

Munster Technological University Review

May 2020

Memorandum Summary:

The Munster Technological University (MTU) consortium submitted their report on compliance with the Minister's conditions under the Technological Universities (TU) Act 2018 on 30th March, 2020. This Memorandum provides an overview of the process carried out by the Higher Education Authority (HEA) and a summary of the HEA's views on the MTU's compliance with these conditions.

Background

In February 2019, the MTU consortium submitted an application to the Minister for Education and Skills, under the TU Act, 2018. The HEA, in accordance with legislation, was responsible for the management of the application process and the assessment was carried out by an Advisory Panel in May. The panel's report and HEA's views were thereafter conveyed to the Minister.

In July 2019, the Minister wrote to the MTU consortium advising of his proposed decision to postpone the granting of the application by making an order under the TU Act 2018, establishing the MTU. In line with the Act (section 34 (3)) the MTU submitted a response to the Minister's letter for his consideration on 20 August 2019.

On 30 September 2019, the Minister confirmed his proposed decision in writing to the MTU consortium, and detailed a set of conditions, with which the institutes were jointly required to comply in line with sections 35(1) and 35 (2) of the Act. The MTU was required to submit a final report to the Minister, no later than the end of Q1 2020, demonstrating achievement of and compliance with the conditions set out. In his letter, the Minister indicated that:

“My proposed decision on compliance with these conditions under section 35(1) will be made having consulted with the HEA and QQI and an advisory panel similar to that which carried out the assessment of the application for TU designation under section 29 of the Act”.

The requirements set out in Section 35 (4b) of the TU Act, 2018 are as follows:

Within 60 days of receipt of a notice under paragraph (a), the Minister shall consider the information furnished by the applicant institutes and, having consulted with An tÚdarás, the Qualifications and Quality Assurance Authority of Ireland, or any other person or body as the Minister considers appropriate, the Minister shall, by notice in writing, inform the applicant institutes of his or her proposed decision as to whether the applicant institutes jointly comply with the conditions and shall in the notice provide reasons for the proposed decision.

The Minister wrote to the HEA on 3rd April, 2020, indicating and requesting the following:

“Further views from an expert international advisory panel are to be elicited as appropriate and as practicable to inform the decision making process; the arrangements, logistics and mechanisms for this in the current circumstances brought about by the Covid-19 pandemic are currently being worked out and are to be discussed with the consortium and the panel members by the HEA executive in consultation with the Department, as appropriate.

However, in the worst case scenario should even a remote or virtual advisory panel interaction prove to be practicably unworkable - and bearing in mind that such an interaction is not a strict legal requirement such as it was in the initial application assessment process - the provisions of the 2018 Act dictate that primary reliance will require to be placed in terms of external advices (in addition to that of my Department’s officials) to inform the decision making process on the views of An tÚdarás, as informed by its executive, and of QQI and that this contingency should be planned for as appropriate”.

Summary of review process

The HEA Executive developed a review process for the MTU submission, in consultation and agreement with members of the Authority.

The Department of Education and Skills (DES) indicated that an advisory panel was not a legal requirement of the process. The Executive chose to engage an Advisory Panel to provide a third party, independent review of the MTU submission dated the 30th March 2020. The advisory panel provided continuity and context as they assessed the 2019 MTU submission. The panel comprised the following members:

- Mary Ellen Petrisko (Chair)
- Jon Haakstad
- Andree Sursock
- Jean-Pierre Finance

To support the process and to ensure no obvious bias occurred and that the relevant criteria were applied, the HEA engaged a process auditor, O’BRIEN/Governance Design.

In accordance with the process, the advisory panel were asked to have regard to the conditions set by the Minister under sections 35(1) and 35 (2) of the Act, and to make an assessment as to whether these conditions had been met. On the 21st of April, the panel furnished their report to An tÚdarás (see Appendix 4). Given the global Covid-19 pandemic an advisory panel visit was not possible and the HEA followed up with MTU stakeholders on the areas for further clarification identified in the report.

The HEA Executive issued an information request to the MTU consortium, detailing documents to be submitted in support of their application and areas for further discussion and clarification across all conditions, prioritising conditions 3 and 4, as recommended by the Advisory Panel. A series of video-conferences was completed with MTU stakeholders (See Schedule in Appendix 1) to address the areas for further clarification in the advisory panel’s report. These meetings provided stakeholders with an opportunity to raise any additional matters that they wished to bring to the HEA’s attention, in the context of the MTU application for designation. The Executive also held a meeting with the National Branch of the Teacher’s Union of Ireland and with the Quality and Qualifications Ireland (QQI) to ensure their views were fed into the process.

The Executive reviewed the Advisory Panel Report, supplementary documentation received from the MTU consortium and information and evidence provided by key stakeholders through dialogue. An overview of findings is provided in Appendix 2.

The Table below summarises the Executives’ views with regard to each of the Minister’s conditions:

Condition	Summary	Status
1	<ul style="list-style-type: none"> Advisory panel concluded that this condition has been met, as far as can be concluded from a paper-based review. The explanation and evidence of progress provided in follow-up to the HEA, underpins the Executive’s view that this condition has been met. 	Condition met
2	<ul style="list-style-type: none"> Advisory panel concluded that this condition has been met, as far as can be concluded from a paper-based review. The explanation and evidence of progress provided in follow-up by the HEA, underpins the Executive’s view that this condition has been met, notwithstanding that matters raised by the TUI local representatives with regard to the MoU need to be addressed. 	Condition met, with caveat of TUI MoU.
3	<ul style="list-style-type: none"> Advisory panel concluded without prejudice, that they were unable to confirm that this condition has been met due to the lack of evidence provided in the documentation, the inability to confirm progress toward stated objectives, and the extent to which planning remains future-oriented. Further follow-up by the HEA was recommended. The explanation and evidence of progress provided in follow-up to the HEA, underpins the Executive’s view that this condition has been met. 	Condition met

4	<ul style="list-style-type: none"> Advisory panel concluded without prejudice, that they were unable to confirm that this condition has been met due to the lack of evidence provided in the documentation, the inability to confirm progress toward stated objectives, and the extent to which planning remains future-oriented. Further follow-up by the HEA was recommended. The explanation and evidence of progress provided in follow-up to the HEA, underpins the Executive's view that this condition has been met. 	Condition met
5	<ul style="list-style-type: none"> Advisory panel concluded that this condition has been met. 	Condition met
6	<ul style="list-style-type: none"> Advisory panel concluded that this condition has been met. 	Condition met

There remains a challenge in relation to significant disquiet from one stakeholder group in this process, namely, the Teachers Union of Ireland. They reiterated when asked that their concern focuses on timely progress in working through matters set out in the Memorandum of Understanding (MoU) agreed between TUI and Management in December 2018. Industrial action is currently ongoing in this regard. See Appendix 3 for TUI Statement.

It is the Executive's view that the Department of Education and Skills needs to involve itself directly in the Industrial Relations (IR) issues at a national level, as there will be other applications for Technological University status coming in the near future and similar IR issues may arise in this context. It is recommended that matters set out in the MoU are addressed prior to designation day.

Appendix 1: Schedule of Meetings with MTU Stakeholders

Agenda	
Wednesday, 22nd April (video-conference)	
16:00 - 16:45	Meeting with Heads of CIT and ITT Student Unions
Thursday 23rd April (video-conference)	
09:30 - 10:15	Meeting with Chairs of Joint Governing Body
10:15 - 10:30	Change over of attendees
10:30 - 11:15	Meeting with Presidents of CIT and ITT
11:15 - 11:30	Change over of attendees
11:30 - 12:15	Meeting with Project Leadership Team
12:15 - 12:30	Change over of attendees
12:30 - 13:15	Meeting with Chief Financial Officers of CIT and ITT
13:15 - 14:15	Lunch
14:15 - 15:00	Meeting with TUI local union representatives *Rescheduled to Monday 27 th April, at request of TUI representatives
15:00 - 15:15	Change over of attendees
15:15 - 16:00	Meeting with PMSS union representatives (FORSA, SIPTU, Unite)
16:00 - 16:15	Change over of attendees
16:15 - 17:00	Meeting with Head of HR CIT, Head of HR ITT
Friday 24th April (video-conference)	
15:00 - 15:45	Meeting with QQI
16:00 - 16:45	Meeting with TUI National representatives and TUI local branch representatives
Monday 27th April (video-conference)	
10:00 - 11:00	Meeting with TUI local union representatives

Appendix 2: MTU Overview of Findings

No.	Detail	Reviewed by	Advisory Panel response (Summary)	HEA response (Summary)
1.	<p>Progress towards the preparation of an overarching statement of the strategic purpose of, and vision for, the proposed MTU to be demonstrated, as proposed by the advisory panel, through the completion of a profile statement for MTU and the identification of the benefits of the new institution, demonstrating a commitment to the establishment of a single cohesive, integrated and unitary multi-campus TU.</p> <p>1.1 This should include consideration of MTU's foundational role in creating a regional institution and developing it along the N22 corridor and also set out how it is envisaged that the analysis contained in the report of the TURN is relevant to the future value, mission and purpose of the proposed MTU.</p>	Advisory Panel and HEA	<p>Purpose and vision for the MTU expressed as: <i>"In summary, MTU will play a leadership role in the strategic development of the South West region and, in so doing, it will adopt a global outlook and a civic centric value system. MTU will anchor the development of the South West region, and be anchored in the region, while participating fully on both the national and international stages"</i>.</p> <p>The commitment to the establishment of a single cohesive, integrated and unitary institution runs strongly through the entire Report.</p> <p>Areas for clarification:</p> <ul style="list-style-type: none"> • <i>How</i> the strategic positioning of the merged TU will further develop strengths along the lines of other TUs / Institutes of Technology. • The Profile Statement – explanation of the academic domains in an organisational sense; relationship of academic domains to 	<p>The HEA sought additional clarity from MTU stakeholders through dialogue. Supporting documentation has also addressed these matters.</p> <p>Statement of strategic direction was provided in the March 2020 report, as described by the Advisory Panel. MTU Vision and Mission, remains as per the original MTU application, Feb 2019:</p> <ul style="list-style-type: none"> • Vision: Leading Transformation through Education • Mission of MTU: To lead change and, through education, empower people for a successful future in a globalised world. <p>Work has been proceeding from the 'bottom-up' through Academic Council structures and working groups in all areas.</p> <p>MTU has advised that academic domains will provide academic coherence and will inform structures. They will span across campuses and support academic activities including teaching and learning, research and engagement to enhance the region. The Academic Domains working group has identified and agreed upon the academic pillars, which will provide the basis for the academic units of MTU.</p> <p>Relevant documentation:</p> <ul style="list-style-type: none"> • Principles of academic domains. • Video on MTU.ie website homepage: 'How MTU will empower people to succeed in a globalised world' • Notes of MTU Engagement Working Group workshops (Nov & Dec 2019) considering Our Region; Engagement Strategies; MTU Mission, Vision, alignment with TURN Report.

			<p>research fields.</p> <p>The Panel concludes that condition 1 has been met, as far as this can be concluded from a paper-based review.</p>	<ul style="list-style-type: none"> • MTU Sea Change document: “Together we Are; Together we Will” • Draft Engagement Strategy • MTU Multi-campus position paper <p>The Executive’s view is that this condition has been met.</p>
2.	<p>A detailed process of engagement with all stakeholder groups – internal and external relating to the development of a clear shared vision and mission for the proposed TU as a single cohesive and unitary multi-campus TU and a plan for the continuation of this engagement prior to the establishment of MTU and post-designation.</p>	<p>Advisory Panel and HEA</p>	<p>Since the international panel's visit in May 2019, a great deal of effort has been made by the MTU consortium to involve internal and external stakeholders in its planning. This has involved 21 working groups and a structured organization mobilizing more than 300 staff members and additional Students’ Unions representatives.</p> <p>The Panel notes with concern, however, the ongoing stalemate with the Teachers Union of Ireland, which forbids its members to cooperate in the merger process despite several meetings between management and union representatives.</p> <p>The Panel believe that the vision and mission of the MTU are agreed upon across the partner institutions.</p> <p>Areas for follow-up and clarification:</p> <ul style="list-style-type: none"> • Extend beyond the immediate condition to ‘realizing mission and vision’. Series of questions identified. 	<p>The HEA sought additional clarity from MTU stakeholders through dialogue on areas identified by the panel for further exploration.</p> <p>Membership of working groups:</p> <ul style="list-style-type: none"> • 21 working groups have been in place, led by Sponsors. • Membership of working groups was initially limited to a maximum of 12 members, with consideration given to institute representation, expertise required, discipline representation and gender balance and including 2 student representatives on each group. Membership of working groups was opened through an invitation to all staff in December 2019, resulting in 32 additional staff requesting participation. It was expected that members of working groups would consult with their colleagues on matters arising. MTU indicated that 145 academic staff (including Sponsors and Chairs) have been involved in working groups. • Members of the TASS forum noted the high number of working groups and indicated they could attend any working groups as observers. Spoke of an ‘open-door’ with management and positive engagement. • TUI members indicated a selective management approach to membership of working groups, leading to a low number of lecturing staff participating (19 was cited). • Student representatives indicated that they had been represented on all working groups. <p>High-level reports of working groups were fed to the Joint GB Steering Group for information and consideration. It is expected</p>

			<ul style="list-style-type: none"> • TUI engagement. <p>The panel concludes that given the important mobilization of stakeholders during the last six months and the high level of activity of working groups, and given the limitation of this condition to work done on MTU’s mission and vision, that Condition 2 has been met, as far as this can be concluded from a paper-based review.</p>	<p>that the working groups will remain in place up until designation, as implementation teams. Views of staff and students were captured by working groups through the use of Surveys and Focus Groups.</p> <p>Documentation provided:</p> <ul style="list-style-type: none"> • Internationalisation strategy • TUI statement to HEA • Letter issued to staff inviting participation in working groups, Dec 2019. <p>The Executive’s view is that this condition has been met, with caveat of TUI MoU.</p>
3.	<p>In order to ensure the attainment of a strategic purpose and vision and to meet the eligibility criteria set out in section 28(1)(k)(i), and in consideration of the factors that were essential to the successful establishment of TU Dublin, the applicant institutes should demonstrate that:</p> <p>3.1 As soon as possible following the receipt of this letter, a joint governing body steering group has been established for the proposed MTU, made up of the main stakeholders in both institutes, to provide a single focal point, accelerated momentum and strongly evidenced progress, in responding to the issues highlighted in the advisory panel’s report, including the</p>	Advisory Panel and HEA	<p>An outline of governance structures is detailed, including MTU Joint Steering Group; MTU Joint Executive; and Project Leadership Group.</p> <p>The Panel notes that “while it is clear that there has been a great deal of activity across the two partner institutions, the documentation provided to the panel has not presented “strongly evidenced progress” or “significant progress” in the areas of concern here. This progress may have been made in some areas, but the panel has not been able on the basis of a paper-only review to confirm that this is the case”.</p> <p>Without prejudice, we are unable to confirm that this condition has been met due to the lack of evidence</p>	<p>The HEA sought additional clarity from MTU stakeholders through documentation and dialogue on areas identified by the panel for further exploration.</p> <ul style="list-style-type: none"> • GB Chairs, Presidents, Project Sponsors spoke positively of the engagement and progress that had been made within and between groups. • The Joint Governing Body Steering Group has been meeting since 16 October 2019. New governing body members for the institutes are due to be appointed by the Minister imminently and the formation of a new Joint GB Steering Group will be expedited at the inaugural meetings of the new governing bodies. • The Project Leadership Group has been meeting regularly since 4 October 2019, to coordinate progress across work streams and working groups. • The Joint Executive has been meeting since end 2019 and is gaining momentum. This will form the basis for a single Executive at designation, under the President’s leadership. A practical example of collaboration was the joint application to the Human Capital Initiative. • Student representatives indicated that they have had a very positive engagement working with MTU in the last

more integrated, coherent and effective governance structures that are required in preparation for a single legal entity.

3.2 on its establishment, this joint governing body steering group has been assigned the appropriate authority from the governing bodies of both institutes to secure an integrated coherent and effective approach and significant progress in relation to academic, administrative, management and governance matters, required for the establishment of a TU.

3.3 the joint governing body steering group has worked effectively in terms of establishing an integrated, coherent approach to the matters identified in 3.1 and 3.2 above and a comprehensive and detailed work programme is in place for the joint governing body steering group up to the point of decision to grant the application and for the continuation of this work following a decision up to the point that a TU is established.

3.4 the joint governing body steering group has been supported from the outset by senior personnel drawn from the individual institutes and operating across both institutes and external experts, having

provided in the documentation, the inability to confirm progress toward stated objectives, and the extent to which planning remains future-oriented.

12 months, with increased activity. They have been represented on the Steering Group; the Project leadership group and in all working groups. Examples were provided of ways in which the structures had advanced issues of importance to students.

A written response with supporting documentation was provided and reviewed and included:

- Joint Executive Group meeting minutes
- Joint Steering Group minutes
- Project Leadership Group minutes
- Corporate notebook
- Code of governance
- MTU Joint Governing Body: Governance project plan
- MTU Guiding Principles and proposed high level structures
- Proposed Agenda, 1st Governing Body meeting
- MTU Corporate Governance Operational Plan (Calendar for Sept 2020 – August 2021).

The Executive's view is that this condition has been met.

<p>specialist expertise and knowledge of higher education and mandated by both institutes' governing bodies to provide executive leadership for the joint governing body steering group's programme of work, including through the establishment and operation of appropriate sub-groups.</p> <p>4. (i) In order to meet the eligibility criteria set out in section 30(b) of the Act and on the basis of the work of the joint steering group and sub-groups which it establishes the applicant institutes should demonstrate, on the basis of additional and specific data, evidenced information that specific joint planning in relation to a future single unitary institution is effective and advancing and will continue to the point that the TU is established in relation to the management of:-</p> <ul style="list-style-type: none"> (a) academic; (b) financial; and (c) administrative matters, including human resources, information technology and support services; <p>(ii) Insofar as academic matters are concerned, the applicant institutes should demonstrate that a process</p>	<p>Advisory Panel and HEA</p>	<p>The application presents "joint planning in relation to a future single unitary institution" and shows that "a process has been put in place... towards proposing a future approach to programme offerings in anticipation of the establishment of MTU". However, it is difficult to find "on the basis of additional and specific data, evidenced information that specific joint planning ...is effective and advancing and will continue to the point that the TU is established..."</p> <p>Further evidencing of progress in implementation was recommended, in areas relating to:</p> <ul style="list-style-type: none"> • Academic • Administrative • Financial matters <p>Without prejudice, we are unable to confirm that this condition has been met due to the lack of evidence provided in the documentation, the inability to confirm progress toward</p>	<p>The HEA sought additional clarity from MTU stakeholders through documentation and dialogue on areas identified by the panel for further exploration.</p> <p>Examples of areas of progress were provided. For example:</p> <ul style="list-style-type: none"> • MTU Organisational Design Principles have been agreed and these will form the foundation for the eventual MTU Organisational Design. The new organisational structure will align to the mission and vision of MTU and the strategic planning process. • The Academic Domains working group has identified and agreed upon the academic pillars, which will provide the basis for the academic units of MTU. MTU indicated wide agreement with the proposed Academic Domains at Academic Council in ITT and CIT. • The Research working group has agreed upon a unified research council structure. • Four options for the configuration of the Transitional Academic Council were considered at the Joint Academic Council meeting in Feb 2020, attended by 92 Academic Staff. It was agreed that two options will be progressed and will be subject to further consultation. • An agreed process for the establishment of an MTU School of Graduate Studies is in place, building upon the existing CIT School of Graduate Studies (to be enacted on Designation Day). Additionally, common Postgraduate Research Student Regulations have been adopted.

has been put in place, involving academic staff and students, and that progress has been made towards proposing a future approach to programme offerings in anticipation of the establishment of MTU.

stated objectives, and the extent to which planning remains future-oriented.

- An agenda has been agreed for MTU Governing Body (GB) for Day 1. This will outline the GB standing orders, establishment of interim Academic council, working subcommittees of MTU GB and the appointment of the new President designate.
- A sub-committee of the Steering Group will be formed when the new Governing Body nominations are complete, to facilitate the recruitment of the MTU President.
- With regard to Student Administration, a national procurement process has recently concluded and Ellucian (Banner) won the tender. This will enable the upgrade of the CIT instance to proceed, so that SRS data can be merged.
- Significant work in Library Services is underway.
- A framework is in place with EduCampus and MTU will be the 'pilot' for the sector. MTU are reliant on EduCampus to deliver the systems for them and funding is required to support this.
- A log of meetings between HR and Unions was provided.
- MTU Digital Strategy – detailed and ambitious plan.

Examples and evidence of progress were also provided across Finance, IT, HR areas and in policy development.

The importance of the TURN report was noted and the need for leadership at a national level to support the development of TU staffing structures.

Supporting documentation provided, included:

Academic:

- Academic Domains information
- Academic Council working group ToR
- Academic Council working group paper (draft)
- Academic Council – all staff communication on

				<ul style="list-style-type: none"> consultation process • MTU School of Graduate Studies: Descriptor and Minutes of Graduate Studies/Research Council meeting (Nov 19) • Programmatic Review: Position paper and draft programme template. • Examples of academic strategic alignment • Working Group position papers <p>Administrative and Financial:</p> <ul style="list-style-type: none"> • MTU President Search • MTU Governing Body: Day one proposed Agenda • Corporate governance operational plan • HR project plan and policies • Union policy engagement • MTU Policies meetings with HR • CORE HR Feasibility report • IT Project Plan • MTU System Architecture (Draft) • MTU Digital Strategy • Identity Management project plan • Office 365-AD/Email project plan • Strategic alignment and extra information • Student academic admin and support services • Finance project plans • Finance feasibility report • Corporate overview <p>The Executive's view is that this condition has been met.</p>
5.	Quantitative Eligibility Criteria I. Demonstration by the applicant institutes that they meet the eligibility criterion in section 28 (1)(a)(i) of the Act.	Advisory Panel, QQI, HEA	The panel bows to the authority of the QQI regarding eligibility criterion 28(1)(a).	<p>The HEA engaged with QQI on this matter and identified a definition for research, which was provided to the SDPM Committee and Authority.</p> <p>The Executive accepts QQI's position on the MTU 25W Masters programmes, identified in the first review by Deloitte and the Panel for consideration.</p>

	<p>II. Provision by the applicant institutes of a plan in relation to the eligibility criterion in section 28(1)(a)(iii) to increase the percentage of research students from 4% to 7% within ten years.</p> <p>III.</p> <p>Provision by the applicant institutes of a plan, in relation to the eligibility criterion in section 28(1)(d) to increase the percentage of full-time academic staff with a doctoral or appropriate equivalent from at least 45% to 65% within 10 years.</p>	Advisory Panel and HEA	<p>With regard to 28(1)(b) and (d), the Panel notes that MTU plans require financial and infrastructure resources and union agreement that we cannot confirm.</p> <p>However, given the solidity of its plans and projections assuming these resources and agreement, the Panel finds that this condition has been met.</p>	<p>The HEA sought additional clarity from MTU through dialogue on the matter of financial resources to support their plans:</p> <ul style="list-style-type: none"> • MTU indicated that there has been significant investment from own resources in staff professional development, particularly for study at doctoral level, to support growth in research activity. Open to all staff. This will continue and further financial support may be possible through TUTF. • There is a commitment in place for hours to study, from date of designation. • Further planning is required for up-skilling and retraining of non-academic staff post-designation. <p>TASS unions indicated in dialogue that:</p> <ul style="list-style-type: none"> • Staff training and development is very important for their members. Staff may be required to move to new roles and reskill, so require funding to support this training and development. Management has agreed to work on a strategy for training and development of staff. <p>TUI indicated in a written submission that:</p> <ul style="list-style-type: none"> • Continuation of the current staff PhD scheme is not acceptable to members, as the reduction in hours for study will only commence post-designation. <p>The Executive's view is that this condition has been met, notwithstanding the need for MTU management to engage with TUI with regard to staff professional development.</p>
6.	The furnishing of progress reports to the Minister at two-month intervals, following the date of issue of this letter in relation to compliance with these conditions.	Advisory Panel	Although the letters themselves were not provided with the report or by the HEA, the Panel finds what has been reported here sufficient to say that this condition has been met.	The Executive's view is that this condition has been met.

Appendix 3: Statement to the HEA regarding the TU application for the MTU

27th April 2020

Dear HEA Board Member

TUI Cork Colleges and IT Tralee Branches negotiated and agreed a memorandum of understanding (MoU) with management in 2018 ahead of the submission of the TU application. The MoU describes the framework for agreeing the essential pre designation policies e.g. recruitment and selection, staff development, and dignity and respect, in addition to critical decision on governance and structures. These are key elements fundamental for the orderly establishment of MTU. Despite the additional time provided by the Minister and the assistance of the WRC, there are currently no outcomes to any of the items listed for agreement in this phase of the MoU.

The 2019 Advisory Panel report included the following three key concerns that management have still failed to address:

- 1) the lack of communication and meaningful consultation with academic staff
- 2) “buy-in from academic staff ... to achieve a worthwhile academic project”
- 3) “the strained relationship between senior management and the academic staff union ... roadblocks to collaboration in pursuit of the goal of becoming a technological university and the urgent need to seek a path forward and renewal of collaboration”.

TUI in Tralee and Cork represents over 750 members of academic staff who are currently engaged in the first phase of industrial action due to the lack of meaningful consultation and engagement by management. The relationship between senior management and the academic staff union has further deteriorated since the Advisory Panel visit last year due to a continued pattern of contempt for the process, poor communication, lack of management capacity and failure to follow through on agreed actions. The lack of staff buy-in and absence of agreement on key policies does not bode well for the creation of a Technological University. TUI is fearful that, if designation goes ahead without progress on the MoU, it will lead to escalation of its current industrial action as ‘the ribbon is cut’ on MTU.

TUI request that the HEA review gives cognisance to achieving the MoU and recommends that designation does not take place until the MoU items are finalised and agreed.

Cork Colleges and IT Tralee Branch Representatives

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Appendix 4: Advisory Panel Report

Appendix 4: Advisory Panel Report

Report of the International Advisory Panel to An tUdaras On the MTU Report to the Minister for Education and Skills for Designation of the Munster Technological University

Background

The National Strategy for Higher Education to 2030 (January 2011), among other goals, proposed reform of Ireland's institute of technology sector to better meet national strategic objectives. Specifically, it recommended consolidation within the sector and a pathway for consortia of institutes of technology to evolve into technological universities upon demonstration that they have met or exceed threshold criteria to attain technological university status.

The Munster Technological University (MTU) partnership – Cork Institute of Technology (CIT) and the Institute of Technology Tralee (ITT) – submitted an application in February 2019 to become Ireland's second technological university. This International Advisory Panel was convened in the third week of May 2019 by An tUdaras, the Higher Education Authority (HEA), to provide independent advice to the Minister for Education and Skills on the merits of the CIT/ITT application for technological university status. Based on its review of all documentation and its May visits to the CIT and ITT, the Panel reported that the MTU proposal partially met the requirements set out in the Technological Universities Act of 2018. The Panel recommended that the Minister request additional and specific data and information “demonstrating that plans and arrangements are in place for managing academic, financial, and administrative matters arising on the making of an order under section 36” and that the data and information requested explicitly address the criteria on which the Panel found itself unable to make a judgment regarding compliance.

The Minister communicated his decision to postpone the granting of the designation of TU in a letter dated 30 September 2019. In that letter, the Minister specified conditions with which the partner institutes were to comply and required that a report on their achievement be submitted no later than the end of Q1 2020. The requested Report to the Minister for Education and Skills for Designation of the Munster Technological University was submitted on March 30. At the request of the Higher Education Authority, this Panel was again asked to review these materials and to make a recommendation regarding the approval of Munster Technological University.

Introduction: Panel Activities

Email communications regarding the planning of this review began in December 2019. The initial plan for the Panel's activities was to include, after its review of all documentation, a return visit to the CIT and ITT in April or May 2020. As is always the case with such visits, the intent would have been to conduct meetings and interviews to verify the information received, request any additional information the Panel believed necessary, ask questions of clarification, and in general assure the Panel that its assessments and recommendation were well grounded and justified. Given the COVID-19 situation, no such visit was possible.

In late March 2020 emails were exchanged between Panel members and HEA staff regarding the best way to proceed with the review. Videoconferences were also held beginning the first week of April. After discussing options, it was agreed that the Panel's work would be limited to a paper-only review, with findings being reported to the HEA for any needed follow up with the CIT and ITT being undertaken by HEA staff. The Panel has proceeded accordingly, communicating by email and videoconferencing to discuss the MTU Report and prepare this report and our recommendation.

General Findings

The MTU consortium has been active in the time since the panel's visit in May 2019 and the Minister's decision to postpone the granting of the application in September 2019. Many groups have been working on the many steps necessary to transition from two separate Institutes of Technology to one Technological University. However, although the documentation received and reviewed by the panel showed progress in many areas, panel members were unable to say definitively that the six conditions set by the Minister in September 2019 have been met. An onsite visit, which may have enabled the panel to provide a more positive response, was not possible due to COVID-19-related travel restrictions. This report includes our analysis of each of the Minister's six conditions and our recommendation regarding the MTU application, including suggestions for additional inquiry on the part of the HEA.

Specific Findings

Condition 1

Progress towards the preparation of an overarching statement of the strategic purpose of, and vision, for the proposed MTU to be demonstrated, as proposed by the advisory panel, through the completion of a profile statement for MTU and the identification of the benefits of the new institution, demonstrating the commitment to the establishment of a single cohesive, integrated and unitary multi-campus TU.

The purpose and vision of the proposed MTU is best expressed in the final lines of the Report's answer to Condition 1:

In summary, MTU will play a leadership role in the strategic development of the South West region and, in so doing, it will adopt a global outlook and a civic centric value system. MTU will anchor the development of the South West region, and be anchored in the region, while participating fully on both the national and international stages.

The more specific description of MTU's vision and purpose is grounded in a feature analysis of the society that the institution will operate in and serve, nationally and regionally, with a strong emphasis on the regional aspect. Characteristic features of the South West of Ireland are highlighted (Appendix 1): a very diverse economy, projected population growth, projected economic expansion as a national counterpoint to the Dublin area, a rise in an already-high demand for higher education, and a need for varied and flexible educational provision to serve a diverse pool of learners. On the basis of the current complementary profiles of CIT and ITT (Appendix 4), MTU is anticipated to be in good position to meet regional and national demands and to develop these capacities further (Appendix 2). In this connection, ensuring flexible learning modes to underpin life-long learning opportunities at all TU levels is stated as an important priority.

MTU's contributions, like those of other technological universities and institutes, are intended to be complementary to existing traditional universities: more diverse in educational provision, campus types and cultures, more applied in their research, and answering a wider demand for professional and vocational education. In most respects, this is a continuation of the roles that the present institutes of technology already have, and the Report gives little indication of *how* the strategic positioning of the merged TU will further develop strengths along these lines. The academic priorities of the merged institution are given in five academic domains and six research fields, with further explanation of strategic alignments within each of these (Appendix 14). This gives a good overview of the planned main areas of activity within the MTU and may be seen as the MTU profile statement. It is not made clear,

however, what the academic domains are meant to be in an organisational sense and how they will contribute to “the establishment of a single, cohesive, integrated and unitary multi-campus TU.” The illustration of the interrelationships between domains and research fields (Report, fig. 1) does little more than saying that ‘all is related to all’. Nor is the interplay between the academic and research domains, so crucial in most universities, addressed here.

The commitment to the establishment of a single cohesive, integrated and unitary institution runs strongly through the entire Report. The benefits of an MTU as listed in the report include greater programme choice for students, a unified engaged strategy, access to additional development options, increased economies of scale, and greater advantage to graduates from university recognition, among others. The discussion of the strategic development trajectory for the MTU, however, is based more on hopeful expectations than strategy: “Over the next five years, the unified profile of the MTU can be expected to show very significant development ...” and “ Over a ten year period, it is reasonable to expect that ...”

With the reservations noted above, the Panel concludes that Condition 1 has been met, as far as this can be concluded from a paper-based review.

Condition 2

A detailed process of engagement with all stakeholder groups – internal and external – relating to the development of a clear shared vision and mission for the proposed TU as a single cohesive and unitary multi-campus TU and a plan for the continuation of this engagement prior to the establishment of MTU and post-designation.

Since the international panel's visit in May 2019, a great deal of effort has been made by the MTU consortium to involve internal and external stakeholders in its planning. This has involved 21 working groups and a structured organization mobilizing more than 300 staff members and additional Students' Unions representatives. The addendum (1-6) and annexes (5,9,16) to the report provide extensive documentation of the entire process as well as the outcomes of the various consultations. The Panel notes with concern, however, the ongoing stalemate with the Teachers Union of Ireland, which forbids its members to cooperate in the merger process despite several meetings between management and union representatives. It is unclear how the “a clear shared vision” for MTU can be attained short of agreement with this union.

As the Panel reads this condition, it is the process of engagement alone that is in question here, engagement that is to result in the development of “a clear shared vision and mission for the proposed TU.” The Panel believe, as noted above under Condition 1, that the vision and mission of the MTU are agreed upon across the partner institutions. The more difficult work of *realizing* the high-level mission and vision will depend on continued engagement in creating “a single cohesive, integrated and unitary multi-campus.” Concrete questions arise in this regard, e.g., will external stakeholders be able to “knock on one door” to access the university? Will there be one senior manager and a staff unit responsible for external relations? What is the strategy for greater internationalization? How much autonomy will each main campus have? How will integration be achieved with two geographical vice presidents? Perhaps these issues and other operational issues are being addressed by the groups currently; it is not possible to assess this based on the documentation available to the Panel for its review. And we note that this condition is limited to engagement in the development of the clearly shared mission and vision. But we believe it is important to note this concern related to the realization of that mission and vision.

The description of how stakeholder engagement will continue in the post-designation phase is somewhat vague in the report, to some extent understandably. How solid are plans at this point, and to what extent is the MTU consortium’s “good beginning half the task,” a task that will continue smoothly post-designation? It is not possible for the Panel to tell how much of what is planned for is now underway based on the documentation available to it: this would be helpful in assessing the likelihood of continued engagement in the future. For example: academic industrial relations issues listed in the report are considerable, not the least of which is “the operational structure of the MTU.” To what extent has this been made clear? It is stated that an MTU Advisory Council will be created “to inform strategy, policy and the future direction of MTU” (annex 7). What work has already been done here on the basis of which the MTU Advisory Council will begin its work? The creation of a Transitional MTU Academic Council (addendum 12) suggests that the post-designation phase will be monitored. However, the duration of this transitional body is not defined (at least by a deadline), nor is its responsibility to strengthen stakeholder engagement.

Given the important mobilization of stakeholders during the last six months and the high level of activity of work groups, and given the limitation of this condition to work done on MTU’s mission and vision, the Panel concludes that Condition 2 has been met, as far as this can be concluded from a paper-based review.

Condition 3

In order to ensure the attainment of a strategic purpose and vision and to meet the eligibility criteria set out in section 28(1)(k)(i), and in consideration of the factors that were essential to the successful establishment of TU Dublin, the applicant institutes should demonstrate that:

3.1 as soon as possible following the receipt of this letter, a joint governing body steering group has been established for the proposed MTU, made up of the main stakeholders in both institutes, to provide a single focal point, accelerated momentum and strongly evidenced progress in responding to the issues highlighted in the advisory panel's report, including the more integrated, coherent and effective governance structures that are required in preparation for a single legal entity.

3.2 on its establishment this joint governing body steering group has been assigned the appropriate delegated authority from the governing bodies of both institutes to secure an integrated, coherent and effective approach and significant progress in relation to academic, administrative, management and governance matters required for the establishment of a TU.

3.3 the joint governing body steering group has worked effectively in terms of establishing an integrated, coherent and effective approach to the matters referred to in 3.1 and 3.2 above and a comprehensive and detailed work programme is in place for the joint governing body steering group up to the point of a decision to grant the application and for the continuation of this work following a decision up to the point that a TU is established.

The MTU Steering Group is reported to have been formed 16 October 2019 and to have met monthly in order to oversee work taking place across CIT and ITT to carry out its overall project plan. An MTU Joint Executive is noted as having been formed in November 2019 to bring together senior academic and administrative leaders of both institutes to address key strategic initiatives. A Project Leadership Group is said to have direct management responsibility for the delivery of individual workstreams related to research, innovation and engagement; students union; multi-campus, administration, student affairs, and academic affairs (Report Figure 2); summaries of minutes were provided for three of these meetings (Report Addendum 6).

The panel notes that Condition 3 specified the need for “strongly evidenced progress” in responding to the issues noted in the advisory panel’s report, including “more integrated, coherent and effective governance structures”; “significant progress in relation to academic, administrative, management and governance matters”; and “a comprehensive and detailed work programme” for the joint governing body steering group” to cover the period up to the decision to grant the application and further, up to the point that a TU is established. While it is clear that there has been a great deal of activity across the two partner institutions, the documentation provided to the panel has not presented “strongly evidenced progress” or “significant progress” in the areas of concern here. This progress may have been made in some areas, but the panel has not been able on the basis of a paper-only review to confirm that

this is the case. Some of the documentation, however, does suggest that progress has been slower than may have been desired given the direction from the Minister in his 30 September 2019 letter. The summary of Joint Executive Minutes document from a 7 January 2020 meeting (Report Addendum 6), for example, includes as one of three Select Actions “Work Plan to be created for the MTU Steering Group and Advisory Panel”--this after the Steering Group itself was reported to have been formed in October 2019. This is the type of discrepancy that might have been addressed in an on-site visit. Absent that visit, however, the panel is left with questions and concerns regarding the extent to which this condition has been met. Other than summaries (not actual documents) of three Joint Executive meeting minutes included in Addendum 6, supporting documentation provided regarding Condition 3 was limited to lists of group membership (Addendum 4, Steering Cmte membership; Addendum 5, Project Leadership Group membership); terms of reference (Appendix 8, Governing Bodies Terms of Reference); and the Steering Group’s project plan (Report Appendix 9). The plan includes areas in which work is to be done: governing body policies, key positions and signing authorities, the MTU governing body, academic council, as well as risk management and Charities Act compliance. There is, however, no evidence provided of what has actually been accomplished regarding the plan objectives. The panel realizes the difficulty of proceeding too far along the road of revising structures prior to the approval of the application but still has concerns regarding the extent to which progress has been made.

Without prejudice, we are unable to confirm that this condition has been met due to the lack of evidence provided in the documentation, the inability to confirm progress toward stated objectives, and the extent to which planning remains future-oriented. We suggest that HEA staff seek additional information, including 1) all minutes from Joint Executive meetings held to date and any documents evidencing progress in plans and activities discussed therein, to form the basis for interviews as needed and 2) documentation of work that has taken place and the results thereof related to the Steering Group’s project plan, to form the basis for interviews as needed (Report Appendix 9). Possible interviewees include: the two IoT presidents; the chair of the Joint MTU governing body; members of the MTU project leadership team; the heads of the two student unions; and TUI (national level), local staff union representatives, and the two heads of HR from the IoTs.

Condition 4

(i) In order to meet the eligibility criteria set out in section 30(b) of the Act and on the basis of the work of the joint steering group and sub-groups which it establishes the applicant institutes should demonstrate, on the basis of additional and specific data, evidenced information that specific joint planning in relation to a future single unitary institution is effective and advancing and will continue to the point that the TU is established in relation to the management of:

(a) academic;

(b) financial; and

(c) administrative matters, including human resources, information technology and support services;

(ii) Insofar as academic matters are concerned, the applicant institutes should demonstrate that a process has been put in place, involving academic staff and students, and that progress has been made towards proposing a future approach to programme offerings in anticipation of the establishment of MTU.

The application presents “joint planning in relation to a future single unitary institution” and shows that “a process has been put in place... towards proposing a future approach to programme offerings in anticipation of the establishment of MTU”. However, it is difficult to find “on the basis of additional and specific data, evidenced information that specific joint planning ...is effective and advancing and will continue to the point that the TU is established...”

For example, with regard to administration, it is stated that two heads of campus will be appointed at the Senior Vice President level at the same time it is stated that the MTU organisation design will be the responsibility of the MTU president. A presidential search has been initiated, but no details have been provided. An operational plan for first six months is said to have been developed but no evidence was provided. A plan to merge HR has been agreed, but no evidence has been provided to support the assertion that agreement with trade unions with respect to HR policies has been achieved. A plan for IT has been agreed but no evidence provided with respect to progress with a common IT infrastructure.

Regarding academic management, an MTU graduate school and associated terms of reference have been defined (Appendix 11) but the graduate school has not been established yet. The processes for new programme development and review have been agreed but no evidence of implementation has been provided; the policy about the same is to be agreed before designation (Appendix 14). A shared digital education infrastructure is still to be developed. Priority tasks related to student academic administration and student services are identified (Appendix 10) categorized by which are to be completed by designation date and which the post-designation. No evidence of what has been accomplished is provided.

Regarding financial management, it is stated that a single financial management system will be in place on designation day but that there will be more work to be done post-designation. IT Tralee's financial situation is evoked in one sentence, without any details, although a Sustainability Plan had been submitted to the HEA in November 2019. The Panel received access to a letter from the HEA Chair noting that this agency had endorsed the plan, but noting at the same time that given COVID-19 that this endorsement might be moot.

In short: a great deal of parsing out of the issues has been done but with little evidence of progress in implementation. Project plans show that very little was done in 2019; most is slated for Q1-Q3 of 2020; some is to be done in 2021, such as developing a strategy for research (Appendix 10). The work that is still required before designation is very significant and very challenging to accomplish within the timeframe. It also prioritises urgent administrative processes (and rightly so) but that means that strategic academic decisions are pushed to the future. As noted, no evidence was provided in the report about the resolution of IT Tralee's finances, although the Panel is aware of an HEA-approved sustainability plan. It is clear that supplementary funding will be required.

Without prejudice, we are unable to confirm that this condition has been met due to the lack of evidence provided in the documentation, the inability to confirm progress toward stated objectives, and the extent to which planning remains future-oriented. We recommend that HEA staff seek additional evidence of progress to date and explanation of any delays with respect to the timeline presented in Appendix 10. This could take the form of meeting minutes or any other appropriate documents and via interviews. Possible interviewees include: the two IoT presidents; the chair of the Joint MTU governing body; members of the MTU project leadership team; the heads of the two student unions; and TUI (national level), local staff union representatives, and the two heads of HR from the IoTs.

Condition 5

Quantitative Eligibility Criteria

5.1. Demonstration by the applicant institutes that they meet the eligibility criterion in section 28 (1)(a)(i) of the Act.

5.2 Provision by the applicant institutes of a plan in relation to the eligibility criterion in section 28(1)(b) to increase the percentage of research students from 4% to 7% within ten years.

5.3 Provision by the applicant institutes of a plan, in relation to the eligibility criterion in section 28(1)(d) to increase the percentage of full-time academic staff with a doctoral or appropriate equivalent from at least 45% to 65% within 10 years.

Condition 5.1 refers to the eligibility criterion that

of the students of the applicant institutes registered on a programme that leads to an award to at least honours bachelor degree level—(i)at least 4 per cent are research students registered on a programme which leads to an award to at least masters degree level

The report states that this condition was met as verified by the Deloitte Audit in 2019. However, the Deloitte assessment came with a caveat: Deloitte’s inability to determine report “whether the modules under the five 25W [i.e., taught master’s programmes] were appropriately classified as research credit eligible.” This issue was remanded to the panel, which in its original report stated that it was unable to confirm that this criterion had been met in spite of further investigation during its on-site visit in 2019. Although this criterion was again questioned in Condition 5, no additional information was provided in the report.

The QQI was asked for its assessment of this issue. After its consideration, in part founded on findings of an international expert panel that had considered the Irish research landscape in preparation for Statutory QA guidelines, the QQI concluded that “the students registered on these Code 25W programmes in general can count and should count towards the TU criterion of 60% of the credit can be determined as research output in the form of a thesis, theses (or equivalent practice) produced by that student.” The QQI also noted that CIT and ITT have been very selective in the choice of programmes that count toward this requirement.

Information and data provided to the panel regarding eligibility criteria noted in 28(1)(b) and 28(1)(d) appear to support MTU’s plan to increase the percentage of research students and full-time academic staff as required. One proposal is to reduce the teaching load (to 6 hours per week) of some academic staff members to allow them to be more active in research and to promote the earning of PhDs. The panel notes that plans assume that financial and infrastructure resources are made available and that union issues regarding the status of academic staff are resolved. These conditions are, of course, significant ones, and ones that the panel is unable to speak to.

The panel bows to the authority of the QQI regarding eligibility criterion 28(1)(a). With regard to 28(1)(b) and (d), the Panel notes that MTU plans require financial and infrastructure resources and union agreement that we cannot confirm. However, given the solidity of its plans and projections assuming these resources and agreement, the Panel finds that this condition has been met.

Condition 6

The furnishing of progress reports to the Minister at two-month intervals following the date of issue of this letter in relation to compliance with these conditions.

Although the letters themselves were not provided with the report or by the HEA, the Panel finds what has been reported here sufficient to say that this condition has been met.

Summary and Recommendation

The Panel applauds the MTU consortium for its ongoing work involving multiple stakeholders to realize its vision for a technological university. We remain keenly aware of the great value to the region and the country that an MTU could provide, as well as of the strong support for the creation of a technological university within the South West region. And while we have seen the fruits of a great deal of activity, we have also seen in the documentation provided that there is much yet to be accomplished, both pre- and post-designation. While some of this is understandable given that the CIT and ITT are at this time two legally independent institutions, the Panel believes that more progress than has been evidenced is required by the conditions stated by the Minister in his 30 September 2019 letter. And the word “evidenced” is key here. Ordinarily the Panel would have followed its review of documentation with a site visit, an invaluable tool in conducting such reviews in its enabling reviewers to clarify issues, ask for evidence, resolve problems, and close gaps left after a paper-only review. The inability to conduct an on-site review due to current pandemic conditions reduced the Panel’s ability to gather all information and evidence needed to provide its best professional judgment regarding the MTU partners meeting. This we find to be of greatest importance with conditions 3 and 4, which we believe are key to this report and our recommendation. As noted in those sections above, we find ourselves, without prejudice, unable to confirm that these conditions have been met. We therefore, again without prejudice, refrain from offering a positive or negative recommendation regarding approval of the MTU application. Instead, we recommend that HEA staff, after its review of this report, follow up as it deems necessary to obtain additional information, in particular as related to conditions 3 and 4, to support the Minister’s decision on the granting of the MTU application.