

GB1903

Minutes of the meeting of the Governing Body of Cork Institute of Technology held on Thursday 7 March 2019 in the Council Room, 2nd Floor, Administration Building at 3.00 pm.

Present: Mr Bob Savage (Chair)
Dr Barry O'Connor
Mr Bernard Allen
Ms Mary Cooney
Mr Eoin Deane
Mr John Higgins
Capt Dave Hopkins
Mr Declan O'Leary
Mr Cilian Ó Súilleabháin

Apologies: Mr Aaron Buckley, Ms Emelie Fitzgibbon, Ms Maura Fitzgibbon, Cllr Mary Hegarty, Ms Ann Piggott, Ms Katherine Walshe, Dr Áine Ní Shé

In Attendance: Dr Orla Flynn, Mr Paul Gallagher and Ms Geraldine Faherty, Recording Secretary.

The following Governors did not attend the meeting: Cllr Michael Hegarty, The Mayor of the County of Cork, Cllr Patrick Gerard Murphy, Ms Stephanie Kelly.

The Chairman welcomed Governors to the meeting and apologies were noted from Ms Ms Emelie Fitzgibbon, Ms Maura Fitzgibbon, Cllr Mary Hegarty, Ms Ann Piggott and Ms Katherine Walshe. Mr Aaron Buckley had indicated that he would be arriving late for the meeting. Apologies were also noted from Dr Áine Ní Shé, Registrar and Vice President for Academic Affairs, who was attending Institute business in Dublin. The Chairman confirmed that while attendance was light, the meeting was quorate.

On behalf of the Governing Body, the Chairman extended sympathies to:

1. To Marie Nicholson, Assistant Lecturer Pro-Rata, Department of Mathematics and her husband Robert Heffernan, Lecturer, Department of Mathematics on the death of their mother and mother-in-law.
2. To Kevin Barry, Lecturer, Centre of Craft Studies on the death of his father.
3. To Dr Brendan O'Connell, Head of Department of Biological Sciences on the death of his father.
4. To Eithne Farr, Lecturer, Department of Construction on the death of her mother.
5. To Jane O'Flynn, Project Manager, MEDIC on the death of her father.
6. To the family of the late Shirley O'Brien, former colleague, Student Services Company.

The Chairman asked the meeting to stand for one minute's silence.

There was agreement that the tabled items would be dealt with as they arose.

1. Minutes of the previous meeting held on Thursday 7 February 2019 (1903.1)

The minutes of previous meeting held on Thursday 7 February 2019 were circulated with the agenda and were approved and signed subject to the following amendments:

- (i) Page 8: *“Mr Ó Súilleabháin stated that CIT had an 8% surplus last year”* be changed to *“Mr Ó Súilleabháin stated that CIT had a draft operating surplus of €7.7m last year”*.
- (ii) Page 15: *“In terms of the career break for the MTU Project Leader (Strategic Development)”* be changed to *“In terms of the career break for the MTU Project Leader (Student Administration and Support)”*.

In response to Ms Cooney’s query in relation to whether there would be a request for an expression of interest in relation to the filling of this post, Mr Gallagher confirmed there was a panel, and this was now being progressed.

Governors APPROVED the minutes of the meeting of 7 February subject to the above changes being incorporated.

Matters Arising

The President referred to the following Matters Arising:

Page 3: In relation to Ms Cooney’s query on retrospective mandatory reporting, the President informed the meeting that he had sought an update on this matter and had received a very detailed response. He referred to the updated Child Protection Policy which addresses the changes that arise from legislation including the issue of mandatory reporting.

Section 6 and 7 are new in the policy document and relate to the role of mandatory persons, their reporting requirements, the interaction between that role and the Institute in terms of reporting, the interaction with Tusla and the advice given have been incorporated into the document.

The President confirmed that Mandated Persons are identified in CIT as being *“doctors and nurses in the Institute’s Medical Centre, student counsellors, the Institute Chaplain and paramedic members of the Institute’s Emergency Response Team. The Institute will maintain a register of Mandated Persons on its staff through its HR Office. If a person believes that their role should also be included on this register, they should contact HR.”*

In terms of the Reporting procedures in respect of concerns, the President referred to the extract from the CIT Protection Policy document quoting, *“any person who has received a disclosure of child abuse or who has concerns of abuse should bring it to the attention of the Child Protection Officer (CPO) immediately”*. CIT’s CPO is Ms Deirdre Casey, HR Manager and Ms Emily McCarthy is the Deputy CPO.

The President confirmed that the Institute sought and received clarification from Tusla as to the obligations of individuals other than Mandated Persons have in relation to disclosures on retrospective/historical abuse, and if there are no such legal obligations, what advice Tusla had in relation to best practice in this regard. Tusla’s response was:

“it would be best practice that all non-mandated staff report any concerns to their [CPO] this would include any retrospective disclosures of abuse. There is no legal obligation on non-mandated persons to report to Tusla, but staff should be expected to follow their organisation's child protection policies and reporting procedure.”

The President also referred to the following extract from the updated policy re: a person other than a mandated person *“A person other than a Mandated Person who receives a disclosure in relation to retrospective/historical abuse and there is a possibility of a continuing risk to children should report the matter to a CPO as set out in this section.”*

The President confirmed that the policy made reference to students on placement quoting: *“The Institute sought and received clarification from Tusla as to the status of students on placement in professions that may be relevant to those of a Mandated Person, and the best practice for such students in terms of whether they should raise any child protection concerns that come to their attention under the Institute’s policy and procedures, or those of their placement organisation.”*

The President concluded that mandatory reporting was covered in this policy whilst acknowledging that there may be a gap in making staff aware of the policy.

Ms Cooney welcomed the contribution from the President and suggested that it would be useful if the document could be circulated as there were many non-mandated persons in the Institution. She also referred to a meeting that had been scheduled in her Department and when this meeting was cancelled it caused disappointment as there was an issue raised in terms of the implementation of this policy. It would most welcomed if this meeting could also be rescheduled.

The President confirmed that this Policy is available on Gateway and was approved at the GB Meeting on 5 July 2018. The Policy to be included in the appendices (Appendix 1) for Governors’ information.

Ms Cooney asked how feasible it would be to have this policy rolled out in a similar fashion to GDPR as it was her view that there were many staff who were not aware of their obligations, even if they are not a mandated person. The President agreed that it was important to make staff aware of this.

ACTION: The President to ask the HR Manager to re-issue the Child Protection Policy to all staff.
The Policy to be included in the Appendices (Appendix 1).

The Chairman thanked Governors for their assistance and support in terms of the new approach to the minutes and for their agreement to the removal of the digest. While the recommendation of having an Appendix for previously approved minutes and reports seemed to be a good way forward at the last meeting, the size of the circulated Appendix was enormous and was all repeat material. Governors agreed that it was not necessary to circulate repeat material. Once approved, the minutes will be published in a redacted form to take into account any sensitivities that may arise. Redactions will be underlined in the minutes circulated to Governors so that they would be clear on what is being removed.

The Chairman also referred to moving to electronic mode as quickly as possible. An evaluation may need to be undertaken in the context of GDPR and cyber security. He recommended that Governors allow this new format to develop with the lesser material and that he will discuss this further with Mr Gallagher in order to develop a way forward that will be agreeable to all.

In terms of the Chairman's request for an external nominee for the Strategic Development Sub-Committee, he hoped that the changes being made currently might allow Governors more flexibility and with an imminent replacement for Mr Owens, he proposed to continue as was for the short-term and keep the vacancy as an action.

ACTION: The Chairman to monitor Mr Owens's replacement and subsequently the nominee for the Strategic Development Sub-Committee.

Addendum:

Update on Addendum 1. (GB 1903.1.2)

The President gave the following update in terms of the Addendum:

Item No. 1 (Page 3), for discussion under Agenda item 6.

Item No. 2 (Page 5), the President confirmed that Dr Ní Shé will be in contact with external Governors in relation to their participation in the Academic Governance Project. In response to Ms Cooney's query as to why this was being limited to external Governors, the President agreed to refer the matter to Dr Ní Shé and in particular to the terms of reference relating to this particular project.

In terms of the Project itself, the President understood that this may be a one-off session/workshop. Further details in relation to this will be circulated by Dr Ní Shé in the coming days.

Mr O'Leary queried what CIT's relationship with THEA will be going forward and why would MTU be involved with a research project for a sector that we may be no longer involved in. The President referred to the recently established Technological University Research Network (TURN) and would discuss our relationship with THEA further under this item.

ACTION: The President to query the terms of reference of the Academic Governance Project with Dr Ní Shé.

ACTION: Dr Ní Shé to circulate further details re: the Academic Governance Project including its terms of reference to Governors as soon as possible.

No. 3 (Page 5), Mr Gallagher referred to the decision made at the Governing Body Meeting held on Thursday 4 June 2015 re: Governing Body Meetings being voice recorded to assist with the preparation of draft materials for the Chair and the President. These recordings are not retained. Governing Body approved this at that time, there has been some discussion on this and with Governors' approval, Ms Faherty will continue to use the Dictaphone in the short-term.

Governors agreed to the continuation of the use of the Dictaphone and that the recordings would be deleted once the minutes are finalised.

No. 5 (Page 7), the President confirmed that letters were sent to both Zenith Technologies and Verifish on 22 February 2019.

No. 6 (Page 8), the President referred to Marketing and how it was necessary to draft a comprehensive strategy going forward. He informed Governors that the Executive are currently looking at a STEM Academy in the Faculty of Engineering & Science and a Business Academy in the Faculty of Business & Humanities. There will be an element of Marketing included which will give

the bigger picture in terms of developing the review. Marketing to remain on the Addendum as a standing item.

ACTION: Marketing to remain as a standing item on the Addendum.

No. 7 (Page 17), space utilisation was discussed at the recent Strategic Development Sub-Committee, this is an ongoing item for this Sub-Committee.

No. 8 (Page 19), in terms of a vision for the School of Business, Mr Gerard O'Donovan is scheduled to give a presentation to Governors at the next meeting on 4 April.

No. 9 (Page 19), in relation to the proposal re: CIT Governing Body visiting IT Tralee, the President confirmed that this was currently under negotiation. Governors will be kept informed.

2. Appendices relating to documentation circulated at the previous meeting held on Thursday 7 February 2019. (GB 1903.2.1)

Governors agreed that it was not necessary to circulate repeat material.

3. Correspondence (GB 1903.3)

The Chairman invited the President to discuss this item.

3.1 Letter dated 19 February 2019 from Mr Derek Newcombe, Private Secretary to Mr Joe McHugh TD, Minister for Education & Skills re: Munster Technological University Application was circulated with the Agenda (GB 1903.3.1).

The President stated that this item refers to confirmation from the office of Minister for Education & Skills that they were in receipt of the MTU application.

Mr Allen queried as to why the communication was sent to Dr Thornhill instead of being sent directly to both Presidents. The President indicated that both Presidents were cc'd on the letter, however, IT Tralee had questioned this also. The President did raise the matter with THEA, and he could only surmise that the DES would possibly prefer to deal with one person rather than both Presidents.

A discussion took place in relation to the MTU Programme Oversight Board (POB), Dr Thornhill's involvement as Chair of this Board and the setting up of the Board. This POB have no executive function other than to oversee the MTU Project.

Governors expressed a concern in relation to the independence of CIT being recognised in this merger and while the POB were overseeing the project, they have no authority to make decisions on behalf of CIT. The application was not submitted by the POB, it was submitted jointly by both CIT and IT Tralee. Therefore, it was appropriate that both Presidents be communicated to directly. To not correspond with the Presidents was giving a status in terms of perception and perhaps inevitably it might be considered that Dr Thornhill could be seen as the overseer of the new entity.

ACTION: The Chairman asked the President to discuss this matter with the President of IT Tralee with a view to communicating with the Department of Education & Skills (DES) thereafter.

In relation to the GB MTU Sub-Committee's request for the Terms of Reference of the POB, the President confirmed that he has requested a copy but has not to date received them. Governors were of the view that it was important to note that the decision making was not perceived to start with this POB chaired by Dr Thornhill. They did, however, acknowledge that there was now a transparency in terms of minutes being available.

Dr Flynn confirmed that the rationale of setting up the POB was so that there would be visibility of what was going on in the project in the Executive of both institutions. Hence, the Presidents, the Chairs, the Vice Presidents and the two Project Directors of the two entities sit on the POB. Project Plans would be reported into both Executives at the same time through this forum.

Mr Gallagher stated that the POB has no executive function other than what derives from the membership of it. It is merely there to oversee the project and he was of the view that it was probably worth reviewing its effectiveness in terms of delivery as there is an issue with traction on the ground.

In response to a query in relation to whether the POB had responsibility for the financial situation at IT Tralee, the President confirmed that responsibility lay with the DES in terms of rectifying the financial situation at IT Tralee and that CIT were trying to establish the gravity of the situation without taking responsibility for it.

3.2 Email dated 21 February 2019 from Mr Paul O'Toole, Chief Executive, HEA re: 2019 Provisional Grant Allocation to the Technological Sector was circulated with the Agenda (1903.3.2).

The President stated that the circulated letter in relation to the 2019 provisional grant allocation was relatively good news for CIT. He referred Governors to the final page of the circulated document highlighting that our budget allocation is up by 6.3% (€2.7m) on last year which was positive for CIT. IT Tralee received an increase of 2.2% (€275k).

Mr Gallagher highlighted that other significant points included the number of top slices were increasing and apprenticeship funding was now entirely provided from the National Training Fund. There was a specific top slice of €5m for research and innovation. The HEA have committed to review the allocation model to implement this for Institutes which may eventually mean a 5% loading. This meant that 5% of research income will be given back. Of that €5m, the Universities are contributing 60% and 40% is coming from our existing allocation.

Overall, CIT have done well with the 6.6% increase, however, Mr Gallagher wished to highlight that it will be unlikely that this will continue as it is based on previous years' student numbers growth which have levelled off in accordance with expectations. Therefore, the increase will be less over the next number of years unless there is an increase in Government funding.

In terms of public sector increases in pay, CIT have not been fully recompensed for these. Of the 6.6% increase for CIT, 4% is taken up by the pay increases. The HEA are aware that they have not given the full allocation and they have been in communication with the DES on this matter. There may be some small amounts given in a top-up later in the year which has happened in the past.

Historically there has not been a 100% pay restoration from the DES, has that been CIT's experience and has there been changes afoot to rectify this? Mr Gallagher explained that to date the DES have made the allocation to the sector in its totality. The difficulty is that those funds are filtered through the funding model rather than the costs per individual institution.

Mr Gallagher stated that this year the DES have not given the full allocation to the sector, however, there is the possibility that later in the calendar year, those monies will be forthcoming.

In terms of IT Tralee and in the context of the allocation, the reason that they are suffering is that their student numbers have been dropping. If these numbers had levelled off, then it would be a fair assumption to say that the pay costs would have been recovered in total but if they continue to decrease then they will get less than the amount spent.

In response to Mr Higgins's query in relation to being in a standstill position in terms of funding, Mr Gallagher confirmed that CIT are a little ahead. Not all of CIT's staffing is covered by main-scheme, we have significant non main-scheme and this pay level is increasing also.

In terms of calendar year versus academic year, Mr Gallagher confirmed that the HEA is funded on a calendar year and instead of them making the adjustment, all the institutions do so. The Institutes of Technology sector have a year end of 31 August and 30 September for the University sector.

4. President's Report (GB 1903.4)

The Chairman invited the President to discuss this item.

As the President's report had been circulated with the Agenda, the President highlighted the following items for noting:

Item 1.1: Conferring of Degrees and other Awards at the NMCI. The President thanked Governors who attended the ceremony on 14 February, he stated that it was an interesting ceremony with a total of 92 students including NMCI students, Irish Naval Services students, CIT CCAD students and 6 PhD students being conferred.

Item 2.6: CIT hosted a Cyber Ireland Cluster Workshop. The President referred to this item which was spearheaded by CIT with particular credit due to Dr Eoin Byrne, Dr John Hobbs and colleagues in Computer Science and the School of Business. The IDA have established CIT as the headquarters for cybersecurity nationally. There was an excellent response from industry to the workshops which were run in Galway and Dublin later that week. The feedback was that CIT are leaders in this field. There is excellent work being done in terms of combining business and technology with our colleagues in Business very good at establishing clusters and the great work on the technical side being done by colleagues in ICT/Computer Science. Well done to all involved.

Item 2.11: CIT's Inaugural International Women's Day Conference. The President confirmed that the conference was very well attended by both students and staff and with great reaction to it on social media. This will now become an annual event in the CIT calendar. Well done to Norma Welch, Dr Mary Moloney, Glynis Gardiner, Dr Catherine Frehill and Geraldine Faherty for initiating the event.

Items 6.1 and 6.2: Education Awards 2019. The President wished to acknowledge the Project Spraoi Research Team who won the Best International Research Collaboration Award and the Project BeST Team who won the Best Student Experience Award at the recent Education Awards 2019. Well done to colleagues.

Item 3.8: Technological University Research Network (TURN). The President confirmed that the Network was established by the DES to consider appropriate areas for commonalities in approach in

moving toward the creation of a series of Technological Universities, to establish a set of best practices whilst looking forward in terms of creating consistency across the system. TU Dublin are already ahead in terms of establishing their practices while the remaining consortia play catch-up. It would be important for MTU to follow suit.

The first meeting took place on 28 February. Both Presidents are representing the MTU consortium. The following four working groups have been set up:

1. TU staffing and grading norms and capacity development including research (led by TU Dublin)
2. TU costs and funding issues including for Research (led by TUSEI)
3. Systems integration and multi-campus management (led by CUA)
4. Defining the essence of a TU in the context of the Irish education landscape (led by MTU)

The President confirmed that both Mr Gallagher and himself are the CIT nominees on working groups 1 and 4 respectively. IT Tralee nominees are Ms B McElligott, Vice President for Research and Development on working group 2 and Dr Brendan O'Donnell, Vice President for Academic Affairs & Registrar on working group 3.

The President confirmed that each consortium gave an opening presentation. The TUSEI presentation referred to all legacy debt being wiped out before TUSEI can be established. The matter of deficit was addressed in the MTU presentation also.

In terms of timing, the working groups are expected to have their work completed by the middle of June. TURN is chaired by Professor Philip Gummet who is involved with the International Panel that assessed the previous TU process. He is also involved in the National Forum which deals with the TUI and the Professional Unions, so he is familiar in this landscape.

Mr Ó Súilleabháin enquired if there was an opportunity for the research group to look at pensions for researchers and Mr Gallagher confirmed that a proposal was being put forward for researchers to be included under the pension scheme and was of the view that this will be accepted by the DES.

Mr Gallagher informed Governors that colleagues from the CUA will visit CIT tomorrow re: MTU's approach to the project.

The President confirmed that Deloitte will begin their planned audit of the TU criteria for MTU week beginning 18 March. This audit takes place ahead of the International Panel visit. The HEA have given a provisional date of week commencing 13 May for the panel visit.

In terms of keeping Governors up-to-date in relation to other matters taking place, the President confirmed that a Structures Meeting will take place in IT Tralee next Thursday morning and this will then be followed by a meeting with the Professional Unions.

Mr Higgins queried when the decision-making will be made in terms of management configuration in the new entity. The President confirmed that this will take place during the Structures Meetings. This decision-making will be ongoing over the several months, there will be a transition phase and a final phase. The Chairman stated that assuming the application is passed, then the process of setting up a small Governing Body begins. TU Dublin followed these steps. Mr Gallagher confirmed that the detail in terms of Governing Body is laid out in the Statutes, the Minister will designate two external members, the ETBs will be asked for a nomination for another external member and the Minister will nominate the Chair. The first job of these 4 individuals is to appoint a President and following that they will then appoint an Academic Council. A small Governing Body has then 6 months to set out the nomination process with a view to having a full Governing Body in place at the end of this

period. The first full Governing Body will have a two-year term and the normal term will be four years with a maximum of 2 terms each for member.

Dr Flynn stated that at the same time when the International Panel visits, they will be interested in what our thinking/logic might be for a structure in an entity like MTU. Maybe thinking in the abstract, and what kind of roles would be in an entity of the size and scale with this geographical spread.

This new entity should have an outline of how it wishes to proceed in terms of structures in advance of the designation and it is important that there is engagement with staff in terms of this.

Ms Cooney asked the President to clarify if decisions were being made at the MTU structures of Governance Meetings (items 3.6 and 3.7), who attends these meetings and what decisions are being made there?

The President confirmed that there was an initial meeting with PwC on 2 February re: the overall process. PwC are involved with TU Dublin and TUSEI also. This is an evolutionary process, there was a meeting in IT Tralee on 26 February and there will be a further meeting next week where the aim will be to have an outline of a structure which will form the basis for consultation with staff.

Ms Cooney queried when staff could expect to see some sort of structure/process as there will be no staff voices on this new Governing Body for 6 months. The President responded by stating that the process was key to all of this, there was a need to arrive at an answer not with an answer.

In response to Mr O'Leary query as to who attends these meetings, Mr Gallagher confirmed that the Presidents, the Vice Presidents and the Project Directors attend. The Project sponsors attended that last meeting also.

Mr Ó Súilleabháin suggested that this draft outline be reported into the GB MTU Sub-Committee on completion.

The President referred to item 5.4 which gives the outline of the TU designation process and the steps to be undertaken.

ACTION: The President to circulate the membership of the four TURN Working Groups.

Prior to taking Agenda item 5, the President gave an update on the events that took place subsequent to the GB MTU Sub-Committee Meeting on 14 February. He stated that following on from the discussions at the GB MTU Sub-Committee Meeting re: the Deloitte Report, Mr Gallagher drafted a list of queries/clarifications sought from IT Tralee. The President added some additional points/queries, and this was subsequently sent to the President of IT Tralee. The queries related to student numbers, cost overruns etc. There was no response from IT Tralee to this and following discussions at the TURN Meeting, the President resent his email to IT Tralee copying the Chairs of Governing Body. The President received an email of complaint from IT Tralee in relation to the practices at CIT in terms of appointing staff to posts prior to MTU. The President stated that the time had come for both Presidents and Chairs of Governing Body to address the seriousness of the financial issues at IT Tralee. All MTU meetings were cancelled by IT Tralee until the issue was resolved. It has now been agreed that the two Presidents and the two Chairs will meet to address these issues.

In terms of the financial queries raised by CIT, a response was received this morning and included additional queries for CIT. A response will be sent to IT Tralee on this.

Mr O'Leary asked if there was a need for further reflection on the legal due diligence.

Mr Ó Súilleabháin suggested that one option could be to ask the HEA to complete the legal due diligence.

Mr Gallagher referred to the Deloitte Report as being in essence a financial due diligence. We can see the headline issues, what is required are the solutions and this exercise will require the full cooperation of IT Tralee.

The Chairman thanked Governors for their contributions. The meeting resumed with the presentation of the Deloitte Report after a 10- minute break.

5. Governing Body MTU Sub-Committee (1903.5)

The Chairman invited Mr Allen as Chair of the GB MTU Sub-Committee to take this item.

5.1 Signed Minutes of the Governing Body MTU Sub-Committee meeting held on Wednesday 9 January 2019 were circulated with the Agenda (1903.5.1).

Mr Allen referred to the Signed Minutes of the GB MTU Sub-Committee meeting of 9 January 2019 which had been considered at the 7 February Governing Body meeting.

Mr Allen informed the meeting that no changes were made in these minutes and he was seeking Governing Body approval of them.

Governing Body APPROVED the Minutes as presented.

5.2 Draft Minutes of the Governing Body MTU Sub-Committee meeting held on Thursday 14 February 2019 were circulated with the Agenda (1903.5.2).

In relation to the draft Minutes, Mr Allen confirmed that page one of these minutes has already been dealt with in detail by the President. In terms of the Deloitte Report, Mr Allen confirmed that Mr Gallagher gave a very good briefing to the Sub-Committee.

Mr Allen confirmed that the Sub-Committee were of the view that CIT's Governing Body should be given sight of this report and that also CIT should clarify with the HEA that this Governing Body had not received the report until today. The minutes of their Board Meeting held on 6 November 2018 gave an impression that CIT Governing Body were aware of the content of this report then.

Governing Body NOTED the above draft minutes as presented.

5.3 Deloitte Report to the HEA re: the Financial Review of IT Tralee and a one-page overview of this report were circulated with the Agenda (1903.5.3).

The Chairman asked Mr Gallagher to take this item.

Mr Gallagher commenced by stating that there was a lot of detail in the Deloitte Report which he had summarised into the one-page briefing, he had included references so that Governors could refer to the document itself should they so wish. There was a significant amount of time spent on the report, but this was very much dependent on management representations and information provided by IT Tralee. He did however consider that this report was an element of due diligence.

Mr Gallagher wished to emphasise to Governors that this report was confidential. This is a HEA report and CIT have not released it as it is not ours to do so. He confirmed that CIT had received a number of FOI requests in relation to the report and these have been transferred to the HEA.

Mr Gallagher discussed the one-page document with Governors.

The Chairman thanked Mr Gallagher for his comprehensive overview and invited comments/queries from Governors.

A lengthy discussion took place with contributions from all Governors.

There was substantive commentary in the Deloitte Report that Governors were only now aware of as of today's meeting. This gave cause for deep concern and they wished to put on record their reflection and their response on having full sight of this report.

Governors asked the President to draft a CIT position paper on their behalf which will reflect the mood of Governors at this meeting. This position paper is to be brought to the attention of the DES/HEA at the earliest opportunity.

Governors further agreed that IT Tralee will be notified of this through the Chairs and Presidents Meeting.

ACTION: The President agreed to draft the position paper arising from the discussions at today's meeting and ensure that it is brought to the attention of the HEA/DES as soon as possible. Both the President and the Chairman agreed to meet with Minister Coveney as soon as possible also.

Ms Cooney sought clarification on whether IT Tralee Governing Body had received this report and if so, when? She also enquired if the CIT Executive were aware or had sight of the content of this report? Mr Gallagher confirmed that the Deloitte Report was made available to Governing Body only, it has not been circulated to anyone else in CIT nor was there permission to do so.

5.4 Briefing Document re: TU Designation Process - Next Steps was circulated with the Agenda (1903.5.4).

Governors noted with thanks the details presented in the circulated document.

6. Report from the Vice President for Finance and Administration:

6.1 Human Resources Report was circulated with the Agenda.

The Chairman invited the Vice President for Finance and Administration to discuss his report.

Mr Gallagher referred Governors to the tabled Selection Board Reports and went through in detail each item for approval.

Mr Gallagher confirmed that the Institute was investing in the IT area, the MTU Project has significantly impacted on this area with a lot of the senior managers moving to the Project. CIT were looking to strengthen IT in terms of reporting capabilities and application development. This will also be beneficial in terms of supporting a TU going forward; to take the idea of digital by default, to improve the services for staff and students and the expectation of being able to engage through technology.

He referred Selection Board Report 1.1.5 – CORU Coordinator stating that these interviews were cancelled on Tuesday due to one of the interview panellists being forced to withdraw at short notice. They will be rescheduled at another time.

Ms Cooney wished Governors to note that this was a matter of urgency in terms of registration of the Professional Bodies. Mr Ó Súilleabháin indicated that CIT were running short of time on this and it could have very serious implications for courses in this area and for the students.

In terms of his own area, Mr Ó Súilleabháin referred to the risks in relation to accreditation. There was also the wider issue needing to make sure to identify the risks as students could go elsewhere.

Governors APPROVED all appointments as presented.

6.2 HR Analysis Report on the number of successful candidates lost due to late ratification of positions by Governing Body (GB 1903.6.2).

Mr Gallagher referred Governors to the circulated report in relation to area of recruitment and the feedback in terms of the number of successful candidates lost due to the delay in the ratification of posts by Governing Body.

The report referred to the year 2018. 73% of the competitions led to candidates taking up duty which is approximately three quarters of those offered. Around 2% of offers in progress at present are delayed and another 2% were not filled because of the delays in offers being issued. Approximately 16% of those offered did not accept because they were offered a better opportunity elsewhere, or the salary offered by CIT was not high enough. This was the biggest reason for candidates not accepting posts.

Approximately 4% did not accept for family reasons and approximately 3% of competitions resulted in no appointment being made.

Mr Gallagher stated that it is the Research area which is most affected. There is a much higher turnover of staff in this area, particularly in the Nimbus and CAPPA Centres. The recruitment process does not suit these areas and it is something that we do need to examine. The feedback coming from the research Heads of Centre is what we need to give priority to now.

Ms Cooney stated that she would welcome further information in terms of the analysis as it would be useful to see if there was a pattern in terms of academic and non-academic. Do we have an issue around Athena Swan that needs to be addressed? What does the family reason mean and what area does this apply to? Mr Gallagher confirmed that this 4% refers to the research area. The other area

which is causing difficulty is IT, it has been a struggle to successfully recruit in this area. The academic area is not significant here.

Mr Ó Súilleabháin stated that this would be of benefit in terms of the Audit Sub-Committee re: complaints in terms of above the minimum point of the scale. Mr Gallagher had sought a sectoral view on this, and he was of the understanding that the majority of Institutes were giving the incremental credit.

In response to Ms Cooney's query as to why there were no appointments being made, Mr Gallagher stated that this is where the interview panel deemed that no candidate was suitable for appointment, this related to 3% of applicants.

Mr Ó Súilleabháin stated that sometimes the recruitment process just starts too late, he referred to a colleague due to take up duty in the coming weeks which is not conducive to the calendar. It is only working due to colleagues being flexible and covering hours ahead of the appointment. The process of identifying and approving posts needs to commence earlier.

In terms of progression planning, Mr Gallagher confirmed that this has been in existence for a number of years now with 5-year forecasts given to Heads of Department in terms of retirements and also in terms of progressions.

The Chairman agreed that these were all important items and thanked Mr Gallagher and the HR Office for their report.

In terms of the 6.2 and its connection to the membership of the Staff Appointments Sub-Committee, the President referred to this item being discussed at the Governing Body Meeting held on 13 December. At that meeting, Governors were asked to consider expanding the membership of the Staff Appointments Sub-Committee as there was concern that CIT were losing successful candidates due to delays in the ratification of posts. The President stated that the data as presented in the HR Recruitment Analysis Report does not confirm this and as the membership of the Staff Appointments Sub-Committee consists of 7 Governors with a quorum of 2, he was proposing that there would be no change to the membership of the Staff Appointments Sub-Committee at this time.

Governors AGREED that no change be made to the membership of the Staff Appointments Sub-Committee at this time.

7. Report from the Vice President for External Affairs:

7.1 Report on Research, Innovation and Enterprise, Engagement, Alumni and Internationalisation (GB 1903.7.1).

The Chairman invited Dr Flynn to discuss her report as she had to leave early to attend another meeting. He complimented Dr Flynn on a well-structured report.

Dr Flynn referred to the restructuring of the report and how the report is divided into 6 areas with each of these areas focusing on specific items at specific times of the year. This was the plan, but it was flexible and subject to change.

The focus for the March meeting was on the Non-EU applications and our EU Projects Support Report. Innovation week was currently taking place at the Institute and the outcomes from this as well as commercialisation/technology transfer will be reported at the next meeting.

Dr Flynn referred Governors to page 2 of her report, re: the update on the CIT-led ADVANCE CRT Project which she had highlighted at the previous meeting. This consortium was successful in their bid, resulting in an award of €13.8m for research training. This was complicated in that our CIT lead has moved to UCC, however, it is a strong testimony to the quality of the bid in that all our partners have written letters of support to leave CIT as the lead partner in the project. The outcome of this will not be known until next week. CIT is the only institute involved in a leading role. TU Dublin are involved as a partner on the project.

Referring Governors to page 3 of her report, Dr Flynn was pleased to report that international applications were up considerably on last year from 169 to 653. As of this week, this figure was now at 771. Sixty-one deposits have been received to date. The International Office were currently developing an online application system which will make this process a lot easier and will allow staff more time for frontline recruitment. This high number of applications was a benefit of having the office fully staffed. There has been a high level of demand for the three MSc Programmes in Computer Science. These are one-year Master programmes, CIT are keen to recruit more students into the four-year ab-initio programmes.

On a final note, Dr Flynn referred to the discussion earlier in the meeting re: CIT's the annual budget allocation and in particular in relation to the specific top slice of €5m for research and innovation. Dr Flynn stated that she was disappointed at the way that this has been allocated, CIT will receive €700k of the €5m. She explained that three Institutes were delivering three quarters of the research and innovation metrics - CIT, WIT and DIT now TU Dublin. CIT's drive to behave like a University in terms of publications, PhD students and generating research income has to some extent led us to be penalised by not behaving more like an Institute of Technology (IoT). The way the weighting has been given across the various metrics have favoured some of the smaller IoTs.

In terms of metrics and how CIT fair against WIT and DIT, Dr Flynn confirmed that WIT is ahead of CIT on two significant metrics, one is Research income per staff number (CIT's income is in and around theirs, but we have more staff due to Apprenticeship and CIT CSM staff who generally would not be delivering research income) and the other is Innovation Vouchers. In terms of DIT, they are ahead on student numbers and spin-outs. There is scope for improvement in these areas.

In responding to Ms Cooney's query as to how many applied for the MSc in Data Science & Analytics, Dr Flynn confirmed that the majority of the 239 applications to the Department of Mathematics relate to this programme, there has been quite a number of refusals there due to the applicants not meeting the qualifications.

On a broader scale, Ms Cooney referred to her own department and to how the mapping was done in terms of how international students would fit into their programmes.

Dr Flynn responded by stating that due to the resources being so challenged, the International Office have mainly been working with Heads of Department whose offerings were more attractive to students or whose mapping had been completed, for example, Computer Science, Marketing & International Business, Mechanical & Manufacturing Engineering and more recently with the Department of Organisation & Professional Development. There is also an issue in terms of space, with the focus given to departments where there was capacity.

In responding to Mr Ó Súilleabháin's query as to whether there was an opportunity for those not qualified for the MSc in Data Science & Analytics to take an alternative programme, Dr Flynn confirmed that there was the alternative of the Higher Diploma in Data Science & Analytics, however, this was not attractive to those paying fees, they do not want this qualification. She

referred to the example of the international students whose initial preference at Level 9 did not go ahead and how they were offered the alternative of the MSc in International Business with the proviso that their project had a related focus to their initial area of interest.

The Chairman thanked Dr Flynn for her comprehensive update. Dr Flynn left the meeting.

8. Report from the Registrar & Vice President for Academic Affairs:

- 8.1 Report of the Academic Council meeting held on Wednesday 6 February 2019. (GB 1903.8.1 herewith).

The President discussed the circulated report on behalf of the Registrar. He referred to the following items:

Examinations

The President confirmed that there was a lot of work taking place in terms of the streamlining of the examinations systems. He referred to repeat students and the codification of the results as an example of this. There was also the ongoing matter of the academic calendar which is working well for this year and next year.

Research

The President referred to the current practice of how the Institute records research and innovation publications and stated that we are currently looking at a library system in order to encapsulate this.

Academic Council Working Parties

The President referred to the Academic Council Working Parties involved in examination results processing with particular reference to the Failed Element Working Party which has come about as a result of the Programmatic Review in the Department of Physical Sciences. As it currently stands, 40% is the pass mark for a module, prior to this, if a student failed their lab component, they could not pass this module, this is currently up for debate at Academic Council. There is also the matter of deferrals and the need for consistency across the Institute.

In relation to Revocation of Awards, the President confirmed that the Board has been established, it is hoped that there will not be a need to use this Board.

Student Engagement Survey

The President confirmed that there was good engagement at Strategic Development Sub-Committee on Monday in terms of the Student Engagement Survey, it is a complicated survey involving 40 minutes of a questionnaire to complete. At present, CIT is the third highest in the country in terms of the response rate from students (approximately a 30% of student response).

Ms Cooney referred to Governors having the opportunity of seeing the outcome of the Student Engagement Survey Report. The Chairman confirmed that this was discussed at length at the Strategic Development Sub-Committee Meeting. The Executive are to reflect on this. There are risks of not taking it seriously, participation rate is only one factor in this report.

Academic Quality Assurance

The President referred Governors to the different matters in terms of the key business of the Academic Council and Academic Quality and Programmatic Reviews and new programmes etc. which were listed.

In terms of 7.6, the President stated that this is an issue in terms of interpretation of rules and the matter of trying to marry these in advance of the merger. CIT are well practiced in dealing with this.

Academic Plan

The Academic Strategy will be presented to the Academic Council for approval on 13 March.

9. Audit & Risk Sub-Committee:

The Chairman invited Mr Allen as Chair of the Audit & Risk Sub-Committee to take this item.

9.1 Signed Minutes of the Audit & Risk Sub-Committee meeting held on Thursday 22 November 2018 (GB 1903.9.1).

Mr Allen referred to the Signed Minutes of the Audit & Risk Sub-Committee meeting of 22 November 2018 which had been considered at the 13 December Governing Body meeting.

Mr Allen informed the meeting that no changes were made in these minutes and he was seeking Governing Body approval of them.

Governing Body APPROVED the Minutes as presented.

9.2 Draft Minutes of the Audit & Risk Sub-Committee meeting held on Thursday 28 February 2019 (GB 1903.9.2).

Mr Allen discussed the draft minutes of the Audit & Risk Sub-Committee meeting held on Thursday 28 February and tabled for today's meeting. He confirmed there were no recommendations to Governing Body in the draft Minutes and highlighted the following for Governors' information:

Item 2, Review of External Work: Mr Allen confirmed that six individuals had carried out work for their professional bodies during the period outlined in the review. The final report has now been sent to the HEA.

Mr O'Leary wished to commend Mr Gallagher and his fellow colleagues in relation to the closeout on the series of these HEA letters and the work done. Governors agreed that huge work went into this and they wished to acknowledge and thank Mr Gallagher, and all involved.

Item 2, Human Resources Update on Garda Vetting: Mr Allen confirmed that at the end of 2018, 40% of staff had not completed the process. This is now reduced to 20% with most of the remaining staff being in the casual part-time category.

Item 3, Follow-up Review – CIT Update: Mr Allen confirmed that in terms of internal audit, there are 3 red category items and Mr Gallagher has been asked to give a report on these for the next meeting.

Item 5, Finance/Budgets: In terms of the C&AG Management Letter, Mr Allen confirmed that some of the issues raised have been responded to and he made reference to the issue in relation to recruitment of staff, confirming that Mr Gallagher will raise this at sectoral level in order to ascertain what is happening across the sector.

Item 6, Risk Management: Mr Allen confirmed that there was a risk management issue being dealt with at present.

In responding to Ms Cooney's query in relation to the GDPR breaches; if it was known what types of breaches occurred and what was the nature of the breaches, Mr Gallagher confirmed that these breaches generally occurred via email and gave the example of including all names in the "to" field. These instances are reported as they arise. In terms of the protocol if there has been a breach and who should be contacted in relation to this, Mr Gallagher confirmed that all of this is channelled through the FOI Officer who makes the decision on whether it is a reportable incident or not.

The Chairman thanked Governors for their time and attendance this afternoon. The Meeting concluded at 6.15pm.

The next ordinary meeting of the Governing Body will take place on Thursday 4 April 2019 commencing at 3.00pm in the Council Room, 2nd Floor, Administration Building.

Signed: _____

Date: _____

ADDENDUM 1

Requests from Governing Body at their meeting on 7 March 2019

No.	Minute Page No.	Request	Actioned by	Date Actioned
1.	3	The HR Manager to re-issue the Child Protection Policy to all staff.	The President	To be circulated by the HR Manager.
2.	4	The Chairman to monitor Mr Owens's replacement and subsequently the nominee for the Strategic Development Sub-Committee.	The Chairman	Ongoing
3.	4	The President to query the Terms of Reference of the Academic Governance Project with Dr Á Ní Shé.	President	Completed on 11 March 2019
		Dr Á Ní Shé to circulate further details on the project to Governors	Dr Á Ní Shé	Completed on 15 March 2019
4.	5	Marketing to remain as a standing item on the Addendum	President	Ongoing
5.	5	The President to discuss the DES's response letter re: receipt of the MTU Application with the President of IT Tralee with a view to communicating with the DES on this matter.	President	
6.	10	The President to share the membership of the TURN Working Groups with Governors.	President	Circulated with the Agenda
7.	11	The President to draft a position paper for presentation to the DES/HEA as soon as possible.	President	
		The President and the Chairman to meet Minister Coveney as soon as possible re: update on IT Tralee Financial situation.	President/Chair	