

**Higher Education Authority****Report of the 389<sup>th</sup> Meeting held on 27<sup>th</sup> March 2018  
HEA Offices, 3 Shelbourne Buildings**

Present<sup>1</sup>: Dr Bahram Bekhradnia (items 3-12)  
Mr Tony Donohoe  
Dr Judith Eaton  
Professor Orla Feely  
Dr Sharon Feeney  
Mr Michael Horgan, Chairman  
Mr. Michael Kerrigan (by teleconference)  
Ms Darina Kneafsey  
Dr Deirdre Lillis  
Dr Ronan Lyons  
Dr Sinéad O’Flanagan  
Dr Jim Mountjoy (by teleconference)  
Mr Pól Ó Móráin  
Dr Lynn Ramsey  
Dr John Wall

In attendance: Dr Graham Love  
Mr Padraic Mellett (items 1-2, 4-12)  
Dr Gemma Irvine (items 1-2, 4-12)  
Ms Caitriona Ryan (items 1-2, 4-12)  
Dr Vivienne Patterson (items 1-2, 4-12)  
Ms Sheena Duffy (items 1-2, 4-12)  
Mr Tim Conlon (items 1-2, 4-12)  
Mr Stewart Roche (item 6)  
Mr Ciaran McCaffrey (item 9)  
Mr Gerry McEntee (item 12)

Members at the start of the meeting declared any potential conflict of interest.<sup>2</sup> These declarations were noted and it was agreed that the members concerned would not have to recuse themselves from the items concerned.

**1. Report of 388<sup>th</sup> Meeting**

1.1 The minutes were approved.

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<sup>1</sup> The quorum for HEA Board meetings, six members, was met.

<sup>2</sup> Dr John Wall is an employee of WIT (item 5 – CEO’s report), Professor Feely is a member of the RIA and its Audit Committee (item 6 – Report of Finance & Governance Committee), Dr Deirdre Lillis was a former employee of IT Tralee (item 10).

## 2. Matters arising

2.1 The following issues were raised;

- Item 3.1 of CEO Report – fund to support landscape reform. Having regard to the need to meet six consortia it was agreed that the SDPM Committee would have responsibility for recommending to the Board how the fund should be allocated.
- Follow-up items – It was agreed that the Executive would insert a date for completion of actions in the report. Where this is not possible a progress update will be provided.

## 3. Members' Only Session

### 3.1 Chief Executive presentation

For the first part of the private session the Chief Executive Dr Graham Love joined the meeting. Dr Love made a presentation to the Board, in which he outlined progress within the HEA since taking up the post of CEO in March 2017. He highlighted challenges facing the HEA in relation to its role, relationships and staffing. Dr Love also outlined a number of issues relating to the business of the Board of the Authority. He also outlined to the Board his plans in relation to the restructuring of the Executive and business processes within the Authority.

Dr Love raised the issue of trust and mutual understanding between the various stakeholders, especially between the Authority and the executive. In particular, the discussion revolved around Board involvement on different issues.

Following lengthy and open debate, it was agreed that the CEO would be invited to join the first part of each private Board session, where any issues arising can be surfaced for resolution.

Dr Love left the meeting at this stage.

### 3.2 Reports and Corporate Governance

The Board discussed the corporate governance issues raised by the PAC request for a report into IP commercialization matters at Waterford Institute of Technology. It was agreed that any investigations or reports initiated or overseen by the HEA should be completed under a protocol that includes approval of the terms of reference by the Board, approval of the investigator(s), a review of the

draft report by the Board before it leaves the HEA and a document outlining the views of the Board on the contents of the report.

### 3.3 Reporting system on Targets

It was agreed to ask the Executive to develop a reporting system that highlights how the system is performing against national targets. Ideally, the format should be something similar to the dashboard/traffic light model used for reporting on Institutional status.

### 3.4 SFI attendance at Board

The suggestion that the Director General of SFI be invited to attend Authority meetings (and a reciprocal arrangement for the CEO of the HEA at the SFI Board) was discussed at length. It was agreed that although the attendance of the DG SFI would be helpful in certain instances, a formal arrangement was not necessary at this stage. It was noted that an MoU between the SFI and HEA was in progress. It was agreed to await the outcome of these discussions before any further action.

### 3.5 VC facilities

The Board agreed that the video/conference facilities need significant upgrading to provide the appropriate services to Board members to attend meetings remotely. Other activities, like compact discussions or strategic dialogue sessions could then also be undertaken by VC. It was agreed that the HEA should be leading by example to encourage HEIs to adopt similar approaches to working smarter.

### 3.6 Outstanding Matters

The Chair was asked to produce a list of items requested by the Board but as yet not actioned, for consideration at the next Board meeting.

## 4. Deputy Chair

**Decision:** Members approved the appointment of Dr Sharon Feeney as Deputy Chair until 31<sup>st</sup> December 2019, Professor Orla Feely will then become Deputy Chair until 26<sup>th</sup> July 2021.

## 5. CEO's Report

- 5.1 The CEO updated members on Mr McLoone's report into IP commercialization matters at Waterford Institute of Technology.<sup>3</sup> Following legal advice it has been decided to further revise the report. It is intended to offer certain parties an opportunity to respond to aspects of the report. The Chair noted the importance of the HEA learning from this process. The CEO agreed noting that it may be necessary to have future similar reviews considered by the Finance and Governance Committee if urgent decisions are required. The CEO indicated the revised report will set out clear recommendations for the Institute. The Knowledge Transfer Ireland report, Review of Intellectual Property Management and Conflicts of Interest, outlines recommendations for the system.
- 5.2 It was agreed to defer the proposed review of engineering pending consideration of the report by Engineers Ireland.
- 5.3 Members were briefed on the briefing session the HEA arranged for the HEIs on the forthcoming strategic dialogue process. The Executive is considering the timeline for the process having regard to feedback received from the HEIs. The Chair advised members he has discussed the process with the CEO. Members raised the high number of performance indicators and the management of risk by the HEIs.
- 5.4 The Executive agreed to arrange invitations for members interested in attending the British Irish Chamber of Commerce conference on Developing a UK – Ireland Higher Education and Research Partnership. It was agreed that the CEO report in future would just list those events that members may wish to attend.
- 5.5 Dr Irvine updated members on the work of the Gender Task Force. The collection of data will become an annual event and feed into the strategic dialogue process. Members were advised that the data will be shared across the sector.
- 5.6 Members agreed to schedule from May this year, a meeting of the Policy and Planning Committee in advance of each Board meeting.

## 6. Report of Finance and Governance Committee

- 6.1 The Chair introduced the Committee's report.  
**Decision:** Members approved the Committee's report and following recommendations;

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<sup>3</sup> As the discussions on this matter were concerned with process matters it was agreed that it was not necessary for Dr Wall to absent himself from discussions.

- 2017 Recurrent Grant Outturn
- 2018 Recurrent Grant Allocation – members noted the increase over 2017
- Increase to €80k to the RIA to support Irish language initiatives. The Executive was requested to consider other proposals to support the Irish language having regard to Bliain na Gaeilge.

## **7. Report of Audit and Risk Committee**

7.1 Dr O’Flanagan introduced the Committee’s report.

**Decision:** Members approved the Committee’s report and following recommendations;

- Approval of the 2017 draft accounts subject to audit. The Board acknowledged the work of the Executive in getting the accounts ready for audit.
- Approval of the HEA review on the System of Internal Controls

It was noted that the Committee will include HR in its review of the management of risks. The Executive was requested to consider an initiative such as Great Places to Work.

## **8. Report of the System Development and Performance Management Committee**

8.1 Mr Donohue presented the Committee’s report. He noted the high level of performance metrics. While HEIs could to some extent decide on which metrics to report on, there would be a requirement for each HEI to report on all of the governance metrics. Mr Conlon advised that the Executive was seeking to populate the reporting template with data where available.

8.2 The following issues were raised;

- Key expectations of HEIs – it was agreed the Executive would prepare a summary for each institution.
- The question was raised as to the possibility of HEIs submitting their compacts through a web-app directly to the HEA system. It was noted that the Audit & Risk committee had identified the use of spreadsheets as a risk within the Risk Register. The executive will prepare a paper/proposal on web data entry.

8.3 Members were briefed on the TU designation process. The Executive has been in discussions with QQI in relation to possible names for the assessment panel. It is hoped that the same panel will remain in place for a number of applications. He outlined the next steps in the process. The panel will conduct some of its work when visiting Ireland at the end of May. While a number of the consortia have

been through a number of stages, the recently approved legislation does not specify stages. Members were advised that the Executive is arranging clarification on definitions where this is not clear from the legislation. The criteria as set out in the legislation remains challenging for applicants. It was agreed that the Executive would arrange for the data submitted by applicants to be independently verified before it is forwarded to the TU assessment panel. The importance of the panel being provided with a thorough briefing in order to undertake a robust assessment of each application was noted.

8.4 Members noted that the Committee will meet each of the consortia who have submitted applications for funding under the landscape reform fund.

**Decision:** Members approved the Committee's report and recommendations.

## 9. Report of Policy and Planning Committee

9.1 Ms Kneafsey presented the Committee's report. Members noted the key messages emerging from the HEA's study on progression, in particular the relationship between leaving cert points and progression rates. The Executive should consider how further research might be carried out on this issue and report back to the Board. A number of possible options were noted. It was agreed that the Board would receive a presentation on this topic at a future meeting. Dr Patterson updated the Board on the C&AG's draft report on non-completion rates.

9.2 Members discussed the topic for the next Future Look Forum event. It was agreed that the next topic should focus on digital transformation and enabling technologies.

**Decision:** Members approved the Committee's report and recommendations.

## 10. Proposal from IT Tralee on land purchase

**Decision:** Members approved the purchase subject to the Institute receiving external funding in advance of the purchase so that their cashflow will not be negatively impacted.

## 11. Memorandum of Understanding with Solas

**Decision:** Members approved the MoU.

## 12. General Data Protection Regulation

12.1 The CEO introduced this item noting that the ability of the HEA to collect data from the HEIs and share data with other agencies was a key risk for the HEA. The HEA was engaging with the DES on a statutory instrument that will enable the HEA to continue to collect data from the HEIs. The Executive agreed to advise members whether members, in future, should receive correspondence through their HEA email accounts only. Mr McEntee advised that it was easier for the HEA to use its data classification system to emails issued to HEA accounts.

**Decision:** Members noted the paper.

## 13. Report on 2017 Workplan

13.1 There was a discussion on the workplan items classified as 'red' i.e. not completed. The majority rolled over into Q1 2018. It was agreed that a more detailed description of red/not completed items would be provided in workplan status reports going forward.

**Decision:** Members noted the paper.

### Next Meeting

24<sup>th</sup> April, HEA Offices, 3 Shelbourne Buildings

Padraic Mellett

3<sup>rd</sup> April 2018