

Higher Education Authority
Technological University Status Application
Advisory Panel Terms of Reference / Advice Note

Summary:

This note outlines the role and approach of an Advisory Panel convened to consider applications for Technological University status which may arise in 2018-2019. The note is produced in accordance with the fuller process as set down in the Technological Universities Act 2018, see the full Act [here](#).

A Technological University:

The National Strategy for Higher Education¹ recommended significant reform of Ireland's institute of technology sector so that it could be better positioned to meet national strategic objectives. The Strategy recommended consolidation within the sector and a pathway of evolution for a consortium of institutes of technology that would allow them to demonstrate significant progress against stated performance criteria and to apply to become a technological university. Considerable progress has been made by a number of consortia towards achieving this objective. The enactment of the TU legislation in March 2018, (Technological Universities Act, 2018) now sets out a process whereby such consortia may apply for TU designation.

Technological Universities Act, 2018:

The Technological Universities Act, 2018 sets out that:

- Section 29 (1) - Two or more institutes (in this section referred to as “applicant institutes”) may jointly apply to the Minister for an order under *section 36*.
- Section 31 (3) - The Minister,... shall appoint ... an advisory panel of at least 3 persons, at least two of whom shall have expertise at an international level in standards and practice in higher education (in this section referred to as an “advisory panel”), to assess the application under section 29, and shall furnish the application under section 29 to the advisory panel.
- Section 31 (4) - For the purposes of its assessment and report under this Chapter, the advisory panel may consult with the applicant institutes concerned, An tÚdarás [*the HEA*], the Qualifications and Quality Assurance Authority of Ireland, and any other person or body it considers appropriate.
- Section 32 (1) - ... the advisory panel, having assessed the application under section 29, and having had regard to the matters referred to in section 34(2), shall furnish a report to An tÚdarás with a recommendation whether to make an order under section 36.

¹ <http://hea.ie/resources/publications/national-strategy-for-higher-education-2030/>

- Section 32 (2) - Where the report under subsection (1) states that the applicant institutes do not jointly comply with one or more of the eligibility criteria, it shall—
 - a. identify the eligibility criteria concerned, and
 - b. specify conditions (including relating to the period of time within which conditions shall be met), compliance with which, in the view of the advisory panel, would be reasonably expected to enable the applicant institutes to jointly comply with the eligibility criteria concerned.
- Section 34 (1) - Within 60 days of receiving and having considered the report under section 32, An tÚdarás, having had regard to the eligibility criteria and the report, shall furnish the following to the Minister:
 - a. the report,
 - b. the views of An tÚdarás regarding the report, and
 - c. any other information that An tÚdarás considers relevant.

In practice, what this means is that on receipt of an application and advisory panel information from the Minister, the HEA will convene the panel at the earliest possible opportunity. The HEA will refer the written application to the advisory panel and provide any guidance or information that the panel might require for its assessment. The HEA will host an advisory panel visit to Ireland, including meetings with the applicant institutes concerned (including site visits), the HEA, QQI, and any other person or body the advisory panel considers appropriate.

The HEA has also provided prospective applicant institutions with a guidance document which offers an overview of the Technological University designation process and the proposed approach to implementing the assessment phase for such applications (see Appendix 1).

Technological University Criteria and Minister’s Decision:

The Technological Universities Act 2018 requires that an Advisory Panel be convened to assess an application for technological university status. The Act sets out criteria that applicant institutions must jointly meet certain criteria and demonstrate a trajectory towards future capacity to perform collectively as a Technological university. The Act also sets out additional matters that the Minister may take account of in considering the Advisory Panel’s report and any additional HEA advice.

The 'Advisory Panel' criteria (simplified here) include:

Section	Criterion	Current	Future Trajectory
28 1(a)(i)	Student numbers	4% research students	4% to 7%, within 10 years.
28 1(a)(ii)	Student numbers	30% of students (a) on a flexible programme, or (b) on a co-designed programme; or (c) as mature students	
28 1(c)(i)	Staff qualifications	90% hold a masters or doctorate level qualification	
28 1(c)(ii)	Staff qualifications	45% hold a doctorate	45% to 65% within 10 years.
28 1(f)	Academic research and doctoral supervisory staff	80% of staff engaged in doctoral degree level provision and research hold doctorate	
28 1(g, h)	Research capacity	In 3 fields of education (i) provide programmes that lead to doctoral awards; (ii) academic staff and students conduct research; (iii) carry out innovation activity and conduct research to a high standard	Capacity to increase the number of research fields from 3 to 5 within 5 years.
28 1(i)	Research capacity	All doctoral programmes comply with national policy relating to doctoral education	
28 1(k)(i)	Function as a TU	Integrated, coherent and effective governance structures in place concerning academic, administrative and management matters	
28 1(k)(ii)	Function as a TU	links with business, enterprise, the professions, the community, local interests and other stakeholders	
28 1(k)(iii)	Function as a TU	procedures in writing for quality assurance	
28 1(k)(iv)	Function as a TU	develop programmes that respond to the needs of business, enterprise, the professions, the community, local interests and other related stakeholders	
28 1(k)(v)	Function as a TU	Provide opportunities for their staff and students to teach, learn or conduct research at higher education institutions outside the	

Section	Criterion	Current	Future Trajectory
		State, or to obtain relevant work experience outside the State	
28 1(k)(v)	Function as a TU	Provide opportunities for staff and students of higher education institutions outside the State to teach, learn or conduct research at their institutes	
28 1(k)(v)	Function as a TU	Collaborate with higher education institutions outside the State, including on joint research projects and for the purpose of provision of programmes	
28 1(l)	Function as a TU	Develop and promote and would have procedures in place to further develop and promote, as a technological university, strong social and cultural links, and links supporting creativity, between the technological university and the community in the region in which the technological university will be located	and would have

In taking account of the Advisory Panel's final report and any advice the Minister, in coming to decision, will also take account of the following:

Section	Criterion	Current	Future Trajectory
34 2(a)	Function as a TU, Minister shall have regard to...		More efficiently and effectively serve the needs of students, business, enterprise, the professions, the community, local interests and other stakeholders in the region in which they are located;
34 2(b)	Function as a TU		Project sufficient demand, based on demographic trends, for higher education in the region in which they are located;
34 2(c)	Function as a TU		Have sufficient financial resources available to meet projected costs arising on the making of the order to designate;
34 2(d)	Function as a TU		Be financially viable if the order to designate were made
34 2(e)	Function as a TU		Comply with such policies of the Government as relate to higher education.

The Role of the Advisory Panel

1. The Advisory Panel is asked to consider the Technological University application referred to it by the Minister for Education and Skills.
2. The Panel, having had regard to the application and matters referred to in the Act, shall furnish a report to the HEA making a recommendation on the establishment of a technological university.
3. Where the Panel is of the view that the applicant institutes do not jointly comply with one or more of the eligibility criteria they may specify (timebound) conditions to bring the application into compliance.
 - a. Panel members should note that there are a number of areas in the legislation where decisions on whether applicants meet criteria are entirely a matter for the Panel (e.g. to the satisfaction of the advisory panel; reasonably be viewed by the advisory panel as equivalent; in the view of the advisory panel).
4. The HEA may add its observations on the Panel's final report, before forwarding the Panel's report to the Minister who will make a decision on designation.

The Functioning of the Advisory Panel

The HEA, at the request of the Minister for Education and Skills, has convened a four-member panel to consider an application for technological university designation.

The Panel Members are:

Dr Andrée Sursock - Senior Adviser at the European University Association (EUA)

Mr Lucien Bollaert - Independent QA expert, Netherlands and Flanders

Professor Tim McTiernan - President Emeritus, University of Ontario Institute of Technology

Dr Mary Ellen Petrisko - Former President of WASC Senior College and University Commission (WSCUC)

The HEA has arranged to convene the Panel in Ireland to consider the application. The process includes meetings with national agencies such as the HEA and Quality and Qualifications Ireland (QQI). The HEA and QQI will brief the panel on the Irish higher education landscape. The HEA will provide the Panel with any additional information it might request in support of its role.

As part of the visit the HEA has liaised with the applicant institutions to arrange extensive site visits to the institutions involved as well as meetings with students and staff, meetings with local, regional and national representatives from business, enterprise, the professions, the community, local interests and other stakeholders have also been arranged.

The HEA has also commissioned an external audit of the data processes used by the applicant institutions and arranged for external advice on human resource (HR) practices

and processes in Ireland. These inputs are intended to assist the panel in its consideration of the TU metrics as set out in the legislation.

HEA staff will be on hand to assist the Panel throughout the process, mindful of the need to allow the Panel to conduct its role independently as set out in the legislation.

HEA System Development and Performance Management

May 2018

Appendix 1 – HEA advice note to prospective TU applicants.

Higher Education Authority

Technological Universities – Proposed process in respect of an application to become Technological University, 2018

1.0 Introduction

The National Strategy for Higher Education recommended significant reform of the institute of technology sector so that it could be better positioned to meet national strategic objectives. In particular, the Strategy recommended consolidation within the sector and a pathway of evolution for a consortium of institutes of technology that would allow them to demonstrate significant progress against stated performance criteria and to apply to become technological universities. Considerable progress has been made by a number of consortia towards achieving this objective. The enactment of the TU legislation in March 2018, (Technological Universities Act, 2018) sets out a process whereby consortia may now submit an application for TU designation. This document provides an overview of the Technological University designation process and the proposed approach to implement the assessment phase for such applications.

Please note that where the Act refers to “An tÚdarás”, this document refers to the “Higher Education Authority”. Where the Act refers to “Qualifications and Quality Assurance Authority of Ireland”, this document refers to “QQI”.

In setting out a proposed approach to the submission and assessment process in respect of an application to become technological university, under the Technological Universities Act 2018 at a briefing session on 18th of April 2018, the Department of Education and Skills and Higher Education Authority were requested to provide some additional guidance on the process.

While the format and contents of an application is a matter for the applicant institutes seeking an order under the Technological Universities Act 2018, and while applications should be made in accordance with the process set out in the Act, the following is provided to assist applicants, the advisory panel and any external inputs to the process as may arise.

As above, this note provides summary guidance; for a full description of the process including timelines and appeals processes, etc., see the full Act [here](#).

2.0 Guidance on Application and contents

An application for designation shall be in writing in such form, including electronic form, as may be directed by the Minister. The published legislation sets out the eligibility criteria and related requirements of an application under the Act. These criteria and requirements are simplified here for ease of access and should be considered in conjunction with the [Technological Universities Act 2018](#) and related legislation.

Applicant institutes making an application for an order under the Technological University Act, 2018, should set out how they collectively meet the following requirements:

Student numbers (as set out in Section 28 (1)(a) – (b))

- 2.1 The way in which they collectively meet the student number eligibility criteria:
 - At least 4% research students (research students registered on a programme at masters and doctorate level as percentage of students on a programme at honours degree level and above).
 - At least 30% of the students on a programme at honours degree level and above are registered (a) on a flexible programme, or (b) on a co-designed programme; or (c) as mature students.
- 2.2 A plan demonstrating that they would have the capacity to increase the number of research students from 4% to 7%, within 10 years.

See appendix 1 for further guidance on research student definition and appendix 3 external audit.

Staff (as set out in Section 28 (1)(c) – (f))

- 2.3 The way in which they collectively meet the staff qualifications eligibility criteria:
 - Of the full-time academic staff engaged in the provision of a programme that leads to an award to at honours degree level and above:
 - At least 90% hold a masters or doctorate level qualification, and,
 - At least 45% hold a doctorate level qualification.
 - Of the 45% above holding a doctorate level qualification, up to 10% may hold a terminal degree & sufficient practical experience which can reasonably be viewed as equivalent to a doctoral degree.
- 2.4 A plan demonstrating that they would have the capacity to increase the number of doctorate level qualified staff from 45% to 65%, (or 55% + 10% equivalent) within 10 years.
- 2.5 The way in which they collectively meet the full-time academic research staff and doctoral research supervisory staff eligibility criteria:
 - At least 80% of the full-time academic staff engaged in both provision of a programme that leads to an award at doctoral degree level and the conduct of research, hold a doctoral qualification.

- Each of the full-time academic staff engaged in doctoral supervision
 - hold:
 - a doctoral qualification, or
 - a terminal degree & sufficient practical experience which can reasonably be viewed as equivalent to a doctoral degree,
- and
- has a record of continued conduct of research in an area relevant to the programme.

See appendix 2 for further guidance on full time academic staff numbers, qualifications and equivalences and appendix 3 external audit.

2.3 Research Capacity (as set out in Section 28 (1)(g) – (j))

- 2.6 The way in which they collectively meet the research capacity eligibility criteria:
- That in not less than 3 fields of education they (i) collectively provide programmes that lead to doctoral awards; (ii) that the academic staff and students conduct research; (iii) that they carry out innovation activity and conduct research to a high standard; and, (iv) that the innovation and research has positive social and economic effects on business, enterprise, the professions, the community, local interests and other related stakeholders in the region in which they are located;
 - That all doctoral programmes provided comply with any policy relating to doctoral education as may be agreed from time to time between the HEA and the QQI.
 - Set out a plan demonstrating that they would have the capacity to increase the number of research fields from 3 to 5 within 5 years.

2.4 Capacity to Perform functions of a TU (as set out in Section 28 (1)(k) – (l))

- 2.7 Their capacity to effectively perform the functions of a technological university, demonstrating:
- Integrated, coherent and effective governance structures in place concerning academic, administrative and management matters,
 - Strong links with business, enterprise, the professions, the community, local interests and other stakeholders in the region;
 - Established procedures in writing for quality assurance;
 - Procedures in place to further develop programmes that respond to the needs of business, enterprise, the professions, the community, local interests and other related stakeholders;
 - That they:
 - Provide opportunities for their staff and students to teach, learn or conduct research at higher education institutions outside the State, or to obtain relevant work experience outside the State.
 - Provide opportunities for staff and students of higher education institutions outside the State to teach, learn or conduct research at their institutes.

- Collaborate with higher education institutions outside the State, including on joint research projects and for the purpose of provision of programmes.
- 2.8 That they develop and promote and would have procedures in place to further develop and promote, as a technological university, strong social and cultural links, and links supporting creativity, between the technological university and the community in the region in which the technological university will be located.
- 2.9 That as a technological university they would (**Section 34**):
- More efficiently and effectively serve the needs of students, business, enterprise, the professions, the community, local interests and other stakeholders in the region in which they are located;
 - Project sufficient demand, based on demographic trends, for higher education in the region in which they are located;
 - Have sufficient financial resources available to meet projected costs arising on the making of the order to designate;
 - Be financially viable if the order to designate were made;
 - Comply with such policies of the Government as relate to higher education.

Applicant institutes should set out their application for designation, as they see fit, having considered the [Technological Universities Act 2018](#) ensuring that they provide all material as required under the Act, to the Minister for Education and Skills.

3.0 The Assessment Process:

The Act (**section 31**) sets out that the Minister for Education and Skills will forward the application to the HEA and the QQI seeking their nominations for appointment by the Minister to an advisory panel which will consider the application and advise the Minister. The advisory panel may consult with the applicant institutes concerned, the HEA, the QQI, and any other person or body it considers appropriate.

As set out in **Section 32** of the Act, the advisory panel will assess applications and provide a report to the HEA with a recommendation whether to make an order under **Section 36**. Where the report states that the applicant institutes do not jointly comply with one or more of the eligibility criteria, the advisory panel should identify the eligibility criteria concerned and specify timebound conditions that would be reasonably expected to enable the applicant institutes to jointly comply with the eligibility criteria concerned.

The HEA will then provide the advisory panel's report, its views on the report and any additional relevant information to the Minister (**section 33**). The Minister shall, by notice in writing, inform the applicant institutes of his or her proposed decision and shall in the notice provide reasons for the proposed decision (**section 34**).

In practice, on receipt of an application and advisory panel information from the Minister, the HEA will convene the panel at the earliest possible opportunity. The HEA will refer the written application to the advisory panel and provide any guidance or information that the

panel might require for its assessment. The HEA will host an advisory panel visit to Ireland, including meetings with the applicant institutes concerned (including site visits), the HEA, QQI, and any other person or body the advisory panel considers appropriate.

Engagement with Staff and Students

This would normally include meetings with staff and students of the applicant institutes as well as with business, enterprise, the professions, the community, local interests and other related stakeholders in the region in which the campuses of the applicant institutes are located.

Confidentiality

The Department of Education and Skills and Higher Education Authority will treat applications and the process as confidential and commercially sensitive for the duration of the assessment process but reserves the right to publish the application and ultimate outcome subsequent to the communication of the Minister's final decision on the application in accordance with the process as set out in the [2018 Act](#).

HEA System Development & Performance Management
April 2018

(Appendix 2) Appendix 1 Research Student numbers

The legislation defines a research student as 'a student who is registered on a programme of education and training where not less than 60 per cent of the available credits are assigned in respect of a thesis or theses prepared by the student based on research conducted by him or her'.

For the purposes of an application under the Act the understanding of the term 'research' will be as defined in the Frascati Manual - 2015 Edition:

- Research and experimental development (R&D) comprise creative and systematic work undertaken in order to increase the stock of knowledge – including knowledge of humankind, culture and society – and to devise new applications of available knowledge.
- The term R&D covers three types of activity:
 - Basic research: experimental or theoretical work undertaken primarily to acquire new knowledge of the underlying foundation of phenomena and observable facts, without any particular application or use in view;
 - Applied research: original investigation undertaken in order to acquire new knowledge. It is, however, directed primarily towards a specific, practical aim or objective;
 - Experimental development: systematic work, drawing on knowledge gained from research and practical experience and producing additional knowledge, which is directed to producing new products or processes or to improving existing products or processes.

For the purposes of an application under the Act the understanding of the term 'thesis or theses' will be as set out in the Quality and Qualifications Ireland Research Degree Programmes Statutory Quality Assurance Guidelines March 2017/QG6-V1:

- 8.2 Elements of assessment

Procedures for assessment for research degrees include clarification of research output, most often a thesis (here meaning a coherent body of detailed written work on a specific topic particular to the student) but may also be a written submission with a selection of papers, performance practice or research artefact and, in some cases, performance in a viva voce (oral examination).

- 8.2.1 Research theses and contribution

Procedures are clear on the variety of formats for capturing research contribution available to students, consistent with international norms in the disciplines in which programmes are offered. Specific contexts are identified in which formats other than a monograph may be appropriate. All permitted formats facilitate assessment against an equivalent standard. Clear guidelines are available to students, supervisors, examiners and members of an examination board on each format, including considerations to be taken into account in choosing it, at what stage a student can indicate the intended format, who can approve the format, standards, length and presentation and conventions and protocols for student

vetting of their draft thesis using appropriate software. Procedures are in place which require acknowledgment of the specific contributions of others, if any, to the research project. Procedures are in place for accessing, disclosure, dissemination and archiving of the thesis, subsequent to award.

(Appendix 3) Appendix 2 Staff numbers, qualifications and equivalences

Staff Numbers

The methodology underpinning the applicant institutes' definition of 'full-time academic staff' should be set out.

- For the purposes of an application under the Act a calculation of 'full-time academic staff numbers' would normally include:
 - Those on academic contracts of employment AND
 - Those on full-time contracts of employment i.e. where 1 headcount = 1 whole-time equivalent AND
 - Those engaged (not necessarily exclusively) in the provision of a programme that leads to an award to at least honours bachelor degree level.

Staff qualifications

- For the purposes of an application under the Act the understanding of the term 'equivalent to a doctoral degree' will be as set out in the 2018 Act as 'a terminal degree, as well as sufficient practical experience gained in the practice of a profession to which the programme relates, such that the degree and experience together can reasonably be viewed by the advisory panel as equivalent to a doctoral degree'.
- It is likely that the applicant institutions will have a wide range of specialisms as part of their existing offerings and their staff mix reflects the recruitment patterns which sought, to date, to resource these specialisms in an appropriate way. It will be difficult, if not impossible, to derive a fully exhaustive set of guidelines to cover all of these specialisms in a detailed way. It appears that the more practical approach is to set out some broadly common criteria and/or categories which are capable of application across a range of specialisms and which offer reasonable guidance to the institutions as to what might be acceptable by the advisory panel in exercise of its statutory function.
- In making a case for 'equivalent to a doctoral degree' applicant institutes are invited to their consideration of terminal degree and practical experience on an individual / CV-based approach. This approach should evaluate the quality of the individual's experience relative to the particular challenges / demands / forms of recognition of the discipline in question. It may incorporate a time-based dimension without considering the latter to be a qualifier or disqualifier in itself.
- This categorisation would include, individuals distinguished by high achievement in the world of industry, business, science, the professions, the arts or public service who have been recognised by peers as outstanding in their field or those clearly recognised and verifiable eminence and leadership in their chosen field of expertise.

- While a broad range of possible categories exists into which the relevant accomplishments may fall, the following list is intended as an example set and is not likely to be exhaustive:
 - Professional Membership: This category applies in the case of senior practitioners in professional disciplines who have attained the highest level of membership of the professional body concerned. It would include the professional bodies (in whatever jurisdiction) in disciplines (and related sub-disciplines) such as accounting, engineering, law, medicine, veterinary etc. While specific qualification procedures may vary, there would be likely to be a commonality of the requirement on the individual to show a body of professional practical experience which is at the highest level for the discipline and peer evaluation of the individual by accepted experts in the field.
 - Publication / Exhibition: This category would include publications outside of the traditional academic, peer reviewed domain. It could include output designed for mass readership, appreciation or impact across a variety of genres, including the creative arts. While more qualitative than the earlier category it would, nonetheless, involve demonstrable forms of recognition such as critical review, commercial impact or media commentary.
 - Performance: This category would involve demonstrable evidence of regular and ongoing performance in the varying performing arts categories in recognised venues, either nationally or internationally. As with the category above, it would be likely to be supported by critical recognition, media impact and / or commercial success.
 - Built Environment: This category would involve the professional contribution to the creation of significant additions to public space in Ireland or abroad. It could involve any of the wide range of disciplines involved - architecture, engineering, quantity surveying, design etc.
 - Business / Entrepreneurial Achievement: This category would involve recognisable achievement in the development, growth, acquisition of businesses, either newly created or substantially changed and re-configured, creating resulting value either in terms of shareholder value, employment creation, technological innovation and creativity or social/public service.
 - Social / Public Service: This category could include the development of services and modes of delivery of service to various categories of the population. Distinguishing features (to mark the achievement off from “regular” service provision) could include the extent of the impact on a targeted category of population or the level of innovation exhibited in the service so as to establish precedent and replicability in other domains or geographies.
- Some of these categories may overlap and would require further elaboration and exemplification in dialogue between the advisory panel and applicant institutions, to the extent that any of the proposed bids may rely on these examples of professional experience or combinations of them.

This guidance is provided to advise the process. The key elements of any case for equivalence should include recognisable and verifiable evidence of proficiency and clearly, the exemplification of this spans a wider range of possibilities than might be set out here.

(Appendix 4) Appendix 3 External Audit Process

For the purposes of assessing an application under the Act, and as an input to the advisory panel's decision-making process, the Department of Education and Skills and/or the Higher Education Authority may commission an independent external audit or a series of audits of aspects of a submission made by applicant institutes. This may be required in order to verify aspects of the application with respect to student numbers, programme types, staff numbers and staff qualifications.

The HEA will undertake to provide indicative numbers of staff and students to the external auditors, taken from the quarterly staff returns and student records system, based on March 2018 (or latest) returns. On this basis, the audit could include:

- a sample audit of the process used by the applicant institutes to verify relevant staff numbers, qualifications and/ or equivalence, for the purposes of an application under the Act;
- a sample audit of the process used by the applicant institutes to verify student categorisation, along with participation and registration on the named programme for the purposes of an application under the Act;
- a sample audit of the process used by the applicant institutes to verify programme type (research/ part-time/ remote/ online) and programme co-design for the purposes of an application under the Act.