

## Quality and Qualifications Ireland

Note of the twentieth Meeting of the Authority (The Board) which took place on Friday, 25 September 2015 at 10.00 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

**Present:**

- Mr. Gordon Clark (Chair)
- Dr. Pdraig Walsh (Chief Executive)
- Ms. Claire Byrne (Secretary)
- Ms. Una Buckley
- Ms. Mary Danagher (attended via phone conferencing)
- Dr. Ann Louise Gilligan
- Ms. Joanne Harmon
- Mr. Jack Leahy
- Mr. Thomas McDermott
- Mr. James Moore

**Apologies:**

- Dr. Barbara Brittingham

**In attendance:**

- Ms. Caitriona Lawless (Recording Secretary)
- Mr. Eamonn Collins (Items 7 and 8)
- Mr. Ultan Tuite (Item 5)

### INTRODUCTION

The Chairperson welcomed the two new Board Members, Thomas McDermott and Jack Leahy to their first QQI Board meeting. The Board noted that they had participated in an induction session in August and September respectively and the Executive had also hosted a briefing session on the relationships and diversity of QQI stakeholders, prior to this Board Meeting.

The Chairperson, on behalf of the Board, congratulated Pdraig Walsh on his re-appointment as Chief Executive of QQI for a further five year period. The Board noted the letter of 3 September 2015 from the Minister for Education and Skills consenting to the re-appointment and expressed its satisfaction at the continuity of the position. Dr. Walsh thanked the Board and QQI staff for

its support. The Board noted that together with the Management Framework Agreement (MFA) with the Department and the recent organisation restructuring, the contract renewal marked a new phase in QQI's existence and suggested the Executive consider marking the new phase in some way.

The Board agreed the Agenda for the meeting was acceptable and adopted same subject to some changes to the order in which the items were discussed.

### **1. MINUTES OF THE MEETINGS OF 12 JUNE AND AUGUST 2015**

The *Minutes of the QQI Board Meetings* held on 12 June and August 2015 (incorporeal meeting which dealt with the reappointment of the Chief Executive) were **confirmed and signed**.

### **2. NOTES OF THE MEETINGS OF 12 JUNE AND AUGUST 2015**

The Board **approved** the *Notes of the Meetings of 12 June and August (incorporeal) 2015* for publication on the QQI website.

### **3. MATTERS ARISING FROM THE MINUTES**

#### **3.1. Doctoral Framework**

The Board noted that the National Framework for Doctoral Education was launched by the Minister of State with Responsibility for Skills, Research and Innovation on 23 June 2015. The Board noted that the Executive was reviewing existing Policy and Guidelines on the Quality Assurance of Research Degree Programmes and developing a Code of Practice for same. The Board noted that a Review Panel of national and international experts had been appointed and the Chairperson and Secretary had met initially in June and the Panel was scheduled to meet again in October to consult with stakeholders. The Board noted that the Executive expects to receive a draft report and recommendations by the end of the year. The Board noted that the Executive had gathered an impressive international panel of experts (from the UK, USA, France and Switzerland amongst others) and all those invited to participate had accepted.

#### 4. BOARD AND COMMITTEE MEMBERSHIP

##### 4.1. New Board Members

The Chairperson again welcomed the new Board Members, whose appointments to the Board had been confirmed by the Minister for Education and Skills in her letters of 24 June 2015.

##### 4.2. Membership of Audit and other Committees

The Chairperson proposed to appoint Thomas McDermott as a member of the QQI Audit Committee and as Chairperson of same. The Board **approved** the nomination. The Chairperson thanked Jim Moore for his work as Acting Chairperson of the Audit Committee for the last six months.

The Chairperson proposed to appoint Jack Leahy as a member of the Approvals and Reviews Committee (ARC), replacing his predecessor, Kevin Donoghue. The Board **approved** the nomination.

##### 4.3. Possible increase in Board Membership

The Board noted the update provided by the Chairperson on the possible/proposed increase in Board membership. The matter had been raised with the Department of Education and Skills at the recent High Level Strategic Meeting on 20 July and the Secretary General had advised the Chairperson to write to the Minister for Education and Skills outlining the Board's request. The Board noted that a letter issued from the Chairperson on 19 August requested the Minister to consider the Board's proposal of increasing its membership by two to 12 members. The matter is currently under consideration by the Minister and her Department and the matter is being linked to the other proposed legislative amendments also being discussed.

The Board requested an opportunity to review its experience, skills and competencies and discuss the different specialisations which may need to be represented on the Board. The Board **agreed** to carry out that review as part of its annual Board Performance Evaluation at the end of the year.

The Board noted that the matter of Board Performance Evaluations had been discussed at a recent meeting of the Association of Chief Executives of State Agencies (ACESA) and interest had been expressed in the process used by QQI.

## 5. AUDIT AND RISK

The Board noted the documents entitled **Audit and Risk**.

The Board noted the report of the meeting of 28 August 2015 provided by the Acting Chairperson of the Audit Committee. The Board noted that Thomas McDermott had attended that meeting as an observer.

### 5.1. Internal Audit Reports

The Board noted and discussed the following Internal Audit Report which was considered by the Audit Committee at its meeting on 28 August:

a) Review of QQI Compliance with the Qualifications and Quality Assurance (Education and Training) Act 2012

The Board noted the report of the internal audit on QQI's compliance with the Qualifications and Quality Assurance (Education and Training) Act 2012.

The Board noted the recommendations and management responses on the following areas:

- Completed population of Register of Providers and Database of Programmes and Awards. The Board noted that there were ongoing discussions at University and IoT level to incorporate those sectors into the database.
- Roll out of Quality Assurance Guidelines
- Organisation restructure – its impact on implementation of internal QA

The Executive clarified any queries the Board had in relation to the report.

The Board **approved** the following Internal Audit Report as recommended by the Audit Committee:

- ***Review of QQI Compliance with the Qualifications and Quality Assurance (Education and Training) Act 2012***

#### 5.2. Risk Register

The Board recalled the previously adopted prioritised key risks and noted that on completion of its analysis of legislative issues, the Executive felt that following the impact of those issues and the resulting lack of progress in the prioritised risk areas, little would be achieved in assessing these particular risks at this moment and the Executive proposed to assess four others instead. The Board noted that following the organisational restructure and the resulting changes to roles and responsibilities, it was necessary to reassign risks to new owners. It was expected that the resulting revision of the Register would be completed by the February 2016 Board Meeting when the Board would resume its monitoring of high level risks. The Board noted the appointment of a new Chief Risk Officer as part of the restructuring process. The Board noted that monitoring of existing risks is continuing. The Board noted that the Audit Committee is being kept updated on progress.

#### 5.3. Bad and Doubtful Debts Policy

The Board noted that the draft Bad and Doubtful Debts Policy incorporates the recommendations of the Audit Committee which included reducing the threshold amount to €20,000 above which debt write off must be submitted to the Committee for approval. The Board noted the amount of work completed by the Executive in the area of debt recovery to date.

The Board **approved** the ***Bad and Doubtful Debts Policy***.

#### 5.4. Aged Debtors Listing

The Board noted the update on the Aged Debtors Listing.

The Executive confirmed that the revisions to the Relationship Fee had been finalised with the Department of Public Expenditure and Reform during September and noted that the invoices for the 2015 fees had been issued to the relevant HEIs.

5.5. Items for Noting

The Board noted the following items arising from the meeting of the Audit Committee held on 28 August 2015:

- The Minutes of the Audit Committee Meeting of 22 May 2015
- Update on the QQI Financial Statements 2014
- Update on the revised Code of Practice for the Governance of State Bodies
- Update on the Corporate Procurement Plan 2013-2015.

5.6. QQI Financial Statements 2014

The Board noted that the Executive is awaiting notification from the Comptroller and Auditor General (C&AG) on clearance of the 2014 Financial Statements.

5.7. Code of Practice for the Governance of State Bodies

The Board noted that consultation on the revised Code of Practice for the Governance of State Bodies had been completed and the Code was expected to be published in the coming months.

5.8. Queries raised

A Board Member raised a query in relation to the notification of a break lease clause on the East Point lease for which notice should be given a minimum of 6 months in advance but ideally 1 year. The Executive confirmed that the matter was in hand.

The Board again discussed the matter of insurance for Directors' and Officers' Liability, Professional Indemnity and Legal Expenses Cover and noted that the Executive was continuing to investigate whether there is a need for QQI Board Members to have such cover.

5.9. Comptroller and Auditor General

The Board noted that the Audit Committee had voluntarily completed, for its own benefit, the Effectiveness of Audit Committees Questionnaire developed by the Office of the C&AG and feedback was currently being considered by the Committee secretariat and the matter would be discussed further at its next meeting.

The Board noted that, as previously advised, the Audit Committee had invited the Auditor from the C&AG's Office with responsibility for the QQI audit to meet with the Committee at its meeting on 28 August 2015. The Auditor had been unable to attend on this occasion but the option was there for other opportunities to meet.

The Board noted that QQI had been selected to participate in an independent survey commissioned by the C&AG and conducted by Crowe Horwath on a range of stakeholders as part of the strategy formulation process for developing its five year Strategic Plan to 2020. The Board noted the Acting Chairperson had met with Crowe Horwath on 28 August.

The Acting Audit Committee Chairperson thanked the Committee secretariat for their assistance during his period as Chair and welcomed Thomas McDermott to the Committee. The Chairperson thanked Jim Moore for all his work over the last number of months.

## **6. RELATIONS WITH THE DEPARTMENT OF EDUCATION AND SKILLS**

The Board noted the documents entitled **Relations with the Department of Education and Skills**.

### **6.1. High Level Strategic Meeting**

The Board noted that the High Level Strategic Meeting with the Department of Education and Skills (attended by the Chairperson and Chief Executive of QQI and the Secretary General and the Deputy Secretary General, DES) had taken place on 20 July 2015. The Board noted the summary of the meeting and that the Chair and CEO considered it to be a useful and productive meeting.

The Board noted that among the topics discussed were:

- The MFA between QQI and DES,
- An update on QQI strategic developments,
- The required legislative amendments,
- Board effectiveness and capacity and
- Human Resources.

The Board noted that DES requested QQI work with SOLAS and the HEA to develop proposals on how best to ensure quality outcomes in the FET and HE sectors. The Board noted that the Executive hoped to shortly begin work with SOLAS on developing a MoU between the two agencies. The Board noted that the Chief Executives of QQI and SOLAS were scheduled to meet in early October.

The Board noted that legal advice received by DES from the Attorney General's Office had confirmed the legislative gaps in relation to the 2012 Act and the Executive was working closely with DES on progressing the necessary amendments.

The Board noted that at the request of DES, the Executive was progressing its workforce plan for the organisation for the next five years.

The Board noted that it had been a useful meeting and that the Chairperson and Executive hoped to arrange a follow up meeting early next year.

#### 6.2. Management Framework Agreement (MFA) with DES

The Board noted that the MFA had been signed on 10 July 2015 and a MFA Review Meeting involving QQI staff and DES officials was scheduled for 15 October. The Board noted that the Executive was restricted in achieving its policy development programme due to legislative issues. However, progress on the identified activities in the MFA will advance wherever possible.

The Board noted a review of MFA 2015 will take place between QQI and DES on 15 October 2015 and discussions on the MFA for 2016 will commence before Christmas. The Board noted that the Executive felt that it was necessary to establish indicative metrics within the MFA but these metrics will be more measured in future MFA's.



## 7. BUDGET AND FINANCE

The Board noted the documents relating to **Budget and Finance**.

### 7.1. Variance Accounts

The Board noted the update on QQI variance accounts to 31 July 2015 and noted that based on current spending, there is likely to be a surplus at the end of this year. The Board noted that debt management had significantly improved in the last year.

### 7.2. Superannuation

The Board noted that arising from a determination of the Pensions Ombudsman, an additional and unanticipated legacy spouses' pension liability had arisen. The Board noted that the additional expenditure would be covered within QQI's current funding and that the Executive would consider when the contingent liability could be recognised in the annual financial statements for the first time.

### 7.3. Multiannual Budgets

The Board noted that following discussion of the matter at the High Level Strategic Meeting and the letter of 30 March 2015 to the Minister for Education and Skills from the Chairperson, the Executive was developing multi annual budgets which would be presented to the Board at its meeting scheduled for 27 November and would be forwarded to the DES thereafter.

The Executive clarified the subject of its adherence to the implementation of FRS 102 (Accounting Framework) following a query from a Board Member as well as its requirements to report to DES on a cash basis.

The Board noted the Executive was planning its expenditure on best estimates given that several of its business areas are still not activated because of the legislative issues. The Board noted that the first cycle of QQI Reviews of HEIs was scheduled to commence in 2016 and re-engagement with legacy providers is also likely to have significant costs attached to it, both in terms of staff resources and expenses incurred during the course of the work.

The Board noted that the Executive would continue to keep a close eye on all factors and would prepare a case for any additional resources required. The Board noted that a significant programme of work was planned for 2016 and the Executive would need to be in a position to finance it. The Board noted that discussions were ongoing with DES. The Board noted the Executive's intention to commence an awareness campaign around the QQI Awards brand before the end of the year.

## **8. HUMAN RESOURCES**

The Board noted the **Update on Human Resources**.

### **8.1. Organisation Restructure**

The Board noted that the organisation restructure had been completed and the new assignments took effect on 17 July. The Board noted that role descriptors for each position had been developed mirroring the agreed job descriptors.

The Chairperson, on behalf of the Board, expressed his satisfaction at the establishment of the new structure which was now in place and that was clear and had been well organised.

### **8.2. Organisation Development Programme**

The Board noted that open meetings had taken place during the internal moving process following the assignment of new roles. The Board noted that the Human Resources section was consulting with the Strategic Planning and Communications Unit on developing QQI's HR Strategy. The Executive was working on implementation of PMDS for 2016, with the commencement of setting goals and objectives for individuals which cascade down from the Corporate Plan and the Strategy Statement.

### **8.3. Staffing**

The Board noted that staffing numbers had decreased significantly since 2008 and were now well below the required Employment Control Framework (ECF) level. The Board noted the recent number of retirements, secondments etc. and noted that the

Executive felt that it was able to operate with the current staff level only because a number of areas of business are not yet operating due to legislative issues.

The Board noted the Executive was continuing to evaluate the situation and examine where additional staff would be required were the agency operating at fully capacity. It is the Executive's intention, when necessary, to make an evidence based case for additional staff. The Board noted that the Executive was in ongoing discussions with the Department of Education and Skills regarding delegated sanction.

Items omitted from this note.

## 9. STRATEGIC DEVELOPMENT

The Board noted the documents relating to **Strategic Development**.

### 9.1. Corporate Plan 2015

The Board noted the update on progress in relation to the 2015 Corporate Plan. The Board noted that of the 47 tasks originally planned for 2015, the Executive expects in the region of 33 to be completed by year's end. The Board noted that the Executive was unable to complete all the identified tasks due to delays resulting from legislative issues. The Board noted that the Strategic Planning and Communications Unit (SPCU) had discussed the matter with the Executive and had reprioritised the tasks which could be completed by year end.

The Board noted that any tasks not completed within 2015 would be incorporated into the 2016 Corporate Plan.

The Board noted that the Review of the Implementation of the Strategy Statement for 2014-2016 would take place early next year.

### 9.2. Corporate Plan 2016

The Board noted the draft approach outlining the intended development of the 2016 Corporate Plan. The Executive expects to present the draft Plan to the Board at its meeting scheduled for 27 November.

## 10. COMMUNICATIONS AND INFORMATION

The Board noted the documents entitled **Communications and Information Strategy**.

The Board noted and discussed the update on progress implementing the Communications and Information Strategy. The Board noted the four main areas which the Executive would be targeting:

- a) The National Framework of Qualifications (NFQ)
- b) QQI Awards
- c) Information Provision and
- d) Legislative Requirements

and noted the Executive's intention to focus primarily on QQI Awards in the period October – December 2015.

The Board noted that the Executive had engaged, following a tendering process, a creative company to develop a 20 month campaign to promote the QQI Award brand. The Board noted that the Executive was working closely with the successful applicant to develop an awareness campaign around the Award brand.

The Board noted the Executive's intention to host an event to launch the new QQI Award brand on 18 November and the Minister for Education and Skills has indicated her attendance.

The Board noted that QQI has had a presence at a number of recent events (e.g. Higher Options Exhibition, ETBI Conference, Ploughing Championships) with a view to raising public awareness of the Awards brand. The Board noted that the 'QQI Review' brand would also be coming to attention in the coming year.

The Board noted that the Information Officer was working on developing a number of internal and external communications focusing particularly on the revised organisation structure and new roles and responsibilities.

The Board welcomed the progress to date and suggested further attention be given to a strategic approach to the public relations aspect. The Board noted that the Executive was already exploring options in this area and noted a Board Member's offer to assist in this area.

## **11. LEGISLATIVE AMENDMENTS**

The Board noted the update on **Legislative Amendments**.

The Board noted that following the Executive raising its concerns with DES in relation to the legislation underpinning the International Education Mark (IEM) initially and other areas subsequently, the DES had been in consultation with the Attorney General's Office. The Board noted that the advice of the AG's Office had been received on 10 July and had confirmed the Executive's own legal advice. The necessity of legislative amendments was further discussed at the High Level Strategic Meeting with DES on 20 July. As a result, at the request of DES, the Executive has submitted a series of proposed amendments to the 2012 Act for consideration by the Department. The Board noted that the required legislative amendments are being addressed by the Department.

The Board noted the Executive is not in a position to progress a number of its business areas until appropriate legislation is in place.

The Board note that the Executive intended to proceed with its programme of work on the basis of what it can currently do legislatively. The Board noted the Executive's intention to update the Board at its November meeting.

## **12. FURTHER EDUCATION AND TRAINING**

The Board noted the update on **Further Education and Training**.

The Board noted the verbal update on the work of the Joint QQI/Community and Voluntary Sector Working Group. The Board noted that the Group had met on 27 July last and had, on 30 June, co-hosted with QQI, a seminar on '*QQI Draft Quality Assurance (QA) Guidelines and Criteria for Voluntary Providers of Further Education and Training*' which was aimed at the Community and Voluntary Sector. The Board noted that the Executive was working on a

series of FAQs arising from the seminar which it intended to publish on the QQI website in the coming days and which would be brought to the Board's attention.

It was noted that a Board Member had attended the C&VS seminar in an observer capacity.

### **13. GOVERNANCE STRUCTURE**

The Board noted the document entitled **Governance Structure**.

The Board noted that following the organisation restructure and changes in Executive roles and responsibilities, it was necessary to consider the continued appropriateness of the current Executive membership across the Committees. The Executive also considered it timely to review other matters, such as Terms of Reference, terms of office, volume of business etc. The Board noted that the Executive proposed to conduct a Review of the sub-Board Committee Structure during October and noted an outline of the proposed Review process. The Review would include a survey of Committee Members (similar to that of the Board's Performance Evaluation questionnaire) and a workshop with the Executive Members. The Executive expects to have a report and recommendations arising from the Review in time for the November Board Meeting. The Board **approved** the Executive's request to implement, if necessary, certain changes which may arise from the Review prior to the next meeting of the Board, in terms of aligning Executive Membership with revised roles and responsibilities ahead of scheduled November Committee meetings.

### **14. BOARD PERFORMANCE EVALUATION**

The Board noted the documents entitled **Board Performance Evaluation**.

The Board noted the update on progress on recommendations arising from the Board Performance Evaluation for 2014. The Executive was continuing to explore mechanisms to obtain feedback under the 'Reviewing and Monitoring' heading and would deliver it to the Board in the context of the preparation for the 2015 Board Performance Evaluation which would commence at its next meeting scheduled for 27 November.

## 15. BOARD MEETING SCHEDULE 2016

The Board noted the proposed **Board Meeting Schedule for 2016**.

The Board **approved** the following Board Meeting dates for 2016:

Friday, 12 February 2016

Friday, 15 April

Friday, 10 June

Friday, 30 September

Friday, 25 November

## 16. ITEMS FOR NOTING

The Board noted the **Items for Noting**.

### 16.1. Programme and Awards Executive Committee (PAEC)

The Board noted the reports of the meetings of the *Programme and Awards Executive Committee* held on 10 June and 15 July 2015, together with a verbal update of the meeting held on 16 September. The Board noted that a number of refusals by the PAEC had been referred to the Programme and Awards Oversight Committee (PAOC) for its consideration and the decisions were upheld.

The Board noted that the PAEC had validated the first batch of apprenticeship programmes which had been submitted by SOLAS.

### 16.2. Policies and Standards Committee (PSC)

The Board noted the report of the meeting of the *Policies and Standards Committee* held on 11 June 2015.

The Board noted that the PSC was engaging with the executive in developing its Review of sub-Board Committee Questionnaire as part of its blue skies session at its next meeting scheduled for 28 and 29 September.

The Board noted the White Paper on Review of Higher Education Institutions was published for consultation until 16 October and the White Paper on Policy and Criteria for Programme Validation, was referred back to the Executive for further work/drafting. This paper is due to be considered by the PSC again at its meeting scheduled for 29 September.

16.3. Approvals and Reviews Committee (ARC)

The Board noted the report of the meeting of the *Approvals and Reviews Committee* held on 24 June 2015. A Board Member raised the matter of Committee membership and the Board noted that the Executive intended to look at this in the context of the Review of the sub-Board Committee Structure.

16.4. Programme and Awards Oversight Committee (PAOC)

The Board noted the report of the incorporeal meeting of the *Programme and Awards Oversight Committee (PAOC)* which was held on 12 August 2015. The Board noted the report of the vice Chairperson regarding a recommendation to the Executive that where significant negative key findings on Panel Reports are found this should be communicated to the relevant part of the Executive and acted on where appropriate.

16.5. European Quality Assurance Register (EQAR)

The Board noted the approval of the Application by QQI for inclusion on the EQAR Register, notification of which had been received during the last Board meeting on 12 June 2015. The Board noted the conditions in relation to internal QA systems and substantive change reports.

16.6 Media Mentions, Key Developments, Current and Forthcoming Events

The Board noted the *Media Mentions, Key Developments, Current and Forthcoming Events* (from 10 June to 25 September 2015).

16.7 Draft Board Agenda (November 2015) and Rolling Board Agenda 2015

The Board noted the draft Agenda for the Board Meeting scheduled for 27 November 2015 together with an update on the Rolling Board Agenda for 2015.



**17. NEXT MEETING**

The Board noted that the next meeting is scheduled to take place on **Friday, 27 November 2015** beginning at **10:00 a.m.**

**18. ANY OTHER BUSINESS**

There was no other business.

**THIS CONCLUDED THE BUSINESS OF THE MEETING.**

**Chairperson:** \_\_\_\_\_

**Date:** \_\_\_\_\_