

Quality and Qualifications Ireland

Note of the forty-sixth Meeting of the Authority (The Board) which took place on Monday, 25 November 2019 at 10:00 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

Present:

- Ms. Joanne Harmon (Chair)
- Dr. Pdraig Walsh (Chief Executive)
- Ms. Cliona Curley (Secretary)
- Dr. Barbara Brittingham
- Ms. Mary Danagher
- Mr. Blake Hodkinson
- Mr. Thomas McDermott
- Mr. Kevin McStravock
- Ms. Niamh O'Reilly
- Prof. Irene Sheridan

Apologies:

- Dr. Anne Walsh

In attendance:

- Ms. Caitriona Lawless (Recording Secretary)
- Ms. Nessa White (Item 1)
- Mr. Liam Butler (Item 10)
- Mr. Andrew Bridgett (Item 12)
- Mr. Eamonn Collins (Item 11)
- Dr. Anna Murphy (Item 12)

INTRODUCTION

The Board agreed that the agenda for the meeting was acceptable and adopted same.

1. PRESENTATION BY EDUCATION AND TRAINING BOARDS IRELAND (ETBI)

Following a request by the Board, Ms. Nessa White, General Secretary of ETBI delivered a presentation to the Board.

The General Secretary outlined the body's role and core priorities. The presentation updated the Board on the recent initiatives in the sector.

The presentation was followed by a questions and answers session.

2. POTENTIAL CONFLICTS OF INTEREST

The Board noted that no conflicts of interest were declared.

3. MINUTES OF PREVIOUS BOARD MEETING

The *Minutes of the QQI Board Meeting* held on 27 September 2019 were **confirmed and signed**.

4. NOTE OF PREVIOUS BOARD MEETING

The Board **approved** the *Note of the Meeting of 27 September 2019* for publication on the QQI website.

5. MATTERS ARISING FROM THE MINUTES

The Board noted the **Action Tracker**.

5.1. Action Tracker

The Board noted the updated Action Tracker.

The Board noted that a verbal update on the Review of the QQI Funding Model would be presented under Item 10, Budget and Finance.

The Board noted that work is underway on moving to electronic documentation for a number of Board Members in time for the February 2020 Board Meeting.

The Board congratulated Niamh O'Reilly on the success of the AONTAS Lifelong Learning Summit held on 18 November in the Croke Park Conference Centre.

6. DRAFT BOARD AGENDA

The Board noted the **Draft February 2020 Board Agenda**.

The Board noted the suggestion that the Board receive tailored training on General Data Protection Regulation (GDPR) as part of the meeting – the training is one of the recommendations arising from the Internal Audit Report on GDPR (listed for consideration under the Audit and Risk item on the agenda).

The Board noted that the Policies and Standards Committee (PSC) would feature as the next Committee for focus under the Items for Noting item on the February meeting agenda. The Board also noted that further update information on the implementation of the revised Legislation and any outcomes arising from the Board Performance evaluation for 2019 would feature at that meeting.

7. CEO REPORT

The Board noted the **CEO Report**.

The Board noted the updates contained in the report covering the period since the September Board Meeting.

The Board requested that, where possible, an indication of apprenticeship programmes in the initial stages of development be included in the report on an ongoing basis.

The Board noted the update on research and standards and noted that the Executive had encountered difficulties in filling a number of research and project tenders in 2019 resulting in delays to a number of projects and additional pressure on existing resources. The Executive is exploring options for maximising opportunities to fill this category of tender.

The Board noted the update on the Green Paper on Assessment and acknowledged the large amount of work completed to date. The Board noted the Executive's expectation that the next phase of work would include the provision of sectoral guidance documents etc. – to assist in implementing and maintaining good practice.

The Board noted that the Executive had contributed to the SOLAS consultation process for the Further Education and Training Strategy 2020-2024.

The Board noted that a number of FET providers had decided against undergoing the re-engagement process with QQI.

8. ITEMS FOR NOTING

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

8.1. Programmes and Awards Executive Committee (PAEC)

The Board noted the verbal overview of the work of the Programmes and Awards Executive Committee provided by the Chairperson of the Committee. The Board noted that the PAEC is an executive committee delegated a significant amount of work by the Board and meets formally to consider and take decisions on the validation of programmes amongst other actions. The Board noted the outline of the various areas and actions the Committee deals with and noted that the PAEC had found the regular attendance by Programmes and Awards Oversight Committee (PAOC) members as observers at the PAEC meetings to be extremely beneficial both to the two committees and to the wider sector as it helped promote confidence in the QQI validation system and the decisions made.

The Board confirmed that it had found the method of focusing on a different committee at each Board Meeting very helpful and it had helped new members gain a better understanding of the governance structure. As each Committee had been featured, the process would now continue in a lighter format – i.e. focus on one particular Committee's meeting note at a given Board Meeting.

The Board noted the report of the meeting of the Programmes and Awards Executive Committee held on 12 September 2019.

8.2. Programmes and Awards Oversight Committee (PAOC)

The Board noted the report of the meeting of the Programmes and Awards Oversight Committee held on 3 May 2019. There was a brief discussion on the importance of building capacity in the FET sector. The Executive elaborated on the feedback providers receive when

applications for validation are refused in addition to providers getting an opportunity to respond to validation panel draft findings. The Board noted that it can be a challenge for some organisations to have the capacity and scale to do the work required to achieve a successful programme validation.

8.3. European Quality Assurance Register (EQAR)

The Board noted that on foot of the recent successful review by ENQA of QQI's compliance against the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), the Executive reapplied to EQAR for continued listing on the EQAR Register.

The Board noted that in its assessment of QQI's application, EQAR had found similar outcomes to the ENQA review findings with the exception of downgrading the judgement on the standard relating to re-engagement and institutional reviews with independent providers to 'partial compliance'. The Board noted that the Executive was not legally able to commence reviews until a provider had completed the re-engagement process (whereby QQI formally approved its quality assurance procedures) and that therefore, the Executive has initially concentrated on reviews of public providers. The Board noted that the current review phase is now reengaging private HE providers. The Board noted the Executive's expectation that the assessment of the larger private HE providers would be completed by year end.

The Board noted that the Executive expected a significant amount of work to be completed by the deadline for submission of a two-year progress report to ENQA. The Board and the Executive acknowledge that the outcome of both the ENQA review and the EQAR register assessment further reinforce the Executive's case for additional funding and resource requirements.

The Board noted the organisation's monitoring system was now in a position to be reinforced under the revised legislation which also strengthens the Protection for Enrolled Learners and Corporate Fitness functions. The Executive will be able to seek additional information and indicators from providers under the revised legislation (once the relevant Sections have been commenced).

8.4. Rolling Board Agendas 2019 and 2020

The Board noted an update on the Rolling Board Agenda for 2019 and a draft Rolling Board Agenda for 2020.

9. **BOARD MEETS WITHOUT THE EXECUTIVE PRESENT**

The Board discussed the area of succession planning.

10. **BUDGET AND FINANCE**

The Board noted the update on **Budget and Finance**.

10.1. Financial Report to 31 October 2019

The Board noted the financial report for the 10 months ended 31 October 2019. The Board noted that based on current indications, QQI is likely to have a small surplus at year end. The Board noted that, and in line with previous assertions in relation to the unpredictability of certification fees, there had been an unexpected increase in certification figures in October resulting in increased income in that area.

10.2. ICT Contract Resources

The Board noted the proposal outlined and **approved**:

- the procurement of contracts for ICT contract resources and/or services for six months (to end July 2020), in accordance with the QQI Purchasing and Procurement Policy and subject to contract, as outlined in the proposal submitted.

10.3. Review of Funding Model

The Board noted the verbal update on the review of the funding model. The Board noted that the fieldwork had been completed and a draft report received the week of 18 November. It was noted that the Executive has attempted to fully cost each of the organisation's functions. The Executive Management Team (EMT) had considered the draft document and provided feedback on the draft and the Board noted that the Executive expected to receive a revised report within a fortnight.

The Board noted that the Executive also requires sanction from the Department of Education and Skills (DES) to retain a certain amount of surplus funding, if a surplus arises, to facilitate

building a financial reserve. The Board discussed what an appropriate reserve would be for QQI. The continue lack of reserves is a significant issue for QQI, therefore, sanction to hold the surplus in reserve should be requested from DES. The Board noted that the external opinion arising from the funding model review will also help further the case for changes to how QQI is funded.

The Board noted that there is a recurring/continuous €2m gap in QQI's annual finances due to a PSO/medical card waiver.

The Board **suggested** that the Executive ensure that ICT costs are attributed to the respective business areas, as appropriate, in the model.

The Board noted that the final report is expected to be options based. It is expected that the final version will be presented to the Board at its next meeting scheduled for February 2020.

11. ORGANISATION AND HUMAN RESOURCES

The Board noted the update on **Organisation and Human Resources**.

Item omitted from this note.

11.1. Update on Human Resources

The Board noted an update on staffing.

12. AUDIT AND RISK

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

A brief verbal report of the Audit and Risk Committee Meeting of 25 October 2019 was provided.

12.1. Internal Audit Reports

The Board noted that three internal audit reports had been considered and recommended to the Board by the Audit and Risk Committee at its meeting of 25 October.

General Data Protection Regulation (GDPR) Compliance

The Board noted that the review rating of limited assurance was due to the collective number of medium recommendations rather than any one finding. The Board noted that a number of the recommendations had already been progressed since the review report had been received.

The Board noted that one of the recommendations related to the provision of GDPR training to the Board and the Board **agreed** that the Executive should arrange for delivery of same at the February 2020 Board Meeting, if possible.

Revenue Cycle

The Board noted the recommendation arising from the review.

Quality Assurance Improvement Cycle (Volume II)

The Board noted that the Education and Training Boards dialogue meetings had been completed on schedule in 2019 and that the Policy for the Inaugural Review of Quality Assurance in Education and Training Boards had been approved at the September 2019 Board Meeting. The review of the ETBs is on track to commence in 2020. The Board noted that the internal audit review provides reasonable assurance of QQI processes and procedures in relation to this function.

The Board **approved** the Internal Audit reports outlined:

- GDPR Compliance
- Revenue Cycle (approved subject to a minor correction/amendment on page 10)
- Quality Assurance Improvement Cycle (Volume II)

12.2. Internal Audit Plan 2020-2022

The Board noted the draft schedule for internal audits for the period 2020-2022. The Plan has flexibility built-in and may also be modified to include audits arising from the commencement of new functions as they are embedded during the period to 2022.

The Board **approved** the Internal Audit Plan 2020-2022.

12.3. Contract renewal

The Board noted that the current contract for the provision of certain outsourced internal audit services to QQI ceases on 31 December 2019. The contract contained an option to extend for a further two years subject to the agreement of both parties. The Board noted the Executive's proposal, which was also recommended by the Audit and Risk Committee, to extend the contract for a one year period to 31 December 2020 and that the Executive should proceed with commencing with the Office of Government Procurement, a tendering process through the relevant Framework for a new contract during 2020.

The Board **approved** the extension of the existing contract for certain outsourced internal audit services for one year subject to contract. The Board noted that the service is used for a limited number of internal audits.

12.4. Risk Register

The Board noted the revised Risk Register for October 2019 together with an update on recent developments and next steps. The Board noted the change to the format of the register following a significant amount of work and also noted that the Executive intended to present the Top Five Risks for 2019 to the Board for approval at the February 2020 Board Meeting. The Board welcomed the new clearer format.

Following discussion, the Board **approved**

- the revised Risk Register (as at October 2019) and
- the removal of Risk no. 22 following the establishment of measures to mitigate the risk (the risk that QQI policies are not sufficiently informed by the best available evidence, including research).

The Board also **approved** the proposals outlined by the Executive to manage the Risk Register, namely:

- update and report on the register on a quarterly basis,
- a residual risk score of 20 is the threshold for including or removing risks and
- the register is shared with staff who have responsibility for managing and implementing actions to mitigate risk.

The Board noted that the Executive will present a revised Risk Appetite Statement to the next Audit and Risk Committee Meeting and will complete a review of Risk Management Policy in Quarter 1 2020 and will assist the Board in identifying the top five risks to be included in the Annual Report for 2019 at the February 2020 Board Meeting.

The Board noted the Executive's intention that all risk owners would meet periodically to consider/discuss the risk register. The Board noted the Register features regularly on the agenda at Executive Management Team (EMT) meetings.

The Board noted that an external review of Risk Register is likely to be carried out in 2020.

12.5. GDPR Update

The Board noted the verbal update provided by the Executive including that the provision of regular updates to the Board on GDPR was one of the recommendations arising from the internal audit (see above). The Board noted that all staff had received GDPR training in 2019, the GDPR Steering Group had been reinstated and the project plan updated. The latter document will be reviewed again in light of the recent internal audit review.

The Board was updated on the number of subject access requests received to date in 2019.

12.6. Internal Audit Status Reports

The Board noted the status reports on recommendations arising from the System of Internal Controls completed in 2019 and from previous inhouse Internal Audit recommendations and the recommendation of the Audit and Risk Committee that outstanding recommendations should be closed by 31 December 2019.

12.7. Minutes of the Audit and Risk Committee

The Board noted the Minutes of the Audit and Risk Committee Meeting held on 24 May 2019.

13. STRATEGIC PLANNING

The Board noted the update on **Strategic Planning**.

13.1. Corporate Plan 2019

The Board noted the Q3 and interim Q4 Progress Report for the 2019 Corporate Plan.

13.2. Draft Corporate Plan 2020

The Board noted that a significant number of actions in the draft Corporate Plan for 2020 are earmarked as resource dependent for completion. The Board emphasised the importance of the completion of a mid-cycle review of the Cinnte Review process while noting that the action is currently marked as resource dependent.

The Board noted that the Executive may revert to the Board with a revised version of the Corporate Plan in February once confirmation of the State Grant allocation for 2020 has been received and any predicted impact resources will have on planned activities has been assessed.

The Board noted that the next external review of the Board and its Committees, under the Code of Practice for the Governance of State Bodies, falls due in 2020.

The Board **approved** the Draft Corporate Plan for 2020.

14. RELATIONS WITH THE DEPARTMENT OF EDUCATION AND SKILLS

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

14.1. Draft Performance Delivery Agreement (PDA) 2020

The Board noted the draft Performance Delivery Agreement for 2020 and **authorised** the Executive to proceed with finalising the agreement with the Department of Education and Skills.

14.2. Update on Implementation of the revised Legislation

The Board noted the update on the implementation of the revised legislation and the recent commencement of a number of sections of the Qualifications and Quality Assurance (Education

and Training) (Amendment) Act 2019 and **agreed** to defer the matter to the February 2020 meeting for discussion.

14.3. Reform of the Higher Education Authority (HEA) Legislation

The Board noted the establishment of a Working Group on the reform of the HEA Legislation (on which QQI is represented) and **agreed** to defer the matter for further discussion at the February 2020 Board Meeting.

14.4. Workforce Planning

The Board noted the verbal update on workforce planning provided by the Executive. The Board noted that the Working Group on the Implementation of the QQA Act 2019 has met on two occasions. The Board noted the membership of the group. The Board noted that DES had requested some additional information at the initial meeting of the group which was provided by the Executive. The Board noted that the sanction on changes to QQI staff numbers under the Employment Control Framework (ECF) lies with the Department of Public Expenditure and Reform. The Board noted the Department's focus at the moment was on the funding model which would support a case for financing increased human resources. As regards funding for 2020 and the new functions, the Board noted that there appears to be an additional €2m allocation earmarked for agency capacity building, however, it is not clear as yet what portion would be allocated to QQI.

The Board noted that proposals on fees can take a significant amount of time to finalise and receive approval from the Department.

The Board noted that the Chairperson would be attending a DES Planning Event for the DES Action Plan for Education 2020 on 5 December in the Department.

Following some discussion, the Board **affirmed** its view that depending on the phasing of functions and the outcome of resource decisions, there may come a point where the Board feels that QQI is unable to implement its Strategy in full.

The Board noted the next meeting of the Working Group was scheduled for 11 December 2019.

The Board noted that a case on the organisation's value to the economy was included within the workforce planning submission.

The Board **requested** that this item feature higher on the agenda at its next meeting.

15. GOVERNANCE

The Board noted the documents relating to **Governance**.

15.1. Revised Customer Charter and Customer Action Plan

The Board noted that as required under the Code of Practice for the Governance of State Bodies, a revised draft Customer Charter and Customer Action Plan had been developed in consultation with the Staff Engagement Forum.

The Board **approved** the revised Customer Charter and Customer Action Plan 2020-2022.

15.2. Self-Assessment Evaluation of Board Performance 2019

The Board noted that the Board Self-Assessment Survey for 2019 will issue to Board Members in mid-December.

The Board noted that the previous external review of the Board and its Committees had taken place in 2017 and was due to take place again in 2020. The Board noted that most individual Committees have completed their own self-evaluations since 2017. The Chairperson requested that the HR and Organisation Committee and the Audit and Risk Committee also be included in the survey on this occasion.

15.3. Committee Membership

The Board **approved** the appointment of Mr. William Kelly to the Approvals and Reviews Committee (ARC). Mr. Kelly replaces Professor Kevin Ryan on the ARC.

The Board **approved** the appointment of Professor Irene Sheridan as Chairperson of the ARC.

The Board **approved** the appointment of Professor Hannah McGee to the Policies and Standards Committee (PSC).

The Board noted that nominations to fill further upcoming vacancies would be presented to the Board for consideration at its February 2020 meeting.

16. REVIEWS

The Board noted the update on **Reviews**.

16.1. CINNTE Review

The Board noted the CINNTE Review Report for NUI Galway which had been published in October.

The Board noted that the Executive is encountering disruption to the Cinnte review schedule due to potential applications from groups of Institutes of Technology for Technological University (TU) designation. The Board noted that review teams are in place for the Cinnte reviews of Waterford Institute of Technology and Institute of Technology, Carlow and as no TU application has been submitted by these providers to date, the Cinnte process is proceeding as per the scheduled timetable for these institutions.

17. COMMUNICATIONS

The Board noted the document entitled **Communications**.

17.1. Media Mentions

The Board noted the media mentions published since the September 2019 Board Meeting. The Board noted that there had been a significant amount of coverage following the first meeting of the National Academic Integrity Network on 14 November. The Board noted that a large amount of preparatory work had been carried out prior to the commencement of this function and is now clear within the sector that this falls within QQI's remit. The Board noted that the Chief Executive will be signing an MoU with the Tertiary Education Quality and Standards Agency (TEQSA) in Australia during the week of 25 November.

18. BOARD MEETING SCHEDULE 2020

The Board **approved** the following dates for Board Meetings in 2020:

Friday, 28 February 2020

Monday, 27 April

Friday, 19 June

Friday, 25 September

Friday, 4 December

19. NEXT MEETING

The Board noted that the next meeting is scheduled to take place on **Friday, 28 February 2020** beginning at **10:00 a.m.**

20. ANY OTHER BUSINESS

20.1. Cork Institute of Technology

The Board noted that CIT was holding an event on 9 December, celebrating 20 years of Recognition of Prior Learning and any Board Member who wished to attend may do so by contacting Irene Sheridan or accessing the event through Eventbrite.

20.2. Apprenticeships

The Board noted information on apprenticeships (updated to 18 November), tabled at the meeting as a result of the discussion under Item 7 above.

The Chairperson closed the meeting by thanking everyone for their participation and contributions over the year and wished everyone the best for the Christmas period.

THIS CONCLUDED THE BUSINESS OF THE MEETING.