

DEPARTMENT OF EDUCATION AND SKILLS/ TUI AGREEMENT MAY 2016

Discussions between the Department of Education and Skills, the Department of Public Expenditure and Reform and TUI took place during April and May 2016 in relation to issues of mutual concern in the context of the union's continuing co-operation with collective agreements. Arising from those discussions, the following has been agreed between the parties:

Fixed-Term and Part-Time Employment

It is acknowledged that the question of employment on less than full hours is a critical issue for many teachers and lecturers. Under the Report of the Chairperson of the Expert Group on Fixed-Term and Part-Time Employment in Teaching, measures have been introduced under circular letter to address this issue. A report in respect of third-level is imminent.

In addition to the measures already being implemented, a number of medium and longer term recommendations were made in the Ward Report. The parties commit to immediately commencing discussion on implementation of these further measures. The parties will prioritise agreement on an updated procedure and sequence for filling available posts that would apply under a revised section 5.1.4 of Circular 34/2009 and will consider other appropriate measures in order to improve the ability to increase the working hours of part-time teachers, having regard to the curricular needs of schools and the effects of the measures being implemented in the first phase of the Ward Report recommendations.

The Department confirms that teachers can be recruited on a permanent basis *ab initio*, once the school/ETB is within its authorised allocation of teaching posts and the criteria outlined in Department Circulars for filling teaching posts are complied with. Employers will be reminded of this.

The Department confirms that in accordance with Department Circulars, a qualified and registered post-primary teacher who is employed by a secondary school, C&C school or ETB who has a CID for 18 hours or more and agrees to be timetabled up to 22 hours will be paid full salary.

1. SECOND LEVEL

Posts of Responsibility

It is acknowledged that the significant reduction in the number of posts of responsibility since the implementation of the moratorium has led to difficulties in the running of schools. TUI expressed particular concern regarding the diminution of student support, increased workload for teachers and a decline in staff morale.

The parties agree that there will be a robust review of in-school management structures to ensure that, in the context of restoration of posts, the evolving needs of schools are addressed. In this regard, progress on this review will enable restoration to be considered in the context of Budget 2017.

Review of Usage of the Croke Park Hours

It is acknowledged by the parties that the central purpose of the additional time is to provide for essential activities such as parent-teacher meetings and school planning to take place without reducing class contact/tuition time.

Within this context, a review of the usage of the additional hours as set out in the Public Service Stability Agreement will take place involving the Department of Education and Skills, the teacher unions and school management bodies. The review will have regard to teacher professional judgement, system and school requirements and experience to date of best practice in the utilisation of the hours. Drawing on good practice, the review will make recommendations to optimise the most professional and valuable usage of the additional hours by teachers.

The review will commence immediately and will conclude so that any changes agreed can be implemented as soon as practicable but no later than the commencement of the 2017/18 school year.

As an immediate first step, the parties agree that the maximum period of time available for planning and development work on other than a whole-school basis will be increased to 8 hours from the beginning of the 2016/17 school year and a further 2 hours from the beginning of the 2017/18 school year, in accordance with the terms agreed under the Haddington Road Agreement as set out in Department Circular 43/2014.

Data Management

In the development and subsequent implementation of its Data Strategy, the Department commits to examining the information requirements on schools/centres with a view to streamlining the content and timing of requests to the fullest extent possible and minimising the impact of data collection on schools/centres.

Inspections

The Department re-affirms that the primary focus of the inspection process is on affirming good practice and providing constructive recommendations for improvement. During inspections, inspectors focus on the quality of teaching and learning and leadership and management rather than on documentation.

The Department will take steps to reduce the administrative requirements on schools/centres and teachers in relation to inspections and school self-evaluation and in that regard some priority measures are:

- Revised inspection guidelines due to be published in September 2016 will clarify the Inspectorate's expectations in regard to planning documentation and will stress the emphasis placed on teachers' practice rather than documentation;
- The information available in the Department's POD and PPOD databases and other DES sources will be fully utilised when collecting data in preparation for inspections;
- The Inspectorate will give consideration to providing schools with the facility to provide data relevant to inspection in a single annual return, if they so wish;

- Existing consultation processes with the teacher unions in relation to inspection and to school self-evaluation will be maintained;

2. FURTHER EDUCATION

It is agreed that discussions will commence immediately regarding a conversion process for BTEI staff, according to the same principles as were applied in the recent agreement on Youthreach conversion.

Furthermore, the parties agree to address the following as a priority:

- Discussion of an agreed contract for BTEI County Coordinators;
- Introduction of an incremental credit scheme for Youthreach Resource Persons and Youthreach Coordinators;
- applicability to the grades of Youthreach Resource Person and Coordinator of appropriate measures relating to contracts of indefinite duration, analogous to the recommendations of the Ward Report;
- application of Circular 8/2014

TUI raised a range of issues relating to Youthreach. The parties agree to an early meeting on these issues ahead of the forthcoming review of Youthreach.

The parties agree to an early discussion on the Youthreach Operator Guidelines.

The Lansdowne Road Agreement Chairman's Note sets out a process in relation to the award of CIDs to people in certain education posts in Adult, Community and Further Education settings outside of recognised schools. It is agreed that this process will be brought to a conclusion as soon as is practicable but no later than the commencement of the 2017/18 academic year.

The Chairman's Note also sets out a subsequent process in relation to issues regarding 'Tutors' which do not come within the ambit of the Haddington Road Agreement. The Department confirms that this second process will encompass discussion of:

- the consolidation of certain education posts in Adult, Community and Further Education settings outside of recognised schools into defined grades with salary scale and public service terms and conditions; and
- where teacher posts are appropriate in the Adult, Community and Further Education sector as opposed to other grades.

It is agreed that this process will be brought to a conclusion as soon as is practicable, subsequent to the CID process set out above, no later than the commencement of the 2017/18 academic year.

Quality Assurance

TUI expressed the need for greater standardisation of quality assurance processes and requirements across ETBs. To this end it is agreed that arrangements for regular formal engagement between the ETBI/QQI Forum and TUI will be put in place.

SOLAS

Appropriate arrangements will be made for engagement between SOLAS and TUI on strategic and policy issues of mutual interest.

Application of Circular Letters

The appropriate Department Circulars will be applied to all staff recently recruited to the posts of Adult Education Guidance Counsellor and Adult Education Officer in the ETB sector.

3. INSTITUTES OF TECHNOLOGY

The vital role that higher education continues to play in underpinning Ireland's future economic, social and regional development is acknowledged. It is also recognised that the sector must be resourced sufficiently and in a sustainable manner to ensure that it can deliver on this role.

Balance of Lecturing Workload

The Croke Park Agreement provided for a review of matters relevant to lecturing in Institutes of Technology. This review will take place involving the Department of Education and Skills, the HEA, TUI and institute management representatives. The review will be completed by March 2017. The terms of reference of the review will be agreed between the parties and will have regard to:

- as a priority, usage of the full flex hours for duties other than teaching in accordance with institute needs
- the current workload of lecturers
- maintaining and enhancing the quality, effectiveness and efficiency of education within Institutes of Technology
- other developments in the sector that are relevant to the lecturing role

In acknowledgement of this process and to facilitate its successful outcome, it is agreed that an interim measure will be introduced from January 2017 to re-designate half of the additional flex hours required of each lecturer to wider duties other than teaching, in consultation with the lecturers and in accordance with Institute priorities and needs.

Issues concerning staff arising from the merger of Limerick Institute of Technology and Tipperary Institute

The process referred to in the LRA Chairman's Note will be concluded immediately following acceptance of the LRA.

HPAL issue regarding mix of pro-rata and HPAL hours after conversion to pro-rata AL

The Department confirms that where an individual has had their post converted from Hourly Paid Assistant Lecturer to pro-rata Assistant Lecturer under the HRA conversion process, all additional lecturing hours will be remunerated at the pro-rata Assistant Lecturer rate.

Fixed-Term and Part-Time Employment in Lecturing

The parties noted that issues relating to fixed-term and part-time employment in lecturing will be the subject of recommendations in the forthcoming report of the Chairperson of the Expert Group. In the context of their membership of the Expert Group, the parties have sought to expedite this process.

4. NEW ENTRANT TEACHER PAY

New Entrant Teacher Pay

The teacher unions including TUI have identified the issue of new entrant pay as being a critical priority. The Departments stated that this is a public service-wide issue and accordingly cannot be addressed within the scope of these discussions.