

**An Roinn Breisoideachais agus Ardoideachais,
Taighde, Nuálaíochta agus Eolaíochta
Department of Further and Higher Education,
Research, Innovation and Science**



Mr. John Moore
Chairperson of the Governing Body
IT Carlow

Mr. Jim Moore
Chairperson of the Governing Body
Waterford IT

2nd of November 2021,

Dear Chairpersons,

I refer to the application of 30 April 2021 made jointly on behalf of the Institute of Technology Carlow and Waterford Institute of Technology (known as the TUSEI consortium) under section 29 of the Technological Universities Act 2018.

As you are aware under the relevant provision of the Act, having considered the report of the advisory panel assessing the application and the views of the Higher Education Authority on the report of the advisory panel and as well as having regard to the matters set out in section 34(2) of the Act, I am required to inform the applicant institutes of my proposed decision on the establishment of the proposed Technological University.

I have now received the report of the advisory panel which advises that while the TUSEI consortium has met the majority of eligibility criteria prescribed by the 2018 Act, it has not met one important criterion.

The criterion in question is that set out in section 28(1)(k)(i) in relation to the capacity to perform the functions of a TU with specific reference to having integrated, coherent and effective governance structures in place concerning academic, administration and management matters.

The Board of the HEA accords with the panel's views in this regard.

Having spoken to you and to the Presidents of the Institutes recently in this context you assured me that in the period since meeting the panel, very considerable progress has been made which

would, in the applicant institutes' view, demonstrate that the criterion in section 28(1)(k)(i) has subsequently been met.

Having regard to these issues, I am, on balance, seeking further assurance from the HEA that the relevant criterion has been met.

For the avoidance of doubt it is my intention to grant TU status to the applicant institutes in the coming months once I am in receipt of this assurance. As the elements detailed in the attached panel report in relation to the failure to meet section 28(1)(k)(i) by the consortium are of an expressly operational nature, I do not deem it necessary, nor am I required legislatively, to reconstitute an advisory panel. Instead, as stated, I will be requesting assurance from the HEA on the meeting or otherwise of the relevant criterion jointly by the applicant institutes.

Should the HEA provide assurance to me as to the applicant institutes jointly meeting the criterion in question, I will issue my final decision to grant the application and my officials will be in contact with you in relation to those matters required to be addressed prior to establishment of the new TU.

As provided for in section 34(3) of the 2018 Act, the applicant institutes may make any representations in relation to my proposed decision not later than within 30 days of the date of this letter.

Following receipt of your representations I will advise you of my final decision in relation to the applicant institutes' joint application within the legislatively prescribed timeframe.

A copy of the advisory panel's report and the HEA's views are attached for your information.

To further demonstrate my desired intention to grant the application in the context outlined above, my Department will shortly be inviting expressions of interest for the roles of chairperson and two external members of what will become the first governing body of the new TU. These persons when appointed would, I anticipate, join the current TUSEI Joint Governing Body Steering Group to participate in the making of relevant pre- and / or post-designation decisions and to assist in the undertaking or oversight of requisite activities ahead of TU establishment. My officials will be available to discuss the modalities of this, and other issues.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Simon Harris", written over a horizontal line.

Simon Harris, TD

Minister for Further and Higher Education,

Research, Innovation and Science