



Opening statement of the Teachers' Union of Ireland to the Joint Oireachtas Committee on Education, Further and Higher Education, Research, Innovation and Science on the General Scheme of the Higher Education Authority Bill 2021.

13th July 2021

1. Introduction

1.1 The Teachers' Union of Ireland (TUI) welcomes the opportunity to make this presentation to you, as part of your pre legislative scrutiny of the General Scheme of the Higher Education Authority Bill 2021.

1.2 The TUI represents teachers, lecturers, researchers, education professionals and staff (19,000+) in Education and Training Boards (ETBs), voluntary secondary schools, Community and Comprehensive (C&C) schools, Youthreach, Institutes of Technology and Technological Universities and those working in school services. TUI is the only trade union representing academic and research staff in the Institutes of Technology, Technological Universities and St. Angela's College Sligo.

1.3 TUI is concerned in relation to the proposed changes to the Technological Universities Act 2018, as many of the provisions in this Act were the subject of the May 2017 Agreement with the union involving the Department of Education and Skills, the Technological Higher Education Association (THEA) and TUI. Consultation and agreement with TUI is therefore required to ensure that the provisions of the HEA Bill 2021 when enacted will not undermine existing legislation, specifically the Technological Universities Act (2018).

2. Consultation and Agreement is required in respect of any changes to the Technological Universities Act 2018.

2.1 Any proposed legislative changes to the existing Technological Universities Act (2018) arising from this proposed HEA Bill 2021 must be carried out in consultation with TUI. In this context changes to the both the size and composition of governing bodies within such institutions, requiring change to the existing 2018 TU Act, would require consultation/dialogue and agreement with the TUI.

3. Co-Regulation.

3.1 A significant regulatory framework for internal governance would be required to achieve a co-regulation model. To date, governance structures in Institutes of Technology and Technological Universities have been dominated by Executive management. In our view, the roles and functions of Academic Councils and Governing Bodies need to be strengthened, this includes more academic staff representation.

4. Competency Based Governance Models

4.1 Competency and representation are essential on Governing Bodies. These two functions cannot and should not be separated. Academic staff must be central to Strategic Planning for HEIs. Strategic planning (primarily academic) cannot be relegated to a corporate Governing Body function in the absence of academic staff and student representatives. HEI Governing Bodies must have a sufficient and proportionate representation from both the academic and student communities. The voice of the academic community must be facilitated as part of any HEI Governing Body.

5. Funding Model

5.1 Significant additional funding is required for HEIs as there has been major underinvestment in Higher Education, for a considerable period of time. There is no reference in the Heads of Bill to a collaborative, non-competitive funding model. Instead, what is proposed is a very competitive, performance-based model. Such models are overly deterministic and restrictive, thereby, limiting innovation and growth. It is accepted that publicly funded higher education should serve the public good and be accountable, however, the funding criteria used needs to allow for the uniqueness of each HEI and their local and regional mission.

5.2 TUI supports and advocates for a publicly funded Higher Education sector. Funding should not solely be competitive, and performance based. A collaborative/co-operative funding model should also be considered. Increased investment is required to maintain academic quality and standards and the student experience.

6. System Performance Frameworks

6.1 Performance Indicators can assist with system accountability and transparency however, there needs to be clarity of purpose, precise criteria used for measurement and equality of application across the system. In addition, consideration needs to be provided for regional provision and demographics and diversity.

7. Reform of Governing Authorities of HEI

7.1 It is possible that some campuses might not have any representation on a Governing Body of a TU. This could have a significantly negative affect on the local regions served by TU

campuses. TUI does not support any changes to Governing Body composition and size as legislated for in the Technological Universities Act 2018.

7.2 Academic Councils in IoTs and Technological Universities are legislated for in the Technological University Act 2018. Any proposed reforms that would require an amendment to the Act would require consultation directly with TUI.

8. Chief Officer Role

8.1 It is crucial that the Chief Officer does not interfere or exert undue influence on the Governing Authority and that there is a clear division between their respective roles and functions.

9. Autonomy and Accountability

9.1 TUI supports both autonomy and accountability however, there is a need for accountability within a strong regulatory framework. TUI has some concerns around the metrics used for performance-based funding.

9.2 Performance-based funding should not lead to HEI league tables or enable a division between what might be considered top performers and low performers. This model has not worked elsewhere, in particular in the UK.

10. Engagement with Students

10.1 Engagement with students is important. However, engagement must be appropriate and relevant to matters of concern to students. The setting up of a student panel should have clear terms of reference to ensure that it does not become a forum for specific political or lobbying agendas and/or interests.

11. Engagement with Trade Unions representing academic and research staff.

11.1 Throughout the draft Heads of Bill there is reference to engaging with the union representing students, however there is an absence of reference to engaging with the trade union/s representing staff in key sections of the Heads of Bill. We request that reference to the trade union/s representing staff be inserted throughout the Bill.

12. Research

12.1 TUI has concerns around how research would be evaluated. A workload model needs to be developed and agreed to allow adequate and equitable allocation of hours to cater for both teaching and research activities as required. Significant consultation is required around a HEA legislative role for research and what this would entail.

13. Equity of Participation

13.1 TUI fully supports equity of participation, including access to Higher Education, but it must be demonstrable on a structural level and funding must be provided. Equity of

participation should apply to both students and all staff in HEIs. There should be stronger provisions in the Heads of Bill concerning commitments to equality, diversity, and inclusion. Targets should be set for access, including for those from socially disadvantaged backgrounds, ethnic communities including Travellers and other minority ethnic communities.

14. Serving the public interest

14.1 Publicly funded HEIs must serve the public, this includes equality of access for all groups to higher education opportunities. The provision of multi-level programmes from NFQ 6 to 10, traditional undergraduate and postgraduate programmes and short programmes for upskilling and reskilling are required. HEIs must have progression routes that are recognised across the systems to facilitate Lifelong Learning of citizens in Ireland and within the European Union and the UK.

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