



Incorporating any amendments approved at subsequent Board/Council meetings

**Minutes of the joint meeting of the Board and Council
Meeting of 20 January 2016**

Present	Provost (Dr P J Prendergast)(in the Chair), Vice-Provost/Chief Academic Officer (Professor L Hogan), Bursar (Professor V Campbell), Registrar (Professor S P A Allwright), Senior Lecturer/Dean of Undergraduate Studies (Professor G Martin), Dr O Braiden, Mr C Clancy, Ms K Crowther, Mr F Cowzer, Professor W J Dowling, Professor E Drew, Professor S Draper, Ms S Dunphy, Mr D Frost, Mr G J Garrahan, Professor R Gilligan, Ms M Kenny, Professor C McCabe, Professor J F McGilp, Professor D R Phelan, Ms L Ruane, Professor A Seery, Dean of Students (Professor K O'Kelly), Senior Tutor (Professor C Laudet), Mr J Bryant, Ms S Cameron-Coen, Professor M Clarke, Professor C Comiskey, Professor P Cronin, Professor R Dayhot, Dr G Hegarty, Professor D Kelleher, Professor A Holohan, Professor J Jones, Mr M McInerney, Professor J Spiers, Professor J Walsh, Professor G Watson.
Apologies	Professor M Ó Siochrú, Mr T Keohane, Professor B Lucey, Professor C O'Farrelly, Professor D O'Neill, Dean of Research (Professor J Boland), Dean of Arts, Humanities and Social Sciences (Professor D Jones), Dean of Engineering, Mathematics and Science (Professor V Cahill), Dean of Health Sciences (Professor M McCarron), Dean of Graduate Studies (Professor A Long), Dr S Bloomfield, Professor I Donohue, Professor D Faas, Professor C Morash, Ms P O'Beirne, Mr D Whelehan.
<i>(ex officio)</i>	Secretary to the College (Mr John Coman), Treasurer/Chief Financial Officer (Mr Ian Mathews).
<i>(by invitation)</i>	Chief Operating Officer (Ms Geraldine Ruane), Vice-President for Global Relations (Professor J Hussey).
<i>Observers:</i>	Secretary to the Scholars (Ms A P Worrall), Mr A McDermott.
<i>In attendance</i>	Academic Secretary, Librarian and College Archivist, Assistant Secretary to the College (Ms Victoria Butler), Professor Deirdre Ahern, Ms Sheena Brown, Ms Sorcha De Brunner, Ms Sandra Kavanagh, Professor Eoin O'Dell.

SECTION A

BD/15-16/121 CL/15-16/103	Welcome The Provost welcomed members of Board and Council to the joint meeting in the Printing House Hall.
BD/15-16/122 CL/15-16/104	Statement of Interest The Provost requested members of Board and Council to declare any potential conflict of interest they may have in relation to items on the agenda. There were no statements of interest.
BD/15-16/123 CL/15-16/105	Amendments to the Chapters of the 2010 Statutes and Revisions of the Schedules to the 2010 Statutes The Registrar, with reference to her memorandum dated 11 January 2016, which had been circulated, outlined the work of the Schedules Working Party to date.

She provided the joint meeting with an overview of the changes to the 2010 Statutes which had previously been approved, noting that the proposed amendments for consideration would be presented by topic. At the end of the discussion on each topic consensus in respect of the proposed amendments would be sought. It was noted that at the end of the meeting it would also be necessary to seek consensus and agreement from those present in respect of the entire suite of proposed amendments. The joint meeting noted that voting on changes to the Schedules would be carried out in accordance with the principle of consensus as specified in the Universities Act, 1997.

The Registrar noted that the Schedule on Treasures and Heritage can be amended only by Decree (that is, by decision of Board with the approval of the Visitors). The joint meeting approved the inclusion of the College Archives and the St Mary's Abbey manuscript in the definition of the College's Treasures in that Schedule.

The Registrar then invited Professor O'Dell to present each of the proposed amendments on behalf of the Schedules Working Party. Professor O'Dell advised those present that either Board, or in some instances Board together with other relevant authorities (e.g. the Senate, Council, or Finance Committee) have the power to amend Schedules to the Statutes.

He then presented the joint meeting with an overview of the proposed amendments under the following headings. He pointed out that the first three proposals require specific procedures, and that the remainder required consensus in the usual way, until the very last votes considering all of the various changes.

(i) Amendments to the Chapter relating to Officers

Professor O'Dell summarised the proposed amendments to the Schedule on Officers, noting that some amendments to the Chapters were also proposed to ensure consistency. Noting that there were no queries in respect of the proposed changes relating to Officers, Professor O'Dell advised the joint meeting that both the Charter of Queen Elizabeth I and the Statutes contained a provision for the Officers themselves to comment. All Officers present confirmed their agreement with the proposed amendments and the Provost confirmed that there was consensus in favour of approval.

(ii) Standing Orders of Board

Professor O'Dell outlined the suggested amendments in respect of the Standing Orders of the Board, highlighting the proposed redrafted text where relevant.

In response to a query from a Board member in respect of the relationship between subcommittees and principal/compliance committees of Board and Council, Professor O'Dell clarified that the exact interrelationship needs further clarification and that further amendments regarding committees would be presented later in the meeting. The Provost suggested that a review of existing sub-committees of Board and their current role and function in the university could be conducted at a later date.

Amendments to Standing Orders of Board require a two-thirds majority of members of Board present and voting. Following a show of hands, the assent of all those members of Board who were present was noted.

(iii) Standing Orders of Council

Professor O'Dell outlined the suggested amendments in respect of the Standing Orders of the University Council, highlighting the proposed redrafted text where relevant.

Amendments to Standing Orders of Council require a two-thirds majority of members of Council present and voting. Following a show of hands, the assent of all those members of Council who were present was noted.

In response to a query from the Librarian and College Archivist in respect to amending her title in the Chapters and/or Schedules of the Statutes so that it would now be formally noted as 'Librarian and College Archivist' as opposed to 'Librarian', Professor O'Dell noted the dual titles already used by some College Officers and suggested that it would now be timely to add the following amendment to Schedule 1 to the Chapter on Officers:

'13. Librarian

(1) Having regard to the Librarian's responsibilities for the College Archives pursuant to section 20 of the Chapter, the Librarian may also be described as "the College Archivist".'

The Provost proposed to the joint meeting that this amendment be incorporated and members of Board and Council agreed.

Professor O'Dell pointed out that, the three specific procedures having been followed, the remaining proposals would require consensus in the usual way.

(iv) Elections

Professor O'Dell outlined the proposed new Schedule on elections. Following a query from a Board member, Professor O'Dell clarified that the Provost, once elected by College and appointed by Board, is not a Fellow. The Provost confirmed that he was in agreement with the suggested amendment which would enable the Provost to remain neutral in the process of conducting elections. The Provost then sought the consensus of the joint meeting in respect of the proposed Schedule and approval was confirmed by those present.

(v) Academic Titles

Professor O'Dell outlined the proposed amendments in relation to titles, noting that many were proposed to reflect the recent decisions of Board and Council in respect of academic titles.

In response to a query from a Board member in respect of the proposed language used when referring to research staff, Professor O'Dell confirmed that similar language was already used throughout the Statutes. He clarified that further amendments to the Schedules could be proposed as a matter of policy which could be brought by Principal Committees to the Board for consideration and approval. Following a query from a Council member, Professor O'Dell further clarified that the Schedule reflected the document on academic titles which had previously been approved by Council and Board.

The Provost sought the consensus of the joint meeting in respect of the proposed changes and approval was confirmed by those present.

The Vice-Provost/Chief Academic Officer and Professor Gilligan joined the meeting at this point.

(vi) Committees

Professor O'Dell informed the Board that part of the rationale for this aspect of the current process of revision of the Chapters and Schedules of the Statutes was to reflect the changes in the college and university following a comprehensive period of restructuring. He also noted that other Statutory changes relating to the Principles of Agency were proposed to enable decisions to be made in a formal and legal way and for such decisions to be implemented accordingly and without challenge from external parties, and that some of the changes in respect of Committees were necessary to give effect to these Principles.

Noting that some changes to the current terms of reference for committees had been submitted to the Schedules Working Party, Professor O'Dell welcomed details of any further changes. In response to a number of comments about the current membership of Board and Council committees not being reflected in the wording of the Schedule on Committees, it was noted that details of the current position are to be provided by email to the Registrar at which point they can be considered by Board and Council in due course. It was also agreed that the

Incorporating any amendments approved at subsequent Board/Council meetings

Vice-Provost/Chief Academic Officer would clarify the current composition of the Research Committee and bring forward any amendments for approval as appropriate.

The Provost sought the consensus of the joint meeting in respect of the proposed changes and approval was confirmed by those present.

(vii) Units

The Registrar advised members of Board and Council that it is proposed to include in the Statutes a link to a webpage where a definitive list of the relevant academic and administrative units in the college could be maintained, the responsibility for oversight of which would be the Secretary's Office.

Professor O'Dell advised the joint meeting that amendments to the Schedule would allow for any anomalies that may arise to be resolved by Board in a timely fashion. He noted that the proposed changes reflected the governance documents as previously approved by Board and Council and would ensure that the Chapters and Schedules of the Statutes reflected current practice.

In response to a comment from a Council member regarding the eligibility criteria for Directors of Undergraduate Teaching and Learning and Directors of Research, Professor O'Dell advised the meeting that this was a matter of policy which could be revisited by Council and Board at a future date.

A required minor amendment to page 80, section (2)(f), so that it reads 'on nomination of Head of School' and not 'on nomination of the Faculty Dean' was noted.

In response to a query from a Board member regarding the possibility of making it a specific requirement for Faculty and School Executive Committees to maintain an up-to-date risk register, Professor O'Dell clarified that such an amendment would require a change to existing policy and would need to be discussed and approved by Council and Board, before being added to the relevant Schedule.

The Provost sought the consensus of the joint meeting in respect of the proposed changes and approval was confirmed by those present.

(viii) Conduct

Providing an overview of the proposed amendments, Professor O'Dell noted the requirement of the Universities Act, 1997, for the college's disciplinary procedures to be outlined "in a Statute". He further noted that it was proposed to integrate research misconduct into the Schedule on Academic Staff Conduct.

The Provost sought the consensus of the joint meeting in respect of the proposed changes and approval was confirmed by those present.

(ix) Students

Professor O'Dell advised the joint meeting that arising from recent decisions of the Visitors and the High Court, and changes in the law and in Government policy, three specific amendments were proposed in respect of how students were referenced in the Statutes. He then provided members of Board and Council with an overview of each of the proposed amendments referencing the specific changes in text and relevant pages as appropriate.

In response to a query from the Dean of Students, Professor O'Dell confirmed that the definition of students contained in the Statutes included those students categorised as 'Off Books' referencing Section 5, sub-section 1 of the Chapter on Students.

In response to a query from a Council member in relation to the eligibility criteria for Tutors, Professor O'Dell also confirmed that members of research staff, where appropriate, were already eligible to be appointed as Tutors and this provision had previously been exercised on a number of occasions.

The Provost sought the consensus of the joint meeting in respect of the proposed changes to the relevant Schedule and Chapter and approval was confirmed by those present.

(x) Amendments arising from the Universities Act, 1997

Professor O'Dell advised the joint meeting that in order to ensure full compliance with the Universities Act, 1997, and following the adoption of the 2010 Statutes, some further amendments to the Chapters and revisions to the Schedules were now proposed. He then outlined the required amendments for members of Board and Council.

The Provost sought the consensus of the joint meeting in respect of the proposed changes and approval was confirmed by those present.

(xi) Principles of Agency

Professor O'Dell clarified for those present the legal difference between the principles of delegation (already in the Introduction Chapter) and the principles of agency (which it was proposed to add to that Chapter), noting that, on an operational level, the delegation was not always appropriate and frequently did not facilitate timely decision making. As such, it was proposed to amend the Chapters and Schedules of the Statutes to reflect the principles of agency where appropriate.

In response to a query from a Board member in relation to participation in inter-institutional research groups, Professor O'Dell noted the express power of the College and University to make arrangements with external bodies is defined in the Statutes.

The Provost sought the consensus of the joint meeting in respect of the proposed changes and approval was confirmed by those present.

(xii) Miscellaneous amendments

Professor O'Dell advised the joint meeting of some further proposed amendments to the Chapters including the addition of a definition of College property arising from a recent decision of the Visitors; an amendment to the requirement for the financial statements to be considered by Board in Hilary Term; amendments relating to academic qualifications; and an amendment to the conduct of the election of the Provost.

In response to comments from a Board member, the Registrar noted that the use of Latin is warmly received by graduates and their families at the time of Commencement ceremonies, and that historically Latin had been the preferred language for such ceremonies. However, it was noted that there may be a need to review this practice in future years, as familiarity with Latin is expected to decline. Professor O'Dell noted that this would be a matter for decision by Council and Board. The multi-denominational composition of the College was also noted.

The Provost sought the consensus of the joint meeting in respect of the proposed miscellaneous changes and approval was confirmed by those present.

In response to a query from a Council member regarding the definition of the Academic Year and possible future amendments, Professor O'Dell advised that while the Academic Year had always been defined in the Statutes, originating in the Letters Patent preceeding 1926, a policy decision could be taken to move the definition to a Schedule which would facilitate future amendments to the definition. Such a policy change could be progressed by the Vice-Provost/Chief Academic Officer and Senior Lecturer and presented to Council and Board for approval, if required.

BD/15-16/124 Final Consensus and Next Steps
CL/15-16/106

Following a show of hands, it was confirmed that those members of Council present approved the academic changes as had been presented. In addition, members of Board and Council approved the combined suite of amendments to the Chapters of the 2010 Statutes and Revisions of the Schedules to the 2010 Statutes, as presented by the Registrar and Professor O'Dell, and agreed that the full set of amendments to the Chapters should be sent to the Fellows for assent.

It was agreed that 3 March 2016 would be set as the commencement date for the amendments to the Schedules. It was noted that following the completion of the seeking of the Fellows' Assents for the amendments to the Chapters, if approved, the proposed amendments would be forwarded to the Visitors for final consideration and approval. Subject to approval, the amendments to the Chapters would also come in to effect on 3 March 2016.

In response to a query from a Board member, Professor O'Dell clarified that the Visitors have the remit to amend the proposed implementation date, should it be necessary, without the item having to return to Council and Board for further consideration.

The Provost thanked the Registrar, Professor O'Dell and the other members of the Schedules Working Party (Ms Victoria Butler, Assistant Secretary; Ms Sheena Brown, Administrative Officer; Mr John Coman, Secretary to the College; Professor Deirdre Ahern, School of Law; along with two members who had retired, Ms Monica Alcock, Administrative Officer, and Mr Paul Guinness, Maxwells Solicitors) for the significant body of work on revising the Chapters and Schedules of the Statutes, and ensuring that they are as up to date as possible, noting the benefits for the entire College Community of having all relevant governing law in one current version. The members of Board and Council expressed their appreciation with a round of applause and the meeting was brought to a close.

Signed:

Date: