

## Higher Education Authority

### Report of Meeting of the Board of the HEA held on Tuesday 13<sup>th</sup> December 2022 in the Dublin office.

Present: Mr Tony Donohoe (agenda items 1-14)  
Dr Judith Eaton (agenda items 1-14)  
Dr Sharon Feeney (agenda items 1-14)  
Professor Orla Feely, Deputy Chair (agenda items 1-14)  
Mr Michael Horgan, Chairperson (agenda items 1-14)  
Ms Darina Kneafsey (agenda items 1-14)  
Dr Sinéad O’Flanagan (agenda items 1-14)  
Mr Pól Ó Móráin via MS Teams (agenda items 1-14)  
Dr Lynn Ramsey (agenda items 1-14)  
Dr John Wall (agenda items 1-14)

Apologies: Ms Beth O Reilly

In attendance: Dr Alan Wall (agenda items 1-14.1)  
Mr Padraic Mellett (agenda items 1-13)  
Ms Orla Nugent (agenda items 1-13)  
Mr Tim Conlon (agenda items 1-13)  
Ms Sheena Duffy (agenda items 1-13)  
Ms Pearl Cunningham (agenda items 1-13)  
Ms Caitriona Ryan (agenda items 1-13)  
Dr Vivienne Patterson (agenda items 1-13)  
Dr Louise Callinan (agenda items 1-13)  
Ms Eilis Noonan (agenda items 1-13)  
Dr Victoria Brownlee (agenda items 1-13)  
Ms Jennifer Gyax (agenda items 4, 6)  
Ms Andrea Valova (agenda items 4, 6)  
Ms Orla Christle (agenda item 11)

#### Conflicts of Interest

The Chair reminded all Board members of potential conflicts of interest and asked members to highlight any items that may require attention. None were raised.

#### Quorum

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

#### 1. Report of previous meeting

The minutes of the previous meeting held on November 22<sup>nd</sup> 2022 were agreed.

## 2. Matters arising

No issues raised.

## 3. Committee Reports

### 3.0 Report of the Finance & Governance Committee 8<sup>th</sup> November 2022

3.0.1. Dr O’Flanagan presented this report.

She noted that the Committee recommended several items be sent to the Board for electronic approval on the 8<sup>th</sup> November, prior to the Commencement of the new Act. These were subsequently approved electronically, and the allocations were finalised.

Detail	Allocation Amount
F56/22 Research Reallocation – European Universities	€0.968m
F56/22 Research Reallocation – IReL (e-resources, OA publishing agreements),	€2.6m
F57/22 Student support and mental health and well-being fund allocations 2022/23,	€3m
F58/22 Student assistance fund 2023/2023,	€8m
F59/22 Allocation of additional COALECE Award.	€0.220m

#### 3.0.2 Research reallocation – European Universities & IReL

As per the table above, the Committee recommended approval of allocations to the European Universities programme in Ireland (€0.968m) and to IReL (e-resources, OA publishing agreements) (€2.6m). There are now 44 European Universities, Irish HEIs are partners in 11, with 4 new Irish EU University members announced in 2022.

**Decision:** The Board noted these funding commitments which were previously approved electronically.

#### 3.0.3 Student Support and Mental Health & Wellbeing

The Committee recommended approval of the allocation of a recently confirmed additional 2022 fund of €3m for Student Support, Mental Health and Wellbeing.

**Decision:** The Board noted these funding commitments which were previously approved electronically.

#### 3.0.4 Student Assistance Fund Allocation

In September 2022, the Budget 2023 announced an additional allocation of €8m to the Student Assistance fund. This is a once off cost-of-living measure for the 2022/23 academic year and was approved by DFHERIS at the end of October. This additional €8m will be

allocated to HEIs in line with the agreed model and institutions will be notified of their allocations. The Committee noted the revised 2022 budget for the Third Level Access measure and recommends approval of the allocations.

**Decision:** The Board noted these funding commitments which were previously approved electronically.

### 3.0.5 *Additional COALESCE Award by IRC*

The Committee recommended approval of the allocation of €220,000 to support an additional project under cycle four of the COALESCE programme.

**Decision:** The Board noted these funding commitments which were previously approved electronically.

3.1 The following issues were raised;

- Where is the funding for the Research Reallocation item coming from? An underspend was identified in the Research Capital Grant which is a five year fund, and this is a once-off reallocation. The HEA is consulting the Department in relation to sustainable funding for IReL and the possibility of a new PRTL program for capital research.
- In respect of the additional COALESCE award, members were advised that the introduction of the GMS and enhanced controls around the use of spreadsheets will reduce the likelihood of this reoccurring.

Members noted the Committee's report.

## **4. Proposed approach to the finalisation of the 2022 Recurrent Grant – Memorandum B2/22**

4.1. The Board was requested to approve an approach to finalisation of the 2022 grant allocations as set out in the above memorandum. The finalisation of the recurrent grant is presented to the Board at the end of each year.

The Executive outlined the following;

### 1. Indicative Funding from the core grant

An amount of c. €6m remains towards free fees for 2022/23. €1.8m of funding was provided in the 2022 allocation for the sustainability of vulnerable institutions. This funding may become available for reallocation. Some balances remain on Management and Leadership Capacity (€400,000), Shared Services (c. €33,000) and amounts for the Single Costing Model provision (€300,000).

The Executive proposed the allocation of €200,000 from the available balances to NCAD in respect a submission made by them to the HEA. This additional funding is to be added to the base of the NCAD's grant. Similar to previous years, the Executive proposed that all other

available year-end balances will be allocated to institutions as an instalment for 2022/23 free fees for the sector.

## 2. Provisional supplementary allocations from the Department

This funding is provided for Wellbeing/Mental Health, support for Ukrainian student tuition fees, secondment posts and 2022 Pay Agreements.

In addition, there may be further movement from B3 (HEA administration) to B4 (recurrent provision) before the end of the year.

### 4.2 The following issues were raised:

- What is the role of the HEA in this process? Supplementary funding is confirmed by DFHERIS, this is then examined by HEA in terms of the proposed allocations to be made.
- The Board directed the HEA Executive to begin strategic discussions with DFHERIS around structure of this funding in Q1 2023.

**Decision:** The Board noted the supplementary funding by DFHERIS and approved the allocation of €200k to the NCAD with the balance of available funding to be allocated as an instalment towards 2022/23 free fees.

## 5. Approval of other funding allocations – Memorandum B3/22 attached

5.1 Mr Conlon presented this Memorandum on Financial Resolutions from the following areas in the HEA:

- Equality, Diversity and Inclusion
- Policy & Strategic Planning
- System Development & Performance Management
- Research Policy
- Teaching and Learning
- International Programmes

### 5.2 *Equality, Diversity and Inclusion*

In order to advance the implementation of the Framework for Ending Sexual Violence and Harassment in Irish Higher Education Institutions, the HEA has been allocated annual funding by the Department of Further and Higher Education, Research, Innovation and Science to support national projects that will progress the achievement of the framework outcomes. A total envelope of €241,000 is available to support HEI strategic initiatives in 2022.

Title of initiative	Lead institution	Amount
Targeted education, training and awareness-raising	17 HEIs	€185,000 (€10,882 each)

initiatives for staff and students		
Extension of online Bystander Intervention Programme	UCC	€20,000
Dignity & Respect Environmental Assessment pilot project and framework development for the Irish higher education sector	UCD	€36,000
<b>Total</b>		<b>€241,000</b>

**Decision:** The Board approved the allocation of €241,000 as outlined above.

### 5.3 TU Transformation Fund (TUTF)

The System Development & Performance Management Committee recommended initial Year 3 allocations to technological universities (TUs) and TU tracked institutions under the Technological Universities Transformation Fund (TUTF) to the HEA Board in October (October Report Item 3.4.2). These allocations were notified to HEIs following Board approval and HEIs were requested to provide updated project plans to the HEA.

Further TU related developments, including a reduction in the earlier approved allocation to ATU/STAC, alongside analysis of the project plans, now allow for the proposed finalisation of Year 3 TUTF allocations. These allocations, alongside those agreed in October, mean that the €90m TUTF is now expended.

Members of the HEA Board were requested to approve the allocations of funding and associated payments to HEIs for year 3 of TUTF (€1,050,000).

**Decision:** The Board approved the allocation of TUTF allocation of €1,050,000 as follows;

- IADT - €335,000
- ATU - €178,750
- SETU - €178,750
- TU Dublin - €178,750
- TUSE - €178,750

### 5.4 Student Wellbeing and Mental Health Support Funding 2022

A sum of €5 million has been provided for Mental Health and Wellbeing supports in 2022. €250,000 is reserved for support of the National Projects aimed at building sectoral capacity.

A summary of these projects and year one proposed funding is as follows:

**National Student Counselling Dataset Project (UCD):** Project to enable data set generated under the HEA funded 3Set project (Innovation and Transformation Fund) with Professor Barbara Dooley as project lead (UCD) with support from PCHEI. Proposed allocation - €85,000.

**Student Mental Health Collaborations Project (PCHEI - TUS):** collaborations project to research follow-up on innovation and systems funded under 2020 and 2021 mental health and wellbeing funding supports. Proposed allocation - €80,000.

**National Suicide Research Foundation (UCC):** Research programme, research training for self-harm and suicide researchers, research dissemination, networking and learning events. Proposed allocation - €60,000.

**Healthy Campus:** Healthy Campus Monitoring Tool to support sectoral implementation of the Healthy Campus Framework. Proposed allocation - €25,000.

**Decision:** The Board approved the allocation of €250,000 in respect of the four projects outlined above.

#### *5.4 Ukrainian Student Support Funding*

The DFHERIS has allocated an addition €900k to the HEA's funding allocation for Student Wellbeing and Mental Health Support in 2022/23. The Department has indicated that this funding is to be targeted to support those Ukrainian students here under a Section 60 temporary protection permission order and registered at a HEI. It is estimated that there are circa 300 such students across 12 higher education institutions.

The funding is intended for direct services, support services and for the implementation of the National Mental Health and Suicide Prevention Framework in support of these students. The funding will be allocated to eligible institutions via the usual funding model approach and subject to the reporting and oversight arrangements for student wellbeing and mental health funding.

**Decision:** The Board approved this funding allocation.

#### *5.6 Healthy Campus Initiative / Student Engagement, Belonging, and Wellbeing Project*

The HEA has engaged with the Department of Health (Healthy Campus), the National Student Engagement Programme (NStEP) and the Teaching and Learning Forum to design a project aimed at encouraging student engagement in institutions through the lens of the Healthy Campus Framework. Under the terms of a second Service Level Agreement signed in November 2022, the HEA secured DoH funding to the value of €120,000 to carry out the project as outlined to PSP and the Teaching and Learning Forum.

**Decision:** The Board approved the payment (€120,000) in respect of this project.

### 5.7 North South Research Programme

The first tranche of payments processed by the HEA for awards made under Call 1 of the NSRP 2021 was sent to the Lead Admin Institutions in Ireland (HEIs) hosting the North-South Research Projects in October. Details of the institutional payments are set out in below.

#### NSRP Call 1 Payments per HEI in 2022

HEI	2022 Payments
Atlantic Technological University - Donegal	€151,821.50
Dublin City University	€183,336.50
Maynooth University	€179,578.50
National University of Ireland, Galway	€2,324,641.72
RCSI University of Medicine and Health Sciences	€637,541.50
Technological University Dublin	€283,259.50
TUS: Midlands Midwest	€187,960.50
Trinity College Dublin	€4,002,588.27
University College Cork	€771,075.00
University College Dublin	€4,204,998.76
University of Limerick	€3,323,198.25
<b>Total</b>	<b>€16,250,000.00</b>

Subject to approval by DFHERIS, the Executive proposed that an underspend of €700k in the €750K allocation for the NSRP in 2022 under the B3 vote (administration) be repurposed for use against projects in 2023.

**Decision:** The Board approved the repurposing of €700,000 as outlined above.

### 5.8 Strategic Alignment of Teaching and Learning Enhancement (SATLE) 2022

National funding for Teaching and Learning under the Strategic Alignment of Teaching and Learning Enhancement Funding in Higher Education 2022 – 2023 (SATLE 2022 – 23) was released to HEIs in August 2022. The 2022 – 2023 allocation was made up of a share of €5m base funding and an additional one-off 2022 addition bringing the total fund to circa €6.4m.

Following DFHERIS approval, it was proposed the redistribution of an administrative underspend of €1.3m on B3 administration costs into the SATLE Fund (via the B4 subhead). This was recommended by the Teaching and Learning Committee at their meeting on 26 October 2022. This additional funding would bring the total SATLE 2022 funding allocation to €7.7m.

**Decision:** The Board approved this funding reallocation of €1.3m from B3 administration to the SATLE fund.

5.8 Members noted the need for the Executive to revisit the manner in which funding allocations are reported at each Board Meeting where they have not gone to a particular Committee.

**Decision:** It was agreed the Executive would bring a proposal to the January Board meeting outlining a process whereby approval will be delegated to the Executive to allocate programme funding up to a value to be agreed by the Board. Such allocations will be reported to the Board at its next meeting.

## **6. Proposed approach to the 2023 Recurrent Grant allocation – Memorandum B4/22 attached**

6.1 The Board was requested to consider the proposed approach to 2023 recurrent grant allocation. It is proposed that, when the HEA receives notification of the total grant award in January 2023 from the Department of Further and Higher Education, Research, Innovation and Science, the overall grant and proposed individual institutional allocations will be circulated to the Board for approval electronically. Institutions will then be notified of the 2023 allocations.

When the HEA receives notification of the overall recurrent grant allocation, the Department typically directs that certain portions of spend be used for a designated purpose (e.g. TU Development). The HEA then makes a series of “first step” allocations, which are effectively top slices for strategic higher education purposes. The remaining grant is then allocated to universities/specialist colleges and technological sector, with each sector receiving the same percentage increase on their base grant. The HEA then makes “second step” allocations for each pot, comprising top-slices for strategic purposes specific to each sector (e.g. medical education for universities/colleges) and provision to meet Free Fees obligations. The remaining grant is then allocated to individual institutions via the Recurrent Grant Allocation Model (RGAM)

A key consideration for the HEA has always been to support institutions by giving them knowledge of their grant as soon as possible. The Higher Education Authority Act 2022 requires the HEA to notify institutions by 1<sup>st</sup> March of the funding to be provided. Following the approach used in previous years, the Board is asked to approve all non-RGAM allocations in advance of formal notification by the Department of the B4 and NTF allocations. It is proposed that whatever funding is left after agreeing non-RGAM allocations will be allocated through the RGAM.

6.2 The following issues were raised;

- Are any of the estimated top slices allocations new? Members were advised that medicine is the only new allocation.



- HEA have not yet received formal notification of our allocation from NTF. HCI Springboard+, FE PLC and apprenticeship funding all come out of NTF. However, Members expressed their disappointment that employment focused HEI provision would appear unchanged from last year despite the fact that the National Training Fund retained a surplus of funding.
- It was noted that the OECD skills review is ongoing but is expected to report in Q1 2023, this may inform additional NTF funding.

**Decision:** The Board approved the proposed approach set out in the Memorandum.

### **7. Atlantic Technological University and St Angela's College, Sligo: Section 38 Process – Memorandum B5/22 attached**

7.1 Members were requested to consider and approve the convening of an Advisory Panel of the HEA Board tasked with undertaking an assessment in relation to the Section 38 technological university application from the Atlantic Technological University and St Angela's College, Sligo. Following completion of the assessment, the HEA report the findings to the Minister for Further and Higher Education, Research, Innovation and Science for consideration and ultimate decision.

7.2 The following issues were raised:

- Members noted it was important at the outset to ensure all relevant stakeholders were involved as appropriate. As the Teaching Council may be relevant here, it may be prudent to include material for consideration by the subgroup. Student representation is also key, it was noted that the QQI will be consulted as part of the process.
- The Executive will arrange for a student representative to serve on the sub-committee.

The Advisory Panel was proposed to comprise of the following members:

- Michael Horgan (Advisory Panel Chair)
- Tony Donohoe
- Dr Judith Eaton
- Beth O'Reilly

**Decision:** The Board approved the Advisory Panel to undertake this assessment.

## **8. Corporate Procurement Plan 2023 – 2026 – Memorandum B6/22 and plan attached**

8.1 The Board was requested to approve the Corporate Procurement Plan 2023-2026.

The Code of Practice for the Governance of State Bodies requires all State bodies to prepare a Corporate Procurement Plan in accordance with the Office of Government Procurement Policy framework. The Code states that the plan should set practical and strategic aims and objectives for improved procurement outcomes and appropriate measures to achieve these aims should be implemented.

8.2 The following issues were raised;

- How do we ensure value for money- this is built into the HEA's procurement process.
- Do we have a purchase order system? It was confirmed that the Executive operates a PO system. The HEA Finance section have ensured a high level of awareness and compliance through staff training.
- Contract extensions and retendering process, how are these managed? These are brought to the Audit & Risk Committee.

**Decision:** The Board approved the Corporate Procurement Plan 2023-2026.

## **9. Award of contract for the provision of Process Auditing Services - Memorandum B8/22 and plan attached**

9.1 The Board, following a tender process, was requested to approve the appointment of Crowe Advisory Ireland Limited as the framework provider for the provision of process auditing services to the HEA including IRC.

**Decision** The Board approved this appointment.

## **10. Board Matters**

A number of Board administration matters were considered under this item.

### *10.1 Proposed dates for Board meetings in 2023 – Memorandum B9/22 attached*

The following issues were raised;

- It was noted by members that the proposed June meeting be held later in June, removing the need for a July meeting.
- It was requested to move the proposed January meeting to the 24<sup>th</sup>.
- The Board requested the Executive arrange an offsite venue in Cork for the June meeting in a Higher Education institution. The Executive will bring proposals to the Board early in 2023.

**Decision:** Members approved the schedule of meetings proposed by the Executive subject to the January meeting moving to 24<sup>th</sup> January, the June meeting moving to the end of the month and the dropping of a July meeting.

## 10.2 Appointment of new Board Members – Memorandum B10/22 attached

10.2.0 Members were requested to evaluate and contribute to the specification requirements for the appointment of new Board Members.

10.2.1 The following issues were raised:

- It was noted that some requirements for members are stipulated in the Higher Education Act 2022 should be included under “Essential” requirements, and then any additional requirements be listed under “Desirable”. The booklet would state that in addition to the ‘Essential’ requirements, candidates should have at least one of the ‘Desirable’ list.
- The following desirable requirements were suggested;
  - Communications and media relations
  - Data analytics
  - Digital Transformation
  - Economics
  - Education Technology
  - Environmental Social Governance
  - Equality, Diversity and Inclusion
  - International education including the recruitment of international students
  - IT and Cybersecurity
  - Legislative/regulatory compliance
- An Irish version of the eventual booklet for applicants should be produced by the Public Appointments Service.

**Decision:** It was agreed that the Executive would update the booklet having regard to the above contributions and circulate to members for electronic approval.

## 10.3 Proposal to purchase new board papers facility – Memorandum B11/22 attached

10.3.0 Members were requested to approve the purchase of an eBoard Papers Application system on a year-long trial basis. Following an assessment, a more permanent solution can be sought via a procurement process.

10.3.1 The following issues were raised;

- Members noted that a new system would be welcome as some members have difficulty accessing papers at present, and that security and confidentiality of Board papers is of paramount importance.
- Will members have the option to annotate document and have ongoing access once they have finished? The Executive agreed to explore this option.

**Decision:** The Board approved the proposed approach set out in the above Memorandum.

## **11. Commencement of the Protected Disclosures (Amendment) Act 2022 – Memorandum B12/22**

11.1 Members are asked to note that the Protected Disclosures (Amendment) Act 2022 will commence on 1 January 2023. The HEA External Procedures for Making a Protected Disclosure to the CEO as a Prescribed Person are being updated in accordance with the requirements of the new legislation and DPER guidance.

11.2 The following issues were raised;

- Should internal disclosures from HEA staff be dealt with via internal channels or should they go to Board Members for investigation? Guidance on the matter states that internal channels for disclosure should be in place, with an option for staff to raise concerns with a nominated member of the SMT or alternatively with Board Members if they feel this would not be appropriate.
- What impact will the new legislative framework have on HEA itself? The Executive will prioritise the updating of both internal and externally facing policies as well as training and awareness for staff.
- What are some of the main changes brought by the legislation? There is more rigour around timelines, broadened scope of some key terms such as worker, the requirement to respond to anonymous disclosures. It is now an offence to breach confidentiality of discloser. There is also a new Office of Protected Disclosures who can refer disclosures to the HEA if appropriate.

**Decision:** The Board noted this Memorandum.

## **12. Executive Report – Memorandum B13/22 attached**

12.1 The following issues were raised;

- It was noted that Members continued to have difficulty with the hybrid video conferencing system, this will be worked through by the Executive.
- Members noted with concern the delay in finalising the HE PPP bundle, this is expected to be concluded in Q4 2022.
- What is the HEA's role in capital infrastructure and the provision of student accommodation? The HEA's role is to assist the Dept with strategy and planning around this.
- The HEA's role in the formation of National Tertiary Office, it is hoped to appoint somebody from the further or higher sectors on a secondment basis shortly.
- Members noted the challenges in filling posts with the late notice of the 2022 ECF.

**Decision:** The Board noted the content of the Executive Report.

### **13. iBusiness Banking Authorised Signatories- Memorandum B13/22**

13.1 The Board was requested to approve the resolutions set out in the Memorandum as required by AIB in respect of the operation of iBusiness Banking services.

**Decision** The Board approved the resolutions as above.

#### **Any Other Business (AOB)**

The Board was requested to approve the reappointment of Ms Anne Brady, financial consultant to the Audit and Risk Committee. Members expressed their gratitude for the contributions of Ms Brady for previous ARC meetings.

**Decision:** The Board approved the appointment of Anne Brady to the Audit and Risk Committee.

### **14. Members Only Session (with CEO present)**

#### **14.1 Committees of the Board**

The Chair outlined his proposals in relation to the Committees of the Board given the reduction in members due to the retirement of Professor Ronan Lyons and the imminent departure of Dr Lynn Ramsey. Following the next board meeting on January 24th 2023, the Board will be reduced to a total of 10 members.

It was suggested that for the remainder of 2023, the Board would function with just three committees: the Audit and Risk committee (ARC); the National Forum for Teaching & Learning (which will be renamed to the Student Engagement and Teaching & Learning Committee SELTC) and the Research Committee (the Irish Research Council). The Chairs of the SELTC and IRC will be invited to attend Board meetings and will report on their respective activities. Any other significant items requiring approval of the Board would go directly to the next available Board meeting. While it was agreed that this may extend the duration of Board meetings, it was felt that the overall time saved would be positive. However, a number of members felt that a Finance Committee should continue in existence and after lengthy discussion it was agreed to include a fourth committee dealing with finance issues.

It was agreed to ask the Board Secretary to canvas members on their preferences for membership of the ARC, SETLC, and Finance committees.

#### **Decision:**

The Board agreed to have four (4) subcommittees as follows:

- Audit and Risk Committee
- Student Engagement and Teaching & Learning Committee
- Research Committee
- Finance Committee

The Board also agreed that the functions of the Pensions Appeals Committee should be delegated to the Executive. A paper on how this will function will be developed by the Executive and presented in due course.

#### **Next Meeting**

The date of the next meeting was agreed as Tuesday 24<sup>th</sup> January 2023 at 10:00.

---

Chairperson

Date