

The University of Dublin

Trinity College

Minutes of Board Meeting, 1 April 2009

<i>Present</i>	Provost (Dr J Hegarty), Vice-Provost/Chief Academic Officer (Dr P J Prendergast), Senior Lecturer (Dr A Douglas), Registrar (Dr J Barkhoff), Bursar (Dr M M O'Mahony), Dr S P A Allwright, Ms G Clarke, Mr P Connell, Mr W J Dowling, Ms O S Foley, Mr R Hodson, Dr E Mac Cárthaigh, Dr A McElligott, Dr J F McGilp, Ms P Murphy, Dr E J O'Halpin, Dr A J Piesse, Mr C Reilly, Dr H J Rice, Dr S M Ryan, Dr D M Singleton, Mr H Sullivan, Mr B Sweeney, Dr J K Vij.
<i>Apologies</i>	Dr K J McGinley, Dr D O'Neill, Chief Operating Officer.
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Acting Secretary, Treasurer (Acting).
<i>(by invitation)</i>	Staff Secretary (for BD/08-09/185 and 188) Dean of Research (for BD/08-09/189) Chair, Statutes Review Working Party (for BD/08-09/190)

SECTION A

BD/08-09/183 Minutes

- (i) The minutes of the meeting held on 25 February 2009 were approved and signed.
- (ii) The minutes of the special meeting held on 10 March 2009 were approved and signed.

BD/08-09/184 Matters Arising from the Minutes A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/08-09/185, 186, 187 below).

BD/08-09/185 Academic Year Structure (see minute BD/08-09/153 of 25 February 2009) The Staff Secretary, present by invitation, advised Board that engagement was on-going with staff representative groups on the introduction of the new academic year structure. He stated that a sub-group of the Partnership Committee had been established to oversee the introduction of the new academic year, however following the withdrawal of the Trade Unions from the process at a national level, this sub-group is no longer active. Notwithstanding this, the Staff Secretary advised that meetings had taken place with individual union groups in different areas of the College, and most recently culminating in meetings with both SIPTU and IFUT on 25 March 2009. Invitations to meetings to UNITE, the Craft Group of Unions, and to the ICTU Unions Group, remained open. He acknowledged that while there are outstanding concerns, in particular, the impact of the new arrangements on the annual leave year in some areas, he is confident that these can be resolved to allow the introduction of the new academic year structure in 2009/2010 as planned.

In the course of a discussion, a number of issues were raised by Board members, including:

- (i) concerns regarding demands that will be placed on staff in certain areas of College during the period between the issuing of CAO offers to students and student registration;
- (ii) a proposal that a contingency fund should be made available to employ temporary staff during this period;
- (iii) dissatisfaction among some staff members with the level of consultation to date;
- (iv) the failure to address issues highlighted by staff members during the engagement process.

In response to the issues raised, the Staff Secretary advised Board that local area managers have been asked for their input as to the best way to proceed in terms of staffing needs and annual leave provisions. He noted that areas, considering their operational needs, may provide for annual leave based on the calendar year or the academic year. The College was not being directive in this regard, and would be amenable to discussion.

The Vice-Provost/Chief Academic Officer advised Board that, in accordance with the decision of the Fellows when giving their assent to the Statutory changes, engagement would continue with staff representative groups to resolve all issues in advance of the introduction of the new academic year structure in 2009/2010.

The Board, noting that the success of the on-going discussions was dependent on the goodwill of both the staff and the College, agreed that engagement should continue with staff representative groups and that Board should continue to receive regular updates on how discussions are progressing.

BD/08-09/186 **Estimates of Income and Expenditure (see minute BD/08-09/156 of 25 February 2009)** The Provost advised Board that the annual budget meeting with the Higher Education Authority (HEA) had taken place at which he had raised Board members' concerns in relation to the increased student charge. The Board noted that the College is currently awaiting clarification from the HEA on the precise definition of this charge.

The President of the Students' Union, noting that the decision to increase the student charge was a sectoral matter, invited Board's attention to a number of issues of concern, including:

- (i) the Students' Union's disappointment at the lack of discussion on the effect of the increase on students;
- (ii) the fact that current and prospective students have not yet been informed of the increase in the student charge;
- (iii) the increased financial pressure facing students, particularly those already experiencing financial difficulties, due to the increase;
- (iv) the fact that 50% of the charge will be spent on non-student related expenditure;
- (v) the delay in addressing issues which impact on student retention by the Taskforce established to do so;
- (vi) the failure to include the impact of the increase in the student charge in the College's High Level Risk Register;
- (vii) the pressure which the increase in the student charge will place on over-stretched student services;
- (viii) the fact that the Board has not taken the decision to oppose all future increases in student charges and the re-introduction of third level fees.

The Provost, noting that the College has to manage its finances so as to be able to deliver its core mission of teaching and research, advised Board that any decisions on

Incorporating any amendments approved at subsequent Board meetings

future increases in student charges or the re-introduction of third level fees will be made at national level. He also stated that every possible effort will be made to support student services in the future.

The Board agreed to the following proposals put forward by the Students' Union:

- (i) a risk assessment should be undertaken on the effect which any increases in the student charge may have on the retention of students;
- (ii) financial provision should be made for the increased pressure which will be placed on student services as a result of the increase in the student charge;
- (iii) the Taskforce to investigate the retention of students should commence its work as soon as possible;
- (iv) current students should be informed immediately of the increase in the student charge and be provided with a breakdown of how it will be spent.

BD/08-09/187 TCD/UCD Innovation Alliance (see minute BD/08-09/182 of 10 March 2009 and Actum CL/08-09/123 of 10 March 2009) The Provost invited Board's attention to the recent launch of the TCD/UCD Innovation Alliance and the public debate which followed. In the course of a discussion, Board members noted the advantages of joint programmes in specific disciplines with other third level institutions. The Provost clarified that discussions have been ongoing with Dublin Institute of Technology to build on existing relationships and advised that no further substantial joint ventures were imminent.

BD/08-09/188 Provost's Report The Provost invited Board's attention to the recent announcement by the Government to implement a moratorium on recruitment and promotions in the Public Service and the introduction of an employment control framework for the higher education sector. The Provost noted that, as yet, there had been no direction from the HEA as to how this will apply to third level institutions, noting that the framework will be subject to the provisions of the Universities Act 1997. The Staff Secretary advised Board that discussions are underway at the sectoral level as to how best to address these issues. The Board noted the importance of preserving the College's autonomy and independence in terms of managing the affairs of the College.

BD/08-09/189 Research Matters The Dean of Research, present by invitation, invited Board's attention to the approach taken in submitting proposals to the HEA under the PRTLI Cycle 5, the deadline for which was 2 April 2009. He outlined the two-stage evaluation process and advised Board that the final outcome would not be expected until November 2009. The Board noted the increasing complexity of the process and the importance of securing funding under the programme.

The Dean of Research stated that the deadline for submissions under the Principal Investigator Awards Scheme would be in two weeks time, noting that this was also a two-stage process and that many of the awards were now through to the second stage.

In response to a query, the Dean of Research clarified the procedure for the allocation of research overheads.

BD/08-09/190 Statutes Review: Officers, Committee and Provost Dr O'Dell, present by invitation, invited Board's attention to the memorandum from the Statutes Review Working Party (SRWP), dated 18 February 2009, which had been circulated outlining draft chapters relating to the Provost, Officers and Committees.

In the course of a detailed discussion, the Board, noting that the wording of the draft chapters should, as far as possible, be in keeping with the provisions of the 1966

Incorporating any amendments approved at subsequent Board meetings

Consolidated Statutes, identified the following issues for consideration by the Statutes Review Working Party:

- (i) the impact of the restructuring decision taken by Board in May 2008 on the definition of the role of Officers in the Statutes;
- (ii) the retirement age of the Provost and Officers;
- (iii) the resignation of Officers;
- (iv) the period for which Annual Officers should be appointed;
- (v) the procedures whereby the Vice-Provost deputises for the Provost;
- (vi) the conditions under which an Officer may be removed from office;
- (vii) the arrangements which may be made for a Provost on his/her retirement.

In response to queries, Dr O'Dell clarified a number of technical matters and advised Board that:

- (i) the Board had previously decided to defer consideration of the inclusion of the Chief Operating Officer in the Statutes until after the completion of the current review process;
- (ii) the terms "Board" and "Governing Authority" are interchangeable within the text of the Statutes;
- (iii) as students can be co-opted to the Finance Committee, it was not considered necessary to amend the Schedule in this regard.

In the course of a discussion, concern was expressed by a number of Board members about the possible incompatibility between the current role of the Bursar and the role defined in the revised Statutes. It was agreed that this would be given further consideration by the Registrar and the Statutes Review Working Party and would be referred to the Board again in due course.

The Acting Secretary advised Board that prior to the decision on restructuring being taken by Board (minute BD/07-08/3001 of 21 May 2008 refers) the College's legal advisors had indicated that the proposed arrangements would be compatible with the 1966 Consolidated Statutes.

In conclusion, the Board approved:

- (i) the direction of the work of the SRWP;
- (ii) the inclusion of the Dean of Research and the Dean of Students in the Chapter relating to Officers together with the inclusion of the requirement that the Dean of Research and Dean of Graduate Studies be Fellows.

The Board thanked Dr O'Dell and the Working Party.

BD/08-09/191 Advisory Committee on Honorary Degrees The Board approved the nominations of the Advisory Committee on Honorary Degrees, as presented by the Registrar, noting that those approved will be conferred with Honorary Degrees at Commencements ceremonies during 2009-2010 or as soon as possible thereafter.

BD/08-09/192 Fellowship 2009 The Board noted the nominations to Fellowship as presented by the Provost.

BD/08-09/193 Panel of Enquiry - Student Case The Acting Secretary invited Board's attention to the confidential report of the Chairperson of the Panel of Enquiry regarding a named student, which was tabled at the meeting. The Board, having considered the findings, in accordance with Section 40, Schedule II, Chapter XII of the Statutes accepted the Panel's recommendations, noting that in accordance with Section 42 of the Schedule the student may appeal this decision to the Visitors.

Incorporating any amendments approved at subsequent Board meetings

BD/08-09/194 University Council The Board confirmed the Acta of the University Council from its meetings held on:
(i) 4 March 2009;
(ii) 10 March 2009;
subject to further comments covering CL/08-09/115, 119, 120, 121 and 123 (Items from Section D in the Acta are set out in Section D of these minutes).

BD/08-09/195 Board Membership Under Other Business, the Acting Secretary advised Board members that Dr K Walshe, whose employment with the College had ceased on 31 March 2009, had resigned as a Board member and that Ms M Coffey, who is the next eligible candidate in the constituency of Academic Staff (Non-Fellow) will replace her. The Board thanked Dr Walshe for her contribution during her period as a member of the Board.

Dr Vij withdrew from the meeting.

BD/08-09/196 Appeal to the Visitors Under Other Business, the Board, noting its acceptance of the Visitors' ruling on 30 January 2008 (minute BD/07-08/164 refers), agreed that, in view of the particular circumstances of the case, a once-off, *ex gratia* payment would be made as a contribution to the reasonable costs incurred by the appellant in this case. The Board also agreed that this decision would not in any way create a precedent for future appeals to the Visitors.

SECTION B

BD/08-09/197 Finance Committee The Board noted, and where a decision was required, approved proposals in the draft minutes of the Finance Committee from its meeting of 4 March 2009

BD/08-09/198 Student Services Committee (see Actum CL/08/09/115 of 4 March 2009) The Board noted, and where a decision was required, approved proposals in the draft minutes of the Student Services Committee from its meetings of 27 January 2009.

SECTION C

BD/08-09/199 Higher Degrees The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 4 March 2009, as circulated.

BD/08-09/200 Trinity Ball 2010 The Board noted and approved the rescheduling of Trinity Ball to 16 April 2010 (Friday of the rescheduled Trinity Week).

BD/08-09/201 Sealings The Board noted Sealings, circulated, attached as Appendix 1 to this Minute.

BD/08-09/202 Prizes and Other Awards

- (i) **Faculty of Health Sciences - 2008-2009 Begley Studentship** The Board approved the award of this studentship to Mr J G McGarry (05883342);
- (ii) **School of Medicine - Peter Beckett Memorial Prize** The Board approved the award of this prize to Mr M Joynt (03389393), value: €349.18.
- (iii) **Financial Assistance Recommendations** The Board noted and approved a memorandum from the Senior Tutor, circulated, dated 17 February 2009.

Incorporating any amendments approved at subsequent Board meetings

BD/08-09/203 Callover of Outstanding Board Decisions The Board noted the Callover as circulated.

BD/08-09/204 Bequests and Benefactions The Board noted and approved the following:

- (i) **Carr-Jackson Dissertation Prize and Calendar Entry** memorandum from the Treasurer (Acting) circulated, dated 24 March 2009;
- (ii) **Cyril J Smyth Prize in Microbiology Calendar Entry** memorandum from the Treasurer (Acting), circulated, dated 9 March 2009;
- (iii) **Estate of the Late Gertrude Cullen** memorandum from the Treasurer (Acting), circulated, dated 3 March 2009.

The following item on the agenda was withdrawn:

C.2 Draft Closed Circuit Television Cameras (CCTV) Code of Practice

SECTION D

In compliance with the Data Protection Acts this information is restricted.

Signed:

Date:

Sealings

11th February 2009

Trinity Technology and Enterprise Campus - Unit 25

The Seal of the College was put in duplicate to an Agreement for Lease of Unit 25 in the Trinity Technology and Enterprise Campus between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and John Rogers.

Trinity Technology and Enterprise Campus - Unit 25

The Seal of the College was put in duplicate to a Lease for Unit 25 in the Trinity Technology and Enterprise Campus between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and John Rogers.

Conveyance of 206 Pearse Street

The Seal of the College was put to a Deed of Conveyance for 206 Pearse Street between Catherine McBrinn, Parliament Property Limited and the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin.

AIB - Hamilton Building

The Seal of the College was put in duplicate to a Memorandum of Rent Review for the lower ground floor of the Hamilton Building, Trinity College between the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and Allied Irish Banks PLC.

The University of Dublin Trinity College Dublin Pension Scheme - Trustees

The Seal of the College was put to a Deed of Removal and Appointment for the University of Dublin Trinity College Dublin Pension Scheme Trustees (Grace Dempsey retiring, Ian Mathews appointed) between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and Patrick Cullen, Irish Pensions Trust, Michael Gleeson, Donal Patrick O'Donovan, Professor John A. Fitzpatrick, Mary McMahon, Fred Cowzer and Ian Mathews.

9 March 2009

Skovale (New Library Building) - Deeds of Release of VAT & Rental Deposit Accounts

The Seal of the College was put in duplicate to both a Deed of Release for a VAT Deposit Account and a Deed of Release for a Rental Deposit Account in relation to the New Library building between Skovale and the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth Near Dublin.

The Provost also signed duplicate copies of the Letters of Termination of Deposit for both the VAT Deposit Account and the Rental Deposit Account on behalf of the College.

Conveyance of 30 Cumberland Street

The Seal of the College was put to a deed of conveyance and assignment for 30 Cumberland Street between the unknown and unascertained owner or owners of the fee simple and intermediate interests in the property (executed by the County Registrar's Office) and the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin.