**TUI President Martin Marjoram – response to Minister Simon Harris**

**Tuesday 19th April 2022 – Embargo until delivery, and please check against delivery**

It is a pleasure, Minister, to welcome you and Officials from your Department to our Annual Congress, this time in person. We continue to wish you and your Department every success, knowing that will bring success to TUI members and the students we support in an enormous range of programmes and workplaces. Thank you for your address, and indeed thank you for the address you made remotely to our recent conference on Technological Universities even though you were so clearly unwell from COVID-19.

**COVID-19**

Your focus on funding is important Minister. As we emerge, we hope, from the worst of the pandemic, we note that it starkly demonstrated the basic truth highlighted by the TUI for many years – the shameful underfunding of Irish Education. Anyone who doubts the TUI will hopefully believe the OECD – their latest report shows that Ireland spends only two-thirds of the average proportion of national wealth on education.

Already creaking at the seams from decades of underinvestment, we were desperately ill-prepared for the challenges thrust so suddenly upon us. The extraordinary efforts of staff and students, and admirable achievements and successes, must not be allowed to obscure the inequalities, with deficits in national infrastructure and social fabric making continued engagement with education an almost insurmountable task for those unfortunate enough to be among our least advantaged.

Across Higher, Further and Adult Education the message is universal that the necessary funding continues to be withheld, with inevitable negative consequences for the life chances of those needing and deserving of the best the state can provide.

The TUI welcomes and acknowledges recent improvements and the further indications from you, Minister, of additional resources to allow our members to do what we have dedicated our careers to do – uplifting individuals, their families and whole communities through fair and accessible educational opportunities across the many sectors in which we operate.

One area of long-standing concern to the TUI has been the inadequate supports for students with Additional and Special Educational Needs as they transition into Further and Higher Education. We are thankful, Minister, for your interest, and indeed passion, for this issue which affects students most in need of support and assistance look forward to the progress you have signaled.

**The Pandemic Response**

On a no-precedent basis, Minister, TUI members took on significant additional work to keep education operating during the pandemic and to allow our students to progress and build their lives and careers. While lessons and benefits can be taken from our shared experience let there be no doubt: “no-precedent” means what it says and any effort to lever advantage from our goodwill and dedication will be fiercely resisted.

In spite of TUI members largely upskilling themselves in order to provide the highest quality learning experience for our students, some inevitably fell behind, in most cases through absolutely no fault of theirs. Any resulting deficits or challenges must be met with extra resources and supports.

**Ukraine**

As the world hopefully emerges from the pandemic, the despicable attacks by Putin’s forces on the people of Ukraine have created an unprecedented humanitarian crisis in Europe which has seen a swift and honourable response from Ireland. Members of the TUI are, and in increasing numbers will, be part of the great effort to provide all possible support to those Ukrainians seeking sanctuary here from the horrors of this unjust war. The provision of the necessary resources and coordination must be prioritised as our institutions take up the vital role of allowing education to continue for many Ukrainians. The TUI and its members will be fully engaged and will do all which may support and sustain education for these families until they can return to rebuild their homeland. The identification and utilization of capacity as well as provision of additional services, including language and psychological supports, must be advanced through necessary consultation with particular emphasis being ready for the start of the next academic year.

**Funding**

You told us Minister at our Conference in TU Shannon in March of your intention for a “one pot” third level funding model which would be equitable for students whether enrolled in a TU, IoT or legacy university. The one pot, Minister, needs to be substantially bigger than the two pots it replaces. You will recall in my response in Limerick that I immediately cautioned against unintended consequences. We have seen too many instances in Ireland of so-called equality turning out to mean that some are more equal than others.

The essential elements of our sector’s success must receive the necessary resource – the class sizes, practical focus and easy access of students to lecturing staff central to our approach must not be undermined by funding decisions that fail to recognize or value what makes our sector work to such outstanding effect.

Tread carefully, Minister – in this case you really do tread on our dreams, and indeed those of our students.

We are hopeful and apprehensive in equal measure because of the lamentable lack of consultation with us on funding related to COVID-19. Welcome as the additional resources were, we are hard pressed even now to know exactly what they were spent on. Our early, sensible claim for immediate steps to protect the ratio of students to lecturers went unheeded, indeed barely acknowledged – the OECD has since identified an alarming increase, bringing Ireland from 33% above average to a shocking 50% above average on a measure where above average is the last thing you want to be, impacting as it does most on students in greatest need of support and individual engagement. Good as it is to hear your plans to reduce this ratio, all future funding proposals must be rooted in full consultation and focus on frontline provision.

**OECD Report**

The long-awaited OECD Report also appears to us in both the guise of a promise and a risk. Weekly lecturing hours settled on 40 years ago and an almost non-existent career path have stifled innovation and will render impossible the upward step-change sought for TUs in research and engagement. A great reservoir of available talent and creativity has been dammed up for decades by a burden of teaching hours hugely in excess of international comparators – Minister, with your help we can release this potential with enormous benefits flowing to society, to the national store of knowledge and expertise, to our students, communities, and businesses. But we must exercise caution – significant negotiations must follow the OECD’s publication and the TUI will protect both our sector’s educational model and our own core values. TUI members will not vote for lesser terms for future colleagues, nor for a model with contact hours replaced by casualized or otherwise exploited staff. We need our workload to be addressed and we need a career path which will equally value teaching, research and engagement, as you rightly indicate, but only in conformity with our core values and principles.

No workload model in third level will make any sense without specific provision for the additional challenges and demands of online provision, not least the extra time involved in design, delivery and student engagement for courses properly constructed as online. Our swift transition to emergency remote teaching has confused some into thinking that online courses are simply regular courses with the lecturer sitting in a kitchen instead of a classroom. Blissful ignorance may have its place, just not in national negotiations with the serious intent to agree a workable national online agreement, reflecting good negotiation outcomes arrived at locally in more than half the sector. Minister, your Department and the stubborn managements who prevented progress will not find a way around us – a national agreement is a necessity.

The place of researchers in third level is marked globally by precarity, casualization and exploitation. The TUI will not agree to replicate those ills – we will insist on parity of esteem and terms, conditions and salaries as near as possible to lecturing colleagues. We are dismayed, Minister, that 10 years after the effort started researchers in our sector are still denied access to a pension scheme. This deplorable circumstance is inherited from the Department of Education and is commonly blamed on the Department of Public Expenditure and Reform – but it will soon become a source of justifiable disgrace for your Department if it not dealt with – you must take this in hand Minister and guarantee that there will be no further delays in delivering this basic right.

**Industrial Relations Forums**

Our claim regarding terms, conditions and pensions for researchers is the perfect example of the ineffective nature of the IoT IR Forum, where it has languished literally for years. It is not that we do not value the forum – we do, greatly – along with the National Negotiation Forum and the ETB IR Forum and the agreements that all too infrequently emerge from them. Minister, all of these forums need to become far more effective and responsive. Claims and issues cannot be allowed to drift for years on end.

The contrast with forums established to deal with the pandemic is stark. Not only do we want the FET Stakeholders Forum, POSITS, and the Steering Group to continue, we want their spirit to be replicated in those forums which are simply stuck. As the meetings were virtual, it wasn’t the water or the brand of tea or biscuits that made the difference, Minister – it was the shared determination to solve problems. That same sense of common purpose must now animate IR forums too. You must take a hand, Minister, and use your influence with the relevant stakeholders to speed these forums along. Our members deserve that urgency and purpose be brought to their issues too. One tbing we certainly do not want is the new Oversight Group to interfere with existing forums or add an unnecessary layer of delay.

**Organisation Design of ETBs**

One issue rescued, we hope, from the mire after years of inertia is that of the Organisation Design of ETBs. Having finally moved past the unacceptable and daft idea that only the upper echelons needed to be designed at all, we look forward to continued engagement in the various agreed strands. Given that the need for this work arose in 2013, we will look for real impetus as well as clarity on your Department’s place in the outcome.

Unfortunately, the vacuum pertaining for almost a decade has seen ETBs and their managements using public funds to structure independently in any manner they wish.

Speculative discussion about the FET College of the Future must not be allowed to deflect from consideration of the FET College of the Present, Minister, and the need for clear policy and strategy on enrolments and funding as well as staffing and allocations, including implications for middle management posts. This must be a national strategy, devised with the full participation and cooperation of the Union and other key stakeholders.

While our members in VTOS continue to provide essential service and the TUI remains committed to protecting those members’ terms and conditions, including allowances, ETBs are already unilaterally beginning to dismantle this service. Minister, you must rein in such damaging unilateralism of in the ETB sector, never more evident than in ETBI’s Strategy Statement published last December. Your Department Minister, you will have been relieved to note, was considered a stakeholder, unlike the sector’s Unions, the Parents, the Learners who were all absent entirely from the strategy. We have seen previously where the absence of oversight can lead with ETBs. Control and oversight must come from the centre, Minister, from you and your Department.

**Technological University Process**

Minister, Technological Universities, properly funded, well designed and adequately staffed, offer promise and opportunity to regions and communities across Ireland. The TUI remains committed to full engagement in shaping that new Technological University Sector – our worry is the commitment of those who should engage with us, both to the consultation and negotiation necessary to such reform, and to maintaining the values and identity nurtured over decades in RTCs and IoTs and which must now be passed on to successor Technological Universities. We stress, Minister, that we are expecting to participate in the design of a sector. The formation of independent republics attempting to operate outside the national IR Forums will be resisted and we remind you and your Department of your responsibility to uphold the agreed IR framework.

Local engagement and negotiation, driven from the ground up by frontline lecturers who know and understand what works and what doesn’t, must be at the heart of organizational design for TUs – not overpaid consultants with little understanding of what they might carelessly trample underfoot. The TUI is ready to engage on behalf of our members and to reach agreements which protect local interests while allowing our new TUs to thrive. Amidst Ireland’s hundred years of bungled and inadequate regional policy, our RTCs and IoTs have shone, like bright metal on a sullen ground – quite possibly Ireland’s most successful regional initiative. Unwise policy, poor design, Governing Bodies or Presidents unclear on the precious nature of the legacy they inherit cannot be allowed to dim that light, or indeed to engineer a move away from an educational model unequalled in providing opportunity to those groups under-represented in third level education.

Such loss of focus may bring mission drift and threaten the decades-long adherence of successive Governments to the binary system of third level education, with the potential of enormous damage to the diversity, the inclusivity and the regional focus through which the sector makes such an immense contribution.

Whether accepted or not, applications to join the Irish Universities Association, no friend to our sector historically, do not reassure us that the future trajectory has been safely mapped. Fragmentation may be a pre-cursor to loss of identity and to dismantling the essence of what has built us up to be Technological Universities in the first place. The responsible Minister and Department must lead, must exercise necessary oversight – legislation alone will not suffice to protect our identity.

While being all in favour of collaboration and connectedness, it must be remembered that the TUI was merely shown the TURN report, not invited to help shape it. Tomorrow our Third Level delegates will debate the adoption of a TUI Policy and Strategy for Technological Universities – it is our genuine belief that not-withstanding the content of the TU Act and work since, by TURN and elsewhere, that an identity and a vision for the Irish Technological University remains elusive and ill-defined. The TUI will make our contribution, as constructively and forcefully as ever, and will insist on real engagement on a question which is central to whether TUs will indeed deliver on their promise and their potential.

At Government insistence, it was a requirement that IoTs merge in order to form a Technological University – at which point Government took its hand from the tiller and essentially allowed the sector’s Presidents to reshape vital educational infrastructure. Few national reconfigurations of such scale and scope have ever been subject to so random and unstructured a process. Little wonder, as the music stops on 1st May with the establishment of the South East TU, that two IoTs will still be standing. Given the clear direction of travel for the sector towards TUs, with its beginnings in the Port Report 15 years ago, we can rightly lament local decisions and revisions in IADT Dun Laoghaire or in Dundalk IT. But the need for central guidance and direction is pressing. Minister, we are not asking you to force these IoTs into a TU, but we absolutely expect you to dismiss comprehensively pie-in-the-sky fantasies of University status arising some other way and to be uncommonly encouraging of acceptance by an existing TU of any section 38 application that arises.

On a happier note, the TUI is delighted with progress towards the incorporation of St Angela’s with Atlantic TU. Our recent ballots across the four Branches overwhelmingly in favour of the MOU is testimony to the sense of solidarity and national cohesion which the TUI at least brings to this process, and indeed to the hard work of the TUI negotiating teams in the West and North West, mirroring the success and hard work by the teams around the country. We thank you and your Department for the work allowing positive updates on the mechanism and necessary legislative provisions to allow, in time for September, what we see as another crucial step in forging the new TU sector, especially welcome given St Angela’s recent history and the real value its staff and programmes can bring to Atlantic TU.

Thank you also that the strong representations of the TUI were heeded regarding the composition of Governing Bodies of TUs. Proposed changes under the HEA Bill would have undermined democracy in our TUs and breached the May 2017 Agreement which forms the basis of the TUI’s engagement in the TU process. Continuation of the current election processes and arrangements is greatly welcomed.

**Sectoral Bargaining**

Minister, while doing our best to avail of the opportunity afforded by Sectoral Bargaining to correct historic injustices, let us be clear that the TUI views Sectoral Bargaining as a deeply unjust process which will hopefully never be repeated.

An analysis of the data and the size of the available fund did not support progress on any of our claims in Further Education, but in Higher Education the removal of remaining pay scale inequalities and two incremental credit claims are under consideration. We seek your assistance, Minister in promoting a fair and reasonable approach, that the necessary calculations come forward from employers, and in particular that the Department of Public Expenditure and Reform does not stymie the process with illogical impositions and assertions, including the notion of cross-sectoral impacts for claims which clearly affect our grades alone. With the reminder, Minister, that we are seeking to spend our own money – money diverted from a long-overdue 1% pay increase which would only scratch the surface of current inflation – the barmiest idea floated from DPER is that any portion of the 1% directed to a fund to pay for the first of our incremental credit claims must continue to be lost forever, even after the claim is paid for. We are trying to solve problems, Minister, and bearing the cost ourselves – absurd rubbish that solves nothing, in fact that would prevent reasonable solutions, must be cleared out of the way. We look to you, Minister, to bring sense to bear so that the 15-year injustice of LCR 18366 can at last be ended.

As this national agreement nears its end, Minister, its modest pay rises are entirely swallowed up by inflation – national pay policy must address legitimate public sector demands regarding the cost of living, made all the worse by the continuing housing crisis which continues to drive rents and home ownership out of reach.

**Youthreach**

Our members in Youthreach are heartened by the attention and enthusiasm you have demonstrated for a programme that makes an admirable contribution to Ireland’s outstanding record of keeping young people engaged in education. While welcoming the recent progress made in successfully concluding the incremental credit element of our claim, we will pursue what remains. Parity of esteem and fairness are central to all TUI considerations, both for the terms and conditions of our members and no less for our students, some of whose Youthreach facilities continue to be shamefully inadequate. As an alternative second level provision, continued close links, services and supports from the Department of Education must be maintained into the future.

A further point of intersection of the concerns of the two Departments is the negative impact of the second year of the Professional Masters in Education on teacher supply. Interested parties must do all in their power to ease that crisis. The highest calibre educators are needed for Ireland to meet the challenges of the future and the needless impediment of this second year of high fees and lost earnings must be removed.

Also requiring radical surgery is the CAO points system and the enormous and undue pressures that arise from it. Besides a retreat from our national obsession with what are viewed as high status third level courses, we need consistent processes and transparency around decision-making on capacity and entry requirements to deliver fairer outcomes for students, and indeed the HEIs themselves. Further Education’s place on the CAO system must enjoy parity of esteem with Higher Education making clear the state’s ability to use both sectors to best meet students’ individual needs.

The importance of Further Education, both for its own value and as a route into Higher Education, is too often overlooked. Your Department must live up to its responsibility to promote and advance Further Education and to deepen and enhance its link to IoTs and TUs in particular. The valuable, viable pathways for students to transfer and progress from one to the other need to be developed and expanded.

**Apprenticeship**

We are happy, Minister, to see long-standing TUI priorities reflected in your own by the improved visibility and the greater recognition you afford to apprenticeship. Long-overdue rebalancing of consideration and value of available career pathways will benefit many. The promotion of all options, with the key involvement and engagement of guidance counsellors, and the correct balance and proper integration regarding what appears on the CAO system, will be essential.

With a view to ensuring the best experience for students, the most up to date knowledge coming to the labour market and the best possible profile and reputation for the system, the TUI will continue to seek significant improvement in methodologies to update both curricula and assessment in apprenticeships.

The objectives and ambition of the Action Plan for Apprenticeship are welcome and we hope the establishment of the National Apprenticeship Office will help to drive the expanded vision and scope for apprenticeship at the heart of the plan. As a key party and passionate advocate for the education of apprentices, the TUI should be more involved.

The ideological zeal for so-called competency-based governance has never struck the TUI to be either as wise or as apolitical as its advocates claim. In the simplest most practical terms, people who need to be in the room end up excluded. Not for the first time, Minister, we point to the absence of a TUI voice on significant boards undermining properly informed decision-making – in particular we insist, and not for the first time Minister, that the TUI must be represented on the Board of SOLAS.

**Chairman’s Note**

In closing Minister, I must refer again to our Adult Literacy Tutors. The TUI examined the potential of the Sectoral Bargaining process to advance the issues still outstanding from the Chairman’s Note. Regrettably, as the necessary data eventually came forward, it became clear that the process was inadequate for so wide-ranging a claim and would merely have brought a redirection of the 1% increase from the members back to themselves without really progressing matters. Our members have seen enough procrastination and delay and we repeat what is now becoming mantra – an offer needs to be made as recommended by the Labour Court more than two years ago. The then assertion by the employer side of being constrained by FEMPI legislation has now lost any currency or credibility – the outstanding issues must be addressed, and generously addressed in recognition of the dedicated service and the value of the work undertaken by these members who have waited far too long for decent terms and conditions of employment. Minister, the shameful continuation of the need for hard-working professionals to sign on to social welfare for periods of the year must end and must end now.

You will find, Minister, that we will be both robust and professional in your dealings with us, but our advice to you is clear – give consultation and negotiation with us a chance because the other way is always much, much harder – we make sure of that.