

**Higher Education Authority****Report of the 398<sup>th</sup> Meeting held on 29<sup>th</sup> April 2019  
at TU Dublin, City Campus**

Present<sup>1</sup>: Dr Bahram Bekhradnia (items 1-10)  
Ms Síona Cahill  
Mr Tony Donohoe  
Dr Judith Eaton  
Professor Orla Feely  
Dr Sharon Feeney  
Mr Michael Horgan, Chairperson  
Ms Darina Kneafsey  
Dr Deirdre Lillis  
Dr Ronan Lyons  
Dr Jim Mountjoy  
Dr Sinéad O’Flanagan  
Mr Pól Ó Móráin  
Dr Lynn Ramsey  
Dr John Wall (via teleconference items 1-10)

In attendance: Mr Paul O’Toole (items 1-11.3)  
Ms Orla Nugent (items 1-10)  
Mr Padraic Mellett (items 1-10)  
Dr Gemma Irvine (items 1-10)  
Ms Caitriona Ryan (items 1-10)  
Dr Vivienne Patterson (items 1-10)  
Mr Ciaran McCaffrey (items 1-3)  
Mr Stewart Roche (items 4-5)  
Ms Sheena Duffy (items 4-5)  
Ms Sorcha Carthy (items 4-5)  
Mr Liam Ryan (items 4-5)  
Dr Miriam Liston (items 4-5)  
Dr Denise Frawley (items 4-5)

Members at the start of the meeting considered any potential conflict of interest.<sup>2</sup>

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<sup>1</sup> The quorum for HEA Board meetings, six members, was met.

<sup>2</sup> Dr John Wall, an employee of WIT absented himself from the discussion on the IT Carlow land purchase proposal

## **1. Report of 397<sup>th</sup> Meeting**

1.1 The minutes were approved.

## **2. Matters arising**

### *2.1 Item 3.5 Role of Board in relation to the allocation of various funding programmes*

The CEO advised that he hoped to revert back to the Board on this matter by July, it will be addressed in the context of a review of the schedule of reserved functions to be agreed by the Board.

### *2.2 Item 3.5 Public Private Partnership Capital Projects*

Ms Nugent reported that Fixed Furniture Fittings and Equipment will be supplied and installed by the PPPco. Loose Furniture Fittings and Equipment (FFE) will be provided and installed by the PPPco. Specialist equipment shall be funded by the HEI. The HEA are working on a communication in relation to FF&E.

The point was made that this could have a significant implication for some HEIs.

## **3. CEO's Report**

### *3.1 Report content*

The CEO noted that this was the first iteration of the new CEO format, an update on the workplan has been provided in addition to a report on strategic and topical matters. He would welcome feedback from members on its content.

### *3.2 Higher Education Landscape Reform*

The CEO briefed members on his review into the possibility that one institution may have been given an unfair advantage in relation to the call. He was satisfied that no institution was given an unfair advantage. He noted that the timeline for calls can often be quite tight so accordingly a communications calendar on competitive calls will be developed by the Executive. A two-week extension has been given to HEIs for the landscape reform call.

The Chair noted that as the HEA adopts a more regulatory role, there will be a need for greater formality on the part of the Executive in its engagement with the HEIs, IUA and THEA. This should be included in future induction training.

### 3.3 IT Tralee<sup>3</sup>

The CEO updated the Board on developments in relation to IT Tralee. He advised that a different Deloitte partner will receive, assess and monitor weekly and monthly reports on the Institute's financial situation. The alternative would have been to seek another firm under the OGP framework, this would have taken a number of weeks to complete. He was satisfied that this approach would insure appropriate separation from the previous exercise undertaken by Deloitte. The Executive will be monitoring closely the work of Deloitte.

### 3.4 Munster TU Application

The CEO agreed to ascertain the role, if any, Deloitte played in the development of the Munster TU application having regard to the fact that they have been asked by the Executive to undertake a verification exercise on the data submitted by the consortium. Ms Nugent reported that the Minister has now appointed the Expert Panel to assess the application. The panel members are;

*Dr Mary Ellen Petrisko (Chair)* is immediate past President of the Western Association of Schools and Colleges (WASC) Senior College and University Commission in Alameda, California, one of seven regional accreditors working to assure the quality of tertiary education in the U.S. She has also worked as Vice President at the Middle States Commission on Higher Education in Philadelphia, PA; Deputy Secretary of Higher Education for the State of Maryland; Vice President for Academic Affairs at the University of Maryland University College; and Academic Vice President of the Tai Sophia Institute (now the Maryland University for Integrative Health).

*Professor Jean-Pierre Finance* – currently chairs the EUA Expert Group on Open Science and is a member of the Magna Charta Observatory Council as well as a member of the French Office for Scientific Integrity. Previously he was President of Henri Poincaré University, Nancy-1, France from 1994 to 1999 and for a second term from 2004 to 2011. For two years (2007-2008), he was President of the CPU (Conference of French University Presidents).

*Mr. Jon Haakstad* was until 2018 a Senior Adviser in the Norwegian Agency for Quality Assurance in Education (NOKUT), where he was also Director of analysis and Director of audits and evaluations. Previously, he was Senior adviser at the Network Norway Council (Advisory Council to the Ministry of Education on higher education) and has held the positions of Office Manager of the Norwegian

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<sup>3</sup> Dr Deirdre Lillis, a former employee of IT Tralee absented herself from discussion on this item and the Munster TU item par. 3.5

Teacher Training Council; Assistant Director of the Tromsø University College and Rector of Tromsø College of Education. He chaired a number of ENQA evaluations of quality assurance agencies in Finland, Austria, Spain, Germany and the EUA and was an external expert in evaluations of higher education in Denmark, Ireland, Austria and Switzerland.

*Dr Andrée Sursock* is Senior Adviser at the European University Association (EUA). She is involved in a range of projects on the topic of quality assurance in higher education and recently completed the EUA's Trends 2015 report, focusing on learning and teaching developments in Europe. She serves on a number of boards of universities and quality assurance agencies and advises governments on quality assurance procedures. As Deputy Secretary General at EUA (2001 and 2009), she was responsible for developing EUA's quality assurance policy positions and activities. She chaired the TU Dublin Expert Panel.

Members were advised that the panel will commence meetings on 22<sup>nd</sup> May. Members raised the following points;

- The importance of ensuring the panel was fully briefed on the current position of IT Tralee. The CEO indicated that the senior Executive will be briefing the panel.
- Will the Executive be able to manage the timeline for the assessment? Members were advised that, while it was a challenge there is goodwill and the team is lean it was manageable once additional projects are not introduced. The CEO indicated that the Executive was working to have the panel's report ready for the Board's July meeting.
- Need for wider consultation than the previous TU assessment process. Members were advised that the panel will meet students and those with contrarian voices and the Schedule has been amended to ensure open forums are in place to allow for same.
- The Executive should review the issues outlined in the HEA's letter to the Minister that was submitted with the TU Dublin Expert Panel Report

### 3.5 IRC Laureate Awards

Members noted that 60 proposals were of excellent standard and merited funding, however there was only funding for 12 awards. This was not particularly surprising as European Research Council awards are similarly oversubscribed. The lack of gender balance in the awards was also noted. Members were advised that the issues of gender and discipline mix were considered at the last Research and Graduate Education meeting. The level of awards by gender reflected the number of applications by gender. It is understood the Council will carry out a review of the Laureate Grants award process. The point was made that additional criteria

may be required when a large volume of high-quality applications are received. This will be considered at a future meeting of the RGE Committee.

### 3.6 QQI Legislation

Members were advised that the expectation was that any changes to the QQI Act relating to university designation will require a commencement order. It is anticipated that the HEA would be consulted in advance on criteria for university designation.

### 3.7 Proposed land acquisition by IT Carlow<sup>4</sup>(ITC)

The CEO introduced this item. He noted the Board had approved the purchase of land by ITC for a Wexford Campus in October 2015, however this purchase did not take place. The Board had delegated approval for certain land acquisitions to the Executive, however this delegation was subject to a review after two years, this review will shortly be undertaken and presented to the Board. Hence this item was submitted to the Board. The vendor is seeking a decision from the Institute by 30<sup>th</sup> April. The Executive presented the ITC proposal and associated due diligence undertaken on the submitted Business Case. Following a discussion, and consideration of a number of elements regarding the proposed acquisition the decision was not to approve the purchase at this time.

**Decision:** The Board agreed not to approve this acquisition at this stage.

### 3.8 The following other issues were also raised;

- HEA Administration funding – A submission has been made to the DES for additional funding. Should this be approved a revised budget will be submitted to the Board. The Chair highlighted that the approval of budgets was a reserved function of the Board and suggested that the process should be reversed whereby the Board approve a budget and the Executive then discuss this with the DES.
- Communications consultancy services – Members were advised that a mini tender (under €25k) is being undertaken. The Executive should request the appointed firm to undertake an external perspective on the HEA's strategy.
- The CEO updated the Board on the appointment of an Interim Head of Finance.

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<sup>4</sup> Dr Wall absented himself from this item

#### 4. Presentation on Funding

4.1 The CEO made a presentation acknowledging the input from colleagues in the Executive. The presentation addressed the following;

- Introduction – Overview of core components of International Funding Systems, update on Cassells, IUA and THEA funding submissions.
- Current funding of the Sector and trend analysis – breakdown of 2019 funding, income and expenditure 2006-2016.
- How grants are allocated – core and top-slices.
- Key outputs and other performance indicators – enrolments 2013/14 to 2017/18, graduate outcomes, progression data, student engagement survey, employers' survey. Kanter Milward Brown survey findings.
- Case for change – projected growth in student numbers to 2040 (4 potential scenarios were outlined), how Ireland compares with other European countries in terms of investment and staffing in higher education, IUA/Indecon Impact Assessment of Irish higher education.

The following points were made.

- The level of total income coming from the state has declined significantly and is below 50% in the case of the universities
- There has been a growth in the number of competitive calls, these have not been mainstreamed. Likewise, there are a high number of DES directed top-slices. There are up to 50 adjustments before the core grant is allocated. The management of these competitive calls is quite demanding on the time of the Executive.
- Impact of the free fees top-slices on those institutions who are unable to grow their numbers

4.2 Dr Bekhradnia noted the following in his presentation;

- Ireland has fallen behind other countries as regards investment in higher education. While the use of GDP in the Irish context is somewhat misleading, using GNP results only in marginal improvements. The current level of investment makes the Government's objective that Ireland will have one of the best higher education systems in Europe difficult to achieve.
- There is currently only limited evidence of the impact of this under investment although QQI has identified some negative findings. We should not wait until further evidence emerges.
- The HEA should go further than just produce reports highlighting how the system is managing. The HEA should point to the risks associated with

underfunding. How the additional funding is provided will be a political decision.

4.3 The following issues were raised;

- The need to reference other models including the private HEIs and the move to company own campuses.
- Has the level of underfunding been quantified?
- The relationship between the level of state funding and state regulation.
- The need for greater institutional autonomy over HR matters.
- The need for some visibility of funding on level 6 programmes in the FET and HE sectors. This would help provide a better picture of the level of funding across both sectors.

**Decision:** Members agreed to have a further, more extensive, discussion on funding at the next Board meeting.

## 5. System Performance Report

5.1 The CEO introduced this report noting the concern the Executive had over the absence of baseline data for many of the 202 metrics outlined in the System Performance Framework. The HEA should, however, be in a position to indicate the direction the system is going.

5.2 The following issues were raised by Members;

- Consideration needs to be given to undertaking a risk assessment of the HE sector having regard to the earlier discussion on funding.
- The HEA needs to consider how it measures and reports on performance.
- The report as presented is significantly improvement on previous iterations.

**Decision:** It was agreed that that the Board would consider the report at its next meeting. Members were requested to forward any comments to the Executive. The Executive was requested to ascertain from the DES whether there was an expectation that the report is to be published.

## 6. Report of Finance and Governance Committee

The Chair introduced the Committee's report.

### 6.1 2019 Recurrent Grant Allocation

**Decision:** Members approved the 2019 Recurrent Grant Allocation as set out in memorandum F 15/19.

### *6.2 Teaching and Learning Capacity Allocation*

Members were advised that the Department of Education and Skills has agreed to the funding being allocated by the National Forum for the Enhancement of Teaching and Learning subject to certain conditions. Ms Nugent will consult the DES.

### *6.3 Review of the relationship between CIT and certain companies*

Members agreed with the Committee's recommendation that the report be forwarded to the DES and PAC, that the recommendations be applicable to all institutions and that future such reviews should in the first instance be carried out by the governing body of the institution concerned.

### *6.4 IUA Multi-annual Budgetary Framework*

Members were advised that ASM (B) have been requested to undertake a review of this submission. The point has been made by the universities that the 2019 grant does not include the full cost of the restoration of pay cuts.

**Decision:** Members approved the Committee's report.

## **7. Report of the Research and Graduate Education Committee**

Professor Feeley introduced the Committee's report.

### *7.1 NORF National Statement*

Members were advised that the Irish Research Council has requested a number of changes to the statement, primarily in relation to how the procedure will operate in future and the addition of a preamble setting out the context for the framework. The document uploaded on the RGE Committee share point folder will be forwarded to the Innovation 2020 Working Group.

**Decision:** Members approved the Committee's report.

## **8. Corporate Risk Register**

8.1 Members were advised that this was the first time the Executive has prepared a corporate risk register. Previously the Executive prepared sectional-based risk registers. The point was made that some risks, such as the powers of the HEA to



undertake reviews have now emerged as fact and should not be classified as a risk.

**Decision:** It was agreed that the Audit and Risk Committee would consider the register again at its next meeting having regard to comments made. Members were invited to forward any other observations to the Committee Chair and Head of Corporate Affairs.

## 9. Appointment to the Board of HEAnet CLG

**Decision:** Members approved the appointment of Mr Billy Bennett as a THEA nominee to the Board of HEAnet CLG.

## 10. Appointment to the Board of the CAO

**Decision:** Members deferred this decision pending consideration of a plan outlining how gender balance can be achieved on the Board of the CAO.

## 11. Members only session

### 11.1 Appointment of new CEO

Mr O'Toole informed the board of continuing negotiations through the Department of Education and Skills with Department of Public Expenditure and Reform (D/PER) regarding the salary of the CEO position. D/PER had agreed to a one-point salary which was an improvement on the previous post holders' conditions but did not reach deputy secretary-general level. DES had made an additional submission to D/PER and were awaiting a response.

The recruitment process would be starting within the next few weeks and PAS had engaged a headhunting company to complete the executive search process on behalf of the HEA.

### 11.2 Head of Policy and Strategic Planning

The Board was informed that Dr Gemma Irvine was leaving the HEA at the end of June to take up a position of vice president at Maynooth University. The Board asked the CEO to convey their good wishes to Dr Irvine in her new appointment.

### 11.3 Structural Review

The CEO informed the Board that following consideration he would be making an internal appointment, on an interim basis to replace Dr Irvine.

The Board was informed of the tendering process concerning the finance function and it was hoped to appoint consultants in the very near future.

The CEO left the meeting at this stage.

#### *11.4 Prospectus and BH consultants survey*

The Board was informed of a survey being undertaken by the above two consultancy companies on higher education. The consultants state that they “feel it is timely to carry out this comprehensive survey to capture your views on a range of pertinent issues e.g. governance, funding, research, internationalisation, capacity et cetera.” They indicate that they expect the results and conclusions from the survey will be available to participants at the start of the academic year 2019/2020 and will form the backdrop for a seminar on the topic later in 2019.

#### *11.5 Technological University Research Network (TURN)*

It was agreed to approach the Department of Education and Skills with a request that the TURN be placed under the HEA oversight.

#### **Next Meeting**

27th-28<sup>th</sup> May, Dublin

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Chairperson

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Date