

**NOTES OF MEETING OF THE GOVERNING BODY**  
**HELD ON TUESDAY 7<sup>th</sup> JULY 2020 AT 10.00 A.M.**  
**IN THE HOSPITALITY RESTAURANT, FAULKNER BUILDING**

At the outset of the meeting, the Chairman welcomed the Board and asked each attendee to give a brief introduction.

The Chairman also stated that he would be taking Agenda Items in a different order that was circulated in the booklets.

Ms. Marie Madigan and Mr. Stuart Quinn were in attendance at the meeting to give a presentation in relation to Item 12 Briefing on Finances 2020/21 Projections.

**Declarations of Interest**

Nil

**G.271.1 M.270 Minutes of the Meeting of 22nd June 2020**

The minutes of the Governing Body (M.270) dated 22nd June 2020 were approved subject to apologies being recorded for Ms. Anna Shakespeare as she did not receive correspondence for meeting on the 22nd June 2020.

**Proposed by: Cllr. Clifford Kelly;**

**Seconded by: Mr. Bill Sweeney.**

**G.271.2 Matters Arising**

None.

**G.271.3 Correspondence**

None.

**G.271.14. Tender Outcome for Noting**

The President outlined the background of the Tender for “Enabling works for STEM building. Diversion of services and construction of new access road”. The successful Contractor was VPM. Mr. Bill Sweeney briefed the Governing Body too.

**Proposed by: Cllr. Clifford Kelly;**

**Seconded by: Mr. Bill Sweeney.**

Cllr. Clifford Kelly requested that the drawings/plans should be displayed in a public area for Staff to view. The Chairman and Governing Body concurred.

Ms. Anna Shakespeare requested a copy of the Procurement Policy. The President's Office to forward a copy of the Procurement Policy to the Governing Body.

**G.271. 4 Election of Deputy Chairperson to Governing Body**

Cllr. Nick Killian proposed Cllr. Clifford Kelly as Deputy Chairperson to Governing Body. Mr. Bill Sweeney supported the proposal by Cllr. Killian and outlined his reasons for supporting the proposal and gave a brief background on Cllr. Clifford Kelly's expertise and previous roles Cllr. Kelly has undertaken.

**Proposed by: Cllr. Nick Killian;**  
**Seconded by: Mr. Bill Sweeney.**

The Governing Body concurred.

Cllr. Clifford Kelly thanked Cllr. Killian and Mr. Sweeney for proposing and seconding his nomination. He is looking forward to continuing to work with the Chairman and the new Governing Body over the next 5 years.

**G.271. 5 Committees to be set up**

- **Finance Audit and Risk (FAR)**
- **Gender Equality**
- **Land and Buildings**

The Chairman reminded the Governing Body to send their bios to the President's Office, as there are a number outstanding. These will assist when setting up proposed Sub Committees, therefore the Chairman postponed the Agenda Item until the next meeting on the 28<sup>th</sup> July 2020. The Chairman requested that the President's Office circulate the Bios and Terms of References for each of the above committees including numbers on each of the committees.

Sub Committees have previously been set up for the term of the Governing Body i.e. 5 years.

**G.271. 6 Meetings schedule: Day and Time to be agreed**

The Governing Body agreed to schedule meetings up to 31<sup>st</sup> December for the last Tuesday of the month at 10.00 a.m. The following dates were agreed at the meeting: Tuesday 28<sup>th</sup> July, Tuesday 1<sup>st</sup> September and Tuesday 29<sup>th</sup> September. The President's Office to circulate schedule of dates to the Governing Body.

**G.271. 7 Governing Body representatives to Academic Council (2 nominees)**

The Chairman deferred this item for the same reasons as per Agenda Item G271.5.

### **G.271.8.1 Personnel Report**

The President read out Staff Progressions and Governing Body noted them.

Dr. Sheila Flanagan, VP for Academic Affairs & Registrar joined the meeting at 10.35 a.m. and Ms. Marie Madigan and Mr. Stuart Quinn excused themselves from the meeting.

### **G.271.9 Academic Council**

The VP for Academic Affairs & Registrar read out the motions from the Minutes of Meeting Ref No. 167 dated February 2020. The minutes were noted.

The Chairman introduced all Motions except for 168.03 and 168.04 to be taken first and then they would be dealt with at the end.

#### **Motion 167.01**

*“That the Academic Council confirms the results of the Examinations, as listed in the Examination Result Listing AC:DOC:167:03:01*

*Proposed by: Dr. Edel Healy*

*Seconded by: Dr. Myles Hackett*

*Dr. Edel Healy presented the results of a number of final stage nursing students to allow them to register as Nurses now.*

*Votes: 34*

*In Favour: 34*

*Against: 0*

*Abstentions: 0”*

**Governing Body Voted: All in favour of the above motion presented.**

#### **Motion 167.02**

*“Academic Council approves Cargotech (Dundalk, Co. Louth) as an off-site venue for the delivery of the following programme (face-to-face):*

*Certificate in Lean Six Sigma*

*Proposed by: Dr. Brendan Ryder*

*Seconded by: Dr. Tom Dooley*

*Dr. Brendan Ryder outlined the background of this motion to Academic Council.*

*Votes: 34*

*In Favour: 34*

*Against: 0*

*Abstentions: 0”*

**Governing Body Voted: All in favour of the above motion presented.**

#### **Motion 167.03**

*“That Academic Council confirms the filling of a vacant seat on the Academic Quality Sub-Committee as follows 1 Vacant Seat – Dr Breda Brennan”*

*Proposed by: Dr. Arjan Van Rossum*

*Seconded by: Dr. Brendan Ryder*

*Dr. Arjan Van Rossum proposed this motion to Academic Council on behalf of the Academic Quality Sub-Committee*

*Votes: 34*

*In Favour: 34*

*Against: 0*

*Abstentions: 0”*

**Governing Body Voted: All in favour of the above motion presented**

**Minutes of Meeting Ref No. 168 dated 29th May 2020**

The VP Academic Affairs & Registrar read the Motions from Minutes of Meeting Ref No. 168 dated 29<sup>th</sup> May 2020. The minutes were noted.

**Motion 168.01**

*“That the Academic Council ratifies approval of the following programmes (AC:DOC:168:03:01):*

*School: Health and Science*

*Department: Nursing, Midwifery and Early Years*

*Programme(s)*

- Certificate in Nursing/Midwifery Medicinal Product Prescribing;*
- Certificate in Advanced Comprehensive Health Assessment.*

*Proposed by: Dr Edel Healy*

*Seconded by: Dr Brendan Ryder*

*Dr Edel Healy outlined the background to the motion and thanked everyone involved in the planning and development.*

*Votes: 42*

*In Favour: 42*

*Against: 0*

*Abstentions: 0”*

**Governing Body Voted: All in favour of the above motion presented.**

**Motion 168.02**

*“That Academic Council confirms the appointment of the External Examiner Ms April Graham – Trinity College*

*Programme: Bachelor of Engineering (Hons) in Electrical and Electrical Engineering*

*Time: 1<sup>st</sup> October, 2020 to 30<sup>th</sup> September, 2023*

*Proposed by: Mr Pat Mc Cormick*

*Seconded by: Mr. Dermot Clarke*

*Votes: 42*

*In Favour: 42*

*Against: 0*

*Abstentions: 0*

**Governing Body Voted: All in favour of the above motion presented.**

**Motion 168.05**

*“That the Academic Council adopts the Academic Contingency for Exceptional Progression (COVID-19) 2019/2020 (AC:DOC:168:06:01)*

*Proposed by: Dr Sheila Flanagan*

*Seconded by: Dr Brendan Ryder*

*Dr Brendan Ryder introduced this item to the members of Academic Council and the document entitled “Academic Contingency for Exceptional Progression (EP) (COVID-19) 2019/2020” developed as a result of this exceptional year. Due to COVID-19 and to public health restrictions, students have been left without credits as a result of incomplete projects, no placement and so forth.*

*The purpose of the document, which was informed by best practice within the sector nationally, is to provide supplementary guidance to DkIT’s Assessment and Standards relating to the implementation of Exceptional Progression (EP) for the Summer and Autumn examination sessions for the academic year 2019/2020 as a result of the COVID-19 emergency. It was agreed that terminology and codes (EP, IN (Incomplete), etc.) on student examination transcripts would have to be communicated to students. A number of amendments were made to the document following lengthy discussions at the Academic Contingency Planning Group*

*Votes: 42  
In Favour: 42  
Against: 0  
Abstentions: 0*

**Governing Body voted: All in favour of the above motion presented.**

**Motion 168.03**

*“A dispute mechanism is required under clause 21E of the RTC Act 1992 and shall be available to resolve issues other than those relating to industrial relations disputes.*

*In that context, the Academic Council requests the Governing Body to immediately implement or establish such procedures under clause 21E for the resolution of a dispute concerning the operation of the Academic Council and specifically in relation to the following issues:*

- (i) The removal of items from the agenda of the Academic Council;*
- (ii) The minutes of meeting number 165A on 25<sup>th</sup> October 2019.*

*Proposed by: Dr. Gerard (Bob) McKiernan*

*Seconded by: Dr. Peadar Grant*

*Dr. Gerard (Bob) McKiernan introduced the background to this motion to Academic Council. He outlined that the minutes of Council since February, 2019, reflecting the concerns of members and that this motion was to request Governing Body to implement the procedures in place under clause 21E of the RTC Act 1992. Academic Council is an advisor to Governing Body and once received Governing Body will be in a position to make its decision. It is also envisaged that it will bring this matter to an end for Academic Council once moved onto Governing Body.*

*Votes: 42  
In Favour: 39  
Against: 1  
Abstentions: 2”*

**Motion 168.04**

*“That Motion 168.03 be forwarded to the next meeting of the Governing Body, for its immediate attention.*

*Proposed by: Mr. Pat McCormick*

*Seconded by: Dr. Arjan Van Rossum*

*Mr. Pat Mc Cormick proposed this motion in an effort to expedite Motion 168.03 to Governing Body as quickly as possible.*

*Votes: 42  
In Favour: 39  
Against: 1  
Abstentions: 2”*

In relation to Motion 168.03 and Motion 168.04, there was a discussion commencing with Dr. Dooley outlining the background to both Motions with reference to the RTC Act 1992.Clause 21E. The President responded stating the he was directly involved as he is the Chairman of Academic Council and responsible for the Agenda Items and as Chairman ensuring items were within the remit of the Academic Council. The President noted there were two matters here the matter of dispute procedures and suggested that Mr. Ger O’Driscoll, HR Manager/Secretary to Governing Body should check with other Colleges and Universities to see what they provided for. The second matter was the role of the Chair and the matter of an event conducted immediately after the President had adjourned an Academic Council Meeting and the participants now wanted that event recognised as a meeting of Academic Council.

In response to a query from a member, Mr. O’Driscoll confirmed the legal advice was that it was not a meeting of Academic Council but that Dr. Tom Dooley did not agree with that.

The President proposed that the Terms of Reference of Academic Council be reviewed and this review to include and clarify the role of the Chair in setting the Agenda and other matters. President referenced the Quality and

Qualification International Review – a review of the Academic Council Terms of Reference was consistent with their recommendations.

Dr. Dooley stated Academic Council had a Constitution and it could only be changed by a two-thirds majority of the members of Academic Council.

President pointed out that the Terms of Reference/Constitution were approved by Governing Body and could be reviewed at any time. Such review should be carried out by Dr. Flanagan chairing a consultation group. Mr. Bill Sweeney noted that Academic Council Terms of Reference last review was in 2015 and it was timely for a review Academic Council Terms of Reference to come back to the Governing Body. Academic Council Terms of Reference/Constitution to be circulated to the next Governing Body meeting. Consultative review group to include members of Academic Council including the Governing Body nominees.

Ms. Sadie Ward McDermott proposed that legal advice should be sought on the legislation and that the Terms of Reference of Academic Council be reviewed.

Ms. Anna Shakespeare proposed setting up a Committee to develop Dispute Resolution Procedures in reference to Clause 21E RTC 1992 Act (As amended).

Governing Body concurred and the following members were nominated to this Committee: -

**Ms. Anna Shakespeare:**

Proposed by: Dr. Tom Dooley;

Seconded by: Cllr. Nick Killian.

**Ms. Sadie Ward McDermott:**

Proposed by: Mr. Bill Sweeney;

Seconded by: Cllr. Clifford Kelly.

**Ms. Isabell Murphy:**

Proposed by: Dr. Tom Dooley;

Seconded by: Ms. Amanda-Jane Gainford.

**Mr. Bill Sweeney:**

Proposed by: Ms. Sadie Ward-McDermott;

Seconded by: Cllr. Clifford Kelly.

It was recommended that the HR Manager/Secretary to Governing Body act as Convenor for this Committee.

It was clarified that the Dispute Procedures group would only look at the matter of such procedures and the review of the Terms of Reference/Constitution would be dealt with by the Consultative group chaired by Dr. Sheila Flanagan, Vice President, Academic Affairs & Registrar.

The Chairman moved on to Motion 168.04 and noted it had been addressed.

**G.271. 10 Updated version of the Procedures for Collection of Student Fees**

The VP for Academic Affairs & Registrar briefed the Governing Body on the background to the updated Procedures for Collection of Student Fees.

**Proposed by: Mr. Fergus Grimes;**

**Seconded by: Michael Mulvey Ph.D.**

**Voted on: All agreed unanimously.**

Dr. Sheila Flanagan, VP for Academic Affairs & Registrar left the meeting at 11.05 a.m.

**G.271.11 Bank Mandate**

Brief discussion on Bank Mandate and electronic transfers. The HR Manager/Secretary to Governing Body informed the Chairman that the procedures are in accordance with the Comptroller and Auditor General (C&AG). Ms. Sadie Ward McDermott as a current signatory concurred with the HR Manager/Secretary to Governing Body and there are controls in place.

**PANEL**

A

B

C

Cheques up to €2,999

Cheques between €3,000 and €6,999

Cheques €7,000 and over

**SIGNATORY**

Patrick W. Malone  
Clifford Kelly  
Sadie Ward McDermott  
Aidan McKenna

Michael Mulvey  
Irene McCausland  
Marie Madigan  
Gerald O'Driscoll  
Stuart Quinn

James McCahill  
Linda Murphy  
Patricia Moriarty

Requires one signature from Panel B.

Requires two from Panel B or one from Panel B and one from Panel C.

Requires one from Panel A and two from Panel B or one from each of the three Panels.



**Proposed by: Cllr. Nick Killian;**  
**Seconded by: Ms. Brenda Murphy;**  
**Voted on: All agreed unanimously.**

Ms. Marie Madigan, Finance Manager and Mr. Stuart Quinn, Financial Analyst re-joined the meeting at 11.22 a.m.

**G.271. 13 Briefing on Finances 20/21 Projections (will be tabled at the meeting)**

The Chairman stated he had not had prior view of any of the financial presentation.

The President welcomed the Finance Manager and Financial Analyst to the meeting. The HR Manager/Secretary to Governing Body commenced the presentation on Finance followed by the Finance Manager and Financial Analyst and covered the following headings. Confidential financial documents were tabled at the meeting for discussion along with the presentation provided.

- COVID 19 Key Sectoral Assumptions
- 2019/20 Programmes and Budgets
- 2020/21 Programmes and Budgets
- 2021/22 Programmes and Budgets
- Projected Cashflow submitted to HEA
- 2019/20 Projection
- Breakdown of COVID Additional Costs

Discussion and Q&A followed the presentation.

Anna Shakespeare queried: What is the plan, any such plan should focus on income and costs – all costs including appointments.

Dr. Tom Dooley commented that undergraduate numbers may not be as bad as the projection suggested.

Access to hardware was raised by Ms. Sadie Ward McDermott. This was an issue for many students and there were community based initiatives to address that including NMBI Partnership broadband. This could be included in a Welcome Pack for Students.

The amount of budget allocated for online delivery was queried by Aidan McKenna and if a sufficient budget had been allocated.

The Financial Analyst responded.

President noted that some of the funds had already being applied and the balance would follow. Dr. Lawless noted that more funding was required in her view.

President confirmed that the HEA/DES had been provided with all the information that they had requested. Similar to every Institute/College in the Country, DkIT was awaiting the decisions of the Government regarding the funding of deficits. To date no additional funds had been received to meet the costs of COVID-19.

The President stated that he reviewed the Finance figures on a weekly basis with the Finance Team: HR Manager/Secretary to Governing Body, Finance Manager and Financial Analyst. Finance Update to be a standard Agenda Item for Governing Body meetings.

Dr. Fiona Lawless asked why was there no Financial Controller?

The Chairman said he had a view about this etc referenced meeting with HEA.

The Chairman informed the Governing Body that Deloitte have been appointed Internal Auditors and he will be requesting a review of the structure of Finance Department.

Mr. Bill Sweeny informed Governing Body that the previous FAR committee commissioned a study from PwC (previous Internal Auditors) and a report is due back from PwC. The Chairman requested that the PwC Report is provided to Governing Body prior to FAR and this item is to be included on the Agenda for the next meeting.

On behalf of the Governing Body, the Chairman thanked the HR Manager/Secretary to Governing Body, Finance Manager and the Financial Analyst for their presentation.

The Finance Manager, Financial Analyst left the meeting at 12.25.

**The Chairman announced a 15-minute interval.**

**Meeting reconvened at 12.40 and the Leadership Team joined the meeting.**

#### **G.271.12 Presentation by President**

Technological University presentation by the President.

- The President notified the Governing Body that there was no consensus but a majority of the Leadership Team recommended the CUA consortia as the preferred option to Governing Body at this meeting.
- The Leadership Team met each of the Consortia and had separate meetings with the HEA.
- HEA offered a Developmental Plan including an assessment of readiness in the Autumn and a funded developmental pathway to achieve TU designation. This would include working with the Institute

to identify a merger partner. This Developmental Plan was welcome and has been accepted.

The VP SCD followed the President's presentation with another presentation and she referred to the Confidential document "Dundalk Institute of Technology (DkIT) Consideration of TU Partner Options". The VP SCD gave a summary of this document as follows:

- TU Partners: CUA – DkIT; AIT-LIT-DkIT; TU Dublin – DkIT
- Vision and Strategy: The Region served by the TU
- Academic and Research Synergies
- TU Metrics
- Stakeholders Perspective

#### **Proposed HEA Developmental Plan:**

1. HEA would commission an external independent assessment of the Institute's readiness in terms of TU Designation
2. From this assessment and review an action plan would be drawn up with key identifiable initiatives to progress the Institute in readiness for TU Designation
3. DkIT would be brought to the national forum on TURN and have the potential to access TURN Funding.
4. At some point on the Developmental Path, a partner selection process would be defined and undertaken.
5. The readiness dimension would commence in the Autumn 2020 with the Developmental Path taking up to 3 years.

Both presentations were followed by each member of the Leadership Team outlining their views on behalf of their School/Departments on Technological University and the Head of Schools outlined the importance to submit Expressions of Interest to the CUA Consortium.

A discussion and Q&A followed the presentations and views of the Leadership Team.

Governing Body requested further clarification from the HEA re the Developmental Path before a final decision is made and had the rationalisation of programmes of being looked at in the context of any merger.

Due to time constraints and a number of Governing Body members who had commitments and were excused from the meeting, the TU discussion will continue at the next Governing Body meeting on the 28<sup>th</sup> July 2020.

**G.271.15 AOB**

**Cllr. Erin McGreehan, LMETB Representative**

The Chairman announced that Cllr. Erin McGreehan is no longer a member of Governing Body and proposed congratulations to Cllr. McGreehan on her appointment to the Seanad on behalf of the Governing Body.

The LMETB have been contacted to seek a replacement for Cllr. McGreehan.

**Simon Harris, T.D.**

Cllr. Clifford Kelly proposed that the President should write a congratulatory letter to Simon Harris, T.D. Minister for Further and Higher Education, Research, Innovation and Science.

**Ethic Forms**

The HR Manager/Secretary to Governing Body reminded the Governing Body to complete the Ethics Forms and return to the President's Office.

**Property**

The Chairman stated that he had received a letter regarding a property that may or may not be owned by the Institute. He requested VP, Ms. Irene McCausland for a briefing on the matter.

**Bereavements**

Recent bereavements were noted. Minutes silence followed.

Meeting concluded at 14.05.

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Patrick W. Malone  
Chairman

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Date: