



TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN

news

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TUI Annual Congress 2022

TUESDAY 19TH TO THURSDAY 21ST APRIL, WEXFORD

PENSIONS Conditions
Education Issues of Service
SECOND LEVEL
ENDING PAY DISCRIMINATION
THIRD LEVEL Equality
Further and **EXAMINATIONS**
Adult Education
HEALTH AND SAFETY

FULL REPORT ON ANNUAL
CONGRESS 2021 RESOLUTIONS INSIDE

A Word from the President – Martin Marjoram

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Dear Members,

CRUEL ATTACK ON THE UKRAINIAN PEOPLE

The world continues to be shaken in these most challenging and turbulent times. Vladimir Putin's brutal and inhuman assault on the Ukrainian people and their country fills our television screens and news feeds with heart-breaking images of loss caused by unspeakable, unprovoked, unforgivable violence. The courage and resolve of the Ukrainian people touch and inspire us all. Our fervent hope that this senseless invasion will be brought to an early end must be tempered by the grim expectation of an extended humanitarian catastrophe. Refugees from the conflict in the tens of thousands are likely to arrive in our communities in the coming

months. Irish society will welcome them with our customary generosity and humanity.

Emerging from the extraordinary stresses of the pandemic, our education system will face another unprecedented challenge. Preliminary discussions have already begun on planning for how Irish schools will accommodate enormous numbers of Ukrainian children in need of education, but also in need of emotional support and stability having suffered dreadful trauma, displacement and in some cases bereavement. Concerted action across all aspects of Irish education will be called for. Schools and teachers will have to receive all necessary support and resources. The TUI will engage, in constant consultation with members, and will also be available



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to discuss the impact of the crisis on higher, further and adult education. Separately the TUI Executive Committee has donated a total of €12,000 to NGOs supporting relief efforts (Unicef, the Irish Red Cross and Education International). It must be feared that these are only the first such donations among many.

COVID-19 CONTINUES TO AFFECT SCHOOLS AND COMMUNITIES

COVID-19 case numbers continue to cause real concern in spite of (or possibly because of) widespread relaxation of mitigation measures, most significantly mask mandates. The TUI consistently urged caution in meetings with the relevant Departments and Public Health representatives. While adherence to Public Health advice remains the TUI's maxim, we will continue to monitor the prevalence of the disease and its impact on education facilities and will represent the ongoing concerns of members. Everyone in school and college communities are urged not to attend if suffering from COVID-19 symptoms and to be mindful of the need to protect those with particular vulnerability to infection.

RESOLUTION OF STATE EXAMINATIONS ISSUE

The TUI is pleased that clarity has been brought to students in this year's Leaving Certificate and Junior Certificate classes and that externally marked written examinations and additional components will form the basis of an objective, trusted and fair assessment of their achievements. Speculation and agitation regarding an undefined "hybrid" model for the Leaving Certificate had unsettled all involved, while the reckless persistence of some in ignoring the gaping hole in the data available for the purpose of standardisation does not bode well for the standard of future debate on evaluation and reform of the system. The valuable input of TUI members regarding the necessary adjustments to assessments was important in shaping the outcome and is acknowledged with gratitude.

THIRD LEVEL CONSULTATIVE CONFERENCE

On 11th and 12th March, Third Level members gathered in large numbers on the Limerick Campus of the Technological University of Shannon: Midlands Midwest for a Consultative Conference on both Technological Universities and the

challenges facing the TUI's structures, branches and representatives. Attended remotely by the Minister for Further and Higher Education, Simon Harris T.D. the conference was also addressed by Professor Peter Scott, Emeritus Professor of Higher Education Studies at the Department of Education, Practice and Society, University College London. All three Presidents of Technological Universities Professor Vincent Cunnane, Professor David Fitzpatrick and Professor Maggie Cusack contributed to the conference as did the CEO of the Technological Higher Education Association Dr Joseph Ryan. We also benefited from the insights and experience of Brendan Cunningham and Louis Mooney of the Workplace Relations Commission and Rob Copeland, Policy Officer of the University and College Union. I express sincere thanks to the extensive TUI team which organised a very successful and valuable event and to the delegates from around the country who participated in lively and informed discussion. The conference was expertly chaired in large part by TUI Vice President Liz Farrell, addressed by TUI General Secretary Michael Gillespie and Deputy General Secretary Annette Dolan, while Tom Dooley of DkIT Branch represented the Union in a panel discussion. The conference will feed into further development of the TUI's policy and strategy regarding TUs at Annual Congress. The text of my address to the conference on behalf of the TUI is now available on the TUI website.

SECTORAL BARGAINING

The middle of the three 1% pay rises under the Building Momentum Pay Agreement, due for payment from 1st February 2022, can be used in whole or in part for the settlement of outstanding claims and adjudications by Unions operating within the agreement. As decided by TUI Annual Congress, the Union's overriding priority is resolution of the scandal of pay discrimination across our sectors. The extension of the process by a month and a half beyond the implementation date gives some indication of the delays we have faced in being provided with information to allow an accurate comparison of the available fund against the size of our claims. Impediments to progress may also arise from limitations put forward by Government Departments and decisions by other Unions with whom we share a pay scale. As notified previously, the fund is sufficient at second level to complete the outstanding elements of our



TUI PRESIDENT, MARTIN MARJORAM

pay equality campaign and we continue to seek the cooperation of the other parties involved to end this historic injustice. The figures in Further and Adult Education are less promising in allowing the necessary progress while further engagement is required at Third Level.

CONGRATULATIONS TO DAVID WATERS, VICE PRESIDENT ELECT OF THE TUI

David Waters' effective and successful campaign to be Vice President of the TUI extended far beyond any single issue, but David's personal experience of pay discrimination makes his election an important statement by the Union's members of continuing solidarity with those affected as well as determination to see our campaign through to the end. I wish David every success in his term of office and offer him my warmest congratulations on his election.

TUI ANNUAL CONGRESS

It will be an enormous pleasure as well as a relief to convene in person for TUI Annual Congress 2022 in Wexford. I look forward to meeting delegates and to informative and considered debate and discussion as Branch representatives from around the country set the Union's policy agenda for the coming year.

Martin Marjoram

State Examinations resolution welcome – there was no viable alternative assessment model for 2022

Following the announcement by the Minister for Education on 1st February, the TUI welcomed the certainty provided by confirmation that the modified Leaving Certificate examinations and assessment and the Junior Certificate examinations would take place in 2022.

The Union described the speculation of the previous weeks as being both regrettable and avoidable, and reiterated that it had negatively

affected student engagement with important Leaving Certificate tasks and decisions.

The TUI had consistently made the point in all fora that in the absence of full Junior Certificate data for all students, there was simply no viable model for an alternative assessment mechanism that could guarantee fairness and equity for the class of 2022, irrespective of the postcode of their school. Those commentators and

politicians repeatedly proposing a hybrid model completely failed to offer a concrete proposal that would be fair and transparent for all students.

The TUI welcomed that students and teachers knew exactly where they stood and could make the most of the remainder of the school year.

TUI expresses concern for vulnerable students and staff over removal of mask mandate

Following the confirmation by Government that face masks would no longer be a mandatory requirement in education settings from the end of February, the TUI expressed its concern for those students, teachers and lecturers who are medically vulnerable in terms of COVID-19 or who have family members who are vulnerable. Removal of such a key protection against infection was an extremely worrying development for them and their families in what had already been a very stressful two years.

The union also voiced concerns that the removal of the mask mandate and of other mitigation measures may prove to be premature and may result in further disruption to the studies of those students who are sitting the Junior Certificate, Leaving Certificate, college or professional examinations this year.

With daily COVID-19 case numbers in the community remaining high and

outbreaks still occurring in many schools, the TUI had strongly advocated for a cautious approach and for the retention of key mitigation measures, including the wearing of masks, in education settings for the remainder of the academic year.

Many teachers, lecturers and students will choose to continue to wear face masks and the TUI expressed its intention to fully support and protect their right in this regard.

TUI's consistent position throughout the pandemic has been to be guided by public health advice. This remains our position – notwithstanding our concerns – but the impact of this change on education settings must be kept under review.

In our ongoing engagements with the relevant Departments and Stakeholder Groups, which have included Public Health Representatives, we will continue to raise the concerns of our

members and seek to ensure that the necessary detail of any proposed changes will be clearly communicated and that necessary resources will continue to be provided.

We have repeatedly made the point that as a result of historic underinvestment by international standards, Irish schools and colleges have been forced to tackle the huge challenges of COVID-19 with large class sizes, over-stretched pastoral support systems for students and education facilities often unsuited to modern teaching and learning. Now that the pandemic has put this gross negligence by successive Governments into sharp focus, the process of appropriately funding the education system must begin by significantly increasing the education budget to bring us, at the least, up to the OECD average. We currently trail shamefully far behind.

New annual public holiday from 2023

Following a Government decision, it was announced that a public holiday would be held on 18th March 2022 in recognition of the efforts of the general public and Ireland's frontline workers during the COVID-19 pandemic and in remembrance of people who lost their lives due to the COVID-19 pandemic.

In addition, the Government has also decided that there will be a new annual public holiday from 2023 in celebration of Imbolc/St Brigid's day, which will be the first Monday in every February, except where the first day of February happens to fall on a Friday, in which case that day will be a public holiday. The first such public holiday will be

Monday, 6th February 2023. The school year will reduce from 183 to 182 days for primary schools and 167 to 166 days for post primary schools. This will take effect for the current school year 2021/22. This additional bank holiday will not impact on the standardised breaks set out in circular 0005/2020.

Sean Cooney - an appreciation

TUI was sad to hear of the passing of former President Sean Cooney, who was honoured on the 50th anniversary of his election as President of TUI at the 2017 Annual Congress.

At the time, former General Secretary Jim Dorney said that tribute was being paid 'not only because he was an enlightened and skilful President, but equally because all his working life he was a good comrade, a man dedicated to equality, solidarity and fair play, values we all aspire to but few exhibit to the extent that he does.'

Jim outlined how Sean's first Congress as President in 1968 came at a 'turbulent and difficult' period for Irish teachers. At that time, different categories of teachers had different salary scales. Voluntary secondary teachers were the best paid, with vocational teachers the next best paid and national teachers the lowest paid. Following pressure and lobbying a tribunal was established under Professor Loudon Ryan to address this anomalous situation. The tribunal recommended a common basic salary scale for all teachers, with allowances for degree qualifications. The introduction of degree allowance breached the equality that had existed between members of TUI irrespective of how they qualified, whether by degree or teacher training course. This proved highly divisive, breaching the principle of equal pay for equal work.

Of course, this principle still echoes strongly 50 years on. This issue dominated Annual Congress in 1968, and was so hotly contested that the Union was in danger of splitting. It was only due to the skilful and sensitive chairing of Congress by Sean Cooney that a split was avoided.

'We, his successors, owe him a great debt of gratitude,' Jim said.

Posts of responsibility were first introduced during his presidency. Their implementation proved controversial but again his negotiation skills facilitated the introduction of promotion outlets for teachers.

Also during Sean's leadership, a Steering Committee Report on Regional Technical Colleges (RTCs) was published with a significant input from the Union. This Report led to the establishment of the first five RTCs in 1969. These institutions are now called Institutes of Technology.

'Sean's term of office saw the blueprint for the modern education regime.



SEAN COONEY AT ANNUAL CONGRESS 2017

It was a time that required steady confident leadership which Sean provided. Indeed, some of the issues raised then have resonance at the present time.'

'The Union at that time had 2,500 members. It was, however, expanding rapidly due to the introduction of free education by Minister Donagh O'Malley. The position of President was part-time then, a daunting challenge for the responsibility involved, compounded by the fact that Sean lived and taught in Mallow, Co Cork, and had to commute to Dublin many times a week. It was commitment of that magnitude which built this Union.'

Sean served as a teacher for 43 years, commencing in 1952 and retiring in 1995. He served as President of TUI between 1967 and 1969. Deepest sympathies are extended to Sean's family. A dheis Dé go raibh a anam.

Incoming Vice President David Waters thanks members for solidarity in tackling pay discrimination

Congratulations are extended to David Waters on his election – unopposed – to the position of Vice President of TUI. Currently a member of the Executive Committee as representative for Area No 6 (Co Dublin, Dun Laoghaire), David will commence his new role on July 1st.

David has been a teacher since 2012, and has been to the fore in TUI's campaign to end the scandal of pay discrimination. In this regard, he has spoken on the topic many times at Annual Congress and other fora and has taken part in a large number of media interviews on the same issue over a number of years.

Speaking ahead of taking up the position, David said he would like to express his gratitude to all colleagues “for not only standing united with post-2011 teachers when the TUI went on strike just before the pandemic, but also for showing their solidarity by foregoing a 1% pay rise so that their fellow teachers can finally bridge the last pay gap. The current sectoral bargaining talks have the



DAVID WATERS

potential to finally end the outrage of pay discrimination and that wouldn't be possible without the unity of all within the TUI.”

“It has been an extremely long road for

new and recent entrants with the first divide imposed in 2011 and compounded then in 2012. The TUI has managed to get the overall pay difference down from a career loss of €500,000 for second level teachers to the current differential of €80,000. This is why these final talks are extremely important, and I would implore all unions to take this opportunity to stand together and finally conclude one of the most crippling and damaging measures ever inflicted on the education sector. Differences between us only weaken the cause of teachers and propel inequality.”

“I would also like to highlight that whilst the pay equality issue has been the dominant campaign throughout my time in the TUI, I intend to be a Vice President for everyone across all the sectors in which we represent members and tackle challenges, and look forward to seeing you all throughout the coming year, at branches, and at Congress.”

Pink and Blue Power now open for booking!

We recently announced another breast and prostate health assessment and education programme for thousands of members in the TUI Income Continuation Plan. Eligible members have started to receive their invites in the post *. Deadline date to book applies.

Munster, Connaught & Ulster: book by 15th April 2022 (invites sending end of March).

Leinster: invites sent end of February.

The initial appointment only takes 15 minutes and covers a clinical physical breast/prostate exam, education on the signs and symptoms of breast/prostate cancer. Women are shown how to self-check and men get a PSA blood test. If further investigation is required, members are referred to a participant private hospital for a consultation, scanning



CORNMARKET'S CLODAGH RUDDY WITH TUI VICE PRESIDENT LIZ FARRELL

and a biopsy, if necessary. Awareness saves lives so if you get an invitation, we strongly encourage you to book.

For more information, visit cornmarket.ie/pink-blue-power

* Women aged 30 – 49 and men aged 40 – 65 at the time of posting. This programme is

facilitated by Cornmarket on behalf of the Plan underwriter. Cornmarket Group Financial Services Ltd. is a member of the Irish Life Group Ltd. which is part of the Great-West Lifeco Group of companies. The TUI Income Continuation Plan is underwritten by New Ireland. New Ireland Assurance Company plc is regulated by the Central Bank of Ireland. A member of Bank of Ireland Group.

REPORT ON RESOLUTIONS OF ANNUAL CONGRESS – WEBINAR 2021 AND ACTIONS TAKEN

MOTION OF CONSEQUENCE UNDER RULE 23

Congress condemns the recent changes (issued on 30th March 2021) to the priority listing for teachers within the national vaccination programme, which were announced by Government without consultation with workers' representatives.

Congress demands that the government re-instates education staff as a priority group within the national vaccination programme, considering:

- the essential nature of their work which requires them to be in daily contact with a large number of persons from a large number of households and
- considering that social distancing is problematic and not assured given the crowded nature, structure and layout of our workplaces.

Congress further demands early vaccination within the overall cohort of education staff, for pregnant teachers, those in higher risk categories and those who work in special schools, special classes and home school community liaison teachers.

In the event that Government does not agree to schedule by the end of the current school year, vaccinations on the basis demanded above, Congress instructs the Executive Committee to ballot members for industrial action, up to and including strike action.

The TUI, ASTI and INTO wrote jointly to An Taoiseach, Micheál Martin TD, in April 2021 seeking a meeting with Government representatives on the rollout of vaccinations to our members. The three teacher unions and education partners also met with Department of Education officials and public health advisors on this issue.



Due to the pace of roll-out of Ireland's vaccination programme, most education staff had the opportunity to avail of a vaccination and be fully vaccinated in advance of the 2021/2022 school year.

In numerous media interventions, TUI spokespersons stressed the vital importance for all in our school communities of the vaccination of staff. In August, the Union campaigned publicly for appropriate allowance to be made for those pregnant teachers who, based on medical advice, would not be in a position to be fully vaccinated before returning to the workplace.

FINAL AGENDA 2021

A. Conditions of Service – Second Level

1. Executive Committee

Congress notes

- that some employers continue to abuse teachers by denying them access to full-time permanent employment
- the prevalence of precarious and part-time employment of teachers in the ETB sector and the disgracefully poor record of a number of ETBs in this regard
- the lack of transparency in relation to the extent of the problem and the recurring failure of the ETB sector to provide current and reliable statistics (even to the Department of Education and Skills)
- the failure of some ETBs to ensure that school management is aware of and discharges its obligations under collective agreements and circular letter

- the failure of those same ETBs to comply with and apply the terms of relevant circulars and, especially, CL59/2016, in relation to the mandatory criteria and sequence for assigning new hours/posts and the proportion of teaching staff to be appointed to permanent positions (inclusive of CIDs).

Congress therefore instructs the Executive Committee to engage immediately with the Department of Education and Skills and the ETBI and demand that

- each ETB be required, in the month of January each year, to publish detailed, end-of-(calendar) year teacher staffing statistics
- these statistics be provided to the TUI at Branch and National level
- any ETB with permanency levels below the threshold set out in CL59/2016 be required also to provide the relevant statistics for each school within the scheme.

Congress also instructs the Executive Committee to demand that a dedicated, standing sub-committee of the Teachers' Conciliation Council be established to address and remedy the problem of precarity and part-time work.

Congress further instructs the Executive Committee, in respect of any and each ETB that by February 2022 has failed to come into line with the requirements of CL59/2016, to ballot the relevant members in that ETB for a campaign of industrial action up to and including strike action.

All staff representatives on ETBs were asked by the Union to get detailed information from ETBs in relation to the application of CL59/2016, recruitment and retention difficulties locally, overall teacher allocation and the percentage of staff on fewer than full time hours. This information was to be returned to Branches before January 2022.

At the Teachers' Conciliation Council, the TUI continued to press for

comprehensive, reliable and annually updated information on staffing patterns and recruitment practices in ETBs, pointing out that the information received to date from ETBI, although incomplete, confirms that some employers in the sector continue to ignore the requirements of the relevant Circular (59/16) and have disgracefully high levels of casualised staff.

At the TCC it was agreed that the ETBI will meet the Union to discuss the employment data and to address anomalies in that data. TUI has asked that a standard system of recording the numbers employed on the different types of contract across all ETBs be put in place, with a particular emphasis on showing clearly the level of permanency in the individual ETB. Where the proportion of non-permanent contracts and/or part-time contracts in an ETB is unacceptably high and indicates a failure to adhere to the terms of the Circular decisive remedial action by that employer will be demanded.

When highlighting pay discrimination and the corrosive effects of casualisation in the media, TUI has consistently drawn attention to the fact that second level teachers rarely secure contracts of full hours on initial appointment and that this is impacting negatively on teacher recruitment and retention.

4. Executive Committee

Congress notes that, for its administrative convenience, the Department of Education and Skills

- has adopted the policy of routinely refusing sanction for permanent ab initio teaching appointments
- has identified all but two months (September and October) of the school year as a time during which ab initio permanent appointments cannot be made and/or will not be sanctioned
- is speciously using the operational requirements of the redeployment scheme as a pretext for refusing such sanction

Congress also notes that, as a result of this administrative decision, the Department of Education and Skills is

- in breach of collective agreements and its own Circular Letters – 59/16 and 49/17
- exacerbating the teacher supply (recruitment and retention) crisis
- contradicting the undertaking it provided through the Teacher Supply Steering Group that administrative obstacles to teacher recruitment would be removed
- diminishing the attractiveness of the teaching profession

Congress therefore instructs the Executive Committee to demand that

- the current administrative restriction on the making of permanent appointments in accordance with Circular Letter be lifted
- once entitlements to CIDs and/or additional hours under CLs 59/16 and 49/17 have been vindicated, a school be permitted to fill any residual posts/hours below the threshold (specified in circular) on a permanent basis ab initio and that DES sanction be granted for such filling, regardless of the time of year.

In the event of failure or refusal by the Department to lift the administrative restriction before the commencement of the 2021/22 school year, Congress instructs the Executive Committee to identify and put in place, following a ballot of members where necessary, appropriate measures that restrict or withdraw co-operation with the Department and its agencies in relation to returns, inspections, reports etc.

The issue of permanent appointments and the interpretation of Circular Letters (including Circular 59/2016, 49/2017 and 08/2018 is raised consistently by the TUI at the TCC. Direct engagement with the Department of Education has resulted in some useful adjustments that reduce the impact of the redeployment process on

appointment to teaching posts. In this engagement, the TUI has insisted that the redeployment scheme which annually affects only a very small number of teachers must not impede the ability of schools to fill teaching vacancies in a timely manner and to offer employment contracts on a permanent-whole-time basis ab initio.

Information from the DES payroll indicates that, with very few exceptions, stand-alone community and comprehensive and voluntary secondary schools have a level of permanency (inclusive of initial permanent appointments and contracts of indefinite duration) that is in line with the requirements of the relevant circulars. There is however a continuing problem in the ETB sector (see Motion 1).

5. Executive Committee

Congress notes that many teachers hold contracts that are exclusively reliant on hours related to cover for a colleague on job-share. Congress demands that such contracts, which are reliant on job-share hours, be assigned, in the first instance, to teachers who are in their first year of employment and that teachers who are in a second or subsequent year of fixed-term employment not have contracts exclusively reliant on such hours and, instead, have contracts that include hours that the teacher holds in his/her own right, given that such hours are critical in the acquisition of a CID and the quantum of hours encompassed by a CID.

Congress further demands that the Executive Committee negotiate with the DES to have the objective ground status of Job share hours removed.

This issue has been raised by the Union at the Teachers' Conciliation Council. To date, no resolution has been reached.

23. Co. Mayo / Co. Laois

Congress instructs the Executive to negotiate with the DES, an annual supervision and substitution circular, to include an annual opt-in and opt-out option for teachers and to remove the length of service clause as this is

discriminatory to newly qualified teachers.

Claim 445/18, lodged at the TCC, seeks the right to opt in or out of the Supervision and Substitution scheme on an annual basis. Obstacles to concession of the claim have been set out by the Department and the management bodies. Management's stated preference is for an "opt-in" option only.

In order to advance the case, efforts are being made to quantify the claim by providing a credible estimate of the potential usage of an annual opt-in/opt-out scheme.

B. Conditions of Service - Third Level

50. IT Tallaght / Athlone IT / IT Carlow / Executive Committee / Limerick Colleges / IT Tralee

Notwithstanding the publication of the recent "Review of lecturing in Institutes of Technology/Technological Universities International Review Module" Congress instructs the Executive Committee to demand that the DFHERIS engages, as a matter of urgency, with TUI to address the unsustainable workload of academic staff in the IoT/TU sectors. In the event that

this does not happen Congress instructs the Executive Committee to ballot for industrial action up to and including strike action.

Following agreement on terms of reference, the OECD was commissioned by DFHERIS to conduct a consultation and international benchmarking review of academic contracts, career structures and organisational design in technological universities. This work will build on the review of lecturing in IoTs/TUs completed by Professor Tom Collins in November 2020, and the broad themes emerging from it. TUI met with the OECD during the summer of 2021 and subsequently forwarded a submission. The TUI again met with the OECD review team just prior to Christmas 2021 and clarified a number of matters. The Union also sent a further submission to the OECD with these clarifications. We are advised that the OECD report concerning a review of contracts, career structures and organisation design will be published early in 2022.

56. Cork Colleges

Congress instructs the Executive to ballot third level members for local industrial action, up to and including strike action, should a Technological University fail to honour the terms of its agreed Memorandum of Understanding



GENERAL SECRETARY'S ADDRESS, ANNUAL CONGRESS 2021



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We are excited to announce that we are in the process of obtaining regulatory approval to introduce our new current account facility which will come with a globally accepted debit card together with an overdraft facility. We expect to have regulatory approval in March

with a full launch to our membership at Easter. In the meantime, if you wish to be contacted when the current account goes live please scan the QR code to complete the expression of interest form. We will contact you once this new service is available.



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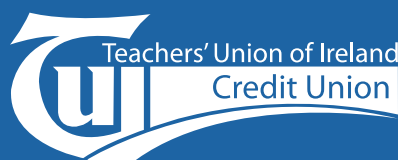
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ANNOUNCEMENT**

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(MOU) with the TUI following designation as a TU.

This instruction will be applied as and when appropriate.

44. Dublin Colleges

Congress notes that it was agreed in the Sustaining Progress national agreement that “The teaching load may be reduced to facilitate work on research projects or other approved projects to meet Institute needs and in consultation with the Lecturer.”

Congress notes the lack of action throughout the TU/IOT sector over many years in this regard.

Accordingly, in order to ensure all Technological Universities/Institutes of Technologies are operating at the appropriate level, Congress affirms that it will be a priority for the TUI to seek agreement on a comprehensive system of weekly workload allowances, taking account of class sizes, for academic staff.

A claim in this regard has been lodged at the IOT IR Forum and is under consideration by the Official Side.

33. IT Tralee / Cork Colleges

Since Circular Letter CL 0041/2016 (Cush Circular) came into being in July 2016, many IoTs still have not formulated a formal review system for the awarding of additional hours. Congress instructs the Executive Committee to negotiate a protocol for review systems as per Circular Letter 0041/2016 that can be rolled out to all IoTs and TUs, which is transparent and fair, and takes into account existing agreements to ensure that extra available hours and fulltime posts should be offered first to existing qualified lecturers on CIDs or pro rata fixed term contracts for less than full hours who have the necessary qualifications to teach the course and who could benefit by the augmentation of their existing contract.

An agreement is in place in TU Dublin. In order to secure a comparable agreement for the other Technological Universities and Institutes, the issue has been tabled as an agenda item at the IOT IR Forum and the NNF.

54. IT Tallaght

Congress deplores the lack of progress on a national agreement for the development and delivery of online learning, which continues despite the TUI withdrawal of cooperation from all new initiatives in this sphere. In the absence of a national agreement by the end of the 2020/2021 academic year, Congress instructs the Executive to extend industrial action to include existing online modules/courses, from the beginning of the 2021/2022 academic year, unless they are covered by a local agreement for online learning.

In the autumn (2021) DFHERIS agreed to engage with TUI on its Online Learning Claim and the Union agreed to suspend its industrial action to facilitate this engagement. It was initially hoped that this engagement would conclude by December. However, although a number of meetings were held, further engagement is necessary to bring the matter to conclusion and this is planned for early in 2022.

32. Dublin Colleges (2)

Congress notes with concern an alarming drift towards the creation of more and more highly remunerated administrative, executive and non-teaching roles in Technological Universities/Institutes of Technologies. Given the limitations for the sector in adhering to the Employment Control Framework, Congress Instructs the Executive Committee to seek confirmation from the Minister for Further and Higher Education, Research, Innovation and Science that the total number of academic teaching staff posts will not be reduced to fund such new positions.

This point was forcefully made as part of the TUI's engagement with DFHERIS and the OECD in the context of the Review of Lecturing. It was also raised by the Union directly with the Minister.

35. Limerick Colleges / Athlone IT / Cork Colleges

Congress notes Motion 38 from Congress 2016; ‘Congress instructs the Executive to negotiate similar contract provisions and pensions for researchers as those of academic staff.’

Congress notes that no significant progress has been made since the adoption of Motion 38 of 2016. If by January 1st 2022 there is no nationally agreed contract for members who are contract researchers, and in particular if there is no provision for pensions for such members, Congress instructs the Executive to ballot for industrial action up to and including strike action to vindicate the rights of such members.

The Union has a claim before the IOT IR Forum. The Official side has yet to respond formally to this claim.

30. IT Carlow / Executive Committee / IT Tralee (Amended by IT Tralee)

Congress instructs the Executive Committee to demand that the DFHERIS engages in a process of consultation and negotiation on a suitable academic career framework, including, sectorally agreed contracts for each academic grade, the rotation of senior academic posts and promotional opportunities, for academic staff in the new Technological University Sector.

The Union addressed these matters to the OECD in the context of the review of lecturing that it has been commissioned to conduct. See Motion 50, above.

72. Limerick Colleges / Cork Colleges (2) / Dublin Colleges

Congress notes the Labour Court claim AF25/2015 on behalf of third level members whose Incremental credit claim was not processed as part of LCR18366. Congress instructs the Executive to ballot third level members to take industrial action up to and including strike action in support of these members' claim.

The case was heard by the Labour Court on 2nd March 2021 and the decision of the Court issued as LCR 22376. Conciliation in respect of this claim was scheduled in January 2022 but deferred while the matter is considered under sectoral bargaining.

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66. IT Tralee

There currently exists a process for progression from assistant lecturer to lecturer. Promotional posts to senior lecturer remain as low as 4%. Congress instructs the Executive committee to immediately lodge a claim in the IOTIR forum for a progression pathway from lecturer to senior lecturer 1 based on agreed criteria to be developed by the working group.

The Union addressed this matter to the OECD in the context of the review of lecturing that it has been commissioned to conduct. See Motion 50, above.

C. Conditions of Service - General

82. Co. Louth

Congress instructs to the executive to pursue the extension of compassionate leave for members to be brought in line with other civil servant grades. At the death of a spouse, cohabiting partner or child, the civil service staff are afforded bereavement leave twenty of working days. By comparison, members of the TUI in the same situation are subject to five days leave.

At the TCC, the Staff side (TUI, INTO, ASTI) sought extension to teachers of the terms of DPER Circular 01/2017 regarding bereavement leave. The Staff side referenced the Labour Court Recommendation that allowed application of the Circular to health sector workers with effect from 1st October 2019.

However, in June 2020 the DE, in a letter to the staff side, stated that it could not agree to the application of the extended bereavement leave entitlements to teachers.

In 2021, the Staff side kept the issue on the agenda of the TCC with a view potentially to pursuing it as a formal claim.

The issue was brought to the ETB IR Forum where the Official side's response was to the same effect. A claim was therefore lodged at the WRC

seeking the extension of the civil service bereavement leave entitlements to ETB grades (other than teacher) represented by the TUI. At the time of going to print, a WRC hearing is awaited.

The issue is also an agenda item at the IOT IR Forum.

90. Co. Kilkenny

Congress calls on the Executive Committee to negotiate with relevant agencies and management the ever-increasing requirement for documentation from outside agencies including QQI and SOLAS. This is leading to excessive demands on teachers to carry out administrative tasks unrelated to the core work of teaching & learning.

TUI has met both agencies and at those meetings has highlighted the problem caused by growing bureaucracy, the increased burden of administration and the continuous change agenda being imposed on practitioners. In response both organisations stated they will attempt to take our concerns on board.

At every relevant engagement and in every relevant forum the TUI has made a particular point of addressing the excessive workload of members, especially workload arising from administrative tasks that are often unrelated to the core work of teaching and learning (and that frequently impede or deflect from that core work). The Union also engages with the Inspectorate of the DE to seek streamlining of administrative process and minimisation of bureaucratic demands.

80. Co. Cork

Congress rejects the inequity placed on female teachers and lecturers as a result of the cutbacks from Budget 2013 maternity legislation. This discriminatory legislation disposed of the 30 day in lieu holiday leave granted to Maternity/Adoptive leave applicants, if their maternity leave fell over the summer holidays. This inequity discriminates amongst women in the public sector and it also means a newborn child is discriminated against as a result of their mother's profession.

Congress demands that Maternity Leave provisions pre Budget 2013 be restored. Congress further notes that male teachers are not disadvantaged by the discontinuation of this leave facility and this means that this matter gives rise to gender-based inequality.

The teacher unions, including the TUI, sought retention/restoration of the "in lieu" provision where maternity leave overlaps with days of school closure. However, those representations were not successful.

84. Co. Kilkenny / Waterford City (Amended by Dublin Colleges)

Congress calls on the Executive Committee to negotiate with the relevant bodies so that teachers and lecturers that are required to work from home be provided with adequate office equipment i.e. Laptop, Ergonomic chair and desk etc to carry out their duties.

Other than ergonomic issues, the following are also considered essential for work practice: lighting, heating, upgrading internet, electronic correction pens and phone usage.

Whereas most individual employers in the education sector have often provided laptops to staff working from home/teaching remotely, there has not been a more expansive provision of facilities for home working. This is a matter that was raised centrally with government by the ICTU on behalf of affiliated unions and in respect of which legislation is being drafted.

86. Dublin City / Co. Kerry

Congress calls on the Executive to negotiate a revision of pregnancy related sick leave to ensure that women who suffer a miscarriage before 24 weeks of pregnancy are treated as a pregnancy related illness in relation to sick leave.

This issue has been raised by TUI at fora such as the Teachers' Conciliation Council. The TUI has also raised the issue of leave entitlements for adoptive and surrogate parents and have sought a full review of the provisions. TUI hopes that a comprehensive reappraisal will be forthcoming.

D. Adult Education

95. Executive Committee

Congress notes the continuing failure of the relevant Government Departments to honour the commitments as they relate to the tutor grade as set out in the various Public Service Stability Agreements (PSSAs) and, in particular, the Chairman's Note to the Lansdowne Road Agreement, despite the intercession of the Labour Court which issued a recommendation to the Departments to resolve outstanding aspects of the commitments made. Congress instructs the Executive Committee to take all steps available to address the failure of Government and the relevant Departments, fully, to honour their commitments to tutors under the various national collective agreements.

Discussions are ongoing with DFHERIS in relation to appropriate terms and conditions for 'tutors' in the adult education service. At year's end the relevant department, DFHERIS, was engaged in costing a conversion process for all remaining tutors.

The TUI is also considering whether or not the sectoral bargaining fund (under Building Momentum) could be used to assist in resolving the chairman's note process.

94. Tipperary SR

Further Education: Congress instructs the Executive to pursue paid sick leave arrangements for 'Tutors' who are employed by ETBs under Specific Purpose Contracts.

All grades represented by the TUI, including "Tutors", have access to the public sector paid sick leave scheme under the same conditions as other public servants.

E. Education

109. Dublin Colleges

Congress supports the UN 17 Sustainable Development Goals & looks forward to working with fellow



TUI VICE PRESIDENT LIZ FARRELL AT ANNUAL CONGRESS 2021

stakeholders in developing and implementing the frameworks and agreed actions that will enable members to fully participate in achieving the 169 targets highlighted in the SDGs.

Congress particularly encourages discussions with relevant bodies to agree approaches that will enable the effective achievement of the targets within SDG 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all).

Congress requests the Union to immediately facilitate platforms for fellow unions (teaching, administrative, and operational) and management to assist in developing agreed common approaches in achieving the targets so that by 2030 the Irish educational system will have:

(4.1) ensured that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes

(4.2) ensured that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education

(4.3) ensured equal access for all women and men to affordable and quality technical, vocational and tertiary

education, including university

(4.4) substantially increased the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship

(4.5) eliminated gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations

(4.6) ensured that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy

(4.7) ensured that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

Congress also supports the means of implementation to include

(4.A) building and upgrading education facilities that are child, disability and

gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all;

(4.B) substantially expanding globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries;

(4.C) substantially increasing the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States.

Throughout 2021, the TUI was involved in promoting and campaigning for achievement of SDG 4 through its affiliation with and/or participation in organisations such as WorldWide Global Schools, Global Classroom, Education International, ICTU and Teachers for Palestine. The TUI has repeatedly engaged with relevant agencies to seek a diverse and qualified teaching workforce. The TUI has also sought permanent education buildings that meet the needs of students and staff as well as contributing to environmental sustainability. Through its global development fund the TUI has assisted individual projects that are consistent with SDG4 in a variety of developing countries and in countries where children's access to quality public education is impeded and needs protection and vindication.

114. Co. Cork

Congress demands that Motion 155 from Co. Cork passed at Congress 2019 be negotiated and delivered as a matter of urgency. SEN Coordinators in school have experienced a massive increase in workload subsequent to the implementation of DES CL 14/2017. SEN coordinators now require the availability of a paid post on a par with Programme Coordinator to ensure adequate time and resources to discharge

the duties associated with the increased workload.

At the TCC, the TUI has raised the increasing demands being made of SEN Co-ordinators and is awaiting a comprehensive response from the Department. The Union has sought enhanced provision of time and resources to SEN teachers and the consistent application of such provision across the system.

The union is also currently engaged in a review of Circular 03/2018 with the Department of Education and the relevant stakeholders. The Union is demanding that the restoration of posts of responsibility (to the level that applied before imposition of the moratorium/embargo in 2009 and with adjustment to take account of demographic changes since then) be accelerated and that the agreement concluded by the TUI with the Department of Education in September 2016 be fully honoured. In this context the Union is seeking to address the increase in workload experienced by members, including SEN Co-ordinators.

115. Co. Carlow

Congress instructs the Executive to discuss current procurement and financial practices for individual schools with ETBI, as the ETB financial divisions are now merging all schools in an ETB as one standalone financial organisation, expenditure is causing a shift in practice, rather than accounts showing school A spent €5000 on buses and so on it shows ____ETB spent €50,000 on buses resulting in a procurement issue. Of course very few schools would reach the threshold for procurement if their budgets were kept as standalone budgets, as they should be.

Schools - the teachers and principals are no longer allowed to spend their money as they choose but have to submit to the suppliers chosen by the ETBs through the procurement process. This micromanaging of school budgets is of course at odds with the role of the school principal where one of the key duties is to manage the school finances. By merging all the schools under one

umbrella simple actions such as booking a bus or ordering ink for printers become onerous tasks, as the teachers must complete vast amounts of paper work, must often pay more money than they would if local suppliers were used and are often reminded when they question this practice that they are contractually obliged to do this work. This added workload is not in any contract and as such we are now submitting to completing extra duties for free.

As we have all learned in 2020 our own local communities need our support. The current practice of looking at all times for the cheapest supplier is at odds with the sustainability strand that runs through the core of Junior Cycle. Sustainability teaches us that there are 3 strands to sustainability; environmental, social and economic. Our ETBs seem to have forgotten that each school is in fact a stand alone school with a single budget.

It is very clear from recent procurements that have taken place that no consideration is given to the social and environmental strands. This practice needs to end. Schools and ETBs should be environmentally aware and to allow for social development in their communities should be running local and not nationwide procurement competitions. It is time that we the schools and ETBs started to practice what we teach and preach.

To this end Congress instructs the Executive to discuss these procurement and financial practices with ETBI and/or the various ETBs with a view to returning budgetary control to schools, thus reducing the workload on teachers, returning a key duty of principalship to our principals and also helping to make schools more sustainable and more community focused than business orientated. Our union must protect us from increased workloads and from practices that make it more difficult for us to complete our duties.

This issue has been raised at several joint consultations with ETBs at which the Union has pointed to evidence of inconsistency of practice across ETBs and schools within particular ETBs. The Union has challenged those

practices that do reputational damage to a school in its community and/or that conflict with public policy on environmental sustainability and has called for a uniform approach informed by agreed protocols and procedures.

F. Equality

125. Dublin Colleges

Noting the commitment in the Programme for Government 2020 to “further develop access programmes to Higher and Further Education for students from disadvantaged groups, including members of the Traveller Community, those in direct provision, and those who are socio-economically disadvantaged,” Congress instructs the Executive Committee to demand that the Minister for Further and Higher Education, Research, Innovation and Science publishes an annual report setting out the progress made by each Higher Education Institute in this regard.

The Irish Government has signed up to the Rome Communiqué 2020, an integral part of which is the commitment to focus on the social dimension of Higher Education, including monitoring and collection of data on students from groups that are under-represented in Higher Education.

In December 2020, the HEA published the Deprivation Index Score (DIS) data for the 2018/19 academic year. This was the second year that this data has been published and now covers all publicly funded higher education institutions (HEIs) for the first time. DIS provides much more accurate data on the socioeconomic composition of the higher education student population and will also support HEIs to develop more targeted approaches to widening access in their regions. One of the goals of the National Access Plan (NAP) is to hold an annual forum to share knowledge and disseminate information on effective initiatives relating to access.

In April 2020, the HEA chaired a meeting of the Fund for Students with

Disabilities (FSD) Monitoring Group, after which updated guidelines for the 2020/21 academic year were circulated to HEIs. During 2020, the HEA finalised arrangements for the transfer of the FE portion of the FSD to SOLAS (in line with a recommendation in the FSD Review of 2017). The HEA also engaged with HEIs and the DFHERIS in relation to the use of the FSD for strategic development of HEI disability services and supports.

In January 2021, approval was given for €5.4m of FSD funding to be used for strategic initiatives in 23 HEIs. These include projects directed at promoting Universal Design for Learning (UDL), improving accessibility on college campuses and assisting staff with training and development.

The HEA chaired a meeting of the Student Assistance Fund (SAF) Monitoring Group in June 2020 after which updated guidelines for the 2020/21 academic year were circulated to HEIs. As part of the 2020 July Stimulus Package, the SAF was doubled from €8.1m to €16.2m for the 2020/21 academic year in order to support students affected by Covid-19. In addition, an extra €1m was secured to continue a ring-fenced allocation in the SAF for students on PME courses.

The HEA also allocated €10m in funding to HEIs to support disadvantaged students in the higher education sector in accessing ICT devices.

In November 2020, €300,000 in funding secured from the Dormant Accounts Fund was allocated to support increased Traveller participation in higher education. In 2021, the HEA commenced a process of consultation with HEIs and Traveller representatives to progress this.

The TUI continues to demand full transparency and annual accountability by HEIs in relation to access for disadvantaged and marginalised student cohorts.

G. Examinations

133. Co. Laois / Executive Committee
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 under-investment in education. This was very much in evidence during the Junior Cycle dispute. Consequently, Congress advises the Executive Committee to take heed of the lessons of the TUI Junior Cycle campaign. Congress instructs the Executive Committee 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 worked relentlessly and consistently over several years to ensure that its views inform the Senior Cycle review process and are reflected in the outcomes of that process. We have engaged both bilaterally and multilaterally with and within the NCCA. The TUI has also met with the Department of Education, the State Examinations Commission, the Organisation for Economic Co-operation and Development (OECD) and the other education partners to ensure that the considered, professional voice of teachers is heard. We have engaged in rounds of consultation with our members, both through branch structures and a series of surveys. Congress resolutions have determined union policy.

The TUI has, at all times, emphasised the need for positive improvement in Senior Cycle whilst also ensuring that the widely recognised strengths of the current Senior Cycle and Leaving Certificate, such as objectivity, state certification and international reputation, are retained. In relation to

the report of the Senior Cycle review process report specifically, the TUI has worked intensively to ensure that all structural proposals within the NCCA advisory report to the Minister are reflective of core TUI values. Among these core values are the need for systematic, professional engagement by the relevant agencies with teachers and school leaders, the central role of the State Examinations Commission in certification, the need for CPD and professional time, the need to end ringfencing of the LCA and LCV programmes and the need for better recognition of vocational pathways. In the area of assessment, the TUI has consistently called for enhanced, appropriate use of SEC administered second components of assessment so as to reduce the reliance on the June examinations. The TUI also ensured that considerations of equity and in particular of the needs of students with SEN and students from disadvantaged backgrounds were central to any revision of Senior Cycle. The TUI's approach is generous and ethical and recognises that a high quality public education system must prepare students for life in a dynamic society where global challenges (related to the environment, technology, the economy, wellbeing and citizenship) abound. At time of writing, the Minister has not yet published the NCCA report or her response to same but the TUI is hopeful that the report will meet TUI demands.

In respect of the particular circumstances created by the COVID-19 public health emergency, the TUI has consistently stressed that teachers have demonstrated flexibility and commitment by engaging with emergency assessment processes on a 'without precedent' basis so that two cohorts of final year students could progress to the next stage of their lives and that our co-operation with these processes was only on the basis of necessity due to the national health emergency. This remains the case. The Union has also been clear about the inevitable deficits of those emergency assessment processes, including the grade inflation which, if allowed to continue, will collapse standards and

undermine the reputation (domestically and internationally) of the country's education system

In October 2021, the TUI made a presentation to the Joint Committee on Education, Further and Higher Education, Research, Innovation & Science on Leaving Certificate Reform, the main points of which were as follows:

- *TUI's position is clear and unambiguous – State (i.e. SEC) certification enjoys public trust. TUI members are fundamentally opposed to assessing their own students for State certification. External assessment by the SEC must be retained.*
- *Changes to assessment models must be based on sound educational principles rather than the unreliable weathervane of populist commentary.*
- *Moving to a Continuous Assessment model for State certification purposes would be counterproductive. It would increase – not reduce – stress for students and teachers, inevitably lead to over-assessment, compromise objective standards and undermine public trust. Furthermore, it would fundamentally and negatively change the pupil-teacher relationship, diminishing or removing the emphasis on the supportive aspect of the relationship.*
- *The excessive focus on CAO points is not a product of the Leaving Certificate itself. The CAO runs a separate process that allots places in Higher Education and that is superimposed on the Leaving Certificate. The CAO 'points race' is a reflection of a media obsession with progression to third level and with 'high points' courses.*
- *Reform of Senior Cycle must be inclusive and cater for all students and their varied talents.*
- *The 'ringfencing' of LCA must be removed so that students can*

undertake a mix of subjects that would enable them to move directly into an apprenticeship.

- *The vocational subject groupings associated with the LCVP need to be amended or abolished.*
- *The TUI has consistently called for additional components of assessment (where appropriate) in more subjects, thereby reducing any excessive reliance on the June examinations. However, those additional components must be carried out by the SEC, must be externally assessed and must not lead to additional work for already overburdened school staff.*

136. Tipperary SR

State Examinations: The adjustments to the Leaving Cert 2021 proposed by the SEC and the Department of Education do not go far enough to account for the teaching time lost due to the closure of schools during the COVID-19 pandemic, and in some cases may disadvantage students further.

Congress instructs the Executive to engage immediately with all relevant parties and get immediate clarifications for students and teachers. Congress also instructs the Executive to communicate to the SEC that the knowledge and skills deficit will have to be reflected in the State Examinations Marking schemes.

Updated, subject-by-subject adjustments (in line with what had been sought by the TUI) were made prior to the Leaving Certificate 2021. These were published by the SEC in March 2021. The loss of face to face tuition time was considered by the SEC in devising the marking schemes for the 2021 Leaving Certificate examinations.

The TUI subsequently engaged with the SEC and DE to ensure that appropriate amendments are in place in relation to exam papers and marking schemes for 2022. In August 2021, the DE published details of the amendments that will be made. The TUI has continued to monitor the situation in order to ensure that, if necessary, further adjustments can be



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incorporated (akin to those announced in March 2021).

132. Executive Committee (Amended by Co. Donegal)

‘The experience of the emergency system of Calculated Grades for the class of 2020 has brought into sharp focus the value of the tried and trusted model for externally assessed, state certified examinations which, notwithstanding its limitations, commands significant public trust. Congress therefore instructs the Executive Committee to re-iterate TUI’s position in all necessary and relevant fora – that TUI members remain fundamentally opposed to assessing our own students for State certification purposes and Congress reaffirms TUI policy that external assessment is essential.’

At every relevant forum and opportunity – in the media, at the Post Primary Stakeholders Forum, at meetings of Oireachtas sub-committees and at meetings with the Department of Education and the State Examinations Commission – the TUI has reiterated its unambiguous policy: that we are fundamentally opposed to assessing our own students for State certification purposes.

The Union has made it clear that the processes of calculated grades and then accredited grades were carried out as an emergency measure only, on a strictly without precedent basis, because of the public health crisis.

140. Galway City

Congress instructs the Executive to seek a review of the introduction of a common level in the new Junior Cycle. This policy is impacting negatively on DEIS schools with many students struggling to complete exams that are beyond their capabilities. The policy is also impacting students at the other end of the spectrum with the loss of Higher Level exams.

The TUI has raised this matter with the DE and the NCCA. However, due to COVID-related work pressures and restrictions, meetings of the Junior Cycle Implementation Committee were deferred during 2021 and the

opportunity for engagement on this issue accordingly curtailed. The matter will be pursued in 2022.

H. Further Education

147. Executive Committee

Congress recognises the very positive and productive work of the Stakeholder Group, consisting of TUI, SIPTU, SOLAS, ETBI, ETBs and the Department of Further & Higher Education, Research, Innovation and Science, during the COVID-19 pandemic. This work addressed the many challenges in Further Education during the pandemic. Whereas these issues were mainly pandemic related, it was not lost on the TUI that such a body could deal with FET issues that are common to all 16 ETBs and, thus, would benefit from a co-ordinated and national approach instead of 16 individual approaches.

Congress instructs the Executive Committee to enter into negotiations with the Department of Further and Higher Education, Research, Innovation, and Science and the other participant organisations to establish the Stakeholder Group as a regular consultative body with the imprimatur of the relevant Ministers and Departments to establish a national approach to issues that, at present, can suffer from up to 16 individual approaches.

Following Congress 2021 the TUI wrote to the other stakeholders in this regard. Arising from ensuing consultation, all parties agreed to retain the forum. Engagement regarding updating the terms of reference for the forum for matters beyond the pandemic is ongoing.

156. Cork City Schools

Congress instructs the Executive to negotiate with ETB’s regarding the railroading of semesterisation into FE. This will have devastating effects on NQT’s trying to get CID contracts and it is changing the existing working patterns of existing teachers.

We seek guidance and clarity in any work changes that are being forced upon unsuspecting teachers.

Local issues are being dealt with as they arise but the TUI has received confirmation that there is no national policy to introduce semesterisation into Further Education.

157. Co. Mayo

Arising from the takeover by SOLAS of all funding strands for stand-alone PLC colleges, Congress instructs the Executive Committee to seek to have existing terms and conditions ring-fenced for all teaching staff in Further Education Colleges in terms of length of school year, promotional posts, salary scales and qualification allowances.

The TUI sought and received the necessary assurances in advance of the move (in terms of responsibility for payroll funding) to SOLAS and received updates in this regard at meetings with SOLAS during the course of 2021.

168. Executive Committee

As a result of the COVID-19 pandemic, many people previously employed will require retraining and upskilling to enable them to re-enter the workforce. TUI notes the statements from the Minister of the intention to facilitate increased retraining and upskilling opportunities. Congress instructs the Executive Committee to engage proactively with the DFHERIS to request that the required funding is made available to the Further Education Sector as the main provider in this area.

On behalf of unions including TUI, this issue was raised by the General Secretary of the ICTU at LEEF meetings. It was also discussed at the (Third Level) POSITS and the DFHERIS Steering Group in the context of the provision of Apprenticeship Programmes and other Further Education courses.

In media statements, TUI has consistently stressed the huge value and expertise of the sector in terms of retraining and upskilling.

162. Co. Kilkenny

Congress calls on the Executive to protect and acknowledge the central role of the teacher. The current focus in FET on QA requirements for QQI is diminishing the importance of teaching and learning and does not put the learners at the centre of the process. QA documentation makes no mention of the role of the teacher. We are now represented as Internal Assessors.

The TUI continues to engage with QQI on their processes and procedures. In engagement with ETBs and ETBI, the TUI is seeking a common national approach to quality assurance processes.

148. Co. Carlow

Congress instructs the Executive Committee to address the leadership structures and allocation of teaching resources for the PLC programme. That the Executive review the draft agreement that existed in 2008, which included additional academic management positions (these are additional posts to AP1 and AP2 roles), recognition of the alternative work undertaken at the beginning of the year and end of year specific to PLC centres, and recognition of need for revised contact hours. (which was to be 20 hours contact, + two hours for PLC-specific work).

The proposals that were the subject of discussion in 2008 are no longer on offer. Currently, discussion of promotional structures/posts of responsibility /leadership structures is in the context of the review and possible revision of Circular 03/2018.

158. Cork City Schools

The PLSS application forms and associated statements and permissions are legally binding documents which all course applicants must complete. The fact that they are lengthy and complicated may render them non-binding when the applicant cannot understand the text or the nature of their permissions. This is particularly the case where the applicant does not speak or read English as a first language. TUI Congress demands that ETBI must supply professionally translated versions of these documents, easily accessible to all schools, colleges, training centres and

other adult education centres. This must be undertaken at a national level, and the results made available to all ETB centres to ensure a uniform clarity of the commitments that both applicant and institution are entering into.

The TUI has addressed this concern to both ETBI and SOLAS and is continuing to engage with the parties to progress this matter.

I. Health and Safety**175. IT Tralee / Cork Colleges (Amended by Dublin City)**

Congress instructs the Executive Committee to work with ICTU to lodge a claim for certified work induced anxiety leave not to be counted as sick leave.

This is a complex issue that has been in sharp relief during the public health emergency across all employments, both public and private sector. Any claim in respect of sick leave provision has a public-service-wide implication and must be pursued centrally.

There is a particular sensitivity in regard to absence (from work) that arises due to stress or anxiety that may be work-related.

J. Miscellaneous**185. Dublin C & C**

The current COVID-19 pandemic has revealed ever more glaringly the inequalities at the heart of education in Ireland. Too many of our students could not adequately continue with their education because of the lack of resources available to schools for their students. Too many of our students are condemned from the outset of their education to not achieving all that they could because of the socio-economic base from which they start. It is necessary that schools be able to give the materials which its students have to have in order to start, continue with and complete their education.

The basic law of this country, the constitution, enshrines this discrimination, inequity and injustice at its very heart because through its wording the State, our State, is not obliged to ensure that all of its children have full equality of opportunity where their guardians are unable to provide for them. It is necessary for the TUI to engage fully in countering this cancer that tolerates an ideology which fails to actualise the full potential of our students.

Congress demands that the Executive campaigns for a constitutional referendum to amend article 42.4 of Bunracht na hÉireann which currently reads

“The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good requires it, provide other educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation”

so that the first “for” and “primary” from that paragraph are deleted and that it should then read.

“The State shall provide free education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good requires it, provide other educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation.”

In October 2021, at the Joint Committee on Education, Further and Higher Education, Research, Innovation & Science, TUI highlighted how the impact of disadvantage on students and teachers, especially in DEIS schools, was exacerbated during the COVID-19 public health emergency. The Union drew particular attention to the digital divide, including the poor standard of broadband in many rural areas, that was clearly exposed by COVID-19-related disruption to face to face teaching in schools.

The Union's concerns were also addressed directly to the relevant Ministers and were raised at POSITS and at the DFHERIS COVID 19 Steering Committee

Moreover, wherever possible, the TUI has publicly highlighted the shamefully low investment in education in Ireland, contrasting it with the OECD and European averages and demanding a significant increase in funding to help all students to reach their full potential.

In various press releases, TUI has also explicitly stated that the effects of the pandemic are amplifying pre-existing inequalities and that Irish education staff and students have had to deal with the huge challenges of COVID-19 from a much worse starting position than international counterparts.

K. Organisation

187. Co. Donegal

Workplace Committees and School/Centre Representatives are the voluntary grassroots of the union on the ground. Since the return of this academic year the workload of the school/centre rep has increased substantially.

Congress instructs the Executive Committee to engage with the relevant Department and appropriate management bodies to seek a time allowance of 2 class periods per week, so that elected representatives in every school/centre can deal with the many aspects of union representative duties.

This issue was discussed at the Union's Organisation and Training Sub-committee which recommended to the Executive Committee that the matter should be progressed through discussions with the national managerial bodies.

189. Co. Donegal

Congress recognises the immense contribution of branch officers both to the strength and vibrancy of the TUI and as providers of support to members.

Congress further notes the increasing pressure of branch workload on officers due to the COVID-19 pandemic and the 'always on' work culture which is becoming increasingly prevalent.

Congress therefore instructs the Executive Committee to provide branch officers with the necessary resources, for example but not limited to, laptops, printers, shredders and substituted administrative hours, so as to adequately carry out essential branch duties.

Approval was given to branches to use Branch funds to purchase the equipment necessary to undertake their important work - including, but not limited to Laptops, phones, shredders and printers.

217 Co. Donegal

Congress instructs the Executive Committee to investigate the cost and effectiveness involved in the development and implementation of a secure, fit for purpose and robust online voting system for TUI national ballots and elections. The result of this investigation will be presented to Congress 2022.

The TUI has conducted a number of on-line ballots since Congress 2021. However, to date, a national ballot has not been conducted on-line. For an on-line ballot to take place in a valid manner, members to be balloted must update their membership details. An on-line ballots can take place where it is felt by the Executive Committee that the members in the cohort to be balloted will receive a ballot and where it is felt that such a ballot will be the most effective mechanism.

The capacity safely to conduct an on-line ballot is therefore dependent on members updating their membership details and the Union has repeatedly issued requests to members to do so.

L. Pay/National Agreements

218. Co. Carlow

Congress instructs the Executive to negotiate with the DES to seek the full restoration of allowances to all grades within the membership. This must encompass qualification allowances and allowances paid pre 2012, including but not limited to the teaching through Irish allowance, the island allowance, the masters allowance.

Since 2012, when the payment of a wide range of allowances to new beneficiaries was eliminated by unilateral decision of government, the TUI has consistently sought their re-instatement. In this context, the Union, at successive Annual Congresses, has prioritised payment of the H.Dip./PME allowance to teachers who entered service on or after 1st February 2012 as withholding that allowance from those teachers constitutes a significant element of the egregious pay discrimination they have suffered. Under the Building Momentum national pay agreement, a fund equivalent to 1% of the pay bill is available for sectoral bargaining purposes. For teachers, the Union has prioritised payment of the H.Dip./PME allowance for post-2012 entrants in the first instance. Should money remain, the Union will seek the re-introduction of incremental recognition for pre-service training and the restoration of other allowances abolished in 2012.

For other grades in the ETB and third level sectors, priority has been given to aligning pay scales, restoring qualifications allowances, where appropriate, and outstanding incremental issues.

219. Dublin City

Congress demands the Executive seek the abolition of the public pension levy with other public unions.

Section 4 of the Public Service Pay and Pensions Act 2017 abolished the (public service) Pension Related Deduction (PRD) with effect from 1 January 2019,

i.e. PRD no longer applied after 2018. It was replaced by an “Additional Superannuation Contribution” (ASC) which is payable by public servants on their pensionable pay. ASC is provided for in law by Part 4 of the 2017 Act.

220. Tipperary SR

Terms and Conditions: Second Level Pay: The landscape of teaching and learning has changed dramatically over the course of 2020 with teachers now taking on increased administration and communication tasks online. Though schools have remained physically open, teachers now do double-duty to resource online and blended learning with no allowance for this increased work-load.

Congress instructs the Executive to engage in negotiations with the DES for an immediate reduction of 'Croke Park' hours in lieu of this increased work-load and that the Executive should seek for the 'Croke Park' hours to be permanently wound down at the next round of pay talks.

A reduction in the Croke Park hours had been sought but was not agreed. Those hours remain in place under the Building Momentum pay agreement. However an Independent Body was established to examine the additional working hours introduced under the Haddington Road Agreement (HRA).

Under the HRA, the existing Supervision and Substitution Scheme was amended as follows:

■ *Maximum delivery per week (of S&S combined) was increased from 1.5 hours to 3 hours per week, subject to the new maximum delivery in a year of 43 hours.*

■ *For the purposes of substitution, a teacher was required to indicate/nominate five class periods per week during which s/he would be available if called upon.*

The Union made a submission to the independent body to seek a return to the pre-HRA S&S arrangements and requested a meeting with the Independent Body.

M. Pensions

228. Co. Carlow / IT Carlow

The career average pension scheme is a savage cut in lifetime earnings. Congress instructs the Exec to lead a campaign to restore equality in terms of pensions and highlight the detrimental impact this will have on teachers/lecturers in the future.

The TUI has highlighted the inferior nature of the 2013 “single” public sector superannuation scheme in its engagement with the relevant departments and also at the Public Services Committee of the ICTU. The matter is one that cannot be addressed by any individual union as it is a public service-wide scheme and must be addressed centrally, most likely in the context of national pay talks.

In this regard, it is worth noting that under the Conciliation and Arbitration Scheme for Teachers “principles governing and claims relating to superannuation” are “appropriate for discussion by the Council, but excluded from the scope of the arbitration element of the scheme”. The same constraint applies to the other relevant industrial relations fora (NNF/IoT IR Forum and ETB IR Forum).

231. Dublin & Dún Laoghaire

Congress instructs the Executive to demand that the Spouse and Children Contributory Pension Scheme be reverted to its original format, whereby unmarried and childfree people would receive their contribution back at the point of retirement thus embracing the changing demographics of modern society.

TUI has raised this issue in engagements with the Department of Education.

N. Posts of Responsibility

236. Co. Cavan /Co. Offaly

Congress instructs the Executive Committee to negotiate with ETBI, DES and DHE, that in ETB Schools/Centres, the notetaker in the interview process shall not be the Principal, Deputy Principal or any other staff of the Schools/Centres involved.

At the time of going to print, the Union is involved in negotiations with the Department of Education for the development of a Circular Letter to supersede Circular 03/2018 (Management and Leadership in Post Primary Schools). In those negotiations the TUI has raised the issue of notetakers.

233. Co. Carlow

Congress instructs the executive to negotiate with the DES to begin a review process of CL 03/18. The review should address in particular the area of the circular that laid out the workload required for posts. The workload increased exponentially with the introduction of CL 03/18. It is essential if we are to continue to have a middle management structure in schools that the workload is in line with the pay and time allowances. Circular 03/18 does not provide this and must be reviewed.

A review of the Circular has been underway since 2019 – see Motion 236. In that context, the Union has insisted that the workload associated with a post of responsibility must be reasonable, must align with the level of the post (AP1 or AP2) and must be determined (in term of specified responsibilities) strictly in accordance with the procedures set out in the circular.

O. Rules

244. Executive Committee

Amend Rule 99 which currently reads:

A member who is out of benefit or lapsed because of arrears, may have all privileges of membership restored

subject to the limitations imposed by the rules and

- (i) on the first occasion by payment of all arrears due or one year's subscription together with all levies imposed in that year;
- (ii) on any subsequent occasion by payment of all arrears and levies due.
- (iii) Any member who loses a teaching/lecturing position and who was in benefit or who was not more than three months in arrears at the time of termination of their contract, will not be required to pay the re-instatement fee in order to re-join the TUI providing that the application to re-join is made within six months of taking up the subsequent teaching/lecturing position.

To read:

A person who is out of benefit or lapsed because of arrears, may have all privileges of membership restored subject to the limitations imposed by the rules and

- (i) on the first occasion by payment of all arrears due or one year's subscription together with all levies imposed in that year;
- (ii) on any subsequent occasion by payment of all arrears and levies due.
- (iii) Any person who loses a teaching/lecturing position and who was in benefit or who was not more than four months in arrears at the time of termination of their contract, will not be required to pay the re-instatement fee in order to re-join the TUI providing that the application to re-join is made within six months of taking up the subsequent teaching/lecturing position.

Privileges of membership cannot extend to issues (other than the appropriateness of a contract) that may have arisen when the person was not a member or was deemed out- of-benefit.

The Rule book has been updated.

241. Executive Committee

Congress directs that Rule 3 be amended by the deletion of the word "wholtime" (following "engaged as..") and the insertion of a comma and the word "adult" after the word "further".

The rule as amended would then read: "The following shall be eligible for admission to full membership of the Union:

All persons engaged as teachers, in other academic posts, or whose principal source of income is from teaching in Ireland in post- primary, further, adult and higher education, whom the Executive Committee consider right and proper persons for membership, subject to ratification at the next meeting of Congress."

The Rule book has been updated.

P. Teaching Council

260. Executive Committee

Congress notes the insurmountable challenge schools face in filling teaching posts coupled with the difficulties finding placements for PME student teachers. The two-year PME is causing huge problems in the education sector, which will only be exacerbated as the increased numbers of students enter our Post-Primary schools in the coming years.

Therefore, Congress instructs the Executive Committee to pursue all avenues to have the second year of the PME removed.

TUI has used all available fora to continue to press for a one-year PME. The matter was raised with the Department of Education in relation to the teacher supply crisis and TUI members on the Teaching Council have raised the issue at the Registration and Qualifications Committees and at Council.

The Union has also stated that if, notwithstanding the negative impact, the PME continues to be a two year programme, the second year should attract payment and students should complete the Droichead induction as

part of year two. The Higher Education Institutions have been advised of TUI policy in this regard.

The Union has also made reference in several press releases and media interviews to the need to curtail both the duration and cost of the PME programme. Regrettably, to date, the other stakeholders have continued to support retention of the two year programme.

In the context of the COVID-19 public health emergency, measures to address the chronic shortage of substitute teachers were required and the TUI successfully negotiated an improved and nationally standardised rate of pay for PME students engaged by schools for substitution/supervision purposes.

Q. Youthreach

264. Executive Committee (Amended by Co. Donegal)

Congress instructs the Executive Committee to negotiate with the DFHERIS to improve the present conditions of Youthreach Resource Persons and Co-ordinators in terms of pay and conditions, a shorter working year that would include mid-term breaks and an earlier closing in summer, pending the achievement of a conversion to the teacher grade with appropriate allowances.

The TUI continues to engage, under the auspices of the Workplace Relations Commission (WRC), to secure such improvements. A significant improvement that has been secured is that service as a Youthreach Co-Ordinator and/or Youthreach Resource Person is recognised as reckonable as teaching service under the teachers' incremental credit scheme.

266. Co. Cork

Congress notes that the DES Inspectorate have documented in inspection reports that some Youthreach Centres are housed in cold, damp, dangerous and buildings/facilities that are not fit for purpose. Congress further notes that this issue gives rise to serious health and safety concerns for members. Congress

demands that all Youthreach students and staff are afforded suitably safe and healthy premises to work in.

The TUI has raised buildings concerns with individual ETBs as well as with ETBI and DFHERIS. The circumstances associated with the pandemic have brought into sharp focus the unsuitability of some buildings that house Youthreach provision. The TUI has called for a sustained programme of capital investment to bring education infrastructure up to the required standards.

R. New entrants/pay equity

280. Executive Committee

Congress notes

- the commitment of the TUI to eliminating pay discrimination against those who entered the profession on or after 1st January 2011
- the Union's ongoing campaign for pay equality, the mandate for industrial action up to and including strike action, and the solidarity demonstrated by the day of strike action on 4th February 2020
- the elements of the continuing discrimination which include the non-payment of the PME/H.Dip. allowance and other allowances, the absence of incremental recognition for the period of unpaid, pre-service training for teachers, the refusal to award incremental credit for a period during the financial crisis, and residual differentials in the early points of scales (which lead to further discrimination in pay rates for additional work)
- the crisis in recruitment and retention to which pay discrimination has given rise

Congress

- instructs the Executive Committee to demand of the ICTU Public Services Committee that pay discrimination be fully addressed before a successor pay agreement to the PSSA is negotiated

- requires that the measures necessary to secure pay equality (based on the pre-2011 level of pay) be implemented in the first instance, before determination and application of general pay increases for public servants, including teachers and lecturers, under a successor pay agreement.

Congress further instructs the Executive that, in the event either that the measures to achieve pay equality are not agreed and put in place in a timely fashion (and, in any event, before Annual Congress 2022) or that any successor to the PSSA that may have been concluded by that time does not include such measures, the Union's programme of industrial action, including strike action, be re-commenced in the third term of the current school year and be sustained and intensified until pay equality is secured. If possible, this action will be held in conjunction with the other teacher unions.

Three pay increases apply over the period of the current Building Momentum agreement. The first 1% increase (or €500, whichever was larger) was paid on 1st October 2021, and the third 1% (or €500) pay increase will be paid on 1st October 2022.

The middle of the three pay increases, payable on 1st February 2022, is in financial terms the equivalent of a 1% general pay increase, which the Union could choose to have paid to all members. Our position is clear: consistent with TUI policy set by Annual Congress and our commitment to the ongoing campaign, this funding must be used to address the ongoing scandal of pay discrimination across the various new entrant grades through the sectoral bargaining process.

TUI believes that – imperfect as it undoubtedly is – the process may allow the Union to deal with other aspects of pay discrimination, for example by addressing the front-loading of pay reductions in the early years of a teaching career and by the restoration of certain allowances which were abolished during the years of austerity. Every option will be fully investigated in the context of the sectoral bargaining process. The TUI is

determined that the final proposal will make use of every cent of the monies available.

At the time of going to print, these discussions are ongoing.

In making its case, the TUI, in media commentary, has continued to illustrate the damaging effects of pay discrimination on teacher recruitment and retention in schools.

283. IT Blanchardstown

Congress instructs the Executive to immediately seek pension equality for New Entrants, as part of salary equality negotiations with the Department of Education and Skills.

See Motion 228 above.

This issue has been raised and discussed at the TUI's representative group for new and recent entrants.

S. Teacher Unity

285. Dublin C & C

The intent of the motion is to engage with the majority of our members who do not attend branch meetings, let alone Congress. As a C and C branch we suffer on a yearly basis due to the fact that there are two Unions representing staff.

It is incorrect to say that this survey could undermine Union policy because if the opinion of the members who participate in the survey say they don't want to join with other Unions, then the Executive will have to convince them of the benefits of the policy already decided. In addition, Union policy is decided by Congress and that can change.

The Executive will have to put the amalgamation proposal to the members in any case, so this survey is designed to create a discussion on this important decision. The survey will give us an opinion of the members.

In order to gain momentum in the motions already passed at Congress and to engage with members who do not attend branch meetings and/or Congress we are asking the Executive to conduct the following survey.

Congress instructs the Executive Committee to carry out a survey of members to determine whether the members wish to join with ASTI and IFUT, to form one Teachers Union.

Engagement with our sister union, the ASTI, was necessarily limited, pending conclusion of the ICTU process in relation to the ASTI/TUI dispute. The process was eventually concluded at the ICTU Biennial Delegate Conference in October where the decision of the ICTU disputes committee was upheld. As far as the TUI is concerned that the matter is closed and it is our hope that progress can now be made towards the unity that would benefit all teachers.

On an ongoing, operational basis, the four teacher unions (TUI, ASTI, INTO and IFUT) continued throughout the year to meet on a regular basis to discuss education policy issues and matters of common interest.

T. Inservice

287. Galway City

Congress instructs the Executive to continue to demand the training given for the new Leaving Certificate be implemented before the curriculum changes are introduced. There should be a properly funded and fully resourced programme of CPD rolled out in a timely manner. Congress further instructs the Executive to ballot for industrial action if these demands are not met.

TUI nominees to the NCCA boards and Council have highlighted the necessity for appropriate CPD to be offered in advance of curricular change rollout. In its engagement with the OECD regarding senior cycle, the Union has also emphasised the critical importance of appropriate, resourced and timely CPD.

EMERGENCY MOTIONS

EMERGENCY MOTION NO. 3

Co. Donegal / Limerick City Schools / Donegal C&C / Co. Louth / Co. Laois / Co. Kildare / Co. Carlow / Galway City / Co. Leitrim / Cork Colleges / Co. Clare / Co. Sligo / IADT / Dublin C&C

Congress welcomes the agreement reached between the TUI and the Department of Education in February 2021 that permitted pregnant teachers to continue to work remotely when schools re-opened on 1st March.

The reference by the Deputy CMO on 4th March to a possible link between COVID-19 and Stillbirths has caused understandable alarm among pregnant teachers and, given that the option to work remotely was available prior to the 12th April, Congress can see no valid reason for not allowing it to continue until the 28th May.

Given that a full re-opening to all post primary students is envisaged on 12th April, Congress instructs the Executive Committee to consult with all relevant parties with a view to agreeing a mechanism whereby pregnant teachers can continue to work remotely until the 28th May.

This was achieved by the Union. Following negotiations, it was agreed that pregnant teachers could continue to work remotely until the end of the 2020/2021 school year. In pursuing this issue, the TUI issued statements and engaged in several media interviews on issues related to pregnant teachers in the context of COVID-19.

EMERGENCY MOTION NO. 8

Dublin Colleges / IT Carlow / IADT / Dundalk IT / Co. Donegal / Limerick Colleges / IT Tralee / WIT / Tallaght IT / Dublin C&C

Congress instructs the Executive to conduct an urgent ballot for national industrial action, up to and including strike action, on the failure of the DFHERIS to provide adequate funding to Technological Universities and their failure to facilitate the development of a nationally agreed academic framework and appropriate nationally agreed academic contracts for Technological Universities.

The TUI has been engaged in a process in relation to the Review of Lecturing and is currently awaiting a report from the OECD. See Motion 50.

EMERGENCY MOTION NO. 1

Dublin Dun Laoghaire / Cork C&C / Dublin Colleges / Cork City Schools / Limerick City Schools / Co. Carlow / Co. Donegal / Donegal C&C / Co. Louth / Co. Galway / IADT

In light of the new strands of Covid and the situation in the country at present, Congress calls on the Executive to demand that teachers will be provided with the highest level of protection on the full re-opening of schools and centres of education on 12 April, 2021. We call on the Executive to demand that teachers are provided with full medical grade masks (EN14683) and that only rooms that are adequately and properly ventilated will be used in the full re-opening of schools and centres of education.

The Union ensured that a suite of infection prevention and control measures were in place prior to the re-opening of schools and HEIs in April 2021. Following the Union's representations through the year further resourcing was secured, including the provision of CO₂ monitors, funding for medical grade masks for staff and students, and funding to improve ventilation.

EMERGENCY MOTION NO. 9

Cork Colleges / Co. Donegal / Co. Carlow / Co. Louth / Limerick Colleges / Dublin C&C / IT Tralee / IT Carlow

Congress notes the difficulties in completing certain third level courses arising from the continued closure of workplaces due to COVID-19 and, in particular, the impact of new COVID-19 variants upon safely re-opening workplaces (for example, the emergence of B117 in Ireland in late December/early January and the fact that, as at March 2021, it now accounts for almost 90% of cases).

Congress further notes the suggestions from some quarters in recent weeks that members may be required to work outside agreed calendars.

Congress reminds the Executive Committee of its existing commitment that members' terms and conditions and national directives, including the directives on overtime and working outside the academic calendar, will be maintained in any discussions between the TUI and third level stakeholders nationally.

Congress reiterates its instruction to the Executive Committee to protect these terms and conditions and uphold all relevant directives.



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All Union directives were upheld and the Union nationally was not advised of any breach of such directives.

EMERGENCY MOTION NO. 11

IADT / Co. Donegal / Cork Colleges / Co. Louth / Dublin C&C / Dundalk IT / IT Tralee / Tallaght IT

In light of the HEA announcing that it is seeking changes to the HEA Act 1971 and the rapidly changing landscape of Higher Education in Ireland, Congress instructs the Executive to seek that IADT and Dundalk IT are expedited into the Technological University process.

Given the failure by DkIT management to plan, in a rational and strategic way, to safeguard and enhance the College by moving towards Technological University status, TUI members locally engaged in a sustained campaign of industrial action which has resulted in intervention by the HEA to assist DkIT in moving towards TU status.

The Union has also engaged with the IADT management and Governing Body. IADT is in the process of completing a report, funded by the HEA, into its options in the sector and has committed to meeting the Union in this regard.

The challenge facing the two institutes has consistently been raised by the union at the NNF, with the OECD (in the context of the Review of lecturing), with Minister Harris and his officials, and featured prominently at the Third Level Consultative Conference.

EMERGENCY MOTION NO. 2

Donegal C&C / Co. Carlow / Dublin Dun Laoghaire / Co. Donegal / Galway City / Co. Clare / Co. Sligo / Co. Westmeath / Co. Galway

Congress deplores the decision of the Department of Education and/or SEC, in February 2021, not to allow the SEC assessed/examined additional assessment component feed into the SEC Accredited Grades process. This decision shows scant regard, by the Department and/or SEC, for the educational significance and the importance in terms of fairness of externally assessing the full range of skills and competencies. Congress instructs the Executive Committee to seek a written explanation from the Department as to the reason for its

decision and also to demand an explicit undertaking that external assessment by the SEC of all relevant components will be arranged and carried out in relation to the 2022 State Examinations.

The Union demanded and received assurances that the traditional SEC-set, administered and marked Leaving Certificate will take place in 2022.

The TUI has also publicly highlighted the vital importance of additional assessment components to the Leaving Certificate.

EMERGENCY MOTION NO. 6

Co. Carlow / Donegal C&C / Co. Louth / Co. Laois / Co. Kildare / Dublin Dun Laoghaire / Co. Donegal / Tipperary SR / Birr Gallen / Co. Clare / Co. Leitrim / Co. Westmeath / IADT / Co. Kilkenny / Dublin C&C

The decision of the Minister for Education on 17th February 2021 to cancel the Junior Certificate examinations has significant workload implications for teachers of third year students who are required to implement the alternative assessment arrangements. Very many of those teachers will also be engaged in the SEC Accredited Grades process as well as preparing students for the conventional Leaving Certificate examinations in respect of which additional workload also arises.

It would be unacceptable to place on teachers further unreasonable demands associated with end of term assessments for other student cohorts.

Therefore, Congress instructs the Executive Committee to negotiate, as a matter of urgency, with the Department of Education strict parameters – to be published to the system – for such end of year assessments.

In the event of refusal by the Department to agree such parameters and/or in the event of failure or refusal by school management to apply such parameters, Congress instructs the Executive Committee to take decisive action to protect members, locally or nationally, against imposition of excessive workload of this nature.

At the Stakeholders' Advisory Group on public examinations and in all its public statements, the TUI has consistently stated that the State Certificate

examinations (Leaving and Junior Certificate should proceed in the customary format in 2022 and that there be no recourse to accredited grades (unless required in compliance with unequivocal Public Health advice). In this contest, and given the Minister's decision regarding this year's state examinations, the Union does not envisage that alternative or supplementary end of year assessments for third year students will be sought or required.

EMERGENCY MOTION NO. 4

Co. Donegal / Cork C&C / Limerick City Schools / Donegal C&C / Co. Louth / Co. Kildare / Co. Carlow / Galway City / Co. Leitrim / Cork Colleges / Co. Clare / Co. Sligo / IADT / Dublin C&C / Co. Mayo

In light of the delayed re-opening of schools in 2021 (1st March 2021 for Leaving Certificate students) and the resultant loss of face-to-face teaching for 5th Years (first year of Leaving Certificate/Leaving Certificate Applied) students, Congress instructs the Executive Committee to liaise with all relevant parties (i.e. NCCA, SEC and the Department) and to seek modifications both to the curriculum and assessment arrangements for these students in respect of the Leaving Certificate 2022 examinations. Details of such modifications must be provided to schools in September 2021 to allow for appropriate planning to take place.

Modifications were sought by the TUI and secured. Details of subject-by-subject modifications issued to schools in August 2021 in advance of the 2021/2022 school year. The TUI continued to monitor the developing situation in terms of the public health emergency with a view to seeking further adjustments in line with those (published in March 2021) that applied to the 2021 Leaving Certificate examinations.

EMERGENCY MOTION NO. 5

Co. Donegal / Limerick City Schools / Donegal C&C / Co. Louth / Co. Laois / Co. Kildare / Co. Carlow / Galway City / Co. Leitrim / Cork Colleges / Co. Clare / Co. Sligo / IADT / Dublin C&C

In light of the return:

- of final year Leaving Certificate and Leaving Certificate Applied students on the 1st March and

- 5th year students on 15th March

and the planned return of:

- all other post primary cohorts on the 12th April

it is now evident that the range of operational supports put in place for the 2020/2021 school year, including, but not limited to, the:

- increased capitation grants to provide the necessary hand sanitiser and PPE in schools

- additional funding for cleaning costs

- reduction in the PTR of 0.6 to support teaching and learning. This reduction is essential to facilitate effective face-to-face teaching and learning in smaller class groups, to allow teachers the time to assist students who may have missed out on learning due to the COVID-19 pandemic and because of a delayed return to school buildings until March 2021.

- full restoration of guidance provision

- increased supervision supports must extend into and apply for the 2021/2022 school year.

Congress therefore instructs the Executive Committee to negotiate with the Department of Education for continuation of these supports in the 2021/2022 school year.

Following TUI representations, the increased COVID-19 allocation (of teaching hours) was granted for the whole of the 2021/22 academic year. The Department also agreed to make the same additional capitation funds available to schools for the second term of 2021/22. There was also agreement, after negotiations with TUI, for teachers to be able to do additional substitution hours up to a maximum of 35 hours paid at their personal hourly rate - those hours to be undertaken between December 2021 and the end of February 2022. This measure was taken in acknowledgement of the ongoing, acute shortage of substitute teachers.

EMERGENCY MOTION NO. 7

Co. Carlow / Co. Donegal / Cork C&C / Donegal C&C / Co. Louth / Co. Laois / Co. Kildare / Galway City / Dublin Dun Laoghaire / Co. Clare / Tipperary SR / Birr Gallen / Co. Westmeath / Dublin C&C / Co. Mayo / Co. Kilkenny / Co. Leitrim

Congress welcomes the announcement by the Minister, on the 1st March 2021, to reduce the enrolment threshold for the allocation of an additional Deputy Principal in DEIS Post Primary schools from 700 to 600 students.

However, this measure does not go far enough to address the challenges faced. Many students either disengaged from learning or were not in a position to engage fully and consistently during the period of emergency remote teaching and learning (January – March 2021) - primarily due to home circumstances, such as a lack of broadband, sharing ICT hardware etc. Therefore, providing an additional Deputy in these schools is simply papering over the cracks of an unequal education system. In the context of the ongoing exacerbation of disadvantage in the context of COVID-19, Congress instructs the Executive Committee to seek additional educational supports for DEIS schools, including restoration with effect from the commencement of the 2021/22 school year of posts of responsibility (AP1 and AP2) lost in all schools while the moratorium applied.

A new COVID-19 Learning and Supports Scheme (CLASS) - which aimed to mitigate the impact on students' learning and wellbeing of COVID-19 closures and restrictions - was announced in September 2021. This fund brought to €102.6 million the additional supports put in place in 2021 to mitigate learning loss and support wellbeing.

Every school received an allocation of additional teaching hours, which they can use in accordance with the needs of their students. This enables schools to identify students most at risk of learning loss arising from the recent disrupted school experience and put in place specific, targeted teaching supports to meet these students' needs.

The additional hours were based on

student enrolment figures, with enhanced allocations being provided for special schools and schools in the Department's Delivering Equality of Opportunity in School (DEIS) scheme.

MOTIONS REFERRED

149. Dublin City

Congress directs that the Executive negotiate with ETBI to provide at least one full-time IT person per centre providing online learning. Many FE College are now fully online but do not have dedicated IT workers to deal with the ever-increasing workload that an online College demands. IT issues are arising and can take days to be rectified as an IT person is not available that day. This has detrimental effects on teaching and learning and needs to be remedied urgently.

No progress was made in regard to this issue. The TUI has however sought that investment in education by the Irish government be increased to at least the OECD average.

214. Co. Carlow / IT Carlow / IT Tralee

The TUI Income Continuance Scheme ends once the teacher/lecturer reaches 60. Given the retirement age has now extended to 70, Congress asks the Executive to negotiate with the provider (Cornmarket) to ensure that those who need to work to seventy are provided with a service equal to their colleagues.

This issue was discussed at the Executive Committee.

Amendments

Dublin Colleges

- Add or 65 after 60
- Delete all after 70 and replace with

Congress instructs the Executive to negotiate with the provider at the next review of the income continuance scheme enhanced income protection provisions for members who decide to work until age 70.

See motion 214

Updates from the Teaching Council

CONVERSATIONS WITH SCHOOL LEADERS: HARNESSING THE POWER OF PROFESSIONAL LEARNING TO SUPPORT SCHOOL NEEDS

Are you interested in harnessing the power of your school's professional learning culture? The Teaching Council, in partnership with Education Support Centres Ireland (ESCI) and the Centre for School Leadership (CSL) invites you to join fellow senior school leaders for a short online conversation about the Autumn Series of Cosán Workshops in Education Centres nationwide. In the session, you'll hear from practising school leaders who will share their experience of the Cosán workshops and the impact they have had on the learning culture in their schools. Early registration is recommended and for further information, please contact cosan@teachingcouncil.ie.

DROICHEAD

Please note that the last day to apply for Droichead in the 2021/2022 school year was Friday, 11th March 2022. Applications for Droichead will re-open in the last week of August for the 2022/2023 school year.

MYREGISTRATION PORTAL

Registration services are now available on the enhanced online MyRegistration portal

on the Teaching Council website. If it is your first time using the portal you will need to activate your account by clicking your unique link previously provided to you by email. Should you require assistance please email myreghelp@teachingcouncil.ie

RE-VETTING

The Council invites teachers on a rotational basis to apply for re-vetting. If you have received an invitation to apply for re-vetting we would ask that you do so immediately by logging onto the MyRegistration Portal and commencing the re-vetting process.

RENEWALS

Renewing your registration is now an online process available via the MyRegistration portal. If it is your first time using the portal you will need to activate your account and then begin the renewal process. Please ensure that you

update your contact information and provide any missing data such as postcodes and mobile phone numbers. Please note that it is no longer possible for staff to take payments over the phone.

EXPIRING CONDITIONS

If you are a teacher who intends to request an extension of time to comply with the conditions attached to your registration, the Council would kindly ask that you engage in a timely manner. You can help us to deliver a more efficient service to you and all other teachers requesting extensions by submitting the required documentation and promptly responding to any follow up queries. You can make your extension request and submit the supporting documentation by logging onto the MyRegistration portal and selecting My Conditions.

Teachers and intercultural education – a research project

As Ireland has become more diverse, the Government has called for intercultural teaching to become the norm in Irish schools. Despite this, there is little research into the way teachers understand intercultural education. I'm hoping to find out how teachers think about this concept so that we can fully understand this increasingly important aspect of education.

If you'd be interested in taking part in my research, you can contact me by email me (g.harris7@nuigalway.ie) or get in touch on Twitter (@GregHarrisPhD).



Applications are invited for two positions at the Centre for Assessment Research, Policy and Practice in Education (CARPE), Institute of Education, Dublin City University

- Fully funded 3-year PhD scholarship starting in September 2022 (see <https://www.dcu.ie/graduatestudies/scholarships-opportunities>)
- Postdoctoral researcher 2-year contract starting immediately (salary €39,123 - €39,686) (see <https://www.dcu.ie/hr/vacancies-employment-opportunities-human-resources>)

Closing date
Thursday, April 21, 2022.

Enquiries to CARPE Director,
michael.oleary@dcu.ie

RMA News

As I write this article in mid-February I am looking forward to joining up with RMA colleagues and friends in Treacy's West County Hotel, Ennis, Co Clare for our spring break on March 29th, 30th and 31st. There are minor changes to the schedule of tours due to issues outside our control, resulting in the tours being swapped around. I will give a full report on this break in our next issue.

We have started initial planning for our autumn break which will take place in October next (probably Oct 18th, 19th and 20th), but nothing has been finalised as of yet. Details will be uploaded on our website www.rmatui.ie when we have a venue and will be sent out to all members in late August or early September with our renewal letters.

RMA AGM

The Annual General Meeting of the Retired Members' Association will take place on **18th May in the Harbour Hotel Galway**. Accommodation costs are €139 per room for single occupancy and €149 for double occupancy. The AGM Gala dinner will be held in the hotel on that evening, costing €30. Further details on the AGM will be up on the website www.rmatui.ie shortly and all RMA branches will be contacted.

ALLIANCE OF RETIRED PUBLIC SERVANTS

Current issues being discussed by the Alliance are as follows:

Preservation of Parity in the next round of Pay Talks

The onus is on all Public Service Unions to support the retention of Parity and to block the inclusion of any clauses in the next pay deal which would effectively usurp Parity. It is patently in the interests of their members for the future as well as in the interests of current retirees.

The Industrial Relations (..Pension Entitlements..) Bill 2021

A meeting took place on December 1st with Damien English T.D. in his capacity as Junior Minister in the Dept of Enterprise. He has been given the task of handling the passage of the Government's amendment - allowing for consultation. That meeting went well and another is planned for about now. The Alliance has reservations about

certain aspects of the process, and is anxious to work with the ICTU Public Services Committee to ensure that the ICTU understands what our essential demands are with regard to the legislation.

PRSI

Recommendations from the Pensions Commission included one that sought to have Retired workers continue to pay 4% PRSI. The Ministers for Finance, Public Expenditure and Social Protection have been written to, explaining the injustice of such a measure and the duplication of the USC anomaly contained in the proposal. It must be said that the likelihood of the measure being introduced is low given that we have not been compensated for the 5.7% rate of inflation over 2021.

COVID-19 and the elderly

Concerns have been raised about the dearth of information either available or being released about the effects of 'Long COVID' on the older generation. COVID-19 is effectively a notifiable disease for which all treatment should be free. The failure by Government to approve medical cards for all over 70 or on pension is an

issue of serious concern as a result, and likewise the failure to abolish completely the Drugs Payment limit for the same cohort. The Alliance is not aware of any dedicated services for helping retirees/pensioners cope with mental health issues arising from the COVID-19 lockdowns and the isolation and depression which accompanied it. There is also serious concern about the ability of the Health Service to deal with the backlog of other health issues deferred and left untreated during the pandemic.

The Alliance Biennial General Meeting will take place towards the end of May 2022.

TUI ANNUAL CONGRESS

The TUI Annual Congress at Easter is in Wexford this year and there are a number of motions of interest in the Preliminary Agenda which is with TUI branches at present for prioritisation of motions and the submission of amendments. Hopefully the motions of interest to the RMA receive high enough priority to enable them to be put to Congress and debated.

Dan Keane, RMA Secretary

RETIRING SOON?

FREEDOM FROM WORK DOES NOT MEAN FREEDOM FROM THE COST OF LIVING

*Join the TUI Retired Members' Association
and be involved*

in promoting your interests in retirement

YOUR FIRST YEAR'S MEMBERSHIP IS FREE

Joining is simple

Visit the RMA TUI Website:

www.rmatui.ie

*and fill in the online
application form*

**DO NOT LEAVE IT
TO OTHERS**

If we don't care who will?





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Crossword

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

Only one entry per member.
Photocopies can be submitted.

Name _____

Workplace _____

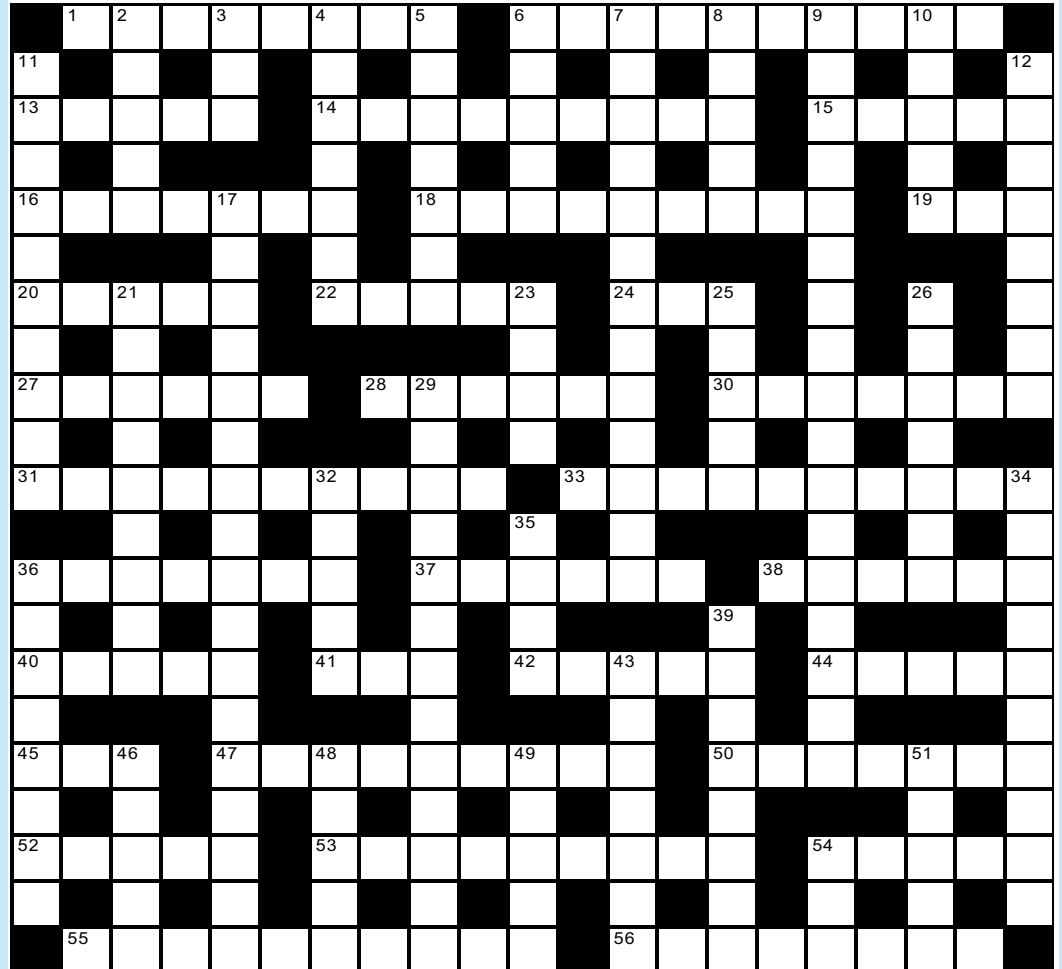
Address _____

Contact number _____

TUI Branch _____

Send entries to
TUI Crossword March '22,
TUI, 73 Orwell Rd, Rathgar,
Dublin 6, D06 YP89.

Closing date for entries:
Friday, 29th April 2022



ACROSS

- 1 Having the innocence or plump prettiness of a young angelic child. (8)
- 6 One originating or coming from an ancestral stock or source (10)
- 13 Loose hemp or jute fibre obtained by unravelling old ropes (5)
- 14 (Informal) To continue or persist, despite adversity or difficulty (7,2)
- 15 Showing a brooding ill humour (5)
- 16 Middle or inner ear pain (7)
- 18 Notice taken of someone or something; the regarding of someone or something as interesting or important (9)
- 19 Deciduous and semi-deciduous trees comprising the flowering plant genus *Ulmus* in the plant family *Ulmaceae* (3)
- 20 One or more recordings issued together; originally released on 12-inch phonograph records (5)
- 22 A mournful poem; a lament for the dead (5)
- 24 Any aerial object or optical phenomenon not readily identifiable to the observer (3)
- 27 --- bubble - a stock market bubble caused by excessive speculation of Internet-related companies in the late 90s (3,3)
- 28 A temporally organized plan for matters to be attended to (6)
- 30 A yellow viscous animal oil extracted from wool; a mixture of fatty acids and esters; used in some ointments and cosmetics (7)
- 31 Pertaining to a cultural movement in art and architecture that drew inspiration from the art and culture of classical antiquity. (10)
- 33 A portion of a personal name that is written between the person's first given name and their surname (6,4)

- 36 In Western usage, usually refers to the time since 1945 (7)
- 37 The area covered by something (6)
- 38 Destroyed physically or morally (6)
- 40 The dried meat of the coconut from which oil is extracted (5)
- 41 Any of a number of tropical vines of the genus *Dioscorea* many having edible tuberous roots (3)
- 42 A platform built out from the shore into the water and supported by piles (5)
- 44 1994 single by American musician Beck (5)
- 45 An awkward stupid person (3)
- 47 Someone responsible for keeping records (9)
- 50 Have a tendency or disposition to do or be something (7)
- 52 Any property detected by the olfactory system (5)
- 53 A method in which figures are manipulated to appear as a moving image (9)
- 54 The ----- of Dibley - British sitcom starring Dawn French (5)
- 55 Someone from whom you are descended (10)
- 56 A hand tool for holding consisting of a compound lever for grasping (8)

DOWN

- 2 A foot traveller; someone who goes on an extended walk (for pleasure) (5)
- 3 The only album credited to the husband-and-wife music duo Paul and Linda McCartney, released in May 1971 (3)
- 4 Encircle as a military tactic (7)
- 5 A paste-up made by sticking together pieces of paper or photographs to form an artistic (7)
- 6 Be in motion due to some air or water current (5)
- 7 The act of suffocating (someone) by constricting the windpipe (13)
- 8 The feeling of being bored by something tedious (5)

- 9 A republic in the West Indies; located on the eastern two-thirds of the island of Hispaniola (9,8)
- 10 For -- ---, A song by The Beatles from their 1966 album *Revolver* (2,3)
- 11 --- -----, 1970 hit song by Lynn Anderson (4,6)
- 12 A follower who carries out orders without question (8)
- 17 Pertaining to unmarried cohabiting couples who are living together in an intimate and committed relationship (6-3,8)
- 21 Friendly remark said before starting to drink an alcoholic beverage (7,2)
- 23 An American (especially to non-Americans) (4)
- 25 Lubricated, coated, or impregnated with oil. (5)
- 26 The principal bad character in a film or work of fiction (7)
- 29 A missile whose course may be altered during flight (6,7)
- 32 2005 hit single by Madonna (5)
- 34 A common shrub with black fruit used for wines and jellies (10)
- 35 Fill by packing tightly (4)
- 36 Either of two large muscles of the chest (8)
- 39 Be engaged to marry (8)
- 43 Fly people or goods to or from places not accessible by other means (7)
- 46 Wrinkle one's forehead, as if to signal disapproval (5)
- 48 Dignified and sombre in manner or character and committed to keeping promises (5)
- 49 Cook with dry heat, usually in an oven (5)
- 51 Make oneself subject to; bring upon oneself; become liable to (5)
- 54 Short for the Latin *videlicet*, which itself is a contraction of the Latin phrase *videre licet*, meaning "it is permitted to see" (3)