activist Lyra McKee. As a Union we want to send a message that we abhor the return to hatred and violence that this act signals. We call on the trade union movement, North and South, to mobilise against a return to sectarianism.

At Congress 2019, the TUI, in solidarity with family, friends and colleagues of Lyra McKee and with our colleagues in the NUJ, held a brief commemorative event in her memory.

EMERGENCY MOTION NO. 5

Co. Wicklow / Co. Carlow / Co. Galway / Co. Wexford / Dublin & Dún Laoghaire / Co. Kilkenny / Co. Westmeath / Co. Kildare

That Congress instructs the Executive to demand the immediate publication of the DES career guidance review which was due to be published in January 2019. This review is of utmost importance to Adult Guidance Counsellors, Second Level guidance counsellors and the Adult Guidance Association.

The Report was published.

MOTION REFERRED**45. Dublin Colleges/IT Tralee**

Congress instructs the Executive Committee that, if a comprehensive national agreement on e-learning has not been negotiated by the end of this academic year, then TUI ballot its Third Level members on withdrawal from all e-learning activities.

See Motion 44.

RMA News

March and October breaks

As I write this article in mid-February, I am looking forward to joining up with RMA colleagues and friends at the Rose Hotel, Tralee, Co. Kerry for our Spring Break on March 24th, 25th and 26th. A full report will follow in our next issue.

We have started initial planning for our Autumn break which will take place in October next, but nothing has been finalised as of yet. A booking form and details will be uploaded on our website www.rmatui.ie and this information will also be sent out to all members in late August or early September with our renewal letters.

AGM will take place in Galway in May

Our Annual General Meeting will take place on 13th May in the Ardilaun Hotel, Galway. Full details including booking form etc will be uploaded on www.rmatui.ie and will also be sent to all members in March.

Alliance News – position of political parties

Since the General Election, the lobbying effort has continued. The Alliance Of Retired Public Servants has been in touch with all the political parties and with the Independent TDs, reiterating our demands and seeking to have them included in any Programme for Government. Before the election, the parties were also written to, but a number did not respond. Positive responses were received from Fianna Fáil – who included representation at pay/pension talks in their manifesto -

and People before Profit. Aontú was also supportive. The Labour Party is seeking a Commission on Pensions, and Fine Gael merely acknowledged receipt of the Alliance's letter. No response was received from the Green Party, the Social Democrats or from Sinn Féin.

Don't forget the deadline for receipt of motions for our AGM

Finally, colleagues, can I remind you that motions submitted for our own AGM will be circulated and to allow you the opportunity to amend them. However, these amendments must be submitted to me by May 1st (2 weeks before the AGM).

Dan Keane,
RMA Secretary



Retired Members Association MEMBERSHIP RENEWAL 2019/20

Full details on how to renew or join can be found on our website

www.rmatui.ie

Join our team and be involved in protecting and promoting your interests in retirement

TUI Retired Members' Association Bank Account Details

Name of Bank: Permanent TSB Address: 12 -13 O'Connell Street, Dublin 1
BIC: IPBSIE2D IBAN: IE54IPBS99060180049890



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Congratulations to

Vol 42 No 3 winner

**Kenneth Feerick,
 Athlone Community College,
 Co Westmeath**

Crossword

€250 prize for the first correct answer drawn from the entries

Only one entry per member.
 Photocopies can be submitted.

Name _____

Workplace _____

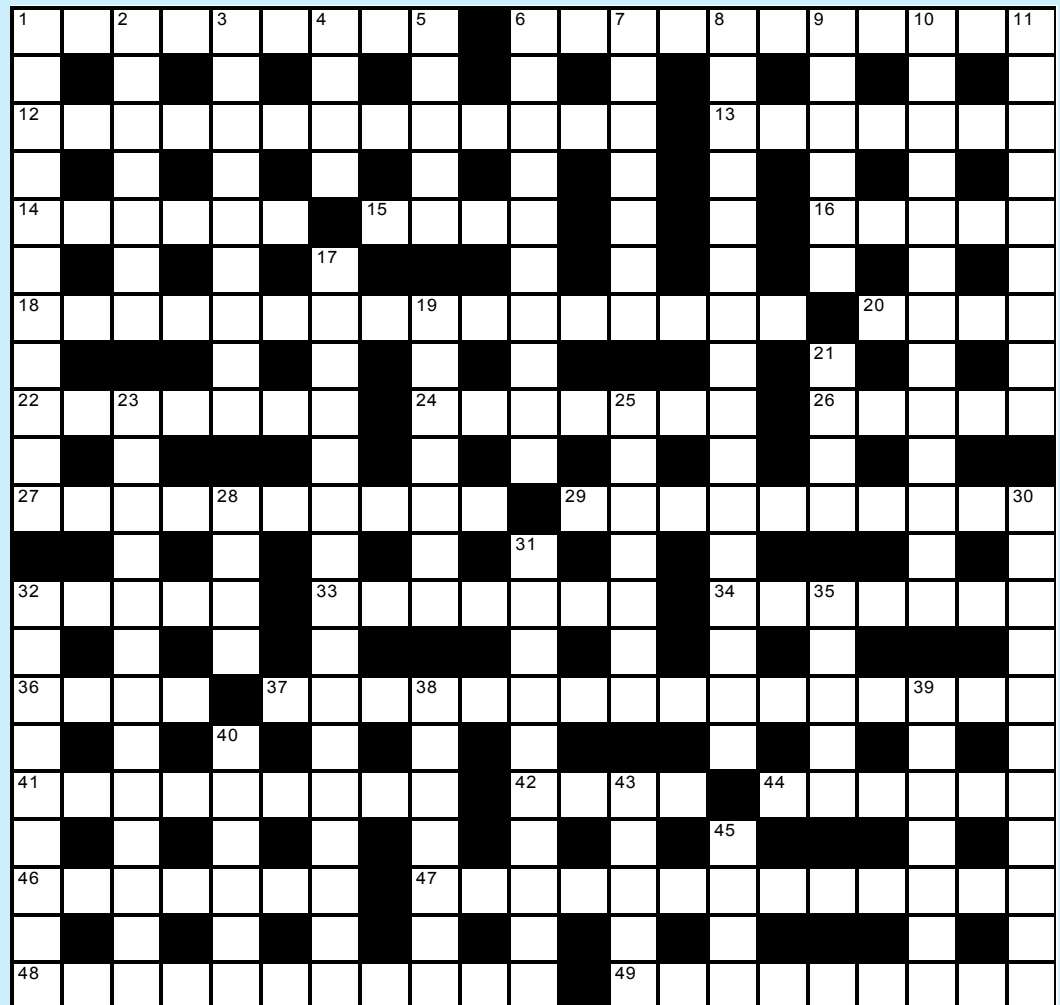
Address _____

Contact number _____

TUI Branch _____

Send entries to TUI Crossword
 March '20, TUI,
 73 Orwell Rd, Rathgar, Dublin 6.

Closing date for entries:
 Friday 24th April, 2020



ACROSS

- 1 Impressive because of unnecessary largeness or grandeur (9)
- 6 Telephone central (11)
- 12 A pungent preparation of ammonium carbonate and perfume; sniffed as a stimulant to relieve faintness (8,5)
- 13 A conveyance that transports people or objects (7)
- 14 Either of two folds of skin that can be moved to cover or open the eye (6)
- 15 A blemish made by dirt (4)
- 16 Marked by or showing unaffected simplicity and lack of guile or worldly experience (5)
- 18 Putting the wrong interpretation on (16)
- 20 A shop selling ready-to-eat food products (4)
- 22 Stop a process, activity or a habit (7)
- 24 A cocktail made of gin (or vodka) with dry vermouth (7)
- 26 Aquatic perennial plant native to eastern Asia; widely cultivated for its large pink or white flowers (5)
- 27 A short earthenware pipe on the top of a chimney to increase the draft (10)
- 29 An abstract spiritual world beyond earthly reality (10)
- 32 To hint, imply or suggest (5)
- 33 A person or company that underwrites an insurance risk (7)
- 34 Competition for the same objective or for superiority in the same field. (7)
- 36 Deal with reasonably well despite some difficulty; come to terms with (4)
- 37 Involving or relating to three dimensions or aspects; giving the illusion of depth (5-11)
- 41 Something that precedes and indicates the approach of something or someone (9)
- 42 Afflicted with ill-health or disease (4)
- 44 The innermost light-sensitive membrane covering the back wall of the eyeball; it is continuous with the optic nerve (6)
- 46 The capital of Emilia-Romagna; located in northern Italy to the east of the Apennines (7)
- 47 Sausage baked in batter (4-2-3-4)
- 48 Having knowledge or skill from observation or participation (11)
- 49 Claim back (9)
- 7 In place of, or as an alternative to (7)
- 8 Concerned with the design and construction of such public works as dams or bridges (5,11)
- 9 In, to or toward the rear (6)
- 10 Relating to the art or practice of designing and constructing buildings. (13)
- 11 The scientific study of food preparation and intake (9)
- 17 *Atropa belladonna* - perennial Eurasian herb with reddish bell-shaped flowers and shining black berries (6,10)
- 19 A request to be present (7)
- 21 A large number, amount or extent (4)
- 23 Self-restraint in the expression of emotion (5,5,3)
- 25 Serving during an intermediate interval of time (7)
- 28 A standard, model or pattern regarded as typical (4)
- 30 Premises where garments are cleaned with an organic solvent (3,8)
- 31 Attends the bride at a wedding (10)
- 32 Unable to do or achieve (9)
- 35 The ----- -TV singing competition (5)
- 38 Liable to sudden unpredictable change (7)
- 39 Causing or able to cause nausea; having an extremely offensive smell (7)
- 40 A sandwich consisting of a fried cake of minced beef served on a bun, often with other ingredients (6)
- 43 An officer who makes public announcements in a public place (5)
- 45 1997 Spice Girls single (4)

DOWN

- 1 (a cappella singing) folk music consisting of a genre of a cappella music originating with Black slaves in the United States (6,5)
- 2 Never looking old or appearing to grow old (7)
- 3 Casual romantic relationship or period of brief involvement with something (9)
- 4 Utter a high-pitched cry, characteristic of pigs (4)
- 5 An upright tripod for displaying something (5)
- 6 Consider or argue about fine details or subtle distinctions, esp. irrelevant ones; worry about minutiae (5,5)