

Incorporating any amendments approved at subsequent Board meetings

The University of Dublin

Trinity College

Minutes of Board Meeting, 30 March 2011

<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, Ms M A Coffey, Mr F Cowzer, Mr W J Dowling, 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 D M Singleton, Mr N Trigoub-Rotnem.
<i>Apologies</i>	Vice-Provost/Chief Academic Officer (Dr M A Marsh), Dr O Braiden, Ms S Fleming, Dr H J Rice.
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Secretary to the College, Treasurer.
<i>(by invitation)</i>	Chief Operating Officer. Mr T McMahon, Staff Secretary (for minute BD/10-11/175) Mr K Creedon, Treasurer's Office (for minute BD/10-11/176) Mr P Mangan, Director of Buildings (for minute BD/10-11/178)

SECTION A

BD/10-11/170 Minutes The minutes of the meeting held on 2 March 2011 were approved and signed subject to the following amendments:

BD/10-11/142 Financial Plan 2011-2015

The text at number (iv) in the third paragraph was replaced with the following "the recoupment of social welfare benefits, where payable, of staff on sick leave should not adversely affect staff financially".

BD/10-11/144 Dean of Students' Annual Report 2009-2010

The following text was inserted before the last sentence of the minute:

"The Board noted that should the College proceed with its plans to increase the number of international students additional investment in student services will be required due to the high usage of services by this cohort."

BD/10-11/143 eStrategy: Student Administration System/GeneSIS

The text at number (iv) in the sixth paragraph was replaced with the following "the project should focus on processes and people instead of software and should adapt to academic policies".

BD/10-11/171 Matters Arising

A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/10-11/172, 173, 174 below).

BD/10-11/172 Visitors' Hearing (see minute BD/10-11/149 of 3 March 2011)

In response to a query, the Secretary advised Board that a formal ruling of the Visitors would be forthcoming in the next few weeks.

BD/10-11/173 Update on Mid-term Academic Review (see minute BD/10-11/140 of 3 March 2011)

The Board noted that an up-date relating to the Faculty of Health Science would be presented to Board at a future meeting.

BD/10-11/174 Dean of Students' Annual Report 2009-2010 (see minute BD/10-11/144 of 3 March 2011)

In response to a query, the Secretary undertook to clarify the percentage number of students who avail of Student Counselling as referred to in the Dean of Students' Report 2009-2010.

BD/10-11/175 Provost's Report

The Provost invited Board's attention to the following:

Communication Strategy

The Provost, noting that the College's Communication Strategy would be presented to Board shortly, advised that, following a comparative analysis of Trinity and another Irish university, the College's Communications office had scored very highly in achieving advertising value and volume of articles in the national press. The Board noted the significance of this given the low level of resources available to the College's communications function.

College Autonomy/ Employment Control Framework (ECF)

The Provost invited Board's attention to a memorandum, dated 23 March 2011, which had been circulated. The Provost advised Board of the importance of maintaining autonomy in managing the College's financial resources and the College's ability to recruit academic staff at an appropriate level to allow the College to compete as an international institution.

The Provost invited Board's attention to the challenges facing the College under the following headings:

- (i) Reduction in Public Funding;
- (ii) Staff numbers, promotions, liabilities and the employment control framework;
- (iii) Remuneration of academic staff;
- (iv) Voluntary early retirement and voluntary redundancy.

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The Board noted the adverse affect of the proposal that all new academic entrants should be placed on the lowest point of the scale and that the value of this point should be reduced by 10%. The Provost advised that this proposal will place the College in a very difficult position in attracting highly qualified academics and will make the College uncompetitive with universities in the UK. The Provost proposed that the College should seek to engage with the government to agree a workable solution which will not violate the autonomy of the College, allow for the recruitment of academic staff at a competitive salary, provide for promotion where appropriate, remove any cap on the recruitment of research staff and provide for pension arrangements for new entrants all the while remaining within a balanced budget.

In the course of a long and detailed discussion the following issues were raised by Board members:

- (a) there is concern that if the College does not take action it may weaken its legal position regarding its autonomy;
- (b) negotiations are timely given that there is a new government in place;
- (c) negotiations should be limited to a certain time period after which further action should be considered;
- (d) the College should consider creating a new lecturer pay scale to remain competitive;
- (e) the College policy on recruitment should apply to all areas of College;
- (f) contracts of indefinite duration are protected under the Croke Park Agreement;
- (g) the College should consider negotiating with the government separately from the IUA;
- (h) the College should consider the current proposals as guidelines rather than directives;
- (i) progression assessment should only take place at the merit bar and not before every increment.

In response to the issues raised, the Staff Secretary, present by invitation, clarified a number of technical issues, including that:

- (i) points of progression on the scale are subject to assessment noting that this will not be an excessively bureaucratic process;
- (ii) the College is in discussion with the Department of Education and Skills regarding allowances;
- (iii) the College is continuing to recruit for priority posts in accordance with the 2010 Employment Control Framework;
- (iv) the College would need approval from the Department of Education and Skills if it wishes to create a new lecturer scale;
- (v) to avoid competitive disadvantage the College may make appointments at the 8th point of the lecturer scale, corresponding to the minimum point of the College Lecturer scale in other universities;
- (vi) the College has made an application to the Department of Education and Skills for approval of a voluntary early retirement scheme and is awaiting a response, noting that it would be subject to the terms of the Croke Park Agreement;
- (vii) the existing College policy will continue to apply to contracts of indefinite duration.

Noting the need to take affirmative action and the importance of maintaining autonomy, the Board approved the memorandum as presented by the Provost and

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agreed that the College would engage with the government independently and sectorally on the ECF for a specified period after which progress would be reviewed. The Board also agreed that, in the interim period, recruitment would continue in line with current procedures.

BD/10-11/176 Financial Estimates 2011

The Treasurer invited Board's attention to a memorandum, dated 10 March 2011, which had been circulated outlining the Financial Estimates 2010/11, Calendar Estimates 2011 and 5 year forecasts 2011/12 to 2015/2016. The Treasurer invited Board's attention to the Estimates as presented and the options available to College to achieve a break-even position at the end of the financial year.

The Treasurer advised Board of the one-off items that contributed to the improved position compared with that originally forecast in November 2010. The Board noted the 14% reduction in the HEA 2011 core recurrent grant allocation received by College over 2010 and also the change in treatment of the additional €500 paid by each student as part of the new student contribution, which has now been built into the core grant allocation for 2011. The Board noted that the reduction in grant would have been in the order of 23% if the additional €500 contribution had been treated in a similar manner to prior years.

The Treasurer advised Board of the HEA's position in relation to "unauthorised payments" and noted that, as no such payments had been made by College, no provision has been made against grant income. This matter will be raised with the HEA at the annual budget meeting scheduled for May 2011. In the context of the five-year forecasts to 2015/2016, the Board noted the requirement of the Planning Group and Executive Officers to focus on the delivery of targets as set out in the Financial Action Plan.

During the course of a discussion the Treasurer clarified a number of technical issues and advised Board of the mechanisms to achieve a balanced budget.

Board approved the Financial Estimates for 2011 that will deliver a balanced budget.

BD/10-11/177 Annual Budgetary Process

The Bursar, by way of introduction, advised Board that the annual budgetary process was based on the recommendations of the RPM sub-group of the Planning Group and would create School and Support Area budgets which will be informed by RPM.

The Treasurer invited Board's attention to a memorandum from the Vice-Provost/Chief Academic Officer, dated 23 March 2011, which had been circulated outlining the proposals from the Planning Group's RPM Sub-Group on:

1. Annual Budgetary Cycle;
2. RPM;
3. KPIs;
4. Risk Review;
5. Grant in Lieu of Fees and Core Recurrent Grant.

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The Treasurer advised Board of the structure of the budgetary cycle process noting the proposal that a total budget would be set for administrative/support areas under the control of the Chief Operating Officer based on an agreed percentage of total projected 'core' College activity. He further advised Board that in the 2010/11 projections produced in July 2010 for the 2010/11 pilot RPM this percentage would have been 34% and that it was proposed that an amount equivalent to a decrease of 1% per annum will determine the budgets for these areas.

In the course of a discussion, the Treasurer clarified a number of technical issues, including that the new annual budgetary cycle is due to begin in 2011/12 and he also outlined the agreed KPIs. The Board noted the Audit Committee's recommendation that RPM be used to a greater degree to drive and inform resource allocation in order to achieve the College's strategic objectives.

The Board approved the proposed annual budgeting cycle informed by RPM and KPIs. The Board also agreed that any decision on the reduction in core grant for allocation in RPM, arising from an increase in the undergraduate student numbers should await a final decision from the HEA in relation to RGAM.

BD/10-11/178 Development Plan

The Bursar, by way of introduction, advised Board that the Development Plan had been considered by Board on 2 June 2010 (minute BD/09-10/265 of 2 June 2010 refers). Noting the issues that had been raised by Board members during this discussion, he advised Board that the revised document now addresses these concerns and focuses on meeting the space requirements for the College in line with the Strategic Plan.

The Director of Buildings, present by invitation, invited Board's attention to a memorandum, dated 22 March 2011, which had been circulated together with a copy of the draft Development Plan. He advised Board that the revised plan had been considered by the Estates Committee and the Standing Committee of Fellows and the Fellows. The Board noted that the objectives of the plan were to meet the physical objectives of the College's Strategic Plan including dividing the College into logical quarters to allow consolidations of Schools, ensuring buildings are fit for purpose, optimising the space and ensuring sustainable development. The Board also noted that the plan, if approved, would act as a framework for future College development.

The Director of Buildings advised Board that all plans contained in the document would be subject to a robust internal approval process taking into account the historical value of existing buildings in the context of a cost benefit analysis before all projects are undertaken. The Board noted that the proposed development of the site at Nassau Street was in the context of what is possible for the College in terms of maximising space and value of College property. The Director of Buildings recommended that the College should proceed with a rezoning application for the Nassau Street site as part of the City Council's Development Plan which would give the College greater flexibility in the future if granted. The Board noted that the opportunity for such an application only arises every five years.

During the course of a discussion the following issues were raised by Board members:

- (i) the language regarding the protection of historical buildings should be strengthened;

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- (ii) the policy of private offices for academic staff as opposed to open plan offices was welcomed;
- (iii) the commercial potential of the site at Nassau Street should be examined by the Planning Group;
- (iv) the plan represents a positive approach to planning for future development;
- (v) user surveys should be incorporated into all building plans for the future;
- (vi) while the College should optimise the opportunity for greater flexibility in the future by proceeding with the Nassau Street application any plans for the site should also be considered in the context of the College's relationship with the city; a contrary view was expressed that the College should not consider any development of the site at Nassau Street.

In response to the issues raised, the Director of Buildings advised Board that the Development Plan did not represent a commitment to build but rather presented a framework setting out the potential of future development which incorporates a community and social dimension. He further advised that all building plans involve a detailed process of consultation with users both before and after new buildings are built.

The Board approved the Development Plan as presented and noted the dissent of Dr Singleton, Dr Gilligan and Dr Barrett to the proposed rezoning application of the Nassau Street site.

BD/10-11/179 This minute is not publically available at present.

BD/10-11/180 Scholarship 2011

The Senior Lecturer invited Board's attention to a memorandum, dated 30 March 2011, which had been tabled. She stated that eighty five Scholars were proposed for election on Trinity Monday, of whom eleven were Foundation Scholars. She invited Board's attention to the distribution of the Scholars across Faculties and disciplines.

BD/10-11/181 University Council

The Board confirmed the Acta of the University Council from its meeting held on 4 March 2011 subject to further comments covering CL/10-11/117 The Board noted that the Acta of the University Council from its meeting held on 16 March 2011 will presented for consideration at the next meeting of Board.

CL/10-11/117 Erasmus Smith's Chair of Mathematics and the Accenture Chair of Mathematics

The Board noted the importance of attendance by all members for such meetings of University Council.

BD/10-11/182 Query on 2010 Statutes

The Secretary invited Board's attention to a memorandum, dated 21 March 2011, which had been circulated. She advised Board that a query had been raised in relation to the statutory procedures for resignation from Fellowship. The Board approved the proposal that the Registrar would consult with the Standing Committee of Fellows and Dr O'Dell regarding the query. The Secretary advised Board that the querist had *Incorporating any amendments approved at subsequent Board meetings*

specifically requested that the query be considered under the 1966 Statutes as well as the 2010 Statutes. The Board unanimously agreed that the query should be limited to the 2010 Statutes as the 1966 Statutes are no longer in force.

BD/10-11/183 Change to Schedule 1 of the Provost Chapter of the 2010 Statutes

Under Other Business, the Registrar invited Board's attention to a memorandum, dated 29 March 2011, which had been tabled. He advised Board that an amendment to Schedule 1 of the Provost Chapter of the 2010 Statutes was required to allow an external Provostial candidate nominate a representative who is not a member of the electorate to attend the election count. Noting that the amendment will create equality between internal and external candidates, the Board approved the insertion of a new subsection to Section 6 of Schedule 1 to the Provost Chapter of the 2010 Statutes as presented by the Registrar so as to give effect to this decision.

SECTION B

BD/10-11/184 Audit Committee

The Board noted, and where a decision was required, approved proposals in the draft minutes of the Audit Committee from its meeting of 9 March 2011, noting in particular:

AD/10-11/50 Consideration of Funding Risk and potential associated external issues

The Board noted the Audit Committee's concern in relation to the risks for the College associated with the funding crisis.

AD/10-11/52 Self-Evaluation of the Effectiveness of the Audit Committee

The Board noted that due to the limited resources of the Internal Audit function that it was only possible to provide negative assurance in relation work carried out. Dr McGillp advised Board that the government requires positive assurance for audit purposes and this could only be achieved if resources were increased.

BD/10-11/185 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 23 February 2011 and 16 March 2011, noting in particular:

FN/10-11/53 Treasury Management Policy

The Board approved the amendment to the Treasury Management Policy as presented by the Treasurer.

BD/10-11/186 Human Resources Committee

The Board noted, and where a decision was required, approved proposals in the draft minutes of the Human Resources Committee from its meeting of 9 March 2011, noting in particular:

HRC 2010-11/23 Internationalisation of Academic Titles

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The Board noted that the proposal for internationalisation of Academic Titles had been considered by University Council which had recommended consultation with the Academic Community.

HRC 2010-11/25 Retention Policy - Academic Staff

The Board noted the views of Dr McGilp that the proposed retention policy may have serious implications for the College if implemented.

HRC 2010-11/27 Amendments to the Career Break Policy

In response to a query, the Secretary undertook to request the Staff Office to provide the requested information to Dr McGinley regarding the proposed amendments to the Career Break Policy.

SECTION C

BD/10-11/187 Higher Degrees

The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 16 March 2011, as circulated.

BD/10-11/188 Callover of Board Decisions

The Board noted the callover of Board decisions as circulated.

BD/10-11/190 Membership of College Fitness to Practice Committee

The Board noted a memorandum from the Secretary to the College, circulated, dated 21 March 2011, and approved the following:

Chairperson who is a practising lawyer - Dr Ciaran Craven MB, B.Ch, BAO, B.Sc, BL

Two members of staff drawn from disciplines that have fitness to practice drawn from the following panel:

Dr Steven Flint, School of Dentistry

Ms Clodagh Nolan, Discipline of Occupational Therapy

Dr Juliette Hussey, Discipline of Physiotherapy

Two external members:

one of whom shall be drawn from the discipline of the student - Ms Hilary Daly,
Deputy Director of Nursing, AMNCH

one of whom shall be a lay person - Ms Maria Kelly, HR & OD Manager, Bar Council of Ireland

Ms Ros Agnew, Administrative Officer in the Student Counselling Service, secretary to the committee.

BD/10-11/191 Sealing

The Board noted a Sealing, as circulated.

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BD/10-11/192 Prizes and Other Awards - Mackay Wilson Bursary

The Board noted and approved the award of the above Bursary to Ms J Cox (07541473) for 2010-2011.

SECTION D

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

Signed:

Date:

Appendix 1 to BD/10-11/191

Sealing

14 February 2011

**Biosciences Building Pearse Street-HMH Publishing Company
Three Floors of the Non-academic Space**

The Seal of the College was put in triplicate to the following:

1. Agreement for Lease in triplicate
2. 2nd Floor Lease in triplicate
3. Option Agreement in respect of the second floor – Opt Out
4. Option Agreement second floor soft spots
5. Side Letter (2nd Floor) in triplicate
6. 3rd Floor Lease in triplicate
7. Option Agreement third floor soft spots in triplicate
8. Side Letter (3rd Floor) in triplicate
9. 4th Floor Lease in triplicate
10. Option agreement in respect of the fourth floor Soft Spots in triplicate
11. Side Letter (4th Floor) in triplicate

between the Provost, Fellows, Foundation Scholars, and the other members of the Board, of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and HMH Publishing Company for the Lease of three floors of the non-academic space in the Biosciences building, for 14 years.

PROVOST