



Incorporating any amendments approved at subsequent Council meetings.

XX = Board relevance

Trinity College Dublin
The University of Dublin

An additional meeting of the University Council was held on 4 April 2024 at 11.00am remotely.

Present Provost, Vice-Provost/Chief Academic Officer, Dean of Graduate Studies, Dean of Students, Senior Tutor, Dean of Arts, Humanities and Social Sciences, Dean of Science, Technology, Engineering and Mathematics, Professor L. O’Driscoll, Professor B. Fitzgerald, Professor G. Watson, Professor J. Wyse, Mr. A. Burgess, VP for Global Engagement, Registrar, Mr C. Reddy, Mr M. McAndrew, Mr S. Sardina, Professor A.M. Malone, Professor A. Gibson, Dean of Health Sciences, Dean of Research, Professor D. Romelli, Professor J. Coleman. Professor P. O’Grady.

Apologies Librarian and College Archivist, Senior Lecturer/Dean of Undergraduate Studies, Professor L. Carson, Mr. R. Saulnier, Ms. D. Alexander, Professor B. Daly, Professor Gregory O’ Hare, Ms. C. Arnold, Mr. E. Gilroy, Professor K. Neenan, Ms. R. Emakpor, Chief Innovation and Enterprise Officer.

In attendance Chief Operating Officer, Secretary to the College/Director of Governance, Academic Secretary, Academic Affairs Education Policy Developer, Governance Manager.

SECTION A.1: Policy Matters

CL/23-24/157 Matters Arising from the Minutes of the 13 March 2024

The Provost welcomed everyone to the meeting, reporting that it was being convened on foot of a discussion at Board on the 28 March 2024 of minute CL/23-24/139, Scheduling of Reassessment Examinations Session 2023/24, in the 13 March Council minutes. The Secretary to the College/Director of Governance noted that no conflicts of interest had been declared in relation to the item.

Providing further background to the reason for the additional meeting, the Provost reminded members that Council minutes are sent to Board for approval. During Board’s discussion on the 28 March of Council’s decision to approve the rescheduling of reassessment examinations for 2023/24 (CL/23-24/139.1), a member of Board who is also an IFUT member had raised concerns about the decision to change the dates of the reassessment examinations and suggested that the unions should have been consulted. The Provost reported that there is no clear guidance in the Statutes regarding Board’s authority to approve or not approve Council decisions and that the item had been referred back to Council for discussion. She advised that the purpose of this meeting, therefore, was to discuss the item again and to either uphold Council’s original decision to approve the rescheduling of the reassessment examinations for 2023/24 or to change the decision. She stressed that Council was not under pressure to change its decision and that it was free to come to whatever decision members felt was appropriate. She concluded by noting that time was of the essence in terms of planning for the reassessment session and that it was for this reason that the additional meeting had been convened rather than bringing the item to the next planned meeting of Council.

The Vice-Provost/Chief Academic Officer said it was unclear whether the issue raised at Board was with the Council decision itself, with the fact that Board members had not been consulted on the decision, or both. She

reported that the Senior Lecturer had initially brought the proposal forward in response to concerns from the Directors of Undergraduate Teaching and Learning and professional staff regarding the tight turnaround time for correction of reassessment examinations. The proposal, she said, had been developed in a forensic way and DUTLs had been asked to bring it back to their schools for consideration and full discussion. There had, therefore, been widespread consultation on it at local level.

The Provost invited the Registrar to speak to the item on behalf of the Senior Lecturer/Dean of Undergraduate Studies, who was unable to attend the meeting. The Registrar expressed his deep concern at Board's decision to refer the matter back to Council for reconsideration, stating that in his view, under the Statutes, Board has no authority to do so. He noted that Council is the University body with primary responsibility for academic matters, which are generally extensively discussed through its committees before coming to Council for approval. As Board does not have sight of these discussions, it is not familiar with the deliberations that have fed into particular decisions and this is where a misunderstanding of the issue at hand may have arisen. On the specific issue at stake the Registrar reported that from a staff perspective the existing timing for reassessments generates huge difficulties, as the turnaround time for marking and publication of results is so short. Furthermore, the existing timing poses similar problems for students for whom progression to the next academic year is conditional on success in reassessments, as they will only find out on the Friday of the week before the first week of the semester whether they can rise with their year. In addition, as chair of the Academic Appeals Committee, he reported that the existing model also negatively impacts the timely operation of the appeals process. This can lead to delayed decisions on a student's ability to progress which can in turn result in students registering up to six weeks late for the new semester which can significantly impact on their academic performance in that semester. He noted that the change to the reassessment dates was being proposed on a pilot basis.

With regard to the argument that the change would reduce the summer research period, he noted that while this period is earmarked primarily for research, it was never intended that it be *exclusively* a research period (just as the rest of the academic year is not exclusively for teaching and learning). Rather there are other aspects of teaching and learning that must be conducted during this time at the direction of the Head of School. He noted, for example, that most postgraduate taught courses will involve some aspect of research supervision during this period. He reminded members that Council has always set the dates for the academic year and that, at times, changes to these dates have been required as was the case during the pandemic, when some alterations had been made to the starting dates for teaching term. In this regard he noted that the proposal at issue did not constitute a reform of the Academic Year Structure. Finally, and in relation to what had occurred at Board, he noted that, under the statutes and as a matter of Irish law Board, members are not allowed to represent interest groups, though they may reflect the views of the constituencies that elect them. Trade Unions including IFUT are not, however, Board constituencies and hence it was inappropriate that their concerns should have been ventilated at Board. Rather the relevant constituency is the 'staff' one but critically the input and views of *all* staff were sought (through the DUTLs) and considered at Undergraduate Studies Committee in regard to this proposal, which was initiated on the basis of representations made by staff, in the interests of staff and students. He urged Council to affirm its original decision, and its authority.

The Provost thanked the Registrar and re-iterated that the proposal had been through the required consultation and approval process. She noted that, like any decision, there are those that don't agree with it but she stressed that the pros and cons of the proposal had been weighed up and extensively discussed, and that the majority had approved it. She remarked that with regard to the role of Board in academic matters, the External members of Board had queried why this was being discussed at Board as they were cognisant of it being an academic matter over which they have no authority.

A Council member, noting that the Calendar states that the reassessment dates start at the beginning of Michaelmas Term, queried whether this is being changed. He also pointed out that while the memo to Council states that, if approved, the reassessment dates will be listed in the 2024/25 Calendar, they are already listed in

Incorporating any amendments approved at subsequent Council meetings.

the 2023/24 Almanack and he asked whether this would also be amended. He queried whether the Graduate Studies Committee had been consulted in the discussion and he also raised the point that many staff have already made travel plans based on the existing reassessment examination dates. He concluded by reporting that from his discussions with academic colleagues, there appeared to be a lot of unhappiness that a week of research time was being taken for reassessment examinations and he suggested that there should have been greater consultation with staff representative groups around working conditions and the impact on staff holiday plans.

The Provost thanked the member and with regard to the erosion of research time, which she said was a valid point, re-iterated that the pros and cons of this had already been weighed up and that the outcome of the consultation process was that a greater number of staff agreed than disagreed with the proposal. The Council member stressed that the proposal had been approved at the end of what had been a long Council meeting. The Registrar noted that a detailed discussion of this had taken place at USC and that the proposal had been taken from there to schools for further consideration and discussion. It was at this point, he suggested, that the differing viewpoints should have been raised.

A student member queried what IFUT's line of argument was and whether there was an issue other than the lack of consultation. The Provost reported that there had been no detailed discussion of the proposal at Board, stressing again that some external members had queried the appropriateness of this being raised at Board, but she suggested that, generally, points in relation to erosion of research time and staff holidays were the things at issue.

The Vice-Provost/Chief Academic Officer recapped by stating that the proposal, which was a pilot for 2024/25, had been brought to USC at the behest of the DUTLs, and that the Senior Lecturer had asked that the DUTLs consult with their Heads of School and School Executives. She reported that at the Heads of School Committee meeting the previous week there was unhappiness that the decision, which had already been endorsed by Heads of School, was being upended. With regard to the issue of holidays that had already been booked, she noted that annual leave is always booked in consultation with Heads of School and that this shouldn't be a worry to individuals at this point.

The Dean of Graduate Studies advised that the proposal had not been discussed at Graduate Studies Committee but that as there were far more undergraduate students undertaking supplemental examinations than postgraduate students, the proposal had rightly been driven through USC, whose members had been asked to consult with their Schools. She suggested that having separate examination reassessment periods for undergraduate and postgraduate students would not be feasible and she agreed with the decision to schedule the reassessment examinations with undergraduate students primarily in mind, as they make up the majority of students. The Academic Secretary reported that there had been a long and healthy debate about this at USC and that while two DUTLs were in favour of not changing the dates, the rest were unanimous in their approval for the proposal.

The Provost asked Council members whether they were happy, on the basis of the discussion, to re-approve the decision to reschedule the reassessment examinations for 2023/24 (CL/23-24/139.1). All Council members present indicated their willingness to reapprove the decision apart from Professor Jason Wyse, Mr Seathrún Sardina and Mr Conor Reddy, who dissented.

In relation to the role of the Board in approving Council decisions, the Provost stressed that the composition of Council is highly representative of the academic structures of the University and that the structure of the Board is different. She said that Trinity's approach to engaging with staff is both formal and informal, and that regular meetings with the unions take place. The Provost reminded members that she is no longer chair of the Board and that as there is a new Board, this might provide an opportunity to clarify the role of Council and Board in relation to one another. In this regard, she suggested that it might be appropriate to review and amend the Statutes to

Incorporating any amendments approved at subsequent Council meetings.

provide greater clarity on the relationship between Board and Council. The Registrar undertook to convene a meeting of the Statutes and Schedules Working Party with a view to developing proposals for such amendments. He further undertook to write to the Chair of Board to express concern that members of Board were acting in violation of the Statutes and of Irish law in representing the views of interest groups at Board meetings.

The Dean of FEMS suggesting that, with regard to proposals coming to Council, it would be helpful to highlight whether any revisions or iterative changes have been made to a proposal arising from discussions at various committees that had resulted in it being different to that which had originally been considered. The Provost agreed that better communication around the business of Council would be useful and she undertook to experiment with how this can be done.

Decision:

CL/23-24/157.1:

Council re-approved the proposed scheduling of the Reassessment Examinations Session 2023/24.

Action:

CL/23-24/157.2:

The Registrar will work with the Statutes and Schedules Working Party to clarify the role of the Board and its relationship to Council.

Signed

Date