

**NOTES OF MEETING OF THE GOVERNING BODY**

**HELD ON TUESDAY 29<sup>th</sup> SEPTEMBER, 2020 AT 10.00 A.M.**

**VIA TEAMS**

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

**Declarations of Interest**

Nil

At the onset of the meeting, several members wished to have it noted that they did not receive the Agenda and documentation in time. The President confirmed packs had been sent by post on Tuesday 22<sup>nd</sup> September 2020 and it was agreed, going forward, that the Agenda and supporting documentation is also circulated by email to the member's Dundalk Institute of Technology (DkIT) email account.

**G.275.1 M.272 Minutes of the Meeting of 28<sup>th</sup> July 2020**

The minutes of the Governing Body of 28<sup>th</sup> July 2020 were approved.

**Proposed by:** Cllr. Clifford Kelly

**Seconded by:** Mr. Bill Sweeney

Voted and agreed on.

**M.273 Minutes of the Meeting of 13<sup>th</sup> August 2020 via Teams**

The minutes of the Governing Body of 13<sup>th</sup> August 2020 were approved subject to the two amendments to be provided by Dr. Fiona Lawless at the invitation of the Chairman.

**Amendment for the minutes of 13th August meeting:**

Page 3 - 4th paragraph from the bottom currently reads -

Dr. Fiona Lawless: Prudent to look at any spend in light of changes by Covid19. Important for STEM and engineering area that their needs are met and to keep on track.

**Please amend to:**

Dr. Fiona Lawless: While it is prudent to look at any spend in light of changes brought about by Covid19 and to ensure best use of monies, it is important for STEM and engineering areas that their needs are met and for the project to keep on track.

Fiona Lawless sought assurances that:

1. Leadership Team, in particular, HoS from areas impacted by any change would be consulted and involved in any decision;
2. That monies would not be diverted away from the areas for which they were originally targeted;
3. The project would not be delayed by taking the dual approach to development.

The President addressed the first two items and confirm that this would be the case. On the latter question, Cllr. Clifford Kelly advised that both would be pursued in parallel and there would be no delay.

**Proposed by:** Cllr. Nick Killian

**Seconded by:** Cllr. Clifford Kelly

Voted and agreed on.

**M.274 Minutes of the Meeting of 1<sup>st</sup> September 2020 via Zoom**

The minutes of the Governing Body of 1<sup>st</sup> September 2020 were approved subject to the following amendment;

**Amendment for the minutes of 1st September meeting:**

Fiona Lawless asked Dr Wall if he could indicate whether the following options were open to the institute:

1. Achieving Technological University Status on its own;
2. Becoming part of a cross-border entity;

Dr Wall advised that neither is an option. Fiona Lawless also enquired about the role of DkIT itself in determining a developmental path to TU in conjunction with the HEA. Dr Wall advised that the role of the HEA representative would be to assist DkIT in identifying its own developmental path and identifying potential partners but that DkIT would be active participants in this process. He did not envisage the HEA determining a path for DkIT but in supporting DkIT to identify its own path.

**Proposed by:** Mr. Bill Sweeney

**Seconded by:** Cllr. Clifford Kelly

Voted and agreed on.

## **G.275.2 Matters Arising**

### **Ref G.271.13**

Ms. Anna Shakespeare enquired when the report from Athru Consultancy will be available for the Board Members.

Mr. Ger O'Driscoll confirmed that the report is still ongoing and should be completed within 4 – 5 weeks.

Ms Shakespeare raised her concerns regarding formation of sub committees prior to the report being reviewed by the Governing Body.

### **Ref Minutes of meeting with Dr. Wall**

Mr. Aidan McKenna stressed the importance of accelerating the process and felt this importance was not reflected in the minutes.

The President referred to the letter received from Dr. Wall, dated 22<sup>nd</sup> September 2020 confirming the appointment of Dr. Ruaidhri Neavyn, as an external advisor to the Institute.

### **Ref Legal Advice re Governing Body Re Academic Council.**

The Chairman read out the correspondence received from the Legal Advisor.

A lengthy discussion took place on what had been detailed in the letter and on the review group Chaired by Dr. Sheila Flanagan, VP Academic Affairs & Registrar at the Governing Body meeting.

Further legal advice to be sought to clarify that Governing Body may proceed to review the Academic Councils Terms of Reference through the group chaired by Dr. Sheila Flanagan, VP Academic Affairs & Registrar

Ms. Anna Shakespeare proposed that the minutes from the Governing Body meeting on 7th July, specifically pages 7 & 8, should be forwarded to Mr. Seamus Given, Legal Advisor, and his advice sought on same.

**Proposed by:** Ms. Anna Shakespeare

**Seconded by:** Cllr. Clifford Kelly

### **Ref Dispute Resolution Procedure**

Mr. Fergus Grimes requested an update on the Dispute Resolution Procedure

Mr. Ger O'Driscoll confirmed that a draft procedure has been forwarded to the Sub Committee and to the Legal Advisor and once reviewed and agreed by the Sub Committee, will be circulated at the next meeting.

## **Ref VP for Finance**

The Chairman informed the Board that the successful candidate had not accepted the offer of appointment and that the position will have to be re advertised as soon as possible.

The President confirmed that, in the interim, Mr. Ger O'Driscoll has agreed to fulfil the duties until an appointment is made.

The Chairman pointed out there was a Finance Team including six accountants in place.

### **G.275.3 Correspondence**

1. Email letter dated 12<sup>th</sup> August 2020 from Dr. Alan Wall, Chief Executive, HEA to Dr. Michael Mulvey, President, DkIT and copied to Mr. Paddy Malone, Governing Body Chairman re Technological Universities Transformation Fund.
2. Email dated 7<sup>th</sup> September 2020 from Dr. Alan Wall, Chief Executive, HEA to Dr. Michael Mulvey, President, DkIT and copied to Mr. Paddy Malone, Governing Body Chairman, Tim Conlon, HEA acknowledging email from Dr. Michael Mulvey, President, DkIT dated 2<sup>nd</sup> September 2020 re Acceptance of HEA offer.
3. Email dated 11<sup>th</sup> September 2020 from Ms. Carmel McEvoy on behalf of the CEO LMETB enclosing letters of appointment for Cllr. Sharon Tolan and Mr. Taidgh Kavanagh to the Governing Body from Norma Foley, T.D., Minister for Education dated 11<sup>th</sup> September 2020.
4. Email dated 17<sup>th</sup> September 2020 from five members of the Governing Body, Tom Dooley, Taidgh Kavanagh, Fiona Lawless, Cindy Andrews and Isabell Murphy re. Motion for Governing Body (see attached) addressed to Mr. Paddy Malone, Chairman Governing Body and copied to Mr. Ger O'Driscoll, HR Manager/Secretary to Governing Body.

The Motion was circulated prior to the meeting.

5. Letter dated 22<sup>nd</sup> September 2020 (received by email) from Dr. Alan Wall, CEO, HEA addressed to Dr. Michael Mulvey, President, DkIT and copied to Mr. Paddy Malone re Technological University Pathway.

The letter was emailed to Governing Body prior to the meeting.

### **Ref Motion for Governing Body, see correspondence Item no 4**

A motion received on 17<sup>th</sup> September 2020 from five members of the Governing Body was brought to the Board by Dr. Tom Dooley.

Cllr. Nick Killian felt that this was not acceptable, as the offer from Dr. Wall had already been agreed unanimously.

The Student Union President expressed his concerns in delaying further and the difference it could make to current students and attracting potential students.

Dr. Fiona Lawless understanding from the meeting with Dr. Wall was that our access funding could be impacted and she felt that the need to commence engagement with the CUA was imperative.

Mr. Alec McAllister stated there seems to be only one option.

Cllr. Killian suggested that the Board meet with Dr. Neavyn, the external advisor to the Institute as appointed by the HEA. He acknowledged that need to progress is important.

Cllr. Sharon Tolan concurred with Cllr. Killian.

Cllr. Clifford Kelly stated that he understood the frustration felt by members of the Board and suggested that the motion is withheld until a meeting with Dr. Neavyn takes place. He stated that he is fully committed to the Institute achieving TU status.

The Student Union President felt that the College Status and ranking is important to Students and that there has been too much wasted time on the issue already.

Ms. Isabel Murphy also expressed her agreement that the engagements with the CUA should commence as soon as possible.

Ms. Anna Shakespeare suggested an amendment to the motion, which would be to divide it into two parts. In relation to the second part, A TU DkIT Project Group be established, Membership be agreed and Terms of Reference of the Group should include the first part of the motion.

Mr. Fergus Grimes supported the Student Union's views and proposed that a meeting with Dr. Neavyn takes place urgently and it is a single item agenda meeting.

Dr. Lawless complimented the Student Union President saying he represented the student feelings and that it is important to acknowledge that retaining Students and increasing Student Numbers is vital.

Cllr. Killian stated that the Board must vote on the amendment as suggested by Ms. Shakespeare before voting on the motion.

Ms. Sadie Ward McDermott concurred with Cllr Killian and Cllr Tolan re meeting Dr. Neavyn first. She also expressed her concerns at remarks made in relation to the standard of qualifications and how they are viewed by interview boards and stated that all 3<sup>rd</sup> year qualifications are treated equally. She appreciated that they are made out of passion for the Institute but that it would be remiss of the Board not to point this out.

Ms. Cindy Andrews spoke of her time working in the Institute in the School Liaison Office and that the need to attract Students is of utmost importance and TU status will enhance it.

Mr. Bill Sweeney also concurred with the opinion that the Board should meet with Dr. Neavyn.

Dr. Dooley reiterated that the Staff and Students of the Institute want TU status and immediate action and that he would not withdraw the Motion.

Ms. Aprilanna Barker also agreed that the Board should meet with Dr. Neavyn first.

Mr. Aidan McKenna felt there is merit in the motion, there is a need to establish the Steering Group and that the amendment from Ms. Shakespeare should be considered. The Board would need clarification on what role Dr. Neavyn will have.

Mr. McAllister said he felt there was no conflict in supporting the motion and the HEA offer, he suggested that Dr Neavyn's role should be seen as a resource.

Cllr. Tolan proposed that the first part of the motion is brought to the Steering Group and that it is important that they engage with Dr. Neavyn. The setting up of a Steering Group should be addressed urgently. She acknowledged the frustration of Board members.

Dr. Dooley urged the Board to urgently move forward to alleviate the huge unrest felt within the Institute. He could not control things on the ground.

The President objected to the statement of unrest within the Institute and reference to control of things on the ground as inappropriate and unacceptable. In relation to the Institute 1400 students graduated last year and the Institute has a significant impact on the Region.

Ms. Amanda-Jane Gainford requested members go to a vote

The Chairman thanked all the members for their contributions to the discussion.

Amendment proposed

**Proposed by:** Cllr. Nick Killian

**Seconded by:** Cllr. Sharon Tolan

He asked for a vote on the amendment

Patrick Malone	Yes
Clifford Kelly	Yes
Michael Mulvey	Yes
Cindy Andrews	No
Aprilanna Barker	Yes
Tom Dooley	No
Amanda-Jane Gainford	Yes
Fergus Grimes	Yes
Taidgh Kavanagh	No
Nick Killian	Yes
Fiona Lawless	No
Aidan McKenna	Yes
Alec McAllister	Yes
Isabell Murphy	No
Anna Shakespeare	Yes
Bill Sweeney	Yes
Sharon Tolan	Yes
Sadie Ward McDermott	Yes

13 – Yes

5 - No

At 12.20pm the Chairman called for a break in the meeting.

At 12.30pm the meeting resumed.

#### **G.275.4.1 Personnel Report**

Recent appointments and progression were noted and confirmed..

#### **G.275.6 Sub Committee Membership**

##### **Equality, Diversity & Inclusion (EDI) Committee**

The following were approved:

Ms. Aprilanna Barker

Mr. Alec McAllister  
Ms. Isabel Murphy  
Dr. Fiona Lawless  
Mr. Taidgh Kavanagh  
**Proposed by:** Mr. Paddy Malone  
**Seconded by:** Cllr. Sharon Tolan

### **Land and Buildings Committee**

The following were approved:

Cllr. Clifford Kelly  
Cllr. Sharon Tolan  
Dr. Tom Dooley  
Mr. Nick McAllister  
Mr. Bill Sweeney  
Mr. Fergus Grimes

**Proposed by:** Michael Mulvey  
**Seconded by:** Isabel Murphy

Mr. Joe McGrath was proposed as the external member of the Committee.

**Proposed by:** Michael Mulvey  
**Seconded by:** Cllr. Nick McAllister

In relation to the Strategic Plan Committee, the Chairman stated he was combining both groups the TU group and the Strategic Plan Committee.

### **Strategic Plan Committee and TU Steering Group**

Mr. Paddy Malone was proposed as Chairman of the new Steering Group

**Proposed by:** Michael Mulvey  
**Seconded by:** Cllr. Clifford Kelly

The members proposed and approved were:

Ms. Anna Shakespeare	– Proposed by Mr. Aidan McKenna
Dr. Tom Dooley	– Proposed by Dr. Fiona Lawless
Ms. Sadie Ward McDermott	– Proposed by Ms. Anna Shakespeare
Mr. Aidan McKenna	– Proposed by Cllr. Clifford Kelly
Ms. Cindy Andrews	– Proposed by Cllr. Nick Killian
Mr. Fergus Grimes	– Proposed by Dr. Fiona Lawless
Cllr. Sharon Tolan	– Proposed by Cllr. Clifford Kelly
Dr. Fiona Lawless	– Proposed by Ms. Aprilanna Barker

It was agreed that the Student Male & Female representatives can alternate between the EDI Committee and Strategic Plan – TU Steering Group if necessary.



Membership was agreed.

**G.275.7 Governing Body representatives to Academic Council (2 nominees)**

**Governing Body Reps to Academic Council**

Two representatives for the academic council were approved as follows;

Mr. Alec McAllister

**Proposed by:** Michael Mulvey  
**Seconded by:** Cllr. Sharon Tolan

Ms. Sadie Ward McDermott

**Proposed by:** Cllr. Clifford Kelly  
**Seconded by:** Mr. Bill Sweeney

**Representations on DkIT Companies DCCS Ltd, DKIT Sport Ltd and DAC Connect Ltd.**

It was recommended that there is representation from the Governing Body on all the Institute's Subsidiary Companies.

The following were approved

**a. DCCS Ltd –**

**Mr. Aidan McKenna, as proposed by the Finance, Audit & Risk Committee.**

**Cllr. Nick Killian**

**Proposed by:** Cllr. Clifford Kelly  
**Seconded by:** Cllr. Sharon Tolan

**b. DkIT Sport Ltd –**

**Mr. Bill Sweeney, as proposed by the Finance, Audit & Risk Committee.**

**Cllr. Sharon Tolan**

**Proposed by:** Cllr. Nick Killian  
**Seconded by:** Cllr. Clifford Kelly  
**C. DAC Connect Ltd –**

**Cllr. Clifford Kelly, as proposed by the Finance, Audit & Risk Committee**

**Ms. Aprilanna Barker**

**Proposed by:** Cllr. Clifford Kelly

**Seconded by:** Ms. Isabel Murphy

**External Membership on Finance, Audit & Risk Committee**

The Chairman of the Finance, Audit & Risk Committee confirmed that Ms. Caroline O'Rourke has accepted the offer to join the Committee. Approval from the Governing Body is required.

The Committee approved the appointment

**Proposed by:** Mr. Aidan McKenna

**Seconded by:** Cllr. Clifford Kelly

Ms. Anna Shakespeare requested that Terms of Reference for Sub Committees need to be completed and reiterated her earlier query in relation to the report from Athru Consultancy.

Ms. Shakespeare and Ms. Gainford left the meeting at 1pm

**G.275. 5 Finance Audit & Risk Committee (FAR)**

**Bothar Maol**

The Chairman of the Finance, Audit & Risk Committee informed the Board of a recommendation from the Committee to the Board regarding the proposal received in relation the strip of land at Bothar Maol and the background leading up to the proposal received.

The Board approved the proposal.

**Proposed by:** Mr. Paddy Malone

**Seconded by:** Mr. Alec McAllister

**Minutes of Meeting M.F. 198 dated 27th March 2020**

The minutes of the Finance, Audit & Risk Committee, and M.F. 198 were noted.

**Minutes of Meeting M.F. 199 dated 5<sup>th</sup> August 2020**

The minutes of the Finance, Audit & Risk Committee, M.F.199 were noted.

**Minutes of Meeting M.F. 200 dated 24<sup>th</sup> August 2020**

The minutes of the Finance, Audit & Risk Committee, M.F. 200 were noted.

**M.F. 199.5 Fixed Assets Disposals January – April 2020**

Deferred to next meeting.

**M.F. 201. Terms of Reference for FAR**

Deferred to next meeting.

**M.F. 201 COVID-19 Disclosure Note**

Deferred to next meeting.

**M.F. 201.7 DkIT Annual Reports 2015/2016 & 2016/2017**

Deferred to next meeting.

**G.275.8****Seal**

The Institute's seal was applied to the following

<b>Project /Company</b>	<b>Date Used</b>
Leasing documents for Digital Design and Consultancy Ltd x 2	28 <sup>th</sup> July 2020
Leasing documents for Comsave (telecoms) & Upgrade Energy Ltd x2	28 <sup>th</sup> July 2020
Leasing documents for Jockey's World Championship Ltd x 2	28 <sup>th</sup> July 2020
Leasing documents for Avail Support Ltd x 2	28 <sup>th</sup> July 2020
Leasing documents for Archways – The Changing Lives Initiative x 2	28 <sup>th</sup> July 2020
Leasing documents for Advanced Medical Parts Limited x 2	28 <sup>th</sup> July 2020
Leasing documents for Integrated Aviation Systems x 2	28 <sup>th</sup> July 2020
Leasing documents for An Forum Uisce/National Water Forum x 2	28 <sup>th</sup> July 2020
Leasing documents for Cliffrun Media x 2	7 <sup>th</sup> September 2020
Leasing documents for Contract for Enabling Works for STEM Project x2	14 <sup>th</sup> September 2020

**G.275.****AOB****Covid-19 update**

Cllr. Nik Killian enquired on how the Institute is dealing with Covid-19 restrictions and the implications to date.

The President gave details of First Year Inductions days which were currently taking place successfully and commended all the Staff and Students on their adherence to the restrictions.

**Queens University**

The Student Union President asked the President if he had met with Queens University and the President responded by saying there is a longstanding relationship particularly in research and there are currently ongoing discussions with regard to an MOU.

**Set up of meetings**

Mr. Fergus Grimes expressed the view that the setup of the meeting i.e. 4 members in the Boardroom and the remaining members joining via MS Teams was not appropriate and that it gave a feeling of exclusion.

Cllr. Sharon Tolan concurred and suggested that meetings being held remotely may work better if all members are in separate locations as visually the meeting today gave a feeling of almost a 2 tier system.

The Chairman accepted that the set up needs to be reviewed and that he would take on board any suggestions.

**Ethics Forms**

Deferred to next meeting.

**Bereavements**

Deferred to next meeting.

**Meeting concluded at 13.20pm**

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Patrick W. Malone  
Chairman

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Date: