

Higher Education Authority

Report of the 371st Meeting held on 24th March 2015, in Brooklawn House, Dublin 4.

Present ¹ Mr. Brendan Byrne
Dr. Mary Canning
Professor Maeve Conrick (items 1-9, 12-15)
Mr. John Dolan (items 1-5, 7-8, 13-15)
Mr. Eamonn Grennan (by teleconference items 1-4, 15)
Ms Siobhan Harkin (items 1-5, 7-9, 13-15)
Professor Eileen Harkin-Jones, Deputy Chair
Dr. Stephen Kinsella (items 1-5, 7-8, 13-15)
Dr. Maria Meehan (items 1-9, 13-15)
Dr. Jim Mountjoy (items 1-4, 13, 15)
Mr. Gordon Ryan
Professor Anthony Staines
Dr. Brian Thornes (items 1-10, 13-15)
Mr. Declan Walsh (items 1-4, 13, 15)

Apology: Mr. Bahram Bekhradnia
Mr. Paddy Cosgrave
Ms Laura Harmon
Mr. John Hennessy
Professor Marijk van der Wende

In attendance: Mr. Tom Boland (items 2-15)
Mr. Padraic Mellett (items 2-15)
Mr. Fergal Costello (items 2-15)
Ms Caitriona Ryan (item 5)
Ms Orla Christle (items 5,7)
Mr. Kevin Forkan (item 5)
Mr. Muiris O'Connor (items 7-9, 13)
Ms Nicki O'Connor (items 7-8)
Dr. Vivienne Patterson (item 9)
Ms Sheena Duffy

The agenda items were taken in the following sequence 1-4, 15, 13, 14, 5, 7-9, 6, 10, 11

1. Members only session

¹ Members present for all items unless otherwise indicated. The meeting concluded at 4.00pm

1.1 The following issues were discussed;

- Roles of DES and HEA - finding mechanisms to allow discussion of contentious issues and to also allow more open flow of ideas/advice.
- Financially vulnerable institutions.
- Engagement of the Board with the strategic dialogue process.
- Landscape II.
- TU designation process.
- Quality of board documentation (particularly in relation to the audit committee minutes).

2. Reports of meetings held 26th and 27th January and follow-up actions

Decision: The minutes were approved subject to an amendment to the decision on item 14 of the 370th meeting.

3. Matters Arising & Follow-up actions

3.1 Item 4.6 – The CEO advised members that he had recently signed an SLA with the DES. The final draft had regard to observations made by the members at the last meeting. A copy will be circulated to members.

3.2 Item 4.7 – The CEO advised members that more time was required to complete the paper on regional clusters. He hoped to circulate a paper for consideration at the May meeting.

3.3 The CEO updated members on developments relating to the review of equality at NUI, Galway. The University has established a task force chaired by Professor Jane Grimson. He advised that the Executive will shortly bring proposals to the Board for a review of equality in the HEIs. Members welcomed this development noting that the HEA needs to ensure there is diversity in the staff profile as well as the student profile. The Athena Swann initiative was welcomed by members as a positive development. The availability of hard data can have a very forceful impact, as evidenced by the recent HEA statistics on staff gender in the HEIs. The point was made that equality should form part of the core business of each HEI - how each institution is ensuring this should form part of the strategic dialogue process. The CEO undertook to consider how a review of equality culture can be built in to the strategic dialogue process.

4. Report of the Chief Executive

4.1 The CEO briefed members on a meeting the Executive held with the DES in relation to HR issues. Issues addressed included the importance of a voluntary

redundancy scheme, in particular for the vulnerable HEIs; the proposed Universities Bill and HR flexibilities such as the ability to pay Heads of Schools allowances. In relation to the latter it is understood that such flexibilities will only be considered in the context of a successor to the Haddington Road agreement. The CEO confirmed that the DES has not consulted the HEA in relation to the proposed Universities Bill but that the IUA has been consulted. As matters stand, the Universities Bill represents Government policy. Members noted that the Bill has yet to be published and, accordingly, it is unlikely to be enacted by the Houses of Oireachtas before next year's General Election.

4.2 The CEO advised members that he met the CEO of SOLAS. Both organisations would like to develop closer relationships between further and higher education with a particular emphasis on apprenticeship education. A further meeting will be arranged in the next few weeks to identify a small number of specific projects that both organisations can work on. It was confirmed that the CEO of SOLAS will address the Board at its May meeting.

4.3 The CEO advised members that he will be addressing the Board of SFI and the TCD Fellows in April. He is also meeting the CEO of the IDA. These engagements will be an opportunity to advise these bodies on the current reform programme.

4.4 The increase in student numbers undertaking Erasmus study visits was welcomed.

4.5 Members considered the CEO's report on the meeting he and the Chair had with the DES and in particular the role of the HEA Board and Executive vis a vis the DES. Members agreed that it would be desirable that the working relationship with the DES would allow for the giving of policy advice to the Department. It was accepted that the Minister and Government ultimately determined policy.

4.6 The CEO indicated that he did not believe the stance of the DES reflected any lack of confidence with the HEA, rather it reflected the tendency of Government Departments to centralize control away from state agencies. He did not believe there was a significant policy differences between the HEA and Department, notwithstanding the recent difficulties over the TU process. He agreed the HEA should seek to negotiate a favourable outcome and noted that the DES was planning to enact legislation to reform the HEA. Unless the HEA (Board and Executive) was in a position to offer policy advice, there would be a very heavy burden on the Department itself.

Decision: The CEO agreed to explore with the DES how best to progress this matter. If necessary, a number of members might assist in dialogue with the DES.

4.6 A recent Ministerial reply to a PQ was raised. In her reply the Minister seemed to indicate that the HEA would have a role in assisting consortia apply for TU status. Mr. Costello indicated that the HEA has sought clarification from the DES in relation to this matter. The HEA certainly envisaged providing assistance in progressing the TU process but it was not envisaged that the HEA would provide additional funding or mentoring to applicants.

4.7 Legal costs incurred by AIT and GMIT were raised. Mr. Costello indicated that he would ascertain the amount of legal fees incurred by AIT in respect of the podiatry case - the costs did not push the Institute into vulnerable status. He indicated that GMIT has been requested to provide a breakdown of the significant legal costs incurred following allegations of plagiarism. The CEO indicated that he accepted these costs were significant and the Institute should accordingly account for them. The financial position of Tralee IT was raised. Mr. Costello indicated that the Executive would shortly be meeting the Institute and would report back to the Board in May on the financial position of IT Tralee and the other HEIs.

5. National Plan for Equity of Access to Higher Education 2015-19

5.1 Ms. Ryan made a presentation to the Board which focused on the following;

- Policy context for the new plan – HEA Act, Government/DES priority, Bologna Process.
- Vision for the plan.
- Developing the plan – review of the outcomes of previous plans and working in partnership with the DES on this plan.
- Nine informing principles.
- Seven priority goals each with a suite of actions and KPIs.
- Targets for each of the six main groups.

5.2 Members welcomed the plan and raised the following issues;

- Funding is critical, the time required to provide support for 5 students out of a cohort of 300 should not be underestimated. Students with conditions such as ADD and ADHD may lack social coping skills and need assistance from a person with whom they are comfortable with.
- An alternative strategy if the current review on funding does not deliver additional resources - at the very least the current access funds need to be protected.
- The need to mainstream access activities was broadly welcomed.

- It was noted that quite a few of the goals rest with bodies outside the remit of the HEA. How can the HEA ensure these are achieved? Ms Ryan indicated that the DES will also have a role in relation to the plan's implementation.
- The CEO advised members that the HEA has raised with the DES the need for a whole of education equity of access strategy.
- The importance of CPD in the area of teacher education.
- Some attempt should be made to measure the cost of meeting the targets. However such costs should not be seen as 'access costs' but spread across the entire institutional costs.
- The target for travellers was very low - there should accordingly be a further piece of work carried out in tandem with the strategy looking at the cultural issues underpinning low traveller participation.
- The opportunity costs associated with not improving the participation of disabled students needs to be highlighted. Consideration also needs to be given to facilitating the participation of disabled students through flexible entry mechanisms.
- One of the objectives people have from higher education is to get a job. It needs to be noted that even in the good times graduates with a disability did not easily secure employment.
- The strategy would benefit from some analysis as to how Ireland compares internationally.
- Some changes to the language in par. 3.2 was suggested
- The participation rates for the various counties and Dublin postal districts were noted. It was important that participation data for the new postal codes was collected, this would prove helpful in isolating areas of low participation outside Dublin.
- Other barriers included funding for part-time students, students progressing from further education do not have access to HEAR or DARE. Ms Ryan confirmed that this is being looked at.

Decision: Members approved the plan subject to the points raised at the meeting. The Executive should in particular highlight the importance of funding implementation of the plan and the HEA's expectations from other players.

6. Report of the System Governance and Performance Management Committee

6.1 Mr. Costello presented the report. He advised that there were no major findings of errant behaviour following the Executive's evaluation of the HEI governance statements. There were a number of matters being followed up by the Executive. The Executive was looking to changes to the HEA's governance and oversight role and is in discussion with the Audit Committee on this matter. He advised that the Executive would revert back to the SGPM and the Board in May as regards how the Board might engage with the next cycle of the strategic dialogue process. The

Executive will submit proposed panel names to the Board - members of the Board may in the meantime wish to forward names.

Decision: Members approved the report of the System Governance and Performance Management Committee and noted that the Executive will revert back with proposals in May in relation to how the Board will engage in the next phase of strategic dialogue.

7. Report of Policy and Planning Committee

8. Report of Standing Committee on Research and Graduate Education

7.1 Mr. O'Connor presented the two committee reports and noted that the joint committee review of the HEA/DES submission to the SSTI was very helpful. He advised members that the draft submission has been forwarded to the DES and it is anticipated that it will be finalised within the next day or so. The final submission will be issued to members.

7.2 The HEA has received positive supports from the various research agencies in relation to the national framework for doctoral education with the Chief Science Advisor noting that the framework placed Ireland ahead of many EU countries. It is expected to have a Ministerial launch within the next 2 months.

7.3 Members noted and welcomed the support for basic research from many of the country's leading researchers. The Deputy Chair indicated that this also featured in the RIA's submission.

Decision: Members approved the report of the Policy and Planning Committee and the report of the Standing Committee on Research and Graduate Education.

9. Strategy for Data Development and Knowledge Management in Irish Higher Education

9.1 Dr. Patterson made a presentation to the Board which included the following;

- Strategic context for the strategy – it has regard to the HEA's expanded role in performance management.
- Objectives and goals – to minimise the bureaucratic burden on HEIs and maximise strategic value of the evidence-base underpinning higher education policy and practice.
- Eight goals under the strategy.
- Achievements to date – Student Record System, Equal Access Survey, National Employers Survey, First destinations of graduates survey, Student Engagement Survey.

- Areas for improvement – Graduates Outcome, Staff Database, Internationalisation.
- Next steps in finalising the strategy – consultations with DES, QQI, engagement with HEIs.
- Schedule of work – ongoing data developments and new developments.

9.2 Mr. O'Connor noted that Dr. Patterson has been requested to assist a number of agencies such as SOLAS and SUSI develop their data capacity. Ultimately it was to the HEA's benefit if there was compatibility between the data of these organisations and the HEA. Dr. Patterson referred to proposed legislation which will enhance the capacity of public sector organisations to share data. This would particularly assist the HEA with its planned graduate outcome survey. The legislation, to be enacted by the Department of Public Expenditure & Reform, is not proceeding as rapidly as would be desirable and does not appear to be as extensive as hoped.

9.3 Members welcomed the strategy and raised the following issues;

- Privacy issues - requesting a person's date of birth could be quite sensitive. Mr. O'Connor noted that the DoB can be a useful check against PPS data. The HEA will not be collecting other personal data such as addresses. Members were assured that the HEA will have extensive security measures in place and was currently having extensive penetration testing carried out on its SRS database.
- The proposal to carry out a longitudinal survey of graduate outcomes was particularly welcome given the limited value of the current survey.
- Capacity in the Executive to implement the strategy. Mr. O'Connor noted that the Statistics Unit has identified particular training needs. It was agreed that the Executive may need to draw on additional resources for specific projects.

Decision: Members approved the strategy

10. Report of the Audit Committee

Decision: Members approved the report of the Audit Committee and noted that further discussion was required on item 8 - Governance and Regulation of the Higher Education System. This will be considered further at the Committee's next meeting on 11th May.

11. Communications and Stakeholder Engagement Strategy 2015-17

11.1 Members noted that the draft has substantially improved although there may be scope to shorten it further.

Decision: As the Board was ex-quorum a decision will be made at the May meeting.

12. Forward-Look Forum

12.1 Discussion on this item deferred to next meeting.

13. Expert Group on Future Funding for Higher Education

13.1 The Deputy Chair welcomed Mr. Peter Cassells and Ms Mary Doyle, Chair and Deputy Chair of the Expert Group. Mr. Cassells outlined the remit of the Group - namely to ascertain the future funding requirements of higher education and to outline possible funding options. The process is intended to be as consultative as possible so as to maximise consensus on the part of those charged with implementing the group's recommendations. The group is not seeking formal submissions. The HEA has an involvement in the work on the group as follows;

- Mr. Tom Boland is a member of the Expert Group;
- Members of the Board will be invited to round table consultation sessions organised by the group as has already occurred in the first module.
- Ms Mary Armstrong is on the group's secretariat.

13.2 Mr. Cassells indicated that the work of the group is being carried out over three phases as follows;

- Phase 1 deals with the role, value and future scale of higher education. This will be an opportunity to meet parents, students and taxpayers. Amongst the issues that have emerged from this phase are the importance of quality; the extent to which there is interaction between STEM and HSS research; the extent to which a wide range of employers from the services sector to the larger multi-national employers rely on graduates and access issues – the low level of participation particularly in parts of Dublin and the lack of an extensive apprenticeship education were noted. There will be a need for a widening of entry routes to tertiary education. The system will also need to meet lifelong learning needs of the population. The group projected growth of 30% in student numbers to 2030.
- Phase 2 is currently underway and is focusing on efficiencies and effectiveness in the sector. This will be an opportunity for the systems to demonstrate how

it has taken on additional student numbers at a time of growth. The group will however be expected to explore whether there are further opportunities to achieve more efficiencies. The consultation for this phase will commence in June.

- Phase 3 will focus on funding options. A consultation paper for this phase will issue in October. In the meantime, the group has commissioned work from Mr. Bekhradnia who will review how other countries fund their systems and what might work for Ireland having regard to our current arrangements and future demographics.

The final report building on the work of the three phases will issue in December. In all likelihood the recommendations will fall to the next Government to implement. The context of the report will be very important - the country is emerging from a deep financial crisis. This means there are constraints both in public finances and individual household finances. He was anxious that the HEA would make a valuable contribution to the work of the group both through Mr. Boland's membership of the group and the participation of Board Members at the forthcoming consultation sessions.

13.3 Ms Doyle noted that the group has a small number of big decisions to take. The work of the Expert Group is taking place against the background of other activities in the DES including the development of a Skills Strategy, a review of the International Education Strategy and the development of a new Access to Higher Education Plan. She also referenced the significant work already under way in higher education – System Performance Framework, agreement of compacts with the HEIs under the strategic dialogue process and work relating to the regional clusters.

13.4 Members raised the following issues;

- The importance of consulting widely on the needs of enterprise and the role of private providers. Mr. Cassells noted that Mr. Sean Rowland from Hibernia College is on the group. In relation to the needs of enterprise he would have some familiarity from his membership of the Board of the IDA. He has met Minister Richard Bruton. The point was made that a number of HEIs have been quite pro-active in reaching out to enterprise, it is however a two way process.
- Role of philanthropic contributions. The HEA could have a role here in encouraging all HEIs to be more proactive.
- It was noted that staff in the HEIs have been willing to work under additional pressure during the current crisis. A key challenge will be to maintain this commitment on an ongoing basis.
- Consideration needs to be given as to how lifelong learning can be incentivised. The experience of SUNY is worth looking at.

- The focus on tertiary education was welcome. The role of further education and the development of pathways to higher education will be important and pose a challenge for the NFQ. It was also important that parity of esteem for level 6 and 7 provision was maintained.
- Mr. Cassells confirmed the group would be examining the higher education grant scheme.
- The focus on the value of higher education was welcomed. Mr. Cassells noted that most employers were looking both for generic skills, such as critical thinking, and more discipline specific skills. Ms Doyle acknowledged the importance of quality and welcomed the recent HEA-QQI MoU. She noted that ensuring higher education addressed the skills needs of the economy and society was not just an Irish challenge but a global challenge. It was noted that a number of European countries such as Germany offered models of good practice.
- The challenges facing higher education went beyond just demographics. There were culture challenges in relation to under-represented groups. There were challenges that went beyond education – absence of family tradition, transport, health, low income etc. It was important that the funding group engaged with civic society groups. Mr. Cassells acknowledged the challenge in relation to access. Ms Doyle acknowledged that the DES needs to take a whole of education continuum in relation to access to education. Work is underway in the DES on this.
- Consideration needs to be given to the impact the group’s recommendations might have on potential students from disadvantaged backgrounds. Many such people will be averse to taking on debt. It was noted that the introduction of free fees enabled many to progress through higher education without incurring debt.
- Talk of over-education is a concern, particularly given the implications for groups currently under-represented.
- Ms Doyle noted that primary and secondary education competed for funding with higher education.

14. Presentation from HEAnet Ltd.

14.1 Mr. John Boland, CEO of HEAnet Ltd. in his presentation to the Board focused on the following;

- HEAnet overview – who they are, their clients, mission, and governance structure.
- National and international network.
- Value for money – both from the tax payer perspective and the client institutions. An independent analysis has demonstrated an estimated net saving of €19.98m.

- Schools Broadband Delivery – starting in 2005, a programme for 100 Mbit/s connectivity was completed this year.
- Shared service development for Education & Research – IReL, An Cheím/Edu Campus
- Strategic Projects & Future – Cloud Computing

14.2 Members raised the following issues;

- The security of its network. Mr. Boland indicated that they secure equipment from 19 suppliers for its network. HEAnet personnel manage the network - none of the work is outsourced.
- If the value for money review extended to An Cheím? Mr. Boland confirmed that once set up the intention will be to take a fresh look at An Cheím's services and explore opportunities to extend them to the universities. HEAnet Ltd. will assume responsibilities for new company's HR and finance. The importance of ensuring consistency in how CORE is implemented in the HEIs will be important for the HEA's data management strategy.
- What new investment will be required for EduCampus and the Cloud Computing initiative? What savings might accrue from the latter? Mr. Boland indicated that An Cheím estimated that investment of €14m over 5 years would be required to update its infrastructure - these figures will be reviewed by Edu Campus. €400k has been invested in research on cloud computing to date, the likely savings have yet to be determined. It was likely that savings will accrue from centralised procurement of cloud computing.
- Is there scope to secure savings through the centralisation of universities software licences purchases such as SPSS? Mr. Boland indicated that HEAnet's role here was limited to contract management.
- Was there scope for HEAnet to secure more savings for e-journals? Mr. Boland noted that while HEAnet managed IReL, the issue of costs was a matter for institutional libraries.

15. Update on vulnerable Institutions

15.1 Mr. Costello briefed members on developments since the January Board meeting. While the HEA was not going to modify the RGAM to address funding difficulties particular institutions might have, it was agreed to examine the RGAM to see if there were any underlying factors which caused particular difficulties for some HEIs. The HEA now expects institutions to manage their cost base but recognised that there was a limit as to what can be achieved within the institution itself. The HEA has, accordingly, been in discussions with the DES in relation to a voluntary redundancy scheme.

There has been significant improvement in the financial position of both LyIT and DkIT. The former's 2013/14 outturn was significantly better than previously projected, but it still has a significant deficit to address. Likewise, DkIT has submitted a balanced budget for 2015 but also has a large accumulated deficit.

The CEO indicated that given the experience of the C&AG's report on NCAD the HEA can no longer rely solely on institutional assurances. DkIT have been requested to arrange an independent review of its financial projections, LyIT will likewise be requested to provide similar assurances.

He also advised members that he would be meeting deputies from Co. Donegal. This will be an opportunity for the HEA to outline its position and emphasise that other stakeholders have a role to play in relation to the Killybegs campus.

15.2 Members made the following points;

- The HEA should develop a set of general guidelines that would assist the HEA identify where an institution is financially vulnerable.
- It was important that the DES clearly understood the position of the HEA and that resolution of the LyIT funding difficulties did not fall back on the HEA. There is a concern that HEIs believe that they will not ultimately be allowed to fail. Mr. Costello indicated that the HEA clearly communicated this to the DES at a recent meeting.
- The HEA had approved capital acquisitions for both DkIT and Tralee IT, HEIs that are now in financial difficulty. Nobody in either institute has been held responsible for the assurances they provided the HEA that they could afford these acquisitions. The CEO accepted the need for more robust assurances in future. The HEIs needed to balance the need to act in a prudential manner while at the same time availing of opportunities which make financial sense having regard to the fact that student numbers are projected to grow further.
- There continues to be a difficulty that the actual cost of third level courses is not available. Some institutions may accordingly have significant underlying funding problems. While this could be managed when overall funding was increasing, the cuts of recent years have exposed these underlying problems. The HEA needs to commence work on reviewing the cost of higher education.
- The HEI governing bodies have a responsibility for managing both the risks and opportunities facing a HEI.
- While a voluntary redundancy scheme might assist some institutions address their underlying financial difficulties, the impact this will have on quality and the student experience should not be overlooked.

Decision: Members noted memorandum A 16/15 and that a further update will be provided at the May meeting. It was also noted that the Executive was

following up with those institutions who provided less than full assurances in their recent governance statement.

Next Meeting

Tuesday 26th May, Brooklawn House.

Padraic Mellett
Secretary to the Board
26th March 2015