

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

**C/M48**

Minutes of the forty-eighth meeting of the Higher Education and Training Awards Council which took place on Monday, 14 September 2009 at 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 Mr. Diarmuid Hegarty Ms. Mary McGlynn Mr. Stan McHugh Mr. Paddy Murray Dr. Diarmuid O'Callaghan Dr. Marion Palmer Mr. Norman Sharp OBE Mr. Hugh Sullivan

**IN ATTENDANCE:**

Dr. Bryan Maguire  
Ms. Karena Maguire (Item 5.3.)  
Ms. Tara Ryan (Item 5.5.)  
Ms. Mary Sheridan (Items 3.1., 3.2. & 5.4.)  
Ms. Caitríona Lawless

**APOLOGIES:**

Ms. Marion Coy  
Dr. Finola Doyle-O'Neill

The Chairperson, WELCOMED Mr. Hugh Sullivan, recently appointed Education Officer of the Union of Students in Ireland, to his first Meeting as a Member of the Council.

The Chairperson, also INFORMED Council of the recently tendered resignation of Margaret Duignan as a Member of Council with effect from 8 September 2009 and that correspondence regarding the appointment of her successor was in motion.

#### **1. Minutes of the Meeting of 15 June 2009**

The Minutes of the Meeting of 15 June 2009 circulated as C/M47 were confirmed and signed.

## 2. Matters Arising from Minutes

### Item 8 – C/M46

The Chairperson INFORMED Council that he had been in contact with members of the Audit Committee to discuss the appointment of an external person to serve as an additional member of the Committee. Council CONFIRMED the appointment of Mr. Patrick Dalton, a former Bursar and Chief Financial Officer at NUI, Maynooth, to the Audit Committee.

### Item 4 – C/M47

Council NOTED that some 200 applications had been received in response to the advertisements for prospective applicants willing to serve as panel members for Institutional Reviews, Provider Monitoring and Programme Accreditation, published in two national newspapers and in the Times Higher Education Supplement. Council NOTED that the applications had been reviewed and some 90% were thought to be suitable to progress to the next stage of the process.

### Item 5 – C/M47

Council NOTED that the Executive had made the changes discussed at the last Council Meeting in June to the submission document on the Amalgamation of Agencies working in Quality Assurance in Education and Training and had submitted the document to the Department of Education and Science. Council ACKNOWLEDGED circulation by the Secretary to the Council, of a link to the website publishing all the submissions received by the Department during the consultation period.

### Item 6.2. – C/M47

Council NOTED that the College of Computer Training had put Learner Protection in place.

### Item 8.3. – C/M47

Council NOTED that communications with Mr. Gerry Murray, Chief Executive of Institutes of Technology, Ireland regarding the arrangements for the fees to be charged by HETAC in the Institute of Technology sector were ongoing.

## 3. Correspondence

3.1. Council NOTED a series of correspondence dating from 17 June 2009 to 4 September 2009 between [REDACTED] and HETAC, circulated as C/A48/3.1.(a – j) and NOTED that this matter would be discussed under item 5.4.1.

3.2. Council NOTED the letter of 8 June 2009 from Gearóid Ó Conluain to Dr. Jim Murray, Chief Executive, NQAI regarding Section 26 Review – Bachelor of Arts (Hons) in Film Production, circulated as C/A48/3.2.

## 4. Chief Executive's Report

4.1. Council NOTED the Chief Executive's Report circulated as C/A48/4.1. Council NOTED that the following draft HR policies had been developed and/or revised in consultation with the Staff Representative Forum:  
Force Majeure Leave (revised document)  
Disciplinary Procedure  
Grievance Procedure  
Bullying, Harassment and Sexual Harassment Policy  
and NOTED that following formal adoption of the policies by the Executive, Council Members would receive copies for their information.

Council NOTED that the new telephony system had been installed and all staff are now contactable directly. Council also NOTED that the new system is already resulting in savings when compared with the previous system and areas such as HETAC's e.mail applications and mobile telephony were now being examined with regard to efficiency and cost savings.

Council NOTED the progress made in the area of Quality Assurance issues such as the creation of additional flexibility within the Institutional Review (IR) model to incorporate a programmatic review or a Section 26 review where appropriate. Council NOTED the introduction of a comprehensive provider monitoring programme to assure continuity and consistency in the application of QA processes within programmes and provide advice and assistance to providers as necessary. Council also NOTED the plan to compile a comprehensive register of authorised expert panellists for IRs, programme validations, provider registration reviews and other panels.

Council NOTED discussions which had taken place with NQAI and the Department of Education and Science over the Summer months, with regard to a recent issue where the Chinese authorities mistakenly removed Irish private providers from their list of approved providers of Higher Education, and which had had a serious impact on overseas learners. Council NOTED that the Executive expected the situation to be rectified in the near future.

Council NOTED that the Executive is currently awaiting a decision with regard to the outcome of HETAC's application for membership of the European Quality Assurance Register (EQAR). The Register will list quality assurance agencies that operate in Europe and that have proven their credibility and reliability in a review against the European Standards and Guidelines for Quality Assurance.

- 4.2. Council APPROVED the proposed dates for Council Meetings in 2010, circulated as C/A48/4.2. and NOTED that the dates for the Academic and Audit Committee Meetings may change slightly once they have been considered by the respective Committees.

## **5. Academic Committee of Council**

- 5.1. Council NOTED the draft minutes of the eleventh meeting of the Academic Committee held on 6 July 2009, circulated as C/A48/5.1.
- 5.2. Council NOTED the Annual Report of the Academic Committee together with the revised Terms of Reference for the Committee, circulated as C/A48/5.2.1-5.2.3. Council AGREED with the Executive's recommendation that the Terms of Reference be amended to include the adoption of reports of Institutional Reviews, Institutional responses to those reports and follow-up reports to Institutional Reviews, under functions of the Committee not generally subject to confirmation of Council, except for cases involving Section 26 Reviews or withdrawal of Delegation of Authority. Council also AGREED that approval of new Joint Awarding Agreements would still require Council confirmation but amendments to existing Joint Awarding Agreements will be approved solely by the Academic Committee. Council AGREED with the Executive's recommended changes to the composition of the membership of the Committee – in light of the amalgamation, the inclusion of a nominee from FETAC, the change in membership due to the personal circumstances of the overseas member and the proposal to leave vacant the position which was to be taken up by the out-going USI Education Officer, due to his unavailability

during this academic year. Council REQUESTED that the situation relating to the latter position be reviewed at the end of the year and AGREED to revisit the Committee composition if the situation was to continue for a second year. Council ADOPTED the Annual Report and APPROVED the revised Terms of Reference.

*Ms. Karena Maguire, Head of Institutional Review was in attendance for this item.*

- 5.3. Council NOTED the Report on the Debriefing Session with Review Chairpersons and Secretaries on the Initial Phase of the HETAC Institutional Reviews, circulated as C/A48/5.3.1. Council NOTED that a significant amount of feedback had been received to date regarding the process and all recommendations had been incorporated into the next phase of the implementation of the process. Council NOTED that Phase 2 of the Institutional Review process was beginning in the next few weeks, commencing with Griffith College and Tipperary Institute, with several other reviews planned to take place before Christmas 2009. Council NOTED that more workshops and seminars focusing on detailed feedback, general findings and overall experience gained during the initial phase are planned for 2009/10, the first of these being planned for 8 October 2009. Council NOTED that members of the Executive had visited Norman Sharp and his colleagues at QAA, Scotland, a visit which had been very beneficial. The purpose of the visit was to hear at first hand how Institutional Reviews are conducted in Scotland. The Chairperson, on behalf of Council, THANKED Norman Sharp and the QAA for facilitating the visit to their agency and WISHED the Executive luck with work on the next phase of the process.

*Ms. Mary Sheridan, Head of Provider Monitoring was in attendance for this item.*

- 5.4. Council NOTED the background information on the Section 26 Review of [REDACTED] circulated as C/A48/5.4.1., together with the correspondence circulated under items 3.1. and 3.2. The Executive BRIEFED the Council on developments to date. Council NOTED that arrangements had been made to accommodate the [REDACTED] learners who had completed the first year of the BA (Hons) programme. Council NOTED that all papers would be placed before the Academic Committee at its meeting on 19 October 2009 where the decision would be made by that Committee on the outcome of the Review. If a decision is made to withdraw validation, the provider will have one month to make formal representations to the Academic Committee. Council NOTED that the NQAI had been informed of the matter and there is an option open to the provider to appeal to the NQAI if validation is withdrawn. Council REQUESTED that the advice of a legal Counsel be sought on the matter and NOTED that all stages of the process to date had been done in consultation with HETAC's solicitor. Council NOTED that the Executive would keep Council updated on developments.

Council NOTED that an appeal had been lodged with NQAI against the decision of Council to postpone validation of a programme to be operated by [REDACTED], pending the establishment of a federation of professional bodies/associations [REDACTED].

*Ms. Tara Ryan, Head of Provider Registration and Professional Body Recognition was in attendance for this item.*

- 5.5. Council NOTED the information notes circulated as C/A48/5.5.1. and tabled as C/A48/5.5.2., relating to the following new providers which had their first programme validations recommended for approval by the Academic Committee at its meeting held on 6 July 2009:

- Public Affairs Ireland
- Communications & Management Institute (CMI)

Council NOTED that these providers had applied and had been assessed under the previous HETAC new provider policy and NOTED that learner protection arrangements had been put in place. These providers have now completed the final stage of their Quality Assurance assessment and Council AGREED their quality assurance procedures.

## 6. Academic Matters

*Ms. Tara Ryan, Head of Provider Registration and Professional Body Recognition was in attendance for this item.*

### 6.1. HETAC Register of Panel Members

Council NOTED the Update on the HETAC Register of Panel Members, circulated as C/A48/6.1.1. Council NOTED that some 200 applications had been received in response to the advertisements for prospective applicants willing to serve as panel members for Institutional Reviews, Provider Monitoring and Programme Accreditation etc. Council NOTED that the Executive was compiling a list of all Panel Members used by NCEA/HETAC over the last number of years. Council also NOTED the Executive's intention to write to all of these panel members requesting that they notify HETAC if they wish to remain on the HETAC Register. The Executive hopes to have this phase completed by November 2009 at which time the Register will go live. Council NOTED that the Executive will then commence the next phase, training for Panel involvement and evaluation. Council AGREED that this was a key recommendation arising from the Review of HETAC and linking with its revised Business Plan and is SATISFIED with progress made to date.

### 6.2. Consultation on the National Strategy for Higher Education Guidance Document.

Council NOTED the submission made by HETAC to the Department of Education and Science in June 2009 under the Consultation Process on the National Strategy for Higher Education Guidance Document, circulated as C/A48/6.2.1. Council EXPRESSED satisfaction with the three most significant changes, identified by the Executive, that HETAC would wish to see made to Irish higher education and the barriers or obstacles likely to be encountered in the achievement of those objectives. Following questions raised by a Council Member, discussions revolved around the statement in the submission suggesting a renegotiation of College lecturing contracts, so as to increase the flexibility of institutions in meeting the needs of learners. It was pointed out that the reference made was applicable to all higher education providers.

## 7. Code of Practice for the Governance of State Bodies

Council NOTED the Explanatory Memorandum and the Revised and Updated Code of Practice for the Governance of State Bodies, circulated as C/A48/7.1 – 7.3. and ADOPTED the Revised and Updated Code of Practice for the Governance of State Bodies.

Council NOTED the Foreign Travel Policy Guidelines 2009 issued by the Department of Finance, circulated as C/A48/7.4.

## 8. Business Plan 2009 – 2011

Council NOTED the Business Plan 2009-2011, circulated as C/A48/8.1. Council NOTED that the Plan was developed through consultation with staff; review of the

Strategic Plan 2006-2010 and the recommendations of the HETAC review. The Plan also factors in the planned amalgamation of agencies of Quality Assurance in education and training and takes full account of individual staff members' role profiles. Council NOTED that the Plan allows for Lead and Support Colleagues enabling staff members to co-operate on projects. Council NOTED that the Executive had discussed the Plan with the Chief Executive of NQAI and the final version will be forwarded to the Authority for adoption. Council REQUESTED the Executive to place HETAC's Risk Register before the Council for consideration at a future meeting.

#### **9. Financial Matters**

- 9.1. Council NOTED the Financial out-turn for the 8 month period to 31 August 2009, circulated as C/A48/9.1.
- 9.2. Council NOTED that the Executive expects the first tranche of fees from the IoT sector to be paid shortly and NOTED that the Executive had written to Mr. Gerry Murray, Chief Executive of Institutes of Technology, Ireland regarding payment of the balance of fees for 2009.
- 9.3. Council REQUESTED the Executive to prepare a report on the cost of foreign travel and subsistence relating to Council Members and staff covering recent years to be placed before the Audit Committee for consideration at its meeting scheduled for 12 October 2009. Council also REQUESTED the Executive to place the 3 year Internal Audit plan on the Agenda for the next Council Meeting scheduled for 9 November 2009. Council AGREED that the Minutes of the Audit Committee would appear on the Council Agenda rather than the previous oral report of the Audit Committee Chairperson. Council NOTED that the Audit Committee will meet with a member of the C&AG staff at its October 2009 meeting.

#### **10. Chairperson's Business**

The Chairperson BRIEFED Council on progress to date on the matter of the Amalgamation of the Agencies of Quality Assurance in Education and Training.

Council NOTED the concern raised by a Council Member regarding the possible change of brand name for HETAC awards which may result from the amalgamation of the three bodies. Council NOTED that some providers had spent a significant amount of money particularly aimed at attracting overseas students to Ireland, on advertising and promoting the HETAC brand name since its establishment in 2001 and NOTED the suggestion that there should be a defined period of time for which the brand name should remain in existence after the amalgamation.

#### **11. Any Other Business**

No business.

The next meeting of Council will take place on Monday, 9 November 2009 at 10:30 a.m., in HETAC Offices, 26/27 Denzille Lane, Dublin 2.

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

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

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