

Incorporating any amendments approved at subsequent Board meetings

The University of Dublin

Trinity College

Minutes of Board Meeting, 8 December 2010

<i>Present</i>	Provost (Dr J Hegarty), Senior Lecturer (Dr A Douglas), Registrar (Dr J Barkhoff), Bursar (Dr F M Boland), Dr S P A Allwright, Dr S D C Barrett, Dr M Bouroche, Dr O Braiden, Ms M A Coffey, Mr F Cowzer, Mr W J Dowling, Ms S Fleming, Ms J Fox, Mr J Gallagher, Dr H Gibbons, Dr R Gilligan, Ms D Lawless, Dr J F McGilp, Dr K J McGinley, Dr N Marples, Ms N Murray, Dr E J O'Halpin, Professor D O'Neill, Dr H J Rice, Dr D M Singleton, Mr N Trigoub-Rotnem.
<i>Apologies</i>	Vice-Provost/Chief Academic Officer (Dr M A Marsh).
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Secretary to the College, Treasurer.
<i>(by invitation)</i>	Chief Operating Officer. Internal Auditor (for BD/10-11/091, 92) Mr John Collins, Chair of the Audit Committee (for BD/10-11/091, 92) Ms Laura Gallagher and Mr Sean O'Keefe, Representatives of the Auditors, KPMG (for BD/10-11/091) Ms Maureen Mulligan, Representative of the Comptroller and Auditor General (for BD/10-11/091) Ms Linda Galligan, Accountant (for BD/09-10/091) Staff Secretary (for BD/10-11/093)

SECTION A

BD/10-11/085 Minutes

The minutes of the meeting held on 11 November 2010 were approved and signed subject to the following amendment:

BD/10-11/067 Human Resources Committee The following text was inserted at the end of the minute:

"HRC 2010-11/11 Deferral of Review Committees / Salary Progression The Board noted that a case has been referred to the Labour Relations Commission in relation to the suspension of promotion between grades."

BD/10-11/086 Matters Arising

A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/10-11/087 and 088 below).

BD/10-11/087 Mid-term Academic Review - Final report from Task Force (see minute BD/10-11/058 of 10 November 2010) The Board noted that a report would be presented to Board at its next meeting on the implementation of the Board decisions based on the recommendations of the Task Force. It was agreed that the Dean of Research would be asked to clarify that communication from the Directors of Research to their Schools was an expected consequence of the restructuring of the membership of the Research Committee.

BD/10-11/088 BD/10-11/054 Weighting Higher level Mathematics (see minute BD/10-11/054 of 10 November 2010) The Board noted the importance of addressing the national problem of low standards in mathematics nationally. The Provost agreed that action is necessary to address this issue and advised Board that it will be examined by College Officers and Heads of Schools.

BD/10-11/089 Provost's Report The Provost advised Board that €13.5 million has been allocated by the Government to the Biosciences project for the education of medical students. In response to a query, the Provost confirmed that this would not be affected by the 50% reduction in capital budgets for the university sector announced in the 2011 National Budget.

BD/10-11/090 Provost Appointment: Amendment to Schedule and change of venue The Registrar invited Board's attention to a memorandum, dated 1 December 2010, which had been circulated. He advised Board that the deadline for accepting applications for the post of Provost had been Monday 6 December 2010 and as a number of valid applications had been received the process would now proceed.

The Registrar advised Board that following consultation with potential external applicants, it had become apparent that confidentiality of the process was of concern, particularly until after the interview stage. The Board noted that unless a guarantee of complete confidentiality can be given to potential applicants until valid nomination papers for the election stage of the process have been submitted, external applicants will be discouraged from applying. The Registrar invited Board's attention to a proposed amendment to Sections 8-10 of Schedule 1 of the Statute's Chapter on the Provost to state that names would only be published once complete and valid nomination papers have been submitted to the Steering Committee.

The Board noted that as the electorate is expected to be in excess of 650 people it is necessary that the count be held in the Dining Hall as opposed to the traditional venue of the Public Theatre. In response to a query, the Registrar confirmed that the College would avoid significant additional costs by relocating to this venue.

The Board agreed to the proposed amendment of the Schedule and noted the change of venue for the count and the proposed amendment to the time-table for the process.

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- BD/10-11/091 Consolidated Financial Statements 2008/2009** The Board noted the following documents which had been circulated for consideration under this item:
- (i) Memorandum from the Treasurer, dated 1 December 2010;
 - (ii) Draft Consolidated Financial Statement (including KPMG Annual report) 2008-2009;
 - (iii) Draft Letter of Representation to KPMG 2008-2009;
 - (iv) Draft Letter of Representation to Comptroller and Auditor General 2008-2009;
 - (v) Memorandum from the Chair of the Audit Committee, dated 30 November 2010.

The Treasurer, by way of presentation, outlined the College's financial reporting requirements, audit status, overall financial position as reported in the consolidated financial statements and pension matters. The Treasurer advised Board that the Funding Statements 2008/2009 had been approved by Board in January 2010 and that the Consolidated Financial Statements were based on the same set of records, noting that the Statements were prepared in accordance with the Generally Accepted Accounting Practice (GAAP). The Treasurer advised Board that the Statements include notes and an explanatory forward which will accompany them when presented to the Oireachtas and will precede any presentation of the Statements on the College's website.

The Treasurer advised Board of the audit status of the Consolidated Financial Statements as presented and advised that the College's external Auditors (KPMG) expected to issue a qualified audit opinion. The Board noted that there were no adjusted or unadjusted audit differences and no material control weaknesses identified by the external Auditors. The Treasurer further advised that the Comptroller and Auditor General (C&AG) had also completed their audit of the Consolidated Financial Statements and expected to issue an unqualified opinion. The Board noted that the difference in the opinions issued was due to variation in the recognition of the pension asset required to meet the College's pension liability.

Ms Gallagher, representative of KPMG, present by invitation, advised Board that there were no additional matters which she wished to bring to the its attention and that, on receipt of the signed Consolidated Financial Statements and Letters of Representation, it was the Auditors' intention to issue a qualified audit opinion. Ms Gallagher advised Board that they have taken the view that in order to recognise the pension asset in the balance sheet, financial reporting standards would require more audit evidence than is currently available in regard to the State meeting the College's pension liabilities. Ms Gallagher stated that she would attend the January Board meeting when the Funding Statements are considered however thereafter in accordance with the company's practice of partner rotation, her colleague Mr O'Keefe would attend on behalf of KPMG.

Ms Mulligan, representative of the Comptroller and Auditor General, present by invitation, noting the C&AG's reliance on the work of the external Auditors, advised Board that the C&AG will issue an unqualified opinion of the Consolidated Financial Statements. She stated that this decision was based on the fact that legislation has now been passed transferring the full liability for the Master Scheme to the State and that the Universities Act, 1997 underpins the College's Model Pension Scheme. She also noted that State funding of legitimate costs, including pension costs, is normal practice in non-commercial bodies.

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Mr Collins, Chair of the Audit Committee, present by invitation advised Board that the Audit Committee had considered the Consolidated Financial Statements as presented and is not aware of any issues of concern that would preclude the Board from approving the accounts and Letters of Representation for the year under review. The Board noted that the Audit Committee had expressed the view that it was hoped that issues surrounding the qualified opinion could be resolved and would not continue indefinitely. The Board also noted the recommendation from the Finance Committee (minute FN/10-11/15 of 3 November 2010 refers) that the College engage with KPMG, the IUA and the HEA to agree a form of wording surrounding the pension asset so as to dispense with the need for a qualified opinion in the future. Mr Collins advised Board that the Audit Committee was concerned that the balances represented in the Statements could be misinterpreted in the absence of explanatory information.

In conclusion, the Provost thanked KPMG, the C&AG, the Audit Committee and the Treasurer's Office. The Board approved the Consolidated Financial Statements for 2008/2009 and the associated Letters of Representation and agreed that they should be signed by the Provost and the Treasurer on its behalf.

BD/10-11/092 Audit Committee Annual Report 2010 Mr Collins invited Board's attention to the Audit Committee's Annual Report for 2010 which had been circulated, noting the following areas:

Strategic Management in Current Economic Climate

Mr Collins commended the efforts being made by the College to deal with the financial challenges facing the College due to the current national economic crisis. He advised Board that, due to the work undertaken by the Planning Group, the College is well placed to identify and implement the corrective action necessary to endure future financial difficulties. The Board noted that in order to achieve this, effective strategic management is necessary to ensure that a consistent approach is taken throughout the College. Mr Collins emphasised the importance of the manner in which the College allocates its resources and recommended that, where resources are not allocated in accordance with RPM, transparency should be paramount. Noting the progress that has been made by the College to embed risk management into College processes, Mr Collins advised Board that the College should continue to make progress in this regard particularly in light of the current financial challenges.

Research Institutes

Mr Collins invited Board's attention to the need to strengthen the governance arrangements over Research Institutes which do not fit easily into existing arrangements.

E-strategy

Mr Collins advised Board that risks associated with the e-strategy project which were identified by the Audit Committee are now being considered by the Chief Operating Officer.

Travel, Subsistence, Hospitality and Entertainment

Noting that a policy for Hospitality and Entertainment is due to be presented to the Finance Committee for consideration, Mr Collins advised that the College should monitor such expenses closely in light of the current financial climate.

In response to queries raised by Board member, Mr Collins and the Internal Auditor clarified a number of technical issues, including that:

- (i) the Audit Committee recognises that the College will have difficult decisions to make in order to deal with future financial challenges;
- (ii) the Audit Committee welcomes the introduction of a policy for Hospitality and Entertainment;
- (iii) more durable criteria should be developed for the process of allocating College resources;
- (iv) the assessment of the necessity for new buildings in College should include running costs as well as capital costs.

The Provost thanked Mr Collins, the Internal Auditor and the members of the Audit Committee for their work throughout the year.

BD/10-11/093 Financial Planning The Provost invited Board's attention to recent developments under the following headings:

(A) Update on financial planning process

The Provost, noting the decision at the previous Board meeting (minute BD/10-11/057 of 10 November 2010 refers) that, based on the financial scenarios presented, a set of actions would be developed that can be embedded into the College system in the long term, invited Board's attention to a memorandum, dated 8 December 2010, which had been circulated.

The Provost advised Board that although a specific set of actions has yet to be developed, he had commenced a process of engagement with the College community including meetings with the Heads of Schools, Faculty Deans, the Standing Committee of Fellows, students and open forum meeting for staff.

Noting that the actions will focus on revenue generation as well as cost reduction, the Provost advised Board that:

- (i) a high level team has recently travelled to India to promote the College's international programme which is intended to both attract international students and promote academic partnership;
- (ii) the Director of Trinity Foundation will present a paper to Board outlining how accelerated philanthropy might be achieved;
- (iii) the Chief Operating Officer has convened a Working Group to explore potential commercialisation opportunities;
- (iv) all actions will be focused on achieving the College's core principles of teaching, learning, research and scholarship.

The Board noted that the Executive Officer Group and the Planning Group will develop a set of actions taking into account the views of the College community expressed through the engagement process. The Provost advised Board that a paper will be presented to Board in Hilary Term detailing the first phase of actions.

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The Provost advised Board that following the announcement of the measures contained in the National Budget for 2011 the Higher Education sector will see a reduction in the order of 7% in funding relative to 2010. He further advised that the student contribution is set to increase by €500, noting that the increase will not come into effect until the beginning of the academic year 2011/2012. The Board noted that while research funding has not been targeted in the budget, capital budgets for the university sector will decrease by 50%. The Provost, noting that the budget measures relating to the higher education sector were better than expected, advised that there still remained a high level of uncertainty regarding future cuts in funding.

In the course of a discussion the following issues were raised by Board members, including that the College should:

- (i) introduce a fee policy for courses;
- (ii) maximise potential opportunities through the Bologna process;
- (iii) prioritise the progression of its international programme through investment;
- (iv) be mindful to protect its reputation in all potential international ventures;
- (v) consider the introduction of an early retirement scheme for staff who wished to retire but could not avail of the government's incentivised retirement scheme;
- (vi) consider providing a full range of services for international students, e.g. education and accommodation similar to those provided in other countries;
- (vii) invest in student services;
- (viii) ensure that it maintains high educational standards in order to attract international students.

In response to the issues raised by Board members, the Provost and the Registrar clarified a number of issues in relation to the College's future international activities, including that:

- (a) the College intends to make a planned strategic investment in furtherance of its international programme which will include, *inter alia*, academic provision;
- (b) the College will adopt a considered approach to selecting international institution partners for future long term collaboration;
- (c) consideration will be given to providing services tailored specifically to attract international students.

(B) The College's Public Service Agreement Implementation Plan

By way of introduction, the Provost advised Board that the College had been requested by the Government to submit a high level implementation plan in response to the Public Service Agreement and that it was presented to Board prior to submission to the Department of Education and Skills for consideration by the Education Sector Implementation Group.

The Staff Secretary, present by invitation, invited Board's attention to a memorandum, dated 8th December 2010, which had been circulated. He advised Board that the Plan was in two parts, the first dealt with the specific measures within the Public Service Agreement (PSA) for the higher education sector, while the second part set out the flexibility measures which the College wishes to pursue under the general Public Service reform commitments within the Agreement.

Noting that there are significant reputational risks to the College if it does not present its plan to the Government while at the same time noting that there are also risks

associated with each proposal within the plan, in the course of a long and detailed discussion, a number of areas of concern were raised by Board members addressing:

- (i) the timing and process for consulting with (a) trade union groups which have signed-up to the Agreement and (b) with IFUT which has not supported the Agreement but has entered into a parallel process with the Department of Education and Science;
- (ii) the ability to link increments to academic performance in the absence of agreed measures;
- (iii) the impact on pre-existing employment contracts and tenure of the required additional working hour per week; it was noted that this requirement lacks meaning in a work environment when the majority of staff work in excess of the minimum required number of hours;
- (iv) the College's failure to deal with certain specific staff grievances in a satisfactory manner.

In response to the issues raised by Board members, and noting that the PSA is a national agreement which the College is legally obliged to implement, the Staff Secretary and the Provost clarified a number of issues, including that:

- (a) the College will be engaging with the trade unions in relation to the implementation of initiatives within the plan, citing as an example, that the College is in consultation with trade union groups regarding the Biosciences Institute and further discussions are due to take place in January;
- (b) this is a high level plan on which the Government will request more details at a later date, and that it is envisaged that consultation will take place on an institutional rather than a sectoral basis;
- (c) the terms of the additional hour proposal will be included in the implementation of the workload allocation model;
- (d) the review of staff contracts will strengthen the College's performance management system.

Noting the divergence of views among Board members and the suggestion that the plan should be drafted in broader terms, the Board noted that the College would present the proposed implementation plan to the Department of Education and Skills and that it would engage in negotiations with trade union groups at the implementation stage.

The Board noted the dissent of Mr Dowling, Dr Gibbons, Dr McGinley and Mr Cowzer.

BD/10-11/094 Policy on Academic Freedom (see Actum CL/10-11/032 of 27 October 2010) The Registrar invited Board's attention to a memorandum from the Pro-Vice-Provost/Chief Academic Officer, dated 3 November 2010, which had been circulated. He advised Board that the policy had been drafted by the University Council Working Group on Academic Freedom and had been approved by University Council on 27 October 2010. He further advised that the policy was based on a strong definition of academic freedom and that it is intended that the principles outlined in Section 4 would form the basis of the Schedule to the Statute on Academic Freedom.

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

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- (i) no provision is made within the policy for Research Assistants/Fellows on fixed term contracts;
- (ii) there was no representation of Research Assistants/Fellows on the Working Group;
- (iii) the policy is too long and detailed and should consist of short, concise high level principles.

In response to the issues raised by Board members the Registrar and the Senior Lecturer clarified a number of issues, including that:

- (a) the membership of the Working Group was approved by University Council;
- (b) the principles apply to all categories of staff and providing for individual categories of staff was beyond the remit of the Working Group;
- (c) the principles enshrined in the policy will be drafted as a Schedule to the Statutes.

The Board approved the policy as presented.

BD/10-11/095 University Council

The Board confirmed the Acta of the University Council from its meetings held on 27 October 2010 and 24 November 2010 subject to further comments covering CL/10-11/032, 062, 063. (Items from Section D in the Acta are set out in Section D of these minutes).

BD/10-11/096 Amendment to primary degree title - *Baccalaureus in Scientiis (Ars Obstetricia)*

Under Other Business, the Board noted memorandum from the Registrar, dated 1 December 2010, which had been tabled. The Board noted that at its meeting on November 7, 2007, the Senate approved the institution of a new degree, *Baccalaureus in Scientiis (Ars Obstetricia)*, in respect of the four year undergraduate course in Midwifery (ie, B.Sc. in Midwifery).

On the advice of the Public Orator the Board approved the recommendation that the title be amended to *Baccalaureus in Scientiis una cum Arte Obstetricia* on the grounds of correctness and consistency. The Board noted that no change was required in respect of the abbreviated qualification B.Sc. (A. Obs.), or academic dress (hood to be dark green, lined with black).

BD/10-11/097 Prizes and Other Awards - Postgraduate Travelling Scholarship in Medicine 2010-2011 (Calendar S43)

Under Other Business, the Board noted a memorandum from Ms D O'Mahony, dated 30 November 2010, which had been tabled, and approved the recommendation of the nominating committee in respect of the following awards:

- (i) **Postgraduate Travelling Scholarship (2010) together with the Sir John Banks Medal in Medicine** Dr Peter Lonergan;
- (ii) **Sheppard Memorial Prize** Dr Peter Beddy.

BD/10-11/098 Approved Selection Committees

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Under Other Business, the Board noted and approved a memorandum from the Staff Secretary, dated 30 November 2010, which had been tabled.

SECTION B

BD/10-11/099 Coiste na Gaeilge

The Board noted, and where a decision was required, approved proposals in the draft minutes Coiste na Gaeilge from its meeting of 29 November 2010, noting in particular the Report of the TCD Language Scheme Implementation Group which will be submitted to An Coimisinéir Teanga.

BD/10-11/100 Estates Committee

The Board noted, and where a decision was required, approved proposals in the draft minutes of the Estates Committee from its meeting of 2 November 2010, noting in particular:

EC/10-11/005 Development Control Plan

The Board noted the discussion on the Development Control Plan taking into account the issues previously raised by Board members (minute BD/09-10/265 of 2 June 2010 refers).

BD/10-11/101 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 3 November 2010.

BD/10-11/102 Library and Information Policy Committee

The Board noted, and where a decision was required, approved proposals in the draft minutes of the Library and Information Policy Committee from its meeting of 8 November 2010. Dr O'Halpin, noting that this was the first meeting of the reconstituted committee, advised Board that of the increased oversight role of the committee under the revised terms of reference.

SECTION C

BD/10-11/103 Callover of Board Decisions

The Board noted the callover of decisions, as circulated.

BD/10-11/104 Higher Degrees

The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 24 November 2010, as circulated.

BD/10-11/105 Proctors' Lists - Winter Commencements 6, 7, 9, 10 December 2010

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The Board noted that the Proctors' Lists were approved by the sub-committee of Board and Council on 30 November 2010.

BD/10-11/106 Annual Reports 2009 (see Finance Committee Minute FN/19 of 3 November 2010)
The Board noted Annual Reports as follows:

- (i) Haughton Institute;
- (ii) HEAnet;

BD/10-11/107 Financial Assistance Committee
The Board noted and approved a memorandum from the Senior Tutor, circulated, dated 29 November 2010.

- BD/10-11/108 Prizes and Other Awards**
- (i) **Gold Medal**
The Board noted and approved a recommendation from the Senior Lecturer, as circulated and approved the award of a Gold Medal to Ms R L Weldon (BSc in Midwifery).
 - (ii) **Ekenhead Scholarship**
The Board noted and approved the recommendation from the Senior Tutor that this scholarship be awarded to Mr D Gallagher (09906304), SF (TSM) Value €2,000.
 - (iii) **John F Chambers - Lennox Bursary**
The Board noted and approved the recommendation from the Senior Tutor that this bursary be awarded to Mr C P Costelloe (06651810), SS Natural Science.

BD/10-11/109 Representation The Board noted and approved the following nominations:

- (i) **Central Applications Office**
Pro-Vice-Provost/Chief Academic Officer (Professor M Marsh)
- (ii) **Dublin Dental Hospital Board** for a period of up to four years:
Dean of Health Sciences
Dental of Dental Affairs
Dean of Graduate Studies

SECTION D

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

The following item was deferred:

A.7 Philanthropic Priorities to 2014.

Signed:

Date: