

**Higher Education Authority****Report of the 394<sup>th</sup> Meeting held on 6<sup>th</sup> November 2018  
HEA Offices, 3 Shelbourne Buildings**

Present<sup>1</sup>: Dr Bahram Bekhradnia (by teleconference items 1-3, 5-11)  
Ms Síona Cahill  
Mr Tony Donohoe  
Dr Sharon Feeney  
Mr Michael Horgan  
Ms Darina Kneafsey (by teleconference)  
Dr Deirdre Lillis  
Dr Sinéad O’Flanagan  
Dr Jim Mountjoy  
Mr Pól Ó Móráin  
Dr Lynn Ramsey  
Dr John Wall (by teleconference)

Apologies: Dr Judith Eaton  
Professor Orla Feely  
Dr Ronan Lyons

In attendance: Mr Paul O’Toole (items 1-3, 5-part 12)  
Ms Orla Nugent (items 1-3, 5-11)  
Mr Padraic Mellett (items 1-3, 5-11)  
Dr Gemma Irvine (items 1-3, 5-11)  
Ms Caitriona Ryan (items 1-3, 5-11)  
Dr Vivienne Patterson (items 1-3, 5-11)  
Ms Mary Farrelly (items 1-3, 5-11)  
Ms Sheena Duffy (items 1-3, 5-11)  
Mr Tim Conlon (items 1-3, 5-11)

The Chair welcomed Mr O’Toole and Ms Nugent to their first Board meeting following their appointment as interim CEO and Deputy CEO/Head of System Funding and Performance.

Members at the start of the meeting considered any potential conflict of interest.<sup>2</sup>

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

<sup>2</sup> Dr Deirdre Lillis is a former employee of IT Tralee (item 11)

## **1. Report of 393<sup>rd</sup> Meeting**

1.1 The minutes were approved.

## **2. Matters arising**

2.1 The Chair advised that the issues outlined in paragraph 4.3, in particular a concern that the work of the Executive was not appreciated by the Department, were raised at a meeting he attended with the DES.

2.2 The Chair noted that the DES has organised a consultation forum on its review of the HEA's legislation. He encouraged Members to attend if possible.

2.3 Members were advised that the paper on System Performance Funding will now be presented at the December Board meeting.

2.4 Dr Irvine reported on the recent IAHERO meeting which proved to be a very informative event. The key take away issue to consider is whether this is the most appropriate format for the HEA and whether wider consideration is needed before deciding the most strategic way for the HEA to add value re international higher education partnerships with other countries. She noted that the HEIs have their own international contacts. A decision as to whether there will be another event, which Ireland will host, will be made at a future date. The American organisers confirmed that they are looking at widening the participants coming from the US. A number of Members noted that the US systems might not be the most appropriate international benchmark for Ireland. However, it was also acknowledged that there is a long history of partnership and collaboration with the US and that there are learnings to be had from contrasting higher education systems.

2.5 Members considered the forthcoming event with MIT which will now take place over 1 day. The Executive was requested to consider moving the event to May to allow more time for planning. The need to involve students in the planning of such events was noted, this should go beyond an invitation to a student representative to attend such events. The Executive indicated they would review the date and theme for the event and revert back to the Board electronically.

### 3. CEO's Report

3.1 The CEO briefed colleagues on the SMT on a number of themes he raised with the Board at the members only session which he believed would be beneficial to progress. These included;

- Enhancing coherence of the various financial operations in the HEA
- Workforce planning
- Preparing the 2019 workplan and business plan
- Agreeing a performance delivery agreement with the DES, he will use this process to address areas where clarity may be required between the respective roles of the HEA and DES.

3.2 The Chair raised the timeline for consideration of future TU applications. The CEO advised that no new applications have been received to date. Mr Conlon outlined the process as set out in the TU legislation. He anticipated the assessment of the next application will be carried out over a longer period and no earlier than Q1 2019.

3.3 The Executive undertook to look at the process for responding to invitations to submit comments on Acts which are currently being reviewed.

3.4 The Executive undertook to provide an outline how the various new programmes signalled in the 2019 Estimates could be managed. Dr Patterson informed Members that the Executive was consulted by the DES and D/PER on the new Human Capital Initiative Programme.

### 4. Process for appointing an interim CEO

**Decision:** Members noted the process followed in their approval of the appointment of Mr. Paul O'Toole as interim CEO. As no written process was available on this occasion, it was agreed to ask the Audit & Risk Committee to develop a corporate protocol for the appointment of an Interim CEO.

### 5. Review of HEA Governance

5.1 Mr Mellett indicated that the Codes of Conduct for Board Members and Employees were reviewed having regard to the 2016 Code of Governance for State Bodies. He agreed to review both Codes to ensure consistency between the total documents. The Board agreed to review the content and timing for publication of HEA Board minutes at its next meeting.

**Decision:** Members approved the following documents, subject to amendments:

- Code of Conduct for Board Members
- Code of Conduct for Employees
- Board Terms of Reference
- Schedule of Reserved Functions

The documents will be circulated to Members and posted on the Board's intranet facility.

## **6. Board self-evaluation survey**

**Decision:** Members approved the survey subject to a check that each question contained a single issue. Mr Mellett will consult the Chair to see if additional questions are required having regard to the issues consider under item 5.

## **7. National Access Plan 2015-19 – Progress Report**

7.1 Ms Ryan made a presentation which focused on the following;

- Terms of reference and methodology for the progress review
- Progress in meeting national targets – satisfactory progress is being made in the case of some targets such as participation by semi skilled/unskilled manual worker group and students with disabilities. Other targets were proving more difficult including full-time and part-time mature entrants and entrants from Irish travellers.
- High level findings and challenges
- Recommendations and implementation priorities – 16 recommendations across the plans 7 themes.

She highlighted the potential impact of PATH funding, a better understanding of the factors underpinning student success and the access data plan. It is planned to undertake further research into the reasons for the lack of progress on increasing the number of mature learners.

7.2 The following issues were raised;

- Reasons for lack of progress of students transferring from further education. Dr Patterson referred to an initiative to increase the number of ICT graduates involving the ETBs (level 5) and IoTs (level 6).
- A concern was expressed that funding provided centrally for access initiatives does not trickle down to academics dealing directly with access students.

**Decision:** Item noted

## 8. 2017/18 Student Numbers

8.1 Item deferred to next meeting.

## 9. Report of 2018 National Employers Survey

9.1 Dr Patterson made a presentation focusing on the following;

- Policy and background – previous surveys carried out in 2015 and 2018.
- Methodology – background of participant companies who recruited HE and FET graduates.
- Discipline breakdown of HE and FET graduates recruited from Ireland and overseas.
- Satisfaction with HE and FET graduates by workplace attributes – highest satisfaction with computer literacy, somewhat lower satisfaction with language skills and entrepreneurial skills. 86% of respondents expressed satisfaction with the quality of HE graduates, 84% in the case of FET graduates.
- Level of satisfaction with graduates' personal attributes.
- Anticipated graduate skills requirements over the next 3-5 years.
- Extent of employer involvement with higher and further education providers – including staff development.

9.2 The following issues were raised;

- The positive results were noteworthy given concerns expressed over recent years with the level of funding. The role of staff in contributing to the quality of graduates was acknowledged.
- The classification for computer literacy was very wide and within that area there were some acute shortages such as software development. The Expert Group on Future Skills Needs has projected the need for Ireland to recruit a significant number of overseas workers to fill ICT vacancies. Points for ICT CAO courses remain flat or are declining.
- It was noted that a number of HEI are now consolidating domestic intake and focusing on growing international numbers.
- The capacity of HE system to respond to changing demand given the profile of existing staff.

**Decision:** Item noted

## 10. Staff Development

**Decision:** Item noted, this item will be revisited when the HEA's workforce plan is presented to the Board.

## 11. Financial Sustainability at IT Tralee

11.1 Members noted the report prepared by Deloitte and agreed that the next step was for the Institute to respond to the report and HEA letter. It was noted that the Institute's governing body's next meeting was 22<sup>nd</sup> November (after the HEA's Finance and Governance Committee's next scheduled meeting). Members noted that the strategic decisions that need to be considered by the Institute are the Munster TU and the funding of the Kerry Sports Academy. Members were informed that a copy of the Deloitte report has been provided to Cork IT. Members were also advised that the Institute's Governing body has been advised of the situation.

**Decision:** Members agreed to consider the Institute's response and any next steps at the December meeting.

## 12. Members Only Session

### 12.1 Appointment of Interim CEO

The Board confirmed its decision of a virtual meeting to appoint Mr Paul O'Toole as Interim CEO. It was agreed that Memorandum A 42/18 should be attached to the minutes as an appendix.

### 12.2 Exit interview of previous CEO: Report

The report of the exit interview of the previous CEO was noted. It was agreed that the report did not contain any additional information to that presented to the Board by the outgoing CEO at the last meeting.

The Board identified shortcomings of the description of the post in the recruitment pack. It was noted that attendance at PAC meetings by the Executive can be particularly stressful and that the wellbeing of staff was a responsibility of the Board.

Overall, the Board felt a number of opportunities had been missed during the past eighteen months.

Arising from this discussion, the Chair raised an issue regarding the attendance of the outgoing CEO at an Institute of Directors (IOD) course, leading to becoming a

chartered director. Members were advised that it had been agreed that he would refund a portion of the fees to the HEA.

#### 12.3 Recruitment of permanent CEO

The Board agreed that a working Group of the Board be established to advise on the recruitment of a new CEO.

#### 12.4 IAHERO meeting

The Board were given a comprehensive background and update on the IAHERO event in Boston. A lengthy discussion ensued around the appropriateness and value to the HEA of those involved in this event.

#### 12.5 Private session with CEO

Mr Paul O'Toole was introduced to the Board. Paul gave a brief outline of his background and his proposed management style.

### **Next Meeting**

11<sup>th</sup> December, HEA Offices

Padraic Mellett

14<sup>th</sup> November 2018

## Higher Education Authority

### **Appointment of interim CEO of the Higher Education Authority**

**Decision:** Members are requested to note the process for the appointment of Mr Paul O'Toole as interim CEO.

Following the unexpected resignation of Dr Graham Love as CEO at the end of August 2018, the Chair consulted Board Members and senior officials within the Department of Education and Skills on interim arrangements. The HEA Board was briefed on developments at its meeting on 25<sup>th</sup> September. The Chair also briefed the HEA Senior Management Team.

The Chair's criteria for appointment included;

- Prior experience at CEO level, ideally within the education domain
- Immediate Availability for a period of up to 1 year
- Availability on terms and conditions which could be approved by the Departments of Education & Skills and the Department of Public Expenditure & Reform.
- Would not be a candidate for the permanent position

Having regard to the above criteria a suitable appointee, Mr Paul O'Toole (CV previously circulated) CEO of Solas was identified, following which negotiations commenced. The Departments of Education & Skills and Public Expenditure & Reform ultimately confirmed their agreement to the terms and condition for the appointment on 3<sup>rd</sup> October 2018.

The following day, the Chair consulted Members by email, (in which all members participated), on the proposed appointment of Mr Paul O'Toole. He also advised them that he had secured the Departments' approval for Mr O'Toole's terms and conditions. Members confirmed their agreement to the appointment.

Professor Orla Feely asked that her unease at Mr O'Toole's lack of any experience in higher education be noted.

Mr O'Toole will take up appointment as interim CEO on 30<sup>th</sup> October, Dr Love will cease to exercise the duties as CEO on Friday 26<sup>th</sup> October.