

■ – Denotes areas where details relating to personnel and financial matters have been withheld for operational/sensitive reasons.

C/M36

Minutes of the thirty-sixth meeting of the Higher Education and Training Awards Council which took place on Sunday, 27 May 2007 in Markree Castle, Collooney, Co. Sligo at 5:30 p.m.

PRESENT:

Chairperson:	Professor Séamus Smyth
Chief Executive:	Séamus Puirseil
Secretary:	Tadhg Ó hÉalaithe
Members:	Dr. Barbara Brittingham Mr. Michael Carmody Ms. Marion Coy Ms. Margaret Duignan Ms. Bernadette Farrell Ms. Mary McGlynn Mr. Paddy Murray Dr. Diarmuid O'Callaghan Ms. Marion Palmer

IN ATTENDANCE:

Dr. Bryan Maguire
Ms. Caitríona Lawless

APOLOGIES:

Dr. Finola Doyle-O'Neill
Mr. Diarmuid Hegarty
Mr. Stan McHugh
Mr. Norman Sharp OBE

The Chairperson opened the meeting by welcoming all Council Members in attendance and welcomed in particular, Dr. Barbara Brittingham to her first meeting as a Member of the Council.

1. Minutes of the Meeting of 5 March 2007

The Minutes of the Meeting of 5 March 2007 circulated as C/M35 were confirmed and signed.

2. Matters Arising from Minutes

Item 4.1. – C/M35

Council NOTED that the revised proposal regarding the establishment of an Academic Committee would be dealt with under Item 7 of today's agenda

Item 4.2. – C/M35

Council NOTED that Panels have been appointed for site visits to Athlone Institute of Technology and Letterkenny Institute of Technology relating to their respective applications for the extension of delegation of authority to Level 9. Council FURTHER NOTED that the site visit to Athlone Institute of Technology is scheduled for 5 June and Letterkenny Institute of Technology is scheduled for 6 June 2007.

Item 4.5. – C/M35

Council NOTED that the Executive had met with the Executive of the Higher Education Authority (HEA) on 22 March 2007 following the recent commencement of the Institutes of Technology Act 2006. Council FURTHER NOTED that among items discussed at that meeting were possible overlaps in the work of HETAC and the HEA relating to the review of Strategic Plans of IoTs and the review of the effectiveness of Quality Assurance Procedures of IoTs and Delegation of Authority to them. Council ALSO NOTED that the HEA had requested ongoing notification of programmes validated by either HETAC or IoTs under delegated authority. Council NOTED that arrangements had been made to continue to progress these areas through a series of similar meetings.

Item 5.2. – C/M35

Council NOTED that the Standards for Complementary Therapies would be dealt with under Item 8 of today's agenda.

Item 6 – C/M35

Council NOTED the publication on the HETAC website of the consultation document on new Policy on Learner Assessment Issues and the change in the consultation schedule extending the consultation period until 30 September 2007 on the recommendation of Providers. Council FURTHER NOTED that a paper on the outcome of this process will come before Council at its December Meeting.

Item 12.3. – C/M35

Council NOTED that the appointment of a third member of the Audit Committee would be dealt with under Item 11 of today's agenda

Item 14 – C/M35

Council NOTED the deferral of the conferring of the MSc. in Innovation Management in the Public Service - jointly provided by Letterkenny Institute of Technology and the University of Ulster - and awarded by HETAC and the University of Ulster – to 13 June 2007 in Belfast City Hall. The initial date of 8 May 2007 was deferred due to the use of Hillsborough Castle to facilitate the arrangements relating to the first meeting of the Northern Ireland Assembly at Stormont on that date.

3. Correspondence

- 3.1. Council NOTED the letter of 28 March 2007 from Norman Sharp OBE, Director of QAA, Scotland circulated as C/A36/3.1. accepting the invitation to become a Member of the HETAC Council and NOTED Mr. Sharp's apologies for his non-attendance at this meeting.
- 3.2. Council NOTED the letter of 23 March 2007 from the Authority regarding its initial funding allocation to HETAC for 2007 circulated as C/A36/3.2. and NOTED that this would be dealt with under Item 11 of today's agenda.
- 3.3. Council NOTED the letter of 23 March 2007 from Mr. Paul Hannigan, Director of Letterkenny Institute of Technology regarding the Tourism College, Killybegs circulated as C/A36/3.3. Council NOTED that following the recent commencement of the Institutes of Technology Act 2006, the Tourism College, Killybegs is now an academic school of Letterkenny Institute of Technology.

4. Briefing on International Quality Assurance

- 4.1. Council was BRIEFED on recent developments in the International Quality Assurance sector. Council NOTED that European Ministers for Education met in London regarding the Bologna Process within the last week. One of the developments arising from that meeting was the agreement to establish a Register of legitimate Quality Assurance Agencies in Europe, the registration of which would be the result of an external review process. Council NOTED that HETAC had within the past year undergone an external review under the European Standards and Guidelines for Quality Assurance.

Council NOTED that HETAC provided the Secretariat for INQAAHE which has been granted World Bank Funding for the Higher Education sector in majority/underdeveloped countries.

Council EXPRESSED concern at the attempts by some unaccredited providers to establish themselves within the Irish Higher Education sector or attempts to associate themselves with existing accredited providers which could have a damaging effect on the reputation of the Irish system abroad. One option suggested to prevent this would be a change in legislation which would render providers unable to run programmes leading to awards which are not placed on the Irish National Framework of Qualifications.

- 4.2. Council NOTED the information note on unaccredited universities and colleges circulated as C/A36/4.2. and FURTHER NOTED that the letter referred to in paragraph 6 of that document was not circulated to Members.

Council NOTED that under current legislation, HETAC is obliged to deal with any potential provider who makes an application for accreditation. All potential providers undergo a two stage validation process prior to granting of accreditation. Applicants must initially submit Quality Assurance Procedures which are examined by an external panel normally consisting of an expert within the Irish Higher Education Sector (Chairperson of the panel) and two other

members with a special knowledge and experience in quality assurance in higher education, at least one of whom is a person with relevant international experience. If the Panel approves the procedures, the applicant will be informed that HETAC is minded to agree the Quality Assurance Procedures. In keeping with HETAC's procedures and practices, a formal agreement will be made following successful validation of a programme or recognition of professional qualifications.

Council AGREED that to-date HETAC's involvement with new providers had been an open and inclusive one which was one of the strengths of the current system. However, it is also necessary to protect the current higher education reputation of the State. Council SUGGESTED that it may be necessary to add even more checks to the process already in place to ensure that this remains the case although this could lead to the loss of positive engagement with potential providers.

Council NOTED that the subject of registering HETAC as a trademark had been raised at the Audit Committee Meeting of 30 April 2007 and FURTHER NOTED that advice had been sought by the Executive some time ago on the matter and as a result instructions have been issued to Solicitors acting for HETAC to register the trademark on HETAC's behalf.

Council NOTED that a suggestion had been made to the Department of Education and Science that there is a significant need for an interagency/interdepartmental group to deal with issues arising from unaccredited providers and a similar need for a linked group within the UK system. Council EXPRESSED concern at the delay in the establishment of Education Ireland and REQUESTED the Executive to write to the Secretary General of the Department of Education and Science on that issue.

The meeting adjourned until 10:00 a.m. Monday, 28 May 2007.

Minutes of the thirty-sixth meeting of the Higher Education and Training Awards Council which took place on Monday, 28 May 2007 in Markree Castle, Collooney, Co. Sligo at 10:00 a.m.

PRESENT:

Chairperson:	Professor Séamus Smyth
Chief Executive:	Séamus Puirseil
Secretary:	Tadhg Ó hÉalaithe
Members:	Dr. Barbara Brittingham Mr. Michael Carmody Ms. Marion Coy Ms. Margaret Duignan Ms. Bernadette Farrell Mr. Diarmuid Hegarty Ms. Mary McGlynn Mr. Paddy Murray Dr. Diarmuid O'Callaghan Ms. Marion Palmer

IN ATTENDANCE:

Dr. Bryan Maguire
Ms. Caitríona Lawless

APOLOGIES:

Dr. Finola Doyle-O'Neill
Mr. Stan McHugh
Mr. Norman Sharp OBE

5. Governance Briefing

Council was given a presentation on Corporate Governance matters by Mr. Moling Ryan, Chief Executive of the Legal Aid Board and Chairperson of the Association of Chief Executives of State Agencies. Council NOTED the information on the relevant Codes of Practice and the OnBoard Guide for Board Members of State Bodies in Ireland (copies of which had been given to Council Members on their appointment). Council FURTHER NOTED the appropriate measures which are in existence relating to the HETAC Audit Committee. Following a question and answer session, the Chairperson on behalf of Council thanked Mr. Ryan for his comprehensive presentation.

6. Strategic Plan 2006 - 2010

Council NOTED the Explanatory Memorandum and the Draft Revised Strategic Plan 2006-2010 circulated as C/A36/6.1. and C/A36/6.2. respectively. Council CONFIRMED its wish made at the March Council Meeting to review the Strategic Plan on a rolling basis as it considered continuous updating of same as the most beneficial to the work of the organisation. As a result, chapter four of the Strategic Plan 2006-2010 had been updated to include 2 new headings: External Developments arising since 2006

and Notable Achievements. The “measures” by which the goals will be achieved have been clarified and expanded.

Council NOTED that the Review of the performance of the Authority, the report of which is due in early Autumn may also result in a reassessment of the objectives of HETAC’s Strategic Plan.

Council ADOPTED the Draft Revised Strategic Plan and AGREED that in future a review of the Strategic Plan should take place at the final Council Meeting of each calendar year.

Council AGREED that the Chairperson should issue a letter to the new Minister for Education and Science upon their appointment following the recent General Election and request an early meeting between the Minister and the Chairperson.

Council REQUESTED the Executive to give greater attention to objective 6 (consultation with industry, the professions and the public service so as to inform itself of the education, training skills and qualifications requirements) than was implied by the Explanatory Memorandum and to AMEND the text of same to reflect this. Council SUGGESTED that it may be necessary for the 3 agencies, HETAC, FETAC and the NQAI to work together within a more formal structure on this objective. Council FURTHER REQUESTED the amendment of the word “delivery” where used in the Strategic Plan. Council REQUESTED the removal of the word “trade” from the first aim Council had set at its meeting in January 2007.

Council FURTHER REQUESTED that a paper detailing the respective agencies working within the Higher Education sector in Ireland be prepared for its September meeting.

7. Academic Committee

7.1. Council NOTED the revised proposal to establish an Academic Committee circulated as C/A36/7.1.

Council REQUESTED the Executive to seek legal clearance to ensure that the wording of the terms of reference is appropriate to the task in hand and in compliance with the legislation. The Terms of Reference should reflect the wording used in the legislation.

Council AGREED

- to amend the draft Terms of Reference of the Academic Committee to require the confirmation of the Council for the following additional item:
 - to agree quality assurance procedures with new providers or providers undergoing substantial changes
[This change will not necessarily apply to cases recently approved by an External Panel as some of those providers may be seeking validation for programmes before September 2007.]

- to redraft the sentence relating to functions of the Committee **not** subject to confirmation by the Council to read
“The following functions of the Committee are **not** generally subject to confirmation by the Council”.

Council also AGREED that Academic Committee Members should receive copies of the draft Terms of Reference and any changes proposed by the Committee should come back to Council for approval.

Council SUGGESTED that the Academic Committee should consider putting in place extra quality assurance checks to deal with situations such as change of ownership of an established provider, new campuses purchased, dissolution of provider etc. e.g. extra site visits etc.

Council NOTED the intention of the Executive to hold a meeting of the Academic Committee prior to the next Council Meeting set for 17 September 2007.

Council REQUESTED the Executive to prepare a short document on the applications process for potential new providers seeking accreditation.

Council NOTED the nomination by the Chief Executive, of the Director of Academic Affairs as his nominee for membership of the Academic Committee.

Council AGREED that invitations for membership of the Academic Committee should be issued to the following:

- One expert in addressing learners’ perspectives on quality assurance
 - Darren McCallig
 - Bernadette Farrell (presently a member of Council)
 Council AGREED to the amendment of the membership of the Committee to include two experts in addressing learners’ perspectives on quality assurance and as a result ALSO NOMINATED Bernadette Farrell for membership. Council AGREED that this amendment should also be reviewed after one year together with the previously agreed review of the workings of the Committee one year after its first meeting.
- Two experts in quality assurance within providers with delegated authority (also Members of Council)
 - Dr. Diarmuid O’Callaghan, Blanchardstown Institute of Technology
 - Marion Palmer, Dún Laoghaire Institute of Art, Design and Technology
- Two experts in the accreditation of programmes in providers without delegated authority
 - Tomás Mac Eochagáin, Griffith College
 - June Hosford, St. Nicholas Montessori College

- Two experts in the quality assurance of higher education programmes and institutions outside of HETAC
 - Professor Tom Boylan, NUI, Galway
 - Tine Holm, EVA, Denmark
- One expert in the issues of HE quality assurance from the employment perspective
 - Carol Gibbons, IDA

Council AGREED to the nomination by the Chairperson of Professor Tom Boylan as Chair of the Academic Committee and NOTED that the Executive would seek an alternative nomination from the Council Chairperson should Professor Boylan be unable to accept.

- 7.2. Council NOTED and CONFIRMED the Report of the Committee of Council Meeting of 26 April 2007 circulated as C/A36/7.2. and the Report of the Incorporal Committee of Council Meeting of 17 May 2007 which was circulated at the meeting.

Council REQUESTED that on the recommendation of the Committee of Council the matter of programme titles in relation to the use of Bachelor of Arts versus Bachelor of Business be examined by the Academic Committee upon its establishment.

- 7.3. Council NOTED the briefing paper and policy development proposal entitled Cross-border Education and HETAC Awards outside the State circulated as C/A36/7.3. Following discussion, Council FAVOURED Option 2 as set out in the proposal. Council REQUESTED that the proposal be referred to the Academic Committee for elaboration/comment at an early date and to REVERT back to Council for decision.

Council NOTED that any partnership between an established HETAC Provider and an overseas Provider has in the past been subject to a site visit as part of the application process. Council NOTED the view expressed that a quinquennial review of operations on a country by country basis was an effective method of overseeing the cross-border situation.

8. Awards Standards

Council NOTED the Explanatory Memorandum on issues relating to the Development of Standards for Complementary Therapies circulated as C/A36/8.1. and the draft Standards for Complementary Therapies which were circulated at the meeting.

Council AUTHORISED the Executive to engage in a consultation process relating to the draft Standards and to REVERT to Council following that process.

9. Recent Developments

- 9.1. Council NOTED the information note on Revised Policy on Programme Accreditation Panels circulated as C/A36/9.1.
- 9.2. Council NOTED the Information Note on Building Control Legislation circulated as C/A36/9.2.
- 9.3. Council NOTED the Information Note on Current Applications to Maintain a Postgraduate Research Degree Register circulated as C/A36/9.3.

10. Decentralisation Update

Council NOTED that a request for a meeting regarding the decentralisation of HETAC to Edenderry had been received from the OPW late on Friday, 25 May 2007.

11. Financial Matters

- 11.1. Council NOTED the letter of 14 May 2007 to the NQAI regarding a Revised HETAC Budget for 2007 and incorporating Statement of Income and Expenditure to 30 April 2007 circulated as C/A36/11.1. Council ENDORSED the views expressed by the Executive in the letter. Council NOTED the observation by a Council Member that the proposal relating to fees of ■■■ p.a. for each fulltime student in the Institutes of Technology should be reconsidered. Council NOTED that Fees are set by the Minister for Education and Science in consultation with the NQAI and a report on same had been submitted for consideration to the Department by the NQAI in November 2003. Council NOTED that as a result of the revised Budget, HETAC's proposed publicity campaign had been put on hold and FURTHER NOTED that the Budgetary restrictions were likely to run until at least the end of 2008.
- 11.2. Council NOTED the memorandum on the Audit Committee Meeting of 30 April 2007 which was circulated as C/A36/11.2.1. and the oral report of the Audit Committee Chairperson regarding same. Council NOTED the amendment of the Audit Committee Charter circulated as C/A36/11.2.2. and the Internal Audit Charter circulated as C/A36/11.2.3. and ADOPTED both Charters. Council APPROVED the nomination of Marion Coy as the third member of the Audit Committee. Council on the recommendation of the Chairperson of the Audit Committee APPROVED the Report of the Internal Auditor on the Review of the effectiveness of the System of Internal Financial Control for 2006. Council also APPROVED the recommendation made by the Audit Committee relating to Bank Signatories as outlined in paragraph 3 of the document circulated as C/A36/11.2.1.
- 11.3. Council NOTED and APPROVED the Draft Financial Statements for the year ended 31 December 2006 circulated as C/A36/11.3. Council NOTED that the Financial Statements for the year ended 31 December 2005 had been audited by the Comptroller and Auditor General who had provided a report on same. A Management letter relating to the 2005 Financial Statements had been received and a draft response was currently being considered by the Members of the Audit Committee. Council NOTED that the 2006 Audit will be conducted by

an outside Auditor and the Executive hopes to have an indication of a start date shortly.

12. Any Other Business.

The Chairperson REQUESTED the Chief Executive, the Director of Academic Affairs, the Secretary to the Council and Ms. Caitríona Lawless to leave the meeting as he wished to raise some issues on a confidential basis with Council Members.

The next meeting of Council will take place in the Boardroom of HETAC Offices, 26/27 Denzille Lane, Dublin 2 on Monday, 17 September 2007 at 11:00 a.m. (10:30 a.m.)

THIS CONCLUDED THE BUSINESS OF THE MEETING.

Chairperson: _____

Date: _____