



M.220

MINUTES OF MEETING OF THE GOVERNING BODY

HELD ON MONDAY 27th July 2015 @ 4 p.m.

IN THE BOARDROOM, DR. T.K. WHITAKER BUILDING

PRESENT

Mr. Andrew Griffith, Chairperson
Mr. Denis Cummins, President
Ms. Sadie Ward McDermott
Mr. Bill Sweeney
Ms. Síle O'Connor
Mr. Fergal Smyth
Mr. Paddy Matthews
Cllr. Cathy Bennett
Mr. Paschal McGuire
Cllr. Clifford Kelly
Cllr. Oliver Tully
Ms. Antoinette Rourke

APOLOGIES

Mr. Brian Harten
Mr. Richard Crowley
Ms. Rebecca Somers
Ms. Margaret Swords

IN ATTENDANCE

Mr. Peter McGrath, Secretary/Financial Controller

Declarations of Interest

No declarations of interest.

Bereavements

The recent bereavements were noted and sympathised on.

G.220.1. M.219 Minutes of the Meeting of 22nd June 2015

The minutes of the Governing Body of 22nd June 2015 were approved subject to the following amendments;

Report on DkIT Sport

This minute should read;

‘The President reported to the **Governing Body** that an issue had arisen on the supply of equipment by MC Sport. This was only notified to the Institute on Thursday 28th May 2015 with the proposed opening date of 29th June. This, it was agreed, put the entire opening in jeopardy with serious consequences for the Institute, namely;

1. The loss of potential revenue from the Student levy in the region of €500,000 pa.
2. A potential breach of contract with Aura.
3. Reputational damage to the Institute.
4. The premises (€4m invested) would remain empty whilst still incurring overhead costs.

Following consultation with legal representatives, Senior Management, the Chairman of Governing Body and the Chairman of the Finance, Audit and Risk Committee, management considered the following options:

1. That MC Sport would finance the equipment as agreed. This proved not to be possible.
2. The Institute would lease the equipment directly. It was decided that the Institute did not have authority or approval to borrow funds, so this option was not possible.
3. To ask Aura, who are already contracted as the Leisure Handler to finance the equipment. This they agreed to do.

The Institute therefore agreed to purchase the non-Precor equipment and Aura agreed to purchase the Precor equipment and rent it to DkIT Sport. All of the equipment was purchased from MC Sport as per the tender.

At this stage the Chairman of The Governing Body and the President absented themselves from the meeting.

The Finance, Audit and Risk Committee, having considered the extraordinary circumstances which put the entire project in jeopardy, acknowledged the decision and recommended it to the Governing Body. ‘

Proposed by: Paschal McGuire

Seconded by: Bill Sweeney

Voted on and agreed.

G.220.2 Matters Arising

G.220.3 Correspondence

1. Letter from Pairic Duffy, 3rd June 2015
The letter to be forwarded to the Estates Office
2. Circular 7/2015, Submission of Accounts for laying before Houses of the Oireachtas
3. Letter to Mr. Peter Kierans, re appointment of Student Representatives
4. Letter from Deloitte, re Review & Update the Schedule of Matters Reserved for the Governing Body.
5. Letter from Atheist Ireland, 6th July 2015
This whole area is to be scoped, specified and discussed prior to any renewal of the service
6. Letter from Senator Mary Moran, 8th July 2015.
7. Letter from HEA, 17th July 2015 Re : Review of Gender Equity in Irish higher education institutions.
DCU are piloting a UK Charter called the Athena Charter, which is looking at ways of more females participating in Academic Posts at Third Level.

G.220.4.1 Personnel Report

The recent appointments were noted.

Note : An issue which had arisen regarding the composition of the job description for the position of Vice President of Strategic Planning Communications and Development was discussed and resolved.

G.220.4.2 President's Report:

1. Finance / HR

The Financial Statements to 31st August 2014 show an accumulated deficit of €1.926m. Following the purchase of the JJB Sport Premises at a cost of €3m a further €1m has been spent to date to maintain and prepare the building for opening. This overall position affects cashflow and the Institute has requested €3m in advance payments on the 2015 grant in May and June. This has been agreed by the HEA.

The grant from the HEA for 2015 is €14.658m which is a 1.5% increase on 2014. The Institute is forecasting a breakeven situation for 2015. This is as a result of

- a) a policy of non-replacement of staff which will result in a payroll saving in 2015 of €1m and
- b) a cutback of €500k on non-pay expenditure.

This does not address the deficit previously incurred in 2014 which remains on the balance sheet.

The Institute has been in ongoing discussions with the HEA regarding the effect of cutbacks in funding on the finances of the Institute. It has prepared a 3 year plan and submitted this to the HEA on 25th May 2015. This has been reviewed by Mazars who will report on the forecasts and cashflows to the HEA. The plan is to address how the Institute proposes to deal with its current financial difficulties.

2. DkIT Sport

The DkIT Sport Arena and Fitness Centre opened on Monday 29th June. To date it has recruited 800 private members with a target for the year of 1000. There was an official announcement on 9th July 2015 regarding new employment, 35 staff will be employed by Aura Holohan Leisure. There will be an official opening, to be arranged in September/October.

There are three active interests in the Ice Dome and Lisney Auctioneers have been engaged to evaluate these interests.

5. Student Union Officers 2015-2016

The two full-time sabbatical student union officers for coming academic year are Aaron Lawless (President) and Paddy Duffy (Vice President).

6. Midlands East North Dublin (MEND) Cluster

DkIT together with DCU, Maynooth University and AIT are members of the MEND cluster. The steering group consists of the Presidents and Registrars of the four institutions.

7. Expert Group on Future Funding for Higher Education

The Government has established an expert group on future funding for higher education. It is important that the interests of the IOT Sector be addressed by this group. It was pointed out that the balance of funding between the IOT sector and the University Sector needs to be looked at. The new IOTI will include DIT which itself will represent nearly 20% of the Students Sector alone.

8. North East Regional Skills Forum (NERSF)

The Department of Education and Skills are establishing a network of Regional Skills Forum throughout the country. In the North East this is being addressed particularly though :

- A. The Action Plan for Jobs
- B. The Regional Skills Forum

The plan is to take the model of the Louth Economic Forum and expand it across the whole region.

9. Regional Development Centre Update

VITAL Project

The VITAL project wrapped up in June 2015 with a Final Showcase Event in the Nuremore Hotel Carrickmacross on June 18th hosted by Conall Ó'Móráin, Today FM Sunday Business Show presenter. This was a hugely successful Project but its funding has now ceased.

10. Protected Disclosures Act 2014 – 'Whistleblowers Act'

See item Number 6 : M.F.142.3 Protected Disclosure Policy

G.220.7 Child Protection

At this point Dr Edel Healy joined the meeting to outline the changes in the new version of the Policies and Procedures for the Protection of Children which was first approved in 2012

Following discussions the policy was approved

Proposed by: Bill Sweeney

Seconded by: Oliver Tully

Voted on and agreed.

Policy on the safety of Children on Institute Premises

The background and the details of the policy were discussed and it was approved.

Proposed by: Cathy Bennett

Seconded by: Paddy Matthews

Voted on and agreed.

The issue was raised regarding the application of both these policies for DkIT Sport and Aura's policies regarding Child Protection. This is to be followed up by The President.

G.220.5 Academic Council Minutes

Minutes No 142, 29th May 2015 were noted.

G.220.6 Finance, Audit & Risk Minutes

M.F. 140 Minutes of meeting on 25th March 2015 were noted.

M.F.142.3 Protected Disclosure Policy 7th July 2015

The Disclosure Policy was approved subject to the following amendment;

Re Paragraph 8.2.1

‘The Audit Committee are a Sub-Committee, on behalf of the Governing Body, thereof shall review the issue, established the factual information and decide the course of action to be taken, if any.

Proposed by: Bill Sweeney
Seconded by: Paddy Matthews

Voted on and agreed.

M.F.142.4 Prevention and Detection of Fraud V1 2015

The Policy was approved following discussion.

Proposed by: Clifford Kelly
Seconded by: Paddy Matthews

Voted on and agreed.

G.220.8 Annual Governance Statement

The Annual Governance Statement was approved subject to the following amendments;

Financial reporting

The 2012/13 audited accounts were certified by the Comptroller & Auditor General on the 30th September 2014. The 2013/2014 audited accounts were certified by the Comptroller & Auditor General on the 7th July 2015.

Significant Financial Developments

The Institute has complied with the statutory provisions of the RTC Acts 1992 – 1999 and the Institutes of Technology Act 2006. The Institute has two subsidiaries Dundalk Campus College Services Ltd and DkIT Sport (Incorporated on 9th January 2015). The Institute has an accumulated deficit on 31st August 2014 of €1.926m

Child Protection Policy

The Institute’s Child Protection Policy was approved by the Governing Body on 15th December 2011, updated on 22nd October 2012 and on 27th July 2015.

Proposed by: Fergal Smyth
Seconded by: Sadie Ward McDermott

Voted on and agreed.

G.220.9 Seal

The application of the seal was noted

G.220.10 AOB

Next meeting, Monday 14th September 2015 @ 4pm

Chairperson: _____ **Date:** _____