



Mr. Michael Horgan
Chairman
Higher Education Authority

2 December 2021

Dear Chairman,

I am writing to An tÚdarás to firstly express my appreciation for the comprehensive assessment and views forwarded to me on 13 September in relation to the application for TU designation made jointly on behalf of the Institute of Technology Carlow and Waterford Institute of Technology (known as the TUSEI consortium). Secondly, I wish to update the Board on my thinking and proposed decision in relation to the application and the stage the process has now reached.

On 2 November 2021 I communicated my proposed decision under section 34(1) of the Act to the consortium, as recommended both by the advisory panel and An tÚdarás to postpone a final decision to grant TU designation given the stated failure of the applicant institutes to demonstrably meeting 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.

I subsequently received representations from the consortium dated 16 November 2021 in accordance with section 34(3) of the Act.

I have now considered those representations together with the report of the advisory panel and the views of An tÚdarás as well as having regard to the matters set out in section 34(2) of the Act.



I wish to inform you that I am writing today to the Chairpersons of the applicant institutes to confirm to them that in accordance with section 34(4)(b) of the Act I am postponing the granting of the application pending assessment and reporting to me by An tÚdarás that the

Institutes have jointly provided sufficient convincing evidence of demonstrably meeting section 28(1)(k)(i).

In accordance with section 34(5)(a) of the Act this postponement is required in my view to ensure that the new TU would be established on the firmest foundation possible such as to allow it to function effectively and efficiently in the immediate post-designation period and up to the appointed date of establishment and beyond.

My officials and I have been assured by the Chairs and Presidents of the two Institutes that very considerable progress has been made in regard to the relevant criterion since the advisory panel meetings in July, which would, in the applicant institutes' view, demonstrate that the criterion in section 28(1)(k)(i) has subsequently been met. While this progress still requires verification, these assurances provide the basis for me specifying a shorter timeline on which to consider my decision.

In accordance with section 35(1) of the Act I am stipulating that the Institutes shall jointly demonstrate compliance with the conditions specified in the Appendix not later than the end of Quarter 1 of 2022 and that such demonstrated compliance shall be assessed and reported on to me by An tÚdarás.

I have also stated to the applicant institutes that in order to demonstrate my desired intention to grant the application but only in the context outlined above, my Department is inviting expressions of interest for the roles of chairperson and two external members of what should subject to the required compliance assessment become the first governing body of the new TU. These persons when appointed would, I anticipate, attend the current TUSEI Joint Governing Body Steering Group to participate in the making of relevant pre- and / or post-designation discussions ahead of TU establishment and as such would have a real stake and say in the development of the strategic vision for a new TU if so designated ultimately.



I look forward to the continued support and assistance of An tÚdarás and its executive in completing this vital decision-making process and to receiving the Board's report on the compliance or otherwise of the applicant institutes with the specified conditions in due course.

Further, I wish to acknowledge An tÚdarás's comments in its letter of 13 September in relation to the systemic / structural issues required in support of TU development both in relation to the academic contract and the requirement for long-term commitment in terms of supporting infrastructure and research capacity building. These matters are being addressed including with the support of the HEA Executive as you will be aware through the work of the OECD on contracts, career paths and leadership which you reference in your September letter and through funding mechanisms including the Transformation Fund, National Recovery and Resilience Plan, potentially in relation to TU research oriented projects through the ERDF and in ongoing capital funding and RFAM current funding terms. I can assure the Board of my own and Government's commitment to the establishment, development and progression of TUs nationally and ongoing delivery on the recommendations of the TURN report with the requisite collaboration of the higher education technological sector itself and key stakeholders and actors including An tÚdarás,

I also wish at this time to take the opportunity to express my deep appreciation for the continued co-operation, professionalism and expert analysis and assistance provided to myself and my officials by the HEA executive under the direction of Chief Executive, Dr. Alan Wall.

Yours sincerely,

Simon Harris T.D.
Minister for Further and Higher Education,
Research, Innovation and Science