

Higher Education Authority**Report of the 388th Meeting held on 30th January 2018
HEA Offices, 3 Shelbourne Buildings**

Present¹: Dr Bahram Bekhradnia (items 1-14)
Mr Tony Donohoe
Dr Deirdre Lillis
Professor Orla Feely
Dr Sharon Feeney
Mr Michael Horgan, Chairman
Mr. Michael Kerrigan
Ms Darina Kneafsey
Dr Ronan Lyons
Dr Sinéad O’Flanagan
Dr Jim Mountjoy
Mr Pól Ó Móráin
Dr Lynn Ramsey
Dr John Wall (items 1-14)

Apology: Dr Judith Eaton

In attendance: Dr Graham Love (items 1-13, 15)
Mr Padraic Mellett (items 1-13, 15)
Dr Gemma Irvine (items 1-13, 15)
Dr Vivienne Patterson (items 1-13, 15)
Ms Sheena Duffy (items 1-13, 15)
Mr Tim Conlon (items 1-13, 15)
Ms Nicki O’Connor (items 6, 10)
Mr Ciaran McCaffrey (item7)
Ms Valerie Harvey (item 9)

All members confirmed at the start of the meeting that there was no item on the agenda that give rise to a conflict of interest. The Chair welcomed Dr Deirdre Lillis and Dr Ronan Lyons to their first Board meeting following their appointment to the HEA Board.

1. Report of 387th Meeting

1.1 The minutes were approved.

¹ The quorum for HEA Board meetings, six members, was met.

2. Matters arising

2.1 The following issues were raised;

- Status of the Eurostat ruling in relation to the capacity of universities to borrow: members were informed that the CSO has not finalised its submission to Eurostat. The decision to drop from the TU legislation the planned provision for an inspector process for the universities improves the likelihood of a positive outcome.
- Shortage of teachers and its impact on the HEA's work. The CEO advised that the HEA has been requested to ascertain the current capacity in centres of teacher education and the potential for accelerated courses.
- Members were updated on the C&AG review on non-progression.
- The Chair requested that HEAnet's VFM report be considered by the Audit and Risk Committee.

3. CEO's Report

3.1 The CEO's Report was taken as read, but the CEO updated the Authority on the following specific items;

- Second Thorn Report on UL – members were advised that this is near completion. The plan is to submit it under confidential cover to UL. It may also be circulated to the C&AG and PAC. Members will be provided with a copy on a confidential basis.
- The IP Pragmatics Review of IP Management and Conflicts of Interest is going to the cabinet shortly for noting and will be published thereafter.
- Following the publication by the Minister of a new System Performance Framework the HEA can now commence the next round of institutional performance compacts. Members were advised that the new framework includes a significant number of performance indicators so HEIs will be requested to complete a template in addition to submitting their compact. **Decision:** It was agreed that the System Development and Performance Management Committee will oversee the process on behalf of the Board. The Board, of course, will have the final approval of all compacts.
- Members were updated on the Technological Universities Bill. It might be necessary for the HEA to proceed quickly to put in place a process as provided for under the legislation for TU applications. Mr. Conlon briefed members on the HEA's role in the process. A decision whether to designate or not ultimately rested with the Minister. The point was made that the timeline was very ambitious although it was noted that this was the final phase in a four stage process. Members noted the importance of there being clarity as regards the process and the assessment criteria.

Decision: Members agreed that the SDPM Committee would oversee the process in the first instance. The Board can be informed and approve direction, electronically if necessary, at a later stage.

- **Decision:** Members agreed to delegate to the SDPM and Finance and Governance Committees responsibility for allocation of the €12m fund to support landscape reform. The HE consortia would be invited to make presentations to members of the two Committees. Funding will be made to individual institutions who will be accountable for same.
- **Decision:** The Board agreed that Dr Vivienne Patterson should replace Mr. Fergal Costello as the HEA's nominee on the Board of the CAO.

3.2 Members raised the following issues;

- Members were updated on the development of a memorandum of understanding with SFI. Both the DES and the Department of Business, Enterprise and Innovation have indicated their support for the MoU to be concluded as soon as possible. It was agreed the Board will be provided a copy of the MoU for approval.
- Members were advised that the HEA had secured approval for an additional 7 staff. The issue of staff turnover was raised. It was confirmed that exit interviews are carried out. Members will be provided further details in the next CEO's report. It was agreed to issue letters of thanks, on behalf of the Board, to Mr. Costello and Mr. Brownlee for their dedicated work. Members will be kept advised on the recruitment campaign. Mr. Mellett advised that there was a very strong field of candidates for the recent SEO/IRC Programme Manager competition.
- Members were advised that the Policy and Planning Committee will consider the HEA's submission to the Student Support Bill.
- Members were briefed on the planned CIT reviews. Ms Duffy indicated it is hoped the reports will be completed by Q1.

4. Report of Finance and Governance Committee

Decision: Members noted the Committee's report and welcomed the provision of funding to meet the cost of pay cuts restoration. Members approved the 2017 recurrent grant allocation and approach to the 2018 recurrent grant allocation.

5. HEA Administration Budget – 2017 draft outturn and 2018 Budget

5.1 Members were advised that funding for the recently approved additional posts would be funded through an additional allocation. Members noted the need for HEIs to be given more flexibility to manage HR and the need for the HEA to develop proposals that would support this. It was agreed in particular that the

HEA needs to make a case to DES and the Department of Public Expenditure and Reform for the HEIs to have access to a voluntary redundancy scheme.

5.2 The Chair requested that the HEA ensure it has a robust AV system in place to ensure members do not have to travel long distances for short meetings. He also requested that the HEA have input into the DES review on HE governance using the HEA's consultancy budget if necessary.

Decision: Members noted the 2017 outturn and approved the 2018 HEA administration budget.

6. Forward Look Forum

6.1 The following issues were raised;

- Need for balance between topics close to the work plan and 'blue-sky' thinking.
- Consideration should be given to HEI attendance beyond senior management.
- To what extent has the HEA drawn on international best practice.
- The proposed annual conference represented a PR opportunity for the HEA.
- The forward look events should add value in so far as it informs the HEA and HE system of the likely shape of future developments. One current development noted was the advent of large companies setting up their own campuses and the establishment of corporate universities.

Decision: It was agreed the Executive would develop more detailed proposals around option 2 – a major conference together with one or two forward look events annually dealing with specific topics.

7. GMIT Land Purchase

7.1 Members were briefed on the background to this proposal. While this purchase was not included in the list of capital priorities submitted to the DES, it was recognised that institutions who have medium to long term expansion plans, should be able to seize the opportunity to purchase land adjacent to their campus. Members were advised that the Institute had requested the vendor to extend the deadline for submission of tenders to no avail. While the DES is prepared to fund the purchase, the decision to approve the purchase rested with the HEA. Mr McCaffrey advised members that the Institute can use the land for car-parking in the short term pending its development. The development of new buildings at a location further from the campus would give rise to higher costs in the long term.

Decision: Following a number of clarifications and discussion, Members approved the land acquisition proposal.

8. Opening of New Bank Accounts

Decision: The Board approved the opening of two new bank accounts and requested the Audit and Risk Committee to review the schedule of HEA bank accounts.

9. Addressing the demographic challenge

9.1 The Chair introduced this item noting that the demand for higher education is projected to grow at a rate of 2-2 ½% over the next ten years, the same level as over the previous 10 years. This poses a challenge for the system and the HEA should, through the strategic dialogue process, ascertain how the system will respond to this growing demand. Should the growth be left to each institution to address as it sees fit or should it be planned? Is there a role for private providers? The following issues were raised.

- To what extent is the policy to increase international student numbers in conflict with the expectation that growing domestic demand is met? A number of institutions have a deliberate strategy to grow international numbers as a way of generating additional income. Not all institutions had the capacity to follow a similar strategy.
- Directing HEIs to take in a certain number of additional students is unlikely to work, but incentivisation may be appropriate. It was important that incentives were fully aligned.
- The impact of growing undergraduate demand has on the capacity of HEIs to deliver on lifelong learning.
- If the system cannot fully meet the demand other options such as private colleges, remote learning and industry led provision might be explored. It was noted that the private sector accounted for up to 11% of current undergraduate numbers. The HEA does not currently have the legislative basis to collect data from these Colleges.
- It is important that HEIs recover full costs associated with non-EU intake and research activities.

9.2 The CEO indicated that it is unlikely that a decision on Cassells will be made in the near future. Current indications suggest that the state will grow recurrent funding in line with the growth in student numbers. A key challenge will be the capital cost necessary to house the additional numbers and refurbish existing buildings.

Decision: It was agreed to discuss this matter further. The SDPM Committee was requested to consider whether it might be appropriate for the HEA to give guidance to the HEIs on how they might address the growth in student numbers when developing their compacts.

10. Presentation from the National Forum for the Enhancement of Teaching and Learning

10.1 Members welcomed Professors Moore and Winn from the Forum. Professor Moore thanked the HEA for agreeing to fund the Forum for a further four years allowing it to move on to phase two. The Forum was acutely aware of the need for it to provide added value to teaching and learning. In her presentation she covered the following;

- Purpose of the T&L Forum
- Five themes followed by the Forum to enhance teaching and learning
 - i. Professional Development
 - ii. Learning Impact Awards
 - iii. Scholarship in Teaching & Learning
 - iv. Building Digital capacity
 - v. Partnership and Collaboration
- Key highlights for 2016-17 by theme
- Phase 2 of the National Forum having regard to the recommendations of the HEA review
- Immediate next steps

10.2 The Chair thanked Professor Moore for her presentation. He noted that the student representative on the Board was very persuasive as to the value of Forum. The Forum representatives were asked whether graduate employability featured in the forum's remit. Professor Moore indicated that the Forum has not had a specific project around the theme of graduate employability but it permeates a lot of what it does. The possibility of having an employer representative on the Forum's Board should be explored.

11. Data Plan for Equity of Access to Higher Education

Decision: Members noted the paper.

12. Indicative Work Programme for 2018

Decision: Members noted the paper.

13. HEA Board Self-evaluation

Decision: Members noted the paper. It was agreed to undertake another self-evaluation using a different questionnaire later in the year.

14. Members only session

The Board discussed the following issues

- Email practice of circulation using bcc rather than cc. The Chair indicated that individual committee chairs may decide for themselves which method to use, but Board and Finance & Governance committee would use bcc.
- It was requested that the Executive prepare a paper on the potential of redundancy schemes within the HEIs and a cost benefit analysis of such schemes
- The term Research appears to be incorrectly applied in our reports and papers, especially in the allocation model. This will be raised at the Finance & Governance committee.
- We (the HEA) should commission a paper on the future of higher education, barriers and disruptions
- It was agreed to commence a voluntary WhatsApp group for Board members
- It was agreed that the Board should be informed of all submission requests (TUI Bill) or other DES requests that are issued as HEA documents
- The Executive will be asked to produce (or commission) a paper on corporate governance, current legal status (universities act and TU Bill) and proposals for discussion on ideal corporate governance for HEI's
- The Chair was charged with monitoring and updating the list of items outstanding from previous Board meetings.

15. Any other business – Presentation from Mr. Michael McLoone on his WIT Report²

15.1 The CEO introduced this item noting this report was commissioned following the Public Accounts Committee's report on Higher Education. Mr. McLoone provided a verbal update on the process to date and likely key findings and recommendations.

Decision: Members considered the next steps and agreed that initially the Chair and Governing Body of WIT should be provided with a copy of the report. The WIT Chair should be asked for the views of the Governing Body on the findings and recommendations in the report, as well as any actions, if any, it intends taking with regard to legacy issues. The Executive will circulate Mr McLoone's report, together

² Dr. John Wall recused himself from this item

with the proposed letter to the WIT Chair. The report and letter will also be circulated to the DES, C&AG and PAC and will be published on the HEA's website.

Next Meeting

27th March, HEA Offices, 3 Shelbourne Buildings

Padraic Mellett

28th February 2018