

Higher Education Authority

Report of the 366th Meeting held on 27th May, in Brooklawn House, Dublin 4.

Present ¹ Mr. Bahram Bekhradnia
Dr. Mary Canning
Professor Maeve Conrick
Mr. Eamonn Grennan
Ms Siobhan Harkin
Mr. John Hennessy, Chairman
Dr. Stephen Kinsella
Dr. Maria Meehan
Dr. Jim Mountjoy
Mr. Joe O'Connor
Mr. Gordon Ryan
Professor Anthony Staines
Dr. Brian Thornes
Professor Marijk van der Wende (items 3-15)
Mr. Declan Walsh (items 1-8, 14)

Apology: Cllr. Brendan Byrne
Mr. Paddy Cosgrave
Mr. John Dolan
Professor Eileen Harkin-Jones

In attendance: Mr. Tom Boland (items 2-16)
Ms Mary Kerr (items 2-16)
Mr. Padraig Mellett (items 2-16)
Mr. Fergal Costello (item 5)
Mr. Muiris O'Connor (items 6-7)
Dr. Eucharia Meehan (item 7)
Ms Sheena Duffy (item 10)
Ms Louise Sherry (Item 12)

The chair welcomed Ms Laura Harmon, President elect of USI who attended the meeting in an observer capacity.

1. Members only session

- 1.1 The President of USI informed the Board of the recent vote by his organisation to call for the resignation of Board member Paddy Cosgrove, following his public remarks regarding recruitment practices and widespread grade inflation. The Board Members expressed the view that such remarks were at best unhelpful and ill-advised and could undermine the HEA's credibility to advise on policy formulation.

¹ Members present for all items unless otherwise indicated. The meeting concluded at 1.50pm

- 1.2 The Board agreed that should there be any media attention to this matter post the board meeting that any press statement should confirm that the HEA Board at its meeting today noted the concerns of USI concerning Mr. Cosgrave's comments and that he was speaking in a personal capacity. The Board strongly confirms that his views do not reflect the policy position of the HEA.

The Board also re-affirmed that Ireland's key strengths in HE is that we have a diverse range of HE institutions providing high quality graduates for a broad range of employers. Maintaining that diversity and esteem for all our universities, institutes of technology and other colleges is an important national objective.

2. Reports of meeting held 25th March 2014

Decision: The minutes were approved.

3. Matters Arising

- 3.1 Item 1.2 - The CEO advised members that the Executive is considering a proposal for external assistance on succession planning.
- 3.2 Item 6.2 – The CEO advised members that an updated paper on governance would be submitted to the Board at the July meeting.
- 3.3 Item 6.4 – The CEO advised members that he and the chair of the Audit Committee would be meeting Mr. Aidan Horan to review the terms of reference for the Audit Committee next week. Mr. Horan will present his report to the Audit Committee at its next meeting.
- 3.4 Item 11 – Members were advised that IT Tralee were advised of the Board's decision. The Institute subsequently provided new information which suggested a higher valuation for the property. The Executive will seek professional advice on this correspondence and report back to the Board.

4. Follow-up actions

- 4.1 Mr. Mellett presented this report. He advised members that a date for completion of a review of the Student Assistance Fund would be confirmed shortly. Members noted that progress was made on many of the items. It was agreed that items actioned should be removed from the list.

5. Report of the Chief Executive

- 5.1 The CEO advised members that the chair, the CEO, Mr. Costello and Ms. Armstrong would be presenting the report on system performance to the Minister later in the day. Members were provided with a copy of the report at the end of the meeting. The report remains confidential until the Minister launches it after it has been presented to the Government.

5.2 Members raised the following points;

- The extent to which the Executive engaged with the Department in finalising the report. The CEO noted that the objective was to ensure that the report was in a form that would ensure it was promoted by the Minister to the Government.
- Concern was expressed that the report might give the erroneous impression that the expansion up to now was achieved through spare capacity.
- The need for urgent progress on a funding strategy was noted, with a particular concern regarding the €25m cash held back over the last two years.

5.3 The CEO outlined some of the key challenges facing the HEA between now and the end of the year.

- I. New national research strategy – it was vital that the higher education system be fully engaged with the process.
- II. Development of the regional clusters which have an important role in ensuring many of the system objectives are delivered.
- III. Funding sustainability strategy – it is understood that the Minister intends to propose an inter-departmental committee to address this. The CEO undertook to advise the Minister that the Board would like to be consulted on the terms of reference. The absence of an educational economist in both the HEA and DES was raised. It was noted that D/PER has now recruited a number of economists, it is not clear whether these will be redeployed to the line Departments.
- IV. Establishment of Technological Universities – there is currently one stage 2 application and another is due in early June. The Executive was in the process of establishing an international panel to review these applications with a view to having a recommendation for consideration by the Board in September. Members noted that a process had been agreed at the March meeting. Any further observations on the competencies which members of the international panel should have can be forwarded to the Executive.
- V. Development of the strategic dialogue process for 2015
- VI. Thematic reviews – work is already underway on the dentistry review and the HEA is committed to outlining the process for reviews in nursing, engineering and the TCD-UCD innovation alliance before the end of the year.

5.4 The CEO advised members that the Executive is reviewing an alternative press cuttings service.

5.5 The CEO briefed members on anonymous allegations involving IT Tralee. These have been reviewed by an external auditor and the allegations were deemed to be unfounded. The person(s) making the allegations have indicated they can provide further information but are concerned as to the implications for their careers. It is noted that the government is proposing legislation which will allow some protection for whistleblowers, but it will be some time before this is in place. In this context, the CEO has written to the HEIs requesting them to put in place a mechanism for handling such disclosures such as the appointment of a confidential recipient. He noted that a number of institutions, including UCC, have such a mechanism in place.

- 5.6 Members were advised that SOLAS have published a new strategy. It was intended to arrange a presentation at the July or September meeting of the Board. The need for more progress on developing a closer relationship between further and higher education was noted. The CEO noted the role of the DES in progressing this but added that the HEA and SOLAS would get on with co-operation on projects of mutual interest. An early example is the joint approach to the employers' survey.
- 5.7 Members were advised that a letter outlining progress on implementation of the recommendations of the Initial Teacher Education report will shortly be sent to the Minister. Members will be provided with a copy. It was noted that there are a number of industrial relations issues that need to be resolved and an early retirement/voluntary redundancy scheme may be needed.
- 5.8 Members were advised that the Boards of DIT, HEAnet, and An Chéim have agreed to the HEA's proposal that the latter be wound up and its activities taken on by a new company set up as a subsidiary of HEAnet. It was hoped to have this in place by September. The objective is to enhance the services of An Chéim building on the potential synergies with HEAnet. It was agreed to arrange a presentation from the CEO of HEAnet on his proposed strategy for this new arrangement.
- 5.9 (MS Harkin absented herself from this item) Members were briefed on the DES loan to WIT. Ms. Kerr indicated that the loan of €7m would be repaid over 6 years from Manor Village rental income.
- 5.10 A request was made that the Board consider the various labour market activation measures at a future meeting. The CEO noted that a review of the Springboard Programme which is managed by the HEA is to be carried out.
- 5.11 Members were briefed on a meeting held with the DES and D/PER on the Employment Control Framework. The Executive will write to the DES seeking some relief on the application of the ECF in relation to certain specific posts involved in a number of initiatives including institutional consolidation/mergers, Springboard/ICT skills, and Horizon 2020.

6. Report of System Governance and Performance Management Committee

- 6.1 Mr. Costello presented the Committee's report. Dr. Richard Thorn is finalising a report on the system of performance funding in the Netherlands and Hong Kong. The CEO briefed members on draft legislation presented by Senator Barrett. The CEO/Chair also held a meeting with the University Senators.
- 6.2 The following issues were raised;
- Need for clarity as to what constituted mission drift. It was recognised that institutions will evolve over time; the dialogue process should provide a

framework to review changes in institutional direction and ensure that they are considered in a whole of system context.

- Role of the HEA vis a vis the QQI. The CEO noted that the role of the QQI was separate to the HEA, both bodies would work closely given the HEA's interest in quality.
- The operation of performance funding in the Netherlands which has given rise to considerable political debate. Members were advised that performance funding would be considered at future meetings of the Committee and Board.

Decision: Members approved the report of the Committee.

7. Report on Policy and Planning Committee

- 7.1 Mr. O'Connor presented the Committee's report. He briefed members on developments since the meeting on the following;
- Engagement between HEA and QQI – both bodies are working with a view to agreeing a MoU for approval at their respective November Board meetings.
 - Developments on a data strategy.
 - Irish Survey on Student Engagement (ISSE) – Members were briefed on discussions with the Universities Registrars group who have expressed concern over plans to publish the data at institutional level. It was confirmed that the HEA intend to publish data at system and institutional level. Concern was expressed over the low level of student response to the survey. Other issues raised – the risk of survey fatigue and whether the data may be subject to freedom of information.
 - Developments on a new Access Plan – The CEO advised that this has been the subject of consultations with the DES and it was agreed that the HEA would circulate a draft plan, previously considered by members, to the sector for their views. It was hoped to finalise a new plan by the end of the year. Members were advised of executive changes relating to the access agenda. A letter has been issued to the HEIs detailing these and other changes in the HEA Executive.

Decision: Members approved the report of the Committee.

8. Report of Research and Graduate Committee

- 8.1 Mr. O'Connor presented the Committee's report. He briefed members on developments since the meeting. The key development has been the decision of the Department of Jobs, Enterprise and Innovation to undertake a new strategy to replace the SSTI. It would appear that the D/JEI and Forfás have undertaken a considerable amount of preparatory work on the new strategy and that they favour a modular approach and are working towards having the strategy finalised by Q1 2015. The HEA and DES are anxious to ensure the terms of reference for the strategy review are broadened to include human capital development, postgraduate provision and the role of pure as well as applied research. It was noted that the D/JEI plans to involve the OECD in the review – the HEA/DES will press to have the organisation's education division involved in the review in addition to its industry division.

- 8.2 The Committee's chair expressed concern that the role of the HEA/DES in this view has not been adequately mapped out. She proposed that the Committee should convene a meeting in July. The HEA should look at how it can play a more prominent role on Technology Ireland. The chair noted that this was a matter of importance for the Board as a whole and should be considered as part of an overall review of the HEA's co-ordinating mission under the National Strategy.

Decision: Members approved the report of the Committee. It was also agreed that the Executive would prepare a paper which would focus on the extent to which the HEA is fulfilling and executing its coordination role in accordance with its new and broadened mandate as set out in the National Strategy for Higher Education.

9. Membership of Standing Committees

- 9.1 Mr Mellett presented memorandum A 16/14.

Decision: Members approved the proposals in relation to membership of the standing committees.

10. HEA 2013 Annual Report

- 10.1 Members were requested to forward any observations on the draft report to the Executive within the next week.

Decision: Members approved the draft report subject to any editorial changes members may wish to make.

11. Report of 2014 Budget Meetings

- 11.1 Ms Kerr presented memorandum A 17/14. She advised members that institutions operating a deficit have been requested to present three year plans. The Finance Committee will be considering these plans and a number of required follow-up actions at its meeting in June, including the position of Letterkenny IT.

Decision: Members noted the memorandum.

12. Development of HR/IR Framework

- 12.1 The CEO noted that the HEA have signalled in its System Performance Report to the Minister the need for a HR toolkit to assist HEIs progress reform. Members were requested to reflect on this matter in advance of the matter being considered by the System Governance & Performance Management Committee and the Board in September. Issues raised by members included;

- The costs associated with research funded staff moving on to the core budget. Concerns that two year post-doctoral fellows were entitled to redundancy payment, a cost not currently being provided by the Research Council.
 - The need to recognise that restructuring often leads to high up-front costs.
 - The need to build up expertise on HR frameworks using expertise which is currently in place such the Public Appointment Service.
- 12.2 The chair suggested the need for the HEA to identify the type of system it would like to see in place, the toolkit required to help put this in place, and then proceed to negotiate over time its implementation.

Decision: Members noted the memorandum.

13. B. Sc. (Hons) in Audiology in AIT – External Review

- 13.1 Ms Kerr presented memorandum A 19/14. Arising from the High Court hearing into this matter, the Institute was requested to organise an independent international evaluation of the course. This has now been received. The course will now run for one cycle. A level 9 course in UCC will commence in 2015 and this will be the only audiology course moving forward as there was a limit to the number of employment opportunities and clinical placements the HSE could offer.

Decision: Members noted the memorandum.

14. Perspectives on higher education - Presentation from Mr. Joe O'Connor, outgoing President of USI

(1) Higher Education in Ireland: Public Good or Private Commodity
(2) Outline of protocol for student engagement in the HEIs

- 14.1 Mr. O'Connor's first presentation focused on the funding of higher education and addressed the following;
- Benefits of higher education
 - Higher education – demands and funding trends
 - Growth in student numbers
 - Trends in exchequer spending and unit cost per student –public expenditure per student at third level has fallen below expenditure per student at second level
 - Student and household finances at breaking point — rising student contributions, reduced household income, cuts to student support and fewer part-time work opportunities
 - Academic quality and standards under attack – a deterioration in the staff-student ratio
 - The funding gap €1.3b – Hunt Report identified the need for an additional €500m, €800m to reverse all existing private charges
 - Ireland's total expenditure on higher education per capita compared with other OECD countries

- Grant Thornton report on HE sector financial health
 - Funding options.
 - Critique of the income contingent loan, full market costing and graduate tax options.
 - Benefits of a mainly public-funded model as applied in Finland and other Nordic countries
 - How Ireland compares with other OECD countries as regards public investment in higher education. USI advocates Irish public investment in higher education rising to EU 15 norms and over time to Nordic country levels.
 - Crisis and crossroads – recent international warning signs
 - USI campaign for higher education as public investment.
- 14.2 Mr. O'Connor's second presentation focused on the engagement of students' in governance and operation of HEIs. He addressed the following;
- Background to this issue – a concern that student engagement is being diluted.
 - Importance of the student voice.
 - Need for a proper understanding of the role and functions of a Students' Union
 - Appropriate level of representation - including the right to 'opt-in' to all HEI boards and committees.
 - Parity of esteem and need to recognise and respect the SU democratic procedures
 - Need to ensure representation rights for all students on all matters including QA processes.
 - Need for more meaningful consultation which goes beyond tokenism, to include access to senior HEI management and active student voice on matters relating to institutional consolidation.
 - Access to information.
 - Areas for improvement in governance in some HEIs.
 - Funding of students union – cuts should not be imposed without consultation
 - Need to respect the autonomy of Student Unions.
 - Required outcomes to include proper resourcing to enable USI/SU participate in QA processes, implementation of the ISSE, establishment of a code of practice to include a protocol for HEI interaction with student representatives
 - Statutory provision for establishment of independent Students' Union with a written constitution.
- 14.3 The chair thanked Mr. O'Connor for his presentations. The CEO advised members that the Executive will submit proposals to the Board in July for the establishment of a working group to consider how to progress student engagement in the HEIs.

Decision: Item noted.

15. Any other business

- 15.1 The CEO briefed members on the decision of All Hallows to cease taking in new students. He indicated that the College's links with DCU related only to academic matters, otherwise it was totally autonomous.
- 15.2 The chair noted this was Mr. O'Connor's last meeting as a member of the Board. He thanked him for his contribution to the work of the HEA over the past year and wished him every success for the future.

Next Meeting: 22nd July 2014

Padraic Mellett
Secretary to the Board
30th May 2014