

Some items relating to personnel and financial matters have been withheld for operational/sensitive reasons.

**C/M46**

Minutes of the forty-sixth meeting of the Higher Education and Training Awards Council which took place on Monday, 27 April 2009 in HETAC Offices, 26/27 Denzille Lane, at 10:30 a.m.

**PRESENT:**

Chairperson:	Professor Séamus Smyth
Chief Executive:	Gearóid Ó Conluain
Secretary:	Tadhg Ó hÉalaithe
Members:	Dr. Barbara Brittingham Mr. Michael Carmody Ms. Marion Coy Mr. Diarmuid Hegarty Mr. Stan McHugh Mr. Paddy Murray Dr. Diarmuid O'Callaghan Ms. Marion Palmer Mr. Bartley Rock Mr. Norman Sharp OBE

**IN ATTENDANCE:**

Dr. Bryan Maguire  
Dr. Peter Cullen (Items 6 and 7)  
Ms. Karena Maguire (Items 6 and 7)  
Ms. Tara Ryan (Items 6 and 7)  
Ms. Caitríona Lawless

**APOLOGIES:**

Dr. Finola Doyle-O'Neill  
Ms. Margaret Duignan  
Ms. Mary McGlynn

**1. Minutes of the Meeting of 16 February 2009**

The Minutes of the Meeting of 16 February 2009 circulated as C/M45 were confirmed and signed.

**2. Matters Arising from Minutes**

Item 2 – C/M45

Council NOTED that the Executive had received notification of the legal costs incurred by Warnborough College relating to the case taken by it and that these fees were currently under negotiation.

Item 2 – C/M45

Council NOTED that the Draft Institutional Review Report of Institute of Technology, Sligo would be dealt with under item 6 of today's Agenda.

Item 8 – C/M45

Council NOTED that the Amalgamation of Agencies working in Quality Assurance in Education and Training would be dealt with under Item 5 of today's Agenda.

**3. Correspondence**

3.1. Council NOTED the letter of 3 April 2009 from Dr. Jim Murray, Chief Executive, NQAI to Gearóid Ó Conluain, Chief Executive, HETAC circulated as C/A46/3.1. regarding the evaluation of Institute of Technology, Tallaght, for an extension of delegation of authority to make awards at Levels 9 and 10 of the National Framework of Qualifications. Council NOTED the Authority's agreement with Council being satisfied that the Institute of Technology, Tallaght, meets the criteria for delegation of authority to make awards, in respect of its existing research programmes at Level 9 in the fields of Engineering and Science (including Computing) and Level 10 of the Framework in the fields of Biology and Chemistry.

**4. Chief Executive's Report**

4.1. Council NOTED the Chief Executive's Report circulated as C/A46/4.1. Council NOTED that with the agreement of staff, the Partnership Committee had been disbanded and a new committee with members representing all grades within the staff structure had been established. Council NOTED the establishment of the new Staff Representative Forum, which had discussed and adopted its terms of engagement and its first priority was a review of HETAC's HR policies. Council NOTED that the next session of the Professional Development Programme for Senior Management would take place in June 2009. Council NOTED that a 2 day Management Course was delivered by the IPA to line management staff at Grades V – VII and Assistant Principal and also NOTED that a Grade IV staff member will shortly be taking part in a week long programme in presentation skills in Scotland. Council NOTED that the Chief Executive had visited 11 of the Institutes of Technology to date and visits to more Institutes and providers have been/will be arranged over the coming months. The Chief Executive emphasised the importance of these visits and the opportunities they provided to engage with colleagues in the sector and exchange views on emerging policy issues in higher education.

4.2. Council NOTED the Draft Minutes of the Tripartite Meeting (Chief Executives and Directors of NQAI, FETAC and HETAC) held on 30 January 2009, circulated as C/A46/4.2.

4.3. Council NOTED the Draft Minutes of the Tripartite Meeting (Chief Executives and Directors of NQAI, FETAC and HETAC) held on 27 February 2009, circulated as C/A46/4.3.

**5. Amalgamation of Agencies (HETAC/FETAC/NQAI/IUQB) working in Quality Assurance in Education and Training**

Council NOTED the Presentation by the Chief Executive regarding the background of the proposed amalgamation and the work of the Implementation Advisory Group (IAG) to date. Council NOTED the current version of the Draft Consultation Paper on Implementation drafted by the Department of Education and Science and also NOTED that the Department intended to circulate a Memorandum for the information of the Government relating to the issue. As a result, the final version of the Consultation Paper may be delayed for a number of weeks.

Council NOTED and DISCUSSED the Draft HETAC Response to the Consultation Paper drafted by the Executive and circulated as C/A46/5.2. Council AGREED that the amalgamation was an opportunity which should be used to place Ireland at the forefront of development in European and international higher education; ensure a robust national Quality Assurance system and to ensure a stronger voice for learners within the system. Council AGREED that the new agency should be established with freedom to develop, grow and change with the environment it works within.

Council NOTED the Executive's recommendations that any new legislation drafted should include provisions to ensure that all providers be obliged to have learner protection in place; that changes required to the Appeals Procedures necessitated by the three bodies becoming one agency be put in place and the resolution of the situation where bodies who make statutory awards exist but are not presently linked to the National Framework of Qualifications.

Council following its discussion, AGREED that the Executive should expand on the response document and NOTED the Executive's intention to circulate the next draft of the Consultation Paper should it contain substantial changes. Council AGREED to return to this matter at its next meeting in June.

## **6. Academic Committee of Council**

*Dr. Peter Cullen, Head of Standards, Research and Policy Development, Ms. Karena Maguire, Head of Institutional Review and Ms. Tara Ryan, Head of Provider Registration and Professional Body Recognition, were in attendance for this item.*

- 6.1. Council NOTED the draft minutes of the ninth meeting of the Academic Committee held on 31 March 2009, circulated as C/A46/6.1.
- 6.2. Council NOTED the information note tabled as C/A46/6.2.1., relating to the following new provider which had its first programme validation recommended for approval by the Academic Committee at its meeting held on 31 March 2009:

- Dublin Business and Language College

Council NOTED that this provider had applied and had been assessed under the previous HETAC new provider policy but NOTED that learner protection arrangements had yet to be put in place. This provider has now completed the final stage of its Quality Assurance assessment and Council AGREED its quality assurance procedures subject to putting in place its learner protection arrangements.

- 6.3. Council NOTED the Explanatory Memorandum together with the Report of the Expert Panel on the Institutional Review of Institute of Technology, Sligo, together with the Response of the Institute to the Report of the Expert Panel circulated as C/A46/6.3.1. – 6.3.3. Council NOTED that the Institutional Review process is set to take place every 5 years and will be a central part of HETAC's functions for the foreseeable future. Council NOTED the first Institutional Review which took place at Institute of Technology, Sligo with a site visit occurring in December 2008 and also NOTED that the Institute was invited to make a response to the resulting report and to include a plan to meet the Panel's recommendations and a timeframe for implementation of same. Council NOTED that a review of the implementation of these recommendations would take place a year after the Council adopts the Expert Panel Report. Council NOTED that the Expert Panel's Report and the Response of the Institute to that Report were placed before the Academic

Committee at its meeting on 31 March 2009. Council ADOPTED the Report of the Expert Panel and REQUESTED the Executive to publish the Report and the Response document on its website. While it was considered that the Institute response provided less detail than anticipated on some recommendations, Council expects that these matters will be considered and reviewed in the follow-up process due in April 2010.

Council NOTED that the review of Institute of Technology, Sligo was the first review in the initial phase of eight reviews taking place up to the end of May 2009 and further NOTED that a total of 7 site visits relating to this initial phase had taken place to date. Council NOTED the Executive's intention to take stock of experience gained to date and issues that have arisen during the initial phase prior to the commencement of the second phase in September 2009, the planning of which is already underway. Council AGREED with the Executive's recommendation to revisit the Institutional Review Policy with a view to updating it following the initial round of reviews.

## **7. Academic Matters**

*Dr. Peter Cullen, Head of Standards, Research and Policy Development, Ms. Karena Maguire, Head of Institutional Review and Ms. Tara Ryan, Head of Provider Registration and Professional Body Recognition, were in attendance for this item.*

### **7.1. HETAC Assessment and Standards 2009**

Council NOTED the Explanatory Memorandum and HETAC Assessment and Standards 2009, circulated as C/A46/7.1.1 – 7.1.2. Council NOTED that the development of this document had involved a major review of HETAC policy and was subjected to one of the most thorough consultation processes HETAC had undertaken to date. Council NOTED that the process had dealt with a wide range of policy issues and had developed principles, guidelines, conventions and reference protocols dealing with Assessment and Standards. Council NOTED that issues raised during the consultation period had been considered by a Consultative Forum in March 2009 and addressed satisfactorily. Council NOTED that the Assessment and Standards document had been placed before the Academic Committee at its meeting on 31 March 2009 and the Committee had recommended the document to Council for adoption. Council ADOPTED the Assessment and Standards 2009 document and EXPRESSED its gratitude for the work undertaken by the Executive in the preparation of the document. Council RECOGNISED that it will take time for the policy to roll out across the sector and AGREED with the Academic Committee's recommendation that the Executive prepares a plan to guide and support the implementation of the new policy by providers.

### **7.2. Irish University Association: PhD Graduates' Skills**

Council NOTED the Explanatory Memorandum and the IUA Statement on PhD Graduates' Skills, circulated as C/A46/7.2.1 – 7.2.2. Council ENDORSED the IUA statement as meeting HETAC's requirements in this area.

## **8. Financial Matters**

8.1. Council NOTED the Financial out-turn for the 3 month period to 31 March 2009, circulated as C/A46/8.1.

8.2. Council NOTED the letter of 20 April 2009 from Dr. Jim Murray, Chief Executive, NQAI, addressed to Gearóid Ó Conluain notifying HETAC of its

funding allocation for 2009 of €2,791,660 from the allocation for the 3 Bodies made available to the Authority from the Department of Education and Science.

- 8.3. Council NOTED the Explanatory Memorandum and the letter of 9 April 2009 from deVere White & Smyth Property Consultants addressed to Tadhg Ó hÉalaithe, Director of Corporate and Learner Award Services, HETAC, circulated as C/A46/8.3. Council NOTED that HETAC has a 21 year lease on its premises at 26/27 Denzille Lane from 31 December 2002 with upward rent reviews every 6 years. Following negotiations with the landlord, the agent (who had been appointed to negotiate on behalf of HETAC) had in consultation with the Executive agreed a rent of ██████ per annum until 2015. In light of all the circumstances, both the Executive and the Audit Committee, who discussed the matter at its meeting on 31 March 2009, considered it a satisfactory outcome. Council APPROVED the increase as outlined.
- 8.4. Council NOTED the update on discussions with the Department of Education and Science relating to accreditation, award and other related fees. Council NOTED that the Department of Education and Science, following discussions with the Department of Finance, had sanctioned a number of revised fees in the HETAC sector. Council also NOTED that further clarification had been sought by the Department of Finance regarding proposals relating to charges in the Institute of Technology sector payable to HETAC and the Department of Education and Science would revert to the Executive once the matter had been finalised.
- 8.5. Council NOTED the oral report on the Audit Committee Meeting of 31 March 2009 given by the Committee's Chairperson. Council NOTED that the Committee had discussed the new IT system FETAC was developing and the Executive's intention to look at the FETAC and HETAC IT systems with a view to establishing compatibility of data requirements. The Chairperson of the Audit Committee appraised Council of the Committee's adoption of the Report of the Review of Effectiveness of the System of Internal Financial Controls and the Committee's recommendation that the Council Chairperson, in the context of the Council's Financial Statements for 2008, would confirm on behalf of the Council that for the year 2008 a review of the System of Internal Financial Controls was carried out. Council AGREED with this recommendation. Council NOTED the Committee's recommendation that an External Audit Committee Member be appointed to the Audit Committee and NOTED that the Council's Chairperson would discuss the matter individually with the 3 Council Members on the Committee.

## **9. Chairperson's Business**

- 9.1. The Chairperson BRIEFED the Council on a meeting held on 21 April 2009, between the Chairperson, the Chief Executive and the Secretary General of the Department of Education and Science, at which they briefed the Secretary General on the developments and restructuring with HETAC over the last 8/9 months.
- 9.2. Council NOTED that HETAC is operating under new travel and subsistence rates since 5 March 2009.
- 9.3. The Chairperson on behalf of Council, EXTENDED best wishes to Mr. Norman Sharp OBE on his forthcoming retirement as Director of QAA, Scotland and looked forward to his continuing contribution as a Council Member.

**10. Any Other Business**

Council NOTED that the next Council Meeting would take place in Carlow and details of arrangements etc. would be communicated to Council Members as soon as possible.

The next meeting of Council will provisionally take place on Sunday and Monday, 14 and 15 June 2009 – **details to be confirmed.**

**THIS CONCLUDED THE BUSINESS OF THE MEETING.**

**Chairperson:** \_\_\_\_\_

**Date:** \_\_\_\_\_