

Higher Education Authority

Report of the 372nd Meeting held on 26th May 2015, in Brooklawn House, Dublin 4.

Present: ¹ Mr. Bahram Bekhradnia
Mr. Brendan Byrne (items 1-7, 15)
Dr. Mary Canning
Professor Maeve Conrick
Mr. John Dolan (items 1-7, 15)
Mr. Eamonn Grennan
Ms Laura Harmon
Professor Eileen Harkin-Jones, Deputy Chair
Dr. Stephen Kinsella (items 7-14)
Dr. Maria Meehan
Dr. Jim Mountjoy (items 1-7,15)
Mr. Gordon Ryan (items 1-9, 12, 15)
Professor Anthony Staines
Dr. Brian Thornes (items 1-5, 15)
Mr. Declan Walsh (items 1-7, 15)

Apology: Ms Siobhan Harkin
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 2-9, 11-15)
Mr. Tim Conlon (item 5)
Ms Sarah Fitzgerald (item 5)
Mr. Muiris O'Connor (items 6-7, 11-13)
Dr. Mary-Liz Trant (item 8)
Mr. Malcolm Byrne (item 10)
Ms Sheena Duffy (item 14)
Mr. Kevin Donoghue, USI (items 2-15)

1. Members only session

2. Report of meeting held 24th March and follow-up actions

Decision: The minutes were approved.

¹ Members present for all items unless otherwise indicated. The meeting concluded at 4.40pm

3. Matters Arising & Follow-up actions

- 3.1 Professor Marijk van der Wende has advised the Chair of her intention to step down from the Board. She will write formally to the Minister this week. The Executive agreed to clarify the formal date of Mr. Paddy Cosgrave's resignation from the Board.²
- 3.2 Mr. Grennan requested that his thanks to the Executive for facilitating his participation at the Board and Committee meetings via teleconferencing be recorded.
- 3.3 Item 1 -The CEO raised the final bullet point of the minute of the Members only session at the last meeting relating to the quality of documents, in particular the minute of the most recent Audit Committee. He acknowledged that there have been problems with the quality of board documentation which the Executive has been endeavouring to address. He felt that concerns relating to the Audit Committee report would have been best dealt with when members of the Executive were present at the meeting, where they could have been dealt with directly. This approach could also be considered for other issues where Executive input would help to inform discussion or provide clarification.
- 3.4 Item 4.1 –Drafting of the Universities Bill continues, with consultation between the Attorney General's Office, DES, IUA and HEA.
- 3.5 Item 4.2 - The CEO of SOLAS will present to the Board in September. In the meantime the HEA was engaging with SOLAS on a number of issues including the new apprenticeship call.
- 3.6 Item 14 – The CEO will consult with the CEO of HEAnet in relation to a VFM review of An Chéim, looking at both its revenue and expenditure. The Executive will also look into the status of the capital investment required by EduCampus. It was noted that funding was provided through IOTI, in addition the DES might be in a position to provide capital funding.
- 3.6 Item 15 – Mr. Costello provided an update on the funding situation in LyIT and DkIT. Mazars has been asked to verify the financial projections provided by both institutes. In the case of LyIT, the DES was hosting a meeting on 26th May of LyIT, Donegal County Council and the HEA to explore the extent to which the Council can/wish to assist with the funding of the Killybegs campus. In response to a question as to whether the HEA is in a position to provide any additional investment or loans to vulnerable institutes, it was confirmed that that was not

² The Minister received his letter of resignation on 9th April 2015. Professor van der Wende's was received on 2nd June.

possible. In some circumstances where there is a clear agreed plan to phase out a deficit, assistance can be given with short-term cash-flow.

4. Report of the Chief Executive

4.1 The CEO advised members on developments relating to the proposal to have a TU in the south-east. Mr. Michael Kelly's report is expected in mid-June. It was noted that the Minister for Education and Skills approved a stage one application received from the Institutes concerned.

4.2 In relation to regional clusters, the Executive is currently discussing a number of policy issues with the DES. The intention is to circulate a draft paper on the further strategic development of clusters in mid-June with a view to agreement on a consultation document for circulation to the sector after the July Board meeting.

4.3 The report on Dental Education is expected shortly. It will indicate a disparity in the funding between the Cork and Dublin dental schools. A key related issue is a Department of Health review on the manpower needs, still to be commenced. Any proposals will be brought, in the first instance, to the Finance Committee.

4.4 Members were briefed on unauthorised allowances in UCC as identified in correspondence between the University and DES. This matter may be raised at a PAC meeting in early July. In light of this disclosure, the Executive will have to review previous years' governance statements.

4.5 The deadline for applications for membership of the Irish Research Council was Friday 22nd May. There was a high level of interest.

4.6 In the case of apprenticeship education, there has been a good response to the recent call for new apprenticeships. In relation to the traditional apprenticeships Mr. Costello noted that the expansion in the construction industry has seen a significant increase in the number of apprenticeships being offered (from 1200 to 2800). This will impact on the IoTs in two years' time when the apprentices enter phase 4 of their training. The HEA will consult with the DES and SOLAS in relation to capacity issues that might arise in the IoTs.

4.7 The CEO briefed members on the background to the recent Op Ed on funding in the Irish Independent. As is normal practice advance notice of the Op Ed had been given to the DES. In response to a query whether there was a risk that the HEA may be intruding inappropriately on Government policy, he stated that while government policy cannot be challenged in public statements, the HEA nevertheless had a responsibility to comment on the current funding stresses

facing the system and the risks they posed to quality. The Op Ed did not, nor was it intended to, challenge government policy or pre-empt the work of the Funding Group. In the case of the latter, it had been made clear by the Chairman of the Group that they had no role in relation to shorter term budgetary matters.

4.8 A preferred scenario would be one where there was a high level of agreement on funding issues between the HEA and the DES. Having a representative from the DES on the Board might assist in this regard. The CEO agreed on the desirability of having consensus, but acknowledged that there are competing demands within the DES for funding. It was agreed that the HEA should provide the support needed by the Department's higher education section.

4.9 It was confirmed that certain deadlines with the revised SUSI arrangements for payment of student contributions were not a matter for the HEA. It was agreed that the Executive would ensure that an update is provided at each meeting on all outstanding items.

4.10 The next meeting of the Finance Committee is likely to take place in July, at which it is intended to have external expertise – this need not be confined to just one external member.

4.11 Members were updated on the work of the Expert Group on Funding. A decision would shortly be taken to publish a paper on international approaches to funding prepared by Mr. Bekhradnia for the group. The CEO indicated that the group has not to date looked at student supports but this is likely to be examined to some extent having regard to the need to look at the totality of funding.

5. Report of the System Governance and Performance Management Committee

5.1 The Committee Chair, Dr. Mountjoy, stated that memorandum A19/15 prepared subsequent to the meeting reflected what was agreed at the meeting. He suggested that the reference to a panel be replaced with advisors. Mr. Costello outlined the proposed approach to round two of strategic dialogue as set out in memorandum A19/15 noting the importance of there being clarity as regards the process. He noted that as the process commences due regard will have to be given to the content and structure of the next System Performance Report which will be submitted to the Minister in early 2016. This will begin with a discussion at the July Committee and Board meetings. The Committee Chair noted that the process was quite different in so far as the Executive will be driving the work with ongoing monitoring from a SGPM sub-committee. He proposed the Board sign off on the proposed membership of that sub-committee.

5.2 Members raised the following;

- Assessment scheme – The Executive indicated that this was approved by the Board in 2014. A number of members expressed concern over whether it was sufficiently detailed and whether it could be reviewed. The CEO indicated that while it would be possible to review it and make minor changes, it was important that it remained consistent with the scheme notified to the HEIs.
- Consistency as regards the assessment of all HEIs. Mr. Costello indicated that the initial assessment will be carried out by link teams from the Executive. All of their reports, and the institutional submissions, will be reviewed by the senior management team. The CEO indicated that there will be full transparency as each HEI's performance report will be published.
- It was important that the Executive was clear as regards non-quantitative information particularly as regards what constituted strong, fair and poor performance. One possible approach would be to look at the HIQA criteria for assessing hospitals. HIQA's objective was to ascertain whether overall the institution was fit for purpose. Mr. Costello indicated that was the type of approach the HEA intended to take - the HEA would like to look at each HEI's overall performance rather than focus just on specific quantitative targets.
- Concern was expressed over some of the KPIs for a number of the system objectives such as research performance. Mr. Costello indicated at each institution level the HEI concerned would be expected to benchmark itself against identified comparators.
- The timing of the final allocations. It is hoped that feedback on the strategic dialogue process will be provided at the November meeting. It was proposed to adhere to the long standing grant allocation notification process, with HEIs being provided provisional allocation after the Finance Committee meets in December. The allocations will then be formally approved at the January 2016 meeting of the Board.
- The Finance Committee may review and amend any recommendation of the Executive.
- The importance of building a feedback loop into the process was noted.
- Concern was expressed that the media will seek to develop league tables.

Decision: Members approved the report of the System Governance and Performance Committee and the approach to the strategic dialogue 2 process outlined in memorandum A 19/15 subject to sentence 2 of par. 7 being replaced as follows "Finance Committee reports are presented to the Board with the presumption of acceptance." It was agreed that nominations for membership of the sub-committee should be submitted to the CEO by end of June for discussion and agreement at the July Committee meeting.

6. Report of the Policy and Planning Committee

Decision: Members approved the report.

7. Proposal for a review of gender-equality in Irish higher education institutions

7.1 Mr. O'Connor presented the proposal. The Executive consulted the IHREC in relation to this matter. He outlined measures currently being undertaken by the HEA to promote equality in the sector including the development of a new Equality of Access Plan and the Athena Swann initiative. Members raised the following;

- Given the current poor level of gender equality could any immediate steps be taken rather than wait one year for the review team to report. Concern was expressed that a number of institutions do not currently have adequate procedures in place. One suggestion was that the HEIs be requested to voluntarily adopt the Code of Practice issued by the Public Appointments Commission. The CEO undertook to consider this.
- It was agreed that work currently underway on the Athena Swann initiative should be built into any data collection exercise so as to minimise duplication.
- The importance of drilling deep into the data was emphasised. This was necessary to understand the reasons why there is not greater gender equality.
- Initiatives being undertaken by the EU Commission in this area should be examined.
- The importance of ensuring the review's recommendations were acted upon was noted – e.g. building equity into the next round of compacts.

7.2 Members were invited to forward any suggested names for the Review Panel to the Executive. If possible it was agreed the chair of the review panel would be invited to meet with the Board in July.

Decision: Members approved the proposal to undertake a review of gender-equality in Irish higher education institutions as set out in memorandum A 20/15.

8. Strategy for higher education-enterprise engagement 2015-20

8.1 Dr. Trant introduced this item. She outlined the consultation that had taken place since the Board last considered this matter. Thirty four written and a smaller number of verbal submissions were received. In addition the HEA hosted a consultation session for education and enterprise representatives. The feedback received was, in summary;

- Importance of timing the actions so they feed into the forthcoming national skills strategy
- The capacity of the HEA to serve as an enabler and facilitator for higher education-enterprise engagement.

- The need to move from individual examples of best practice to system wide best practice
- The need to be smart as regards actions and KPIs.

8.2 Members welcomed the strategy and offered the following comments;

- Concern over the fact that enterprise engagement did not feature in the international rankings criteria. Institutional behaviours can be very much driven by international rankings. Dr. Trant acknowledged that this has been noted by some on the enterprise side. It might warrant a conversation with senior institutional leadership. The CEO advised members that he recently attended a conference on international rankings that questioned whether the pursuit of international ranking was at the expense of national objectives.
- A key component of the strategy should be to encourage enterprise to offer high quality work placement opportunities to students.

Decision: Members approved the strategy

9. Report of the Audit Committee

9.1 Professor Staines presented the report. He indicated that the Committee was anxious to ensure that there is consistency in reporting on governance compliance on the part of HEIs. The Executive is working on seeking external expertise to assist with the drafting of a number of additional queries which would enhance the reporting of governance in the sector. There was not any intention that the HEA should take on responsibility for governance in the HEIs. The objective was to receive assurances that effective processes were in place. The importance of senior staff in the HEIs being aware of the importance of annual governance statements was noted by the Committee. In relation to the HEA's consultation document on governance, Mr. Costello indicated that he anticipated a formal response from IOTI shortly.

Decision: Members approved the report of the Audit Committee.

10. Communications and Stakeholder Engagement Strategy 2015-17

10.1 Introducing this item Mr. Byrne noted that the channels of communication will not change, the key question for the strategy is the message the HEA wishes to convey. This is a whole of organisation concern. Members raised the following points;

- The availability of credible data is key to the HEA getting its message out. The CEO noted the HEA has now developed a data strategy.

- The HEA needs to be proactive in getting good news out rather than reacting to negative stories.
- The HEA should be the authority in all matters to do with higher education in Ireland. Was the primary purpose of the strategy to inform people of the HEA or the benefits of higher education? The CEO indicated the latter, the former would flow from an appreciation of the benefits of higher education and the role of the Authority.
- The language of section 8 should be looked at, we should outline how some of the statements are delivered e.g. what are the variety of supports provided to students.
- The CEO committed to addressing the issue of the HEA website which was not serving the organisations purposes well as currently structured and resourced.

Decision: Members approved the strategy.

11. Forward-Look Forum

11.1 The CEO noted that the HEA received a good engagement to-date from the sector, noting there were not that many opportunities to bring leaders from higher education together. The next Forum event will deal with skills and employability. Members were requested to forward any observations to the Executive. The Executive was also looking at the format for future events.

11.2 Members raised the following;

- Having regard to the article by Professor Pat Clancy in that day's issue of the Irish Times, is there a need to provide better contextualisation for HEA actions arising from the National Strategy. The CEO noted that the HEA has engaged fully with HEI senior management in relation to the National Strategy. He questioned whether the HEA should be expected to engage with institutional staff.
- How can we assist with the development of higher education policy in Ireland? Should there be an Irish equivalent of the UK's HEPI? The risk of relying on universities is that researchers will take a certain approach to policy development with a view to having their output published.
- How can we best make use of the key issues emerging from the Forward Look events? As an example, Mr. O'Connor noted that the last forum informed the HEA's input into the current SSTI review.
- The format of future Forum events should be flexible with input sought both from members of the Board and the HEIs. A greater diversity of speakers should be considered.
- Teaching in the digital age was proposed as a topic for joint presentation with the Forum for the Enhancement of Teaching and Learning.

Decision: Members approved the topic for the next Forward Look Forum. It was also agreed to review the format with possible shorter events as well as the current format.

12. Transitions Reform Process

12.1 Mr. O'Connor introduced the following guests – Dr. Derek O'Byrne (WIT/IOTI), Dr. Jim Murray (IOTI), Professor Mark Rogers (UCD/IUA), Dr. Aidan Mulkeen (Maynooth University/IUA), and Dr. Lewis Purser (IUA). He summarised the significant reforms recently agreed where a whole of system approach was agreed. The timescale for the reforms was geared towards those students sitting their leaving certificate in June 2017. Work to date centred on the following;

- Research on the predictability of the Leaving Certificate
- Reform of the 14 band grading structure to 7 bands.
- Proposals for a revised points scale – the objective here is to minimise random selection. The current system sees points spike at the 300, 400 and 500 mark level.
- Broader undergraduate entry.

12.2 Dr. Mulkeen outlined progress made by IUA to date. A working group has been established which is looking at broadening undergraduate entry and simplifying matriculation so that non-essential requirements are eliminated. Professor Rogers indicated that 5 of the 7 universities have agreed the principles underpinning the revised single scale, the other two are expected to do so in June. Dr. Mulkeen indicated that the universities will work on the details relating to new scale over the summer with a view to announcing it in September. Dr. Purser outlined some of the details to be worked out including the treatment of 'A' level and other overseas qualifications and further education entrants. He indicated that he anticipates the number of CAO courses on offer in 2017 being 20% below the number offered this year, which in turn is lower than the 2011 baseline.

12.3 Dr. O'Byrne outlined work being undertaken by IOTI noting the difference between the two sectors. This included the fact that over 50% of IOTI new entrants do not enter via the leaving certificate. IOTI had a different perspective on the question of broader entry as high points did not tend to apply to their courses. The institutes agreed in principle with broader entry routes and were prepared to review their portfolio of offerings. Dr. Murray indicated that IOTI was committed to looking at common entry routes, looking at over-denominated courses and taking a critical look at new course provision. He cautioned however that apprenticeship provision would continue to be separate.

12.4 Members raised the following issues;

- The decision to broaden undergraduate entry was welcomed. Students should not be expected to select specialist courses which they do not fully understand.
- Is it expected that more students will take honours level paper? Mr. O'Connor indicated the main objective was to reduce the risk associated with honours level exams. Dr. Purser noted that State Examinations Commission data indicated that there was a considerable divergence (up to 23%) in the number of students who registered for honours level and subsequently sat the ordinary level paper. Dr. O'Byrne noted that the vast majority of these changed their mind two days before the actual exam.
- Matriculation requirements can have a negative impact on equity of access groups, particularly the language requirements. Was there a timeline for the review? Professor Rogers indicated that this would have to await the outcome of the current review of languages in secondary schools.

13. Research Policy and SSTI Update

13.1 Mr. O'Connor introduced this item noting that the Research and Graduate Education Committee did not meet this month as the Irish Research Council is currently in the process of having new members appointed. He updated members on developments since the last meeting. He indicated the IDC steering group is currently being chaired by the Secretary General of the Department of Jobs, Enterprise and Innovation (DJEI) following the transfer of Mr. Curran to the Department of An Taoiseach. There has been some slippage in the timescale for completing the process. The HEA made a presentation to the IDC on 30th April which was well received. A number of Departments have made submissions and their messages were consistent with those of the DES and HEA. DJEI is continuing to work on the 8 pillar structure outlined in its original consultation document. The independent review of Research Prioritisation has been very encouraging from a higher education perspective.

13.2 Members raised the following issues;

- The message of the HEA's presentation was clear, the reduction in PhD numbers and citations demonstrated that the cuts in higher education funding was impacting on research in addition to teaching and learning. The drop in PhD numbers was particularly of concern. It was noted that the cost of PhD students in the priority areas were generally higher.
- Some acknowledgement in the HEA's presentation on the benefits of knowledge for the general good would have been welcome. Mr. O'Connor indicated that the HEA was exploring how this could be addressed.

14. Report on 2015 Budget Meetings

14.1 Mr. Costello presented this item noting that a fuller report will be available at the July meeting. He noted that a number of institutions raised a system wide concern - the cost of redundancy payments applicable to staff who reach the end of their fixed term contracts. Consideration is being given to the preparation of a sector wide submission. The institutes have raised the lack of a borrowing framework meaning they cannot access EIB loans. He updated the funding situation in the NCAD and those institutions facing financial difficulties.

14.2 Members raised the following;

- Redundancy payments also apply to post-doctoral researchers. HEIs have had to push research funders such as HRB and SFI hard to secure such costs. The HEA/DES should not be in the position of subsidising research costs.
- Has the HEA set a minimum resource requirement? Members were advised that there was a view that institutions should not be carrying surpluses. The CEO indicated that he will raise this matter at the Funding Group.
- The Executive should undertake an analysis of the HEIs accounts over the last seven years to identify funding trajectories.
- What was the cause and level of legal fees in AIT and GMIT? Mr. Costello indicated the AIT provision related to a dispute with a builder which the institute subsequently won. The GMIT costs arose from the allegations over plagiarism. The institute admitted that it should have set a limit to the investigative costs.
- An update was provided on implementation of the Quigley report into WIT. It was for the DES to determine when a final review on implementation of the recommendations should be carried out.

15. Any other business – Laura Harmon, Reflections on Higher Education

15.1 Ms Harmon, whose term as President of USI and member of the Board of the HEA is set to expire at the end of June, was invited to review the past year from the student perspective. She thanked Members and the Executive for their support and outlined the following issues:

- I. Funding – USI is engaging with the work of the Expert Group on Funding. She noted that Irish student fees are the second highest in Europe and should be capped. She noted the fact that many countries have, or are in the process of moving to, free fees including Denmark, Scotland, Germany and Chile. Some of these countries offer courses through English. USI advocated the funding of higher education by the Exchequer. She noted the high level of student debt in countries such as the UK and US and

- queried how a graduate tax would apply in Ireland, noting that it might encourage graduate emigration.
- II. Student accommodation has become a key access challenge. The issues include a lack of suitable and affordable accommodation with rent levels having increased in Dublin by 17% over the last academic year (10% on average nationally). This has the potential to damage Ireland's reputation as a destination for international students. USI has had discussions with the Minister on a proposal to establish student housing associations and hopes to meet officials from the Department of the Environment and Local Government.
 - III. Student Engagement Protocol – The working group approved by the HEA is now up and running and is securing positive engagement. Work is underway in the HEA on examining international best practice. There is also evidence of good practice in Ireland, however what is required is consistency of application across the sector.
 - IV. Retention Project – USI are engaging with the National Forum for the Enhancement of Teaching and Learning on this project. It is anticipated that a report on the project will be finalised in the summer - a copy will be provided to the HEA.
 - V. Technological Universities – USI is awaiting publication of the TU Bill. Key concerns are consultation with students and academic freedom.
 - VI. Higher education grant reform – USI has prepared a paper on this and has met both the Minister for Education & Skills and the Joint Oireachtas Committee on Education and Social Protection. Issues of concern include the treatment of mature students and the rules governing distance from College.
 - VII. Social Justice – USI launched a major voter registration campaign in advance of the Marriage Equality Referendum.

15.2 The Deputy Chair thanked Ms Harmon for her contribution to the work of the HEA and noted her successor has a heavy agenda to deal with. Members raised the following issues;

- The treatment of assets as regards eligibility for higher education grants. Ms Harmon noted that this will require widespread consultation before any changes are made but did not expect any developments in the immediate future. The CEO indicated that he expected the Expert Funding Group would look at the total cost of student supports but not reform of the process.
- The issue of student accommodation was becoming an access issue. The CEO indicated that a report on student accommodation is being undertaken by Mr. Roche - it points to a lack of accommodation but also

an opportunity for developers. He indicated this matter will be brought to the Board for its consideration.

- On the wider access issue Ms Harmon indicated that USI engaged in the process on the development of a new access plan. A key concern is the level of funding available to adult learners – the average weekly grant of €84 is lower than social welfare payments. USI have also engaged with Pavee Point and welcomes the inclusion of travellers as a priority group in the new Access Plan.
- Transport costs are quite prohibitive in Ireland and the lack of student supports for postgraduate studies means many of our brightest graduates are pursuing graduate studies abroad. Ms Harmon indicated that this matter has been taken up with the Minister and there is now a recognition that this has emerged as a particular problem. It was noted that PhD numbers are now declining both in Ireland and the UK.
- Funding also impacts on retention rates within higher education. The level of completion rates in some US community colleges is as low as 12%, while Open University completion rates, for those planning to end up with a qualification, is as low as 25%.

Next Meeting

Tuesday 28th July, Brooklawn House.

Padraic Mellett

Secretary to the Board

2nd June 2015.