Higher Education Authority

Report of the 381st Meeting held on 22nd November 2016 in Brooklawn House, Dublin 4.

Present: [1]   Mr Bahram Bekhradnia
                    Dr Mary Canning
                    Mr Tony Donohoe
                    Professor Orla Feely
                    Dr Sharon Feeney
                    Ms Annie Hoey
                    Mr Michael Horgan, Chairman
                    Dr Stephen Kinsella
                    Ms Darina Kneafsey
                    Dr Jim Mountjoy
                    Dr Sinéad O'Flanagan
                    Mr Pól Ó Móráin
                    Dr Lynn Ramsey
                    Mr Gordon Ryan
                    Dr Brian Thornes
                    Dr John Wall (via teleconference)
                    Mr. Declan Walsh

Apology: Dr Judith Eaton
                    Ms Siobhán Harkin

In attendance: Dr Anne Looney
                    Mr Andrew Brownlee
                    Mr Fergal Costello
                    Dr Gemma Irvine
                    Mr Padraic Mellett
                    Dr Vivienne Patterson
                    Ms Caitríona Ryan
                    Mr Tim Conlon (item 6)
                    Ms Valerie Harvey (items 6, 15)
                    Dr. Abigail Chantler (items 5, 7)
                    Mr. Victor Pigott (item 15)

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[1] Members present for all items unless otherwise indicated.

1. Report of 380ᵗʰ Meeting

1.1 The minutes were approved subject to clarification that members may, if they require, request a discussion on a proposed land purchase by an IoT.

2. Matters Arising & Follow-up actions

2.1 Item 6, Legal advice on capacity of Board to delegate approval for land acquisitions by IoTs – Members were advised that it was necessary to clarify the practice that existed previously, when these purchases were approved by the DES. Once this has been clarified the Executive will seek legal advice necessary.

2.2 Item 10, Board Succession Planning – The Chair advised members that he has written to the Minister outlining three options as regards forthcoming vacancies on the Board;

I.   Reappoint the eligible and available six members to the Board for a 2 ½ year period to avoid a situation where the term of office of all Board members ends at the same time
II.   Having regard to the National Strategy Report recommendation, and recommendations from recent Board self-evaluation exercises that the HEA have a smaller Board, leave the vacancies unfilled.
III.   Replace all outgoing members through the PAS process.

He noted that the HEA was advocating that the HEIs should have a smaller Governing Authority and accordingly the HEA should likewise be prepared to consider this for itself. Members noted the Chair's letter and the implications a smaller Board would have for the committee structure and the Board being quorate.

3. HEA 2017 Work Programme

3.1 The interim CEO introduced this item noting that the document before the Board was subject to change as new matters arise. She also advised members that it was intended to monitor expenditure on a number of specific activities in 2017 to provide better and more timely financial information. Members raised the following points;

- There should be a timeframe against all of the KPIs? The interim CEO advised that some of the actions were by their nature ongoing e.g. monitoring the

financial position of vulnerable institutions. Where possible the Executive will add key milestones.

- The name of the person responsible for the delivery of each action should be listed in the work plan. Does the HEA have a sense as to the individual workload of various sections, is it evenly balanced? The Chair noted the role IT can play in facilitating work load and the need for staff development. It was agreed to provide the HEA's staff development plan to the Board when it is finalised after the first set of 2017 PMDS meetings.
- Is the timetable for the funding review realistic? Mr Brownlee indicated he was satisfied it was.
- Does the HEA plan to issue guidelines for HEI board members in January? The interim CEO indicated that this matter warranted further consideration by the Board first. She noted that there was currently a Code of Governance both for the Universities and the IoTs which applied to HEI Board members. The Chair noted there were a number of possible options open to the HEA including convening a meeting for the chairs of HEI Boards.
- More detail was requested on a number of the Partnership with Enterprise KPIs. In particular, some indication of the outcome of HEA's engagement with the enterprise development agencies would be welcome. Does meeting the particular skills needs of enterprise feed into the compacts agreed with HEIs? Dr Patterson outlined how the HEA engages both with the Regional Skills Fora and the state development agencies, the HEA rely in particular on the latter to advise on particular regional skills needs. The HEIs are proactive in engaging with local enterprise as regards the provision of specific courses. The HEA uses the strategic dialogue process to get an update on HEI enterprise engagement activities. Other examples of education-enterprise engagement are the development of the new apprenticeship model and the Springboard programme. The interim CEO agreed to keep the Board appraised of issues flagged by the enterprise development agencies. □ Reference should be made to Brexit.

Decision: Members approved t the 2017 work programme subject to revisions proposed by members.

4. HEA Strategic Plan 2012-16 Outcomes

4.1 Dr Irvine introduced this item and outlined the key background issues which impacted on the system during the period 2012-16. Dr. Irvine noted that the report was presented at a high level, and that there was were still some serious ongoing challenges such as the need for a system of sustainable funding and an enhanced system of governance for the HEIs. The Chair indicated these need to

be highlighted when it comes to the new strategic plan. The point was made that the four bullet points outlined on page 12 of memo A 42/16 addressed the core of what should be in the new strategy. Another key issue will be securing the necessary HR flexibilities for HEIs from the Department of Public Expenditure and Reform.

4.2 Members discussed the proposed timetable for the next strategic plan. The following issues were raised;

- The extent to which HEI strategic planning demonstrated visionary thinking and was informed by HEA strategy was raised. The point was made that while HEI strategies can appear similar, drawing together evidence on enrolment patterns and financial outcomes can show that institutions within the system are taking different paths to deliver on their mission. Some members noted that HEIs do not start their strategic planning by adherence to HEA priorities, but rather incorporate those priorities into a wider set of institutional priorities. A key question for the HEA is not to take over institutional priority setting but to ensure that institutions are delivering on Government objectives. The capacity of HEIs to manage their own private resources was raised. It was noted that a number of universities now generate a greater share of their overall revenue from private sources, as such they are less dependent on the state. This carries a range of implications which should inform the new strategic plan.
- The HEA's strategic plan should set out as priorities the following; o making apprenticeship education more attractive, o implementation of the new International Strategy, and o enhancing regional co-operation.
- Should a Board strategy meeting be held before the term expires for some members at the end of January? It was also suggested that an exit survey be carried out for departing members. It was noted that this was undertaken as part of the last Board self-evaluation exercise in 2015.

Decision: Members noted the review of the 2012-16 strategic plan and proposed timetable for new strategic plan. The Chair will explore a date for a strategy meeting to be held if possible before 31st January.

5. Report of Finance and Governance Committee

5.1 The Chair introduced this item noted there were two recommended decisions relating to the IoT funding model and funding for the National Forum for the Enhancement of Teaching and Learning. In relation to the latter the Committee

requested that a review of the Forum's emerging impact be carried out. The interim CEO indicated that this was underway.

5.2 The other key item discussed was the financial position of Letterkenny IT. Members were advised that staff costs took up 80% of the Institute's total expenditure so a decision to close the Killybegs campus would require a redundancy package. Mr Brownlee outlined the options open to the HEA as regards the Killybegs campus. He made the following points;

- It was open to the HEA to cease funding courses on the campus under the RGAM, however it could not withhold the free fees element. The latter was not significant. A previous precedent would suggest that the HEA should not cease funding until the current cohort of students have completed their studies.
- The DES has been advised of the HEA's position that closure was the only option. The Department has sought more information and is understood to be considering providing additional ring fenced funding.
- The Institute had previously suggested the possibility of closing the Killybegs campus but has faced local political opposition. Other than closing Killybegs, the Institute has taken the appropriate steps, grown student numbers and cut costs.

5.3 Members raised the following points;

- The need to have regard to the political implications of closing Killybegs Campus. It was noted that when this matter appears on the agenda on the Board of LyIT the matter receives widespread local media coverage and a number of PQs are submitted.
- The importance of ensuring the rest of LyIT's sustainability. Ultimately this was a matter for LyIT to resolve, the HEA funds institutions rather than specific courses. It would be best to focus on the Institute taking whatever steps it sees necessary to eliminate the deficit rather than specify the closure of the Killybegs campus.
- The risk that other institutions will not take hard decisions should there be a perception that the HEA or DES will provide additional funding.

5.4 Members were advised that WIT is repaying the loan provided by the DES. This however has impacted on the Institute's financial position.

Decision: Members noted the report of the Finance and Governance Committee and memorandum A 43/16 on governance in the HEIs.

The Board approved the recommended change to the IoT funding model to address declining STEM grant.

The Board approved the provision of €2.25m in 2017 for the National Forum for the Enhancement of Teaching and Learning.

The Board agreed the HEA should write to LyIT requesting that it submit a plan to eliminate its deficit and should it not be able to provide a viable plan the next steps in the HEA policy for addressing IoTs with deficits should be invoked.

6. Report of the System Development and Performance Management Committee

6.1 Mr Costello introduced the Committee's report. He outlined the process to date on cycle 3 of Strategic Dialogue and the next steps. Any funding implications would in the normal course of events be considered by the Finance and Governance Committee in December. No funding cuts have been proposed on this occasion. It was anticipated that the outcomes will be published in mid-December following receipt and consideration of institutional feedback. Members will be notified before the outcomes are published. The following issues were raised;

- Does the HEA provide any enabling funding? Mr Costello advised that in the past the HEA a managed a strategic innovation fund which provided funding for initiatives in areas such as access and teaching & learning. Regrettably it has not been possible to do so in recent years given funding cutbacks.
- Is there funding for sector wide initiatives? Mr Costello indicated that in the past funding was provided in respect of performance by the regional clusters in the priority areas of academic planning and student pathways. It was planned to undertake a review of regional cluster activities in the new year, as part of a wider landscape reform review.
- Does the HEA disseminate best practice across the regional clusters? Members were advised that all reports are published but the Executive could look at more effective ways of sharing best practice.

Decision: Members noted the Committee's report.

7. Report of the Policy and Planning Committee, Report of the Expert Group: HEA National Review of Gender Equality in Irish   Higher education Institutions

7.1 Dr Irvine presented the Committee's report and introduced memorandum A 44/16 outlining the proposed approach to implementation to the recommendations of the Gender Equality Report. She outlined the background to this report, the rationale for HEA involvement and how the HEA will manage the 12 recommendations assigned to the HEA. She outlined how the Athena Swan Charter is a mechanism that can assist HEIs improve gender equality and noted that agencies such as HRB, IRC and SFI either have finalised, or are close to finalising gender equality plans including a future requirement that HEIs hold at least Bronze Athena Swan Institutional awards to be eligible for research funding.

7.2 The following issues were raised;

- Nature of the problem was it cultural or organisational? Dr. Irvine suggested it was a combination of both, even Nordic countries who have in general a good track record achieving gender equality struggle in wider when it comes to higher education.

- What constituted success? Members were advised that the following would demonstrate success – gender balance across all staff grades, success in achieving and retaining Athena Swan certification and more positive feedback from a future survey of staff would show that the majority did not believe that gender inequality existed in Irish HEIs.

- What stick does the HEA have, should HEIs not adopt recommended measures such as appointment of a VP for Equality? Dr. Irvine indicated that during the lead-in time before reporting on the new Performance Framework (which will include gender equality as a high level objective) began, it would be a matter for HEIs to determine themselves which of the instruments they felt would best help their HEI achieve gender equality. Each HEIs was at a different place in addressing this and not all of the recommendations would be relevant for all of the HEIs. However, if there hadn't been sufficient progress achieved in addressing gender inequality by the time the new Performance Framework was in place, there could be a risk of funding being withheld.

- The role of USI needs to be considered. Real meaningful change needs to go beyond staff equality.

- How do HEIs compare with other public sector bodies who are required to adhere to the CPS Code of Practice for Recruitment? The Chair noted that while most public bodies may adhere to the Code, there may still be cultural barriers.

- At what point does inequality arise, is there equality at the application stage? It was noted that such data is required as part of the Athena Swan process. In one University the evidence suggests women are not applying in equal numbers, but those that do apply have a higher success rate in being shortlisted and being appointed. This suggested the need for initiatives

around encouraging more applications from females. Dr Irvine indicated that research had found the problem was often a lack of confidence in the organisation rather than in their own qualification or ability to succeed the person themselves. Some of the assessment metrics used to assess excellence are less favourable for female applicants e.g. number of papers published may result in female researchers appearing less productive, whereas when periods of leave are accounted for female researchers are just as productive as men.

- It was noted that the lack of systemic data was an issue. Data for a single year would not be very meaningful, there is a need to consider data covering a number of years.
- Could the HEA sponsor an IRC postdoc intern to undertake more research?
- The impact of unconscious bias. It was noted that SFI is now providing training to senior managers and Board members. Three HEA senior managers attended a workshop on gender equality organised by MARC (Men Advocating Real Change).

Decision: Members noted the Committee's report and agreed the Gender Equality Implementation Plan. It was agreed to circulate the DkIT Graduate Outcomes Pilot Survey.

8. Report of Audit Committee Meetings

Decision: Members noted the Committee's reports. The Executive was requested to explore the capacity of the HEA to increase interest earnings on its bank accounts.

9. Report of Expert Group on Funding

9.1 The Chair advised members that he had told the Joint Oireachtas Committee on Education and Skills at a hearing to consider his nomination as Chair of the HEA, that a decision on the Expert Group's report was ultimately for politicians to take. Members expressed a variety of opinions outlined below but agreed that ultimately this was a political decision;

- The need to model different repayment options to ensure that a loan option was affordable and did not act as a disincentive.
- The need to avoid high fee levels such as applies in the UK and US. This will result in excessive student debt.

- The risk of the report's recommendations being misrepresented. In this regard the appropriate comparator for a loan scheme would be Australia rather than England.
- The HEA needs to approach this carefully and not be seen as lobbying in favour of a particular position. Any stance taken should be based on hard facts.
- Scope for increased efficiencies were the further education and higher education budgets merged.
- Business would be prepared to consider additional funding under the NTF but not if this was used as a sticking plaster for an underfunded higher education.
- Institutions should be incentivised to earn more from international students, this may be for full degree programmes or short residential programmes.

10. Nomination to the Board of CAO

Decision: Members agreed to the nomination of Mr Fergal Costello.

11. CEO's Report

11.1 The interim CEO indicated she would circulate the members' skills matrix shortly. She advised members that TCD had recently being accepted into the League of European Research Universities (LERU), this was a very good news for TCD and the HEA should convey its congratulations to TCD. She advised members that the HEA and the IRC were co-sponsoring *Ten Things to Know About* which airs on RTE 1 each Monday. The HEA circulated a HEI Financial Trend analysis report. It was confirmed that this report was not presented to the Board in advance but the Board could discuss it at a future meeting.

11.2 The Chair alerted Members to the changes in the dates/times for the Finance and Governance Committee, a further meeting will be arranged in December. It was agreed to reschedule the September 2017 Board meeting to Thursday 27th September. The Chair briefed members on arrangements relating to the appointment of a new CEO. Shortlisting will take place on 28th November with interviews scheduled for 15th December.

12. Presentation by QQI

12.1 The Chair welcomed Dr Padraig Walsh, CEO of QQI. Dr Walsh referred to the HEA-QQI MoU and noted that staff in both organisations worked closely on issues of interest. He focused on the following in his presentation;

- Background and role of the QQI
- Quality Assurance Developments
  - ➢ Statutory QA guidelines published in 2016 for independent/private providers, IOTs, Universities and other designated bodies. Guidelines also published for statutory apprenticeship programmes. In 2017 it is planned to publish guidelines for flexible and distributed learning and research degree programmes.
  - ➢ Annual institutional quality reports and annual dialogue meetings – QQI is currently half way through this year's ADMs.
  - ➢ Validation of Programmes of Education and Training – in 2015 QQI issued 173,000 certificates.
  - ➢ Institutional Review of the QA procedures in the HEIs – the timetable for the 3rd cycle of reviews has been agreed. They will commence in Q4 2017 and conclude in Q1 2023.
  - ➢ Quality Enhancement – this includes working with the HEA and USI on National Student Engagement Programme.
  - ➢ Review of practice in Higher Education – Dr Walsh highlighted QQI's report 'Quality in an era of Diminishing Returns 2008-15'. It was agreed to arrange copies for Board members. The research undertaken by a Scottish expert focused primarily on data from the Universities and DIT.
- Qualification Developments – A review of National Framework of Qualifications was commissioned in 2016.
- Amendment of Qualification and Quality Assurance Act – work on the preparation of the General Scheme of a Bill to amend the 2012 Act is underway. Amongst the legislative changes envisaged are enabling QQI to have explicit authority to recognise awards within the NFQ and the introduction of the International Education Mark.

12.2 Members raised the following issues;

- Capacity of international institutions to operate campuses in Ireland. Dr Walsh noted that there was no licensing system in Ireland, however if an institution wishes to have their course recognised within the NFQ they could contact the QQI to have their institution and particular courses approved. He noted that foreign universities cannot use the title 'University' in Ireland. UK institutions who validate Irish programmes are required to adhere to QQA guidelines although in practice there has been little QA oversight of such activities in Ireland. This has been the subject of discussions between QQI and QQA. The fact that QQA learner awards have not been extended to Irish based activities is of concern.

- The difficulty of convincing many political figures of the impact funding cuts are having on quality. Dr Walsh noted that some data is not difficult to present – quality of outdated equipment and PCs, reduction in programme offerings or non-replacement of staff. It was noted however that institutions were instinctively reluctant to speak out about the impact such cuts might have on quality. It was incumbent on bodies like the HEA and QQI to argue on behalf of the HEIs.
- What prompted the proposed legislative changes? Are they more technical or substantial? The legislation was prompted by a High Court judgement concerning attempts by the Departments of Justice & Equality and Education & Skills to restrict the granting of visas to students enrolled in ACELS accredited language schools. The most significant change would relate to criteria for making awards under the NQF, these however would best be made through statutory instrument rather than primary legislation.

13. International Education Strategy for Ireland 2016-20

13.1 Members noted memorandum A 48/16.

14. National Student Engagement Project

14.1 Members noted memorandum A 49/16.

15. Survey of First Destination of Graduates

15.1 Mr Pigott made a presentation on the forthcoming report on the Survey of First Destination of 2015 Graduates, the 35th in the HEA's series. He focused on the following in his presentation;

- Survey overview
- Class of 2015 response rate – 72%
- Overall findings 2015 vs 2014 – by qualification level and gender
- Trend analysis 2010-15
- Unemployment rate by education level
- Analysis by discipline
- Analysis by salary level
- Regional distribution of employment
- Sectoral distribution by qualification level

- New 2017 Graduate Outcomes Survey

15.2 Members were briefed on discussions between the HEA and the CSO on the sharing of data. Members noted the importance of the HEA retaining control over the narrative which emerges from this and similar reports. The interim CEO indicated that some of the first destinations data will be released in time for the commencement of the CAO application process. This will be supplemented by a social media strategy. The HEA will ensure there is a careful media strategy when the final report is issued having regard to any particular anomalies in the report.

Next Meeting
24th January 2017

Padraic Mellett
1st December 2016