

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

C/M49

Minutes of the forty-ninth meeting of the Higher Education and Training Awards Council which took place on Monday, 9 November 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: Mr. Michael Carmody
Dr. Finola Doyle-O'Neill
Mr. Diarmuid Hegarty
Ms. Mary McGlynn
Mr. Stan McHugh
Mr. Paddy Murray
Dr. Íde Ní Fhaoláin
Dr. Diarmuid O'Callaghan
Dr. Marion Palmer
Mr. Hugh Sullivan

IN ATTENDANCE:

Dr. Bryan Maguire
Dr. Peter Cullen (Item 5.2., 5.3. and 6.1.)
Ms. Mary Sheridan (Items 5.2., 5.3. and 6.1.)
Ms. Caitríona Lawless

APOLOGIES:

Dr. Barbara Brittingham
Ms. Marion Coy
Mr. Norman Sharp OBE

The Chairperson, WELCOMED Dr. Íde Ní Fhaoláin, recently appointed ICTU representative, to her first Meeting as a Member of the Council.

Council NOTED the recent death of Dr. Pádraig MacDiarmada, former Director of the NCEA and conveyed its condolences to his family.

1. Minutes of the Meeting of 14 September 2009

The Minutes of the Meeting of 14 September 2009 circulated as C/M48 were confirmed and signed.

2. Matters Arising from Minutes

Item 2 – C/M48

Council NOTED that Mr. Patrick Dalton, recently appointed as a Member of the Audit Committee, had attended his first meeting on 12 October 2009.

Item 2 – C/M48

Council NOTED that the review of the applications received in response to the advertisements for prospective applicants willing to serve as panel members for Institutional Reviews, Provider Monitoring and Programme Accreditation was drawing to a close and a register of panel members previously used by NCEA/HETAC was currently being produced.

Item 4 – C/M48

Council NOTED the draft HR Policies referred to under this item were tabled for information at today's meeting.

Item 4 – C/M48

Council NOTED that the review of HETAC e.mail applications and mobile telephony with regards to efficiency and cost savings was ongoing.

Item 4 – C/M48

Council NOTED that the recent issue arising from the Chinese authorities mistakenly removing Irish Private Providers from their list of approved providers of Higher Education and which was likely to have a serious impact on overseas learners, was not yet resolved. Council NOTED that the matter was now back with the Chinese authorities.

Item 5.3. – C/M48

Council NOTED that as previously advised, an Institutional Review Workshop had been held on 8 October and further NOTED that the next Workshop is scheduled for 9 December 2009.

Item 9 – C/M48

Council NOTED an update on fees would be dealt with under item 9 of today's Agenda.

3. Correspondence

3.1. Council NOTED the letter of 2 October 2009 from Dr. Jim Murray, Chief Executive, NQAI to Gearóid Ó Conluain regarding HETAC's Business Plan 2009-2011, circulated as C/A49/3.1. Council NOTED that the NQAI had forwarded the HETAC Business Plan 2009-2011 to the Minister for Education and Science for adoption by the Department.

3.2. Council NOTED the letter of 6 October 2009 from Lucien Bollaert, Vice-Chair of the Register Committee, European Quality Assurance Register (EQAR) to Gearóid Ó Conluain, regarding Inclusion of HETAC on EQAR, circulated as C/A49/3.2. Council NOTED the amount of work which had been involved in preparing HETAC's application to EQAR and CONGRATULATED the Executive on the successful outcome. Council NOTED the issues contained in the letter, for special attention by the EQAR when renewing HETAC's inclusion on the Register, due for consideration in May 2011.

3.3. Council NOTED the letter of 10 September 2009 from Gearóid Ó Conluain, to Dr. Jim Murray, Chief Executive, NQAI regarding FETAC Management Information System (MIS), circulated as C/A49/3.3. Council NOTED that on

foot of this letter and communications between the NQAI and the Department of Education and Science, a decision had been made to sanction a gap analysis between the bodies to establish where weaknesses and deficiencies in the system may arise. Council AGREED it was prudent to consider more joined up thinking in light of the proposed amalgamation of the three bodies.

4. Chief Executive's Report

- 4.1. Council NOTED the Chief Executive's Report circulated as C/A49/4.1. Council also NOTED the update on the programme of Professional Development for HETAC staff which had been taking place since December 2008. Council NOTED that there was one more session of the Senior Management Training Programme remaining and progress to date in this area was very satisfactory. Council NOTED that a dedicated personnel function was now in place.

Council NOTED the extent of the commitment of staff time and resources involved in the annual conferring season. Council NOTED the 2009 conferring schedule which was tabled for information at the meeting.

- 4.2. Council NOTED the Draft Minutes of the Tripartite Meeting (Chief Executives and Directors of NQAI, FETAC and HETAC) held on 17 October 2009, circulated as C/A49/4.2. Council NOTED that a further Tripartite Meeting had been held on 4 November 2009, the Minutes of which would be available for Council Member's information at the next Council Meeting scheduled for 15 February 2010. Council NOTED that the matter of union enquires/interest seeking clarification on the amalgamation process had been raised at the meeting on 4 November. The Executive INFORMED Council that the information available to it for answering union queries was extremely limited.
- 4.3. Council NOTED the Communiqué from the Chair of the EQAR Register Committee dated 7 October 2009 and circulated as C/A49/4.3. regarding the 17 Quality Agencies which now form the European Quality Assurance Register. Council NOTED that included among the 8 bodies including HETAC who were successful in their application for inclusion on the Register on 30 September, was the Irish Universities Quality Board.

5. Academic Committee of Council

- 5.1. Council NOTED the draft minutes of the twelfth meeting of the Academic Committee held on 19 October 2009, circulated as C/A49/5.1. and NOTED changes to the membership of the Committee which were made on foot of recommendations approved at the September Council Meeting. As a result, Karena Maguire has replaced Peter Cullen as the Chief Executive's nominee on the Committee and Barbara Kelly from FETAC replaces Dr. Carol Gibbons. Council NOTED that Institutional Review Panel Reports and the Provider Responses to those reports were now confirmed at Academic Committee level in accordance with the amendments approved to the Committee's Terms of Reference. The Executive CONFIRMED that those documents are published on the HETAC website and hardcopies can be provided if a Council Member requests them.

Council NOTED that following on from its decision at the Council Meeting held on 15 June 2009 to adopt a revised Policy for Professional Doctorate Programmes, the Academic Committee had approved the validation of a Doctor of Business Administration (DBA) programme at Waterford Institute of Technology.

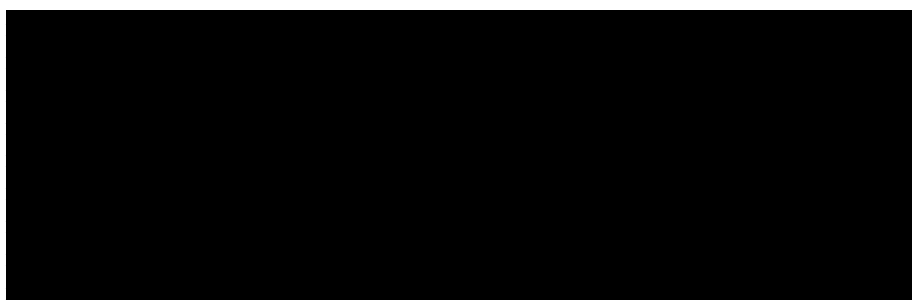
Council NOTED that the Academic Committee had considered Draft Standards on Social Care Work and NOTED that amendments were being considered on foot of a change in policy regarding input requirements contained in the draft document and implications that this change had for other areas. The Executive OUTLINED the timetable for the processing of these Standards and Council NOTED that the Registrars of Institutes of Technology had requested an extension to the period of consultation until the beginning of December 2009. As a result, the Draft Standards are likely to be considered by the Academic Committee at its meeting scheduled for 18 January 2010 and the Executive would hope to place the final document before Council for adoption at the Council Meeting scheduled for 15 February 2010.

Ms. Mary Sheridan, Head of Provider Monitoring and Dr. Peter Cullen, Head of Standards, Research and Policy Development were in attendance for this item.

- 5.2. Council NOTED the Explanatory Memorandum circulated as C/A49/5.2. Council, following discussion and a request for clarification from the Academic Committee AGREED to amend the Terms of Reference to include the text proposed and CONFIRMED the case that withdrawal of validation had been implied under the validation of programmes function previously delegated to the Committee. Council NOTED that this Policy had been inherited by it from the first HETAC Council and the current Section 26 Review was the first case to trigger use of this aspect of the Policy. Council REQUESTED the Executive to conclude the current process as it stands and to review the procedure at an early date to take account of updates and revisions which had been made to other HETAC policies over the past year. Council REQUESTED the Executive to continue to seek legal advice from the Council's Solicitor with regards to this process.

Ms. Mary Sheridan, Head of Provider Monitoring and Dr. Peter Cullen, Head of Standards, Research and Policy Development were in attendance for this item.

- 5.3. Council NOTED the oral update on the current Section 26 Review and NOTED that the Academic Committee had, at its meeting on 19 October 2009 considered all the documentation which Council had reviewed at its September Meeting. The Academic Committee cognisant of the facts, had no option but to withdraw validation from the programme in question and a letter advising the provider of that decision was issued on 23 October. Council NOTED that the Provider had until 24 November 2009 to make representations to the Academic Committee, which if received would be considered before the final decision would be confirmed. Depending on the decision reached, the Director of Academic Affairs would write to the Provider informing it of the outcome and advising it, if necessary, of the NQAI appeals process which is in place. The Executive would also contact FETAC, NQAI, the Department of Education and Science and the CAO to inform them of the outcome of the Review if the decision was to withdraw validation.





6. Academic Matters

Ms. Mary Sheridan, Head of Provider Monitoring and Dr. Peter Cullen, Head of Standards, Research and Policy Development were in attendance for this item.

6.1. Effective Practice Guidelines for External Examining 2009

Council NOTED the Explanatory Memorandum and the Draft Effective Practice Guidelines for External Examining 2009, circulated as C/A49/6.1.1. and 6.1.2. Council NOTED that the draft guidelines were a revision of a consultation document circulated to stakeholders earlier this year. Council WELCOMED the document as a comprehensive set of guidelines for this area. Following clarification of points raised by Council Members, Council ADOPTED the Guidelines subject to minor amendments.

6.2. Provision of Education to International Students: Code of Practice and Guidelines for Irish Higher Education Institutions.

Council NOTED the Explanatory Memorandum and the Code of Practice and Guidelines for Irish Higher Education Institutions providing education to international students, circulated as C/A49/6.2.1. and 6.2.2. Council NOTED this Code of Practice had been produced by the Irish Higher Education Quality Network (IHEQN) working group which had been chaired by Diarmuid Hegarty and was produced after extensive consultation within the HE sector. Council ADOPTED the Code of Practice and EXPRESSED its congratulations to all those involved in the project.

7. HETAC Biennial Report

Council NOTED the Draft Report of the Higher Education and Training Awards Council for the period 11 June 2006 to 31 December 2008, which is the third Report since the establishment of HETAC in June 2001. Council NOTED that the Report was still at a draft stage and would undergo significant editing and formatting prior to publication. Council NOTED that the Executive was awaiting the 2008 Accounts to be signed off by the Comptroller and Auditor General's Office, which was expected to be completed in the next week or so. These Accounts would be included in Appendix 3 to the Report together with the signed Accounts for 2006 and 2007. Council NOTED the Executive's intention to publish HETAC's Accounts on the website.

Council AGREED to forward any comments/amendments etc. on the Draft Report to the Director of Corporate and Learner Awards Services.

8. Human Resources

Council NOTED the following Human Resource Policies which had been developed and/or revised in consultation with the Staff Representative Forum:

Force Majeure Leave (revised document), tabled as C/A49/8.1.

Disciplinary Procedure, tabled as C/A49/8.2.

Grievance Procedure, tabled as C/A49/8.3.

Bullying, Harassment and Sexual Harassment Policy, tabled as C/A49/8.4.

Council NOTED that these policies had been reviewed by HETAC's Solicitor and Council Members AGREED to forward any comments etc. regarding these policies to the Director of Corporate and Learner Awards Services at an early date.

9. Financial Matters

- 9.1. Council NOTED the Financial out-turn for the 10 month period to 31 October 2009, circulated as C/A49/9.1. Council NOTED that more fee income had been received for the year to date than had been estimated for the entire year. Council NOTED that €250,000 of the €650,000 relationship fee (a sectoral payment) had been recently received from IoTs and NOTED that the Executive had put directives, as advised by the Department of Education and Science and the Department of Finance, in place which had resulted in savings in the areas of PR, Advertising and Payroll. Council NOTED that the Comptroller and Auditor General's Office had reported compliance in regard to the 2008 Audit and as a result, no Management Letter would issue.
- 9.2. Council NOTED and ADOPTED the HETAC Internal Audit Plan 2009-2011, circulated as C/A49/9.2.
- 9.3. Council NOTED the HETAC Risk Register, circulated as C/A49/9.3.
- 9.4. Council NOTED the presentation on the work carried out by the HETAC Audit Committee by the Chairperson of the Committee together with the Draft Minutes of the Audit Committee Meeting held on 12 October 2009. Council also NOTED that significant savings had been made in the area of travel and subsistence undertaken by staff and that HETAC was compliant with Department of Finance regulations in this area.

The Chairperson, on behalf of Council, THANKED the Audit Committee for all their work to date.

10. Chairperson's Business

Council NOTED no significant progress had been made on the matter of the Amalgamation of the Agencies of Quality Assurance in Education and Training since the September Council Meeting.

11. Any Other Business

The Chairperson extended best wishes to Council Members and Staff for the festive season.

The next meeting of Council will take place on Monday, 15 February 2010 at 10:30 a.m., in HETAC Offices, 26/27 Densille Lane, Dublin 2.

THIS CONCLUDED THE BUSINESS OF THE MEETING.

Chairperson: _____

Date: _____