

The University of Dublin

Trinity College

Minutes of Board Meeting, 20 May 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, Mr P G Connell, Mr W J Dowling, Ms O S Foley, Mr R Hodson, Dr E Mac Cárthaigh, Dr A McElligott, Dr J F McGilp, Dr K J McGinley, Ms P Murphy, Dr E J O'Halpin, Dr D O'Neill, Dr A J Piesse, Mr C Reilly, Dr H J Rice, Dr D M Singleton, Mr H Sullivan, Dr J K Vij.
<i>Apologies</i>	Ms G Clarke, Ms M A Coffey, Dr S M Ryan, Mr B Sweeney.
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Acting Secretary, Treasurer (Acting).
<i>(by invitation)</i>	Director of Strategic Initiatives (for BD/08-09/257).

SECTION A

BD/08-09/250 Minutes

- (i) **22 April 2009** The minutes of the meeting held on 22 April 2009 were approved and signed subject to a minor emendation and the following amendments:

BD/08-09/210 TAMC After the first word in point (ii) page 1 the words "in his opinion" were inserted.

Point (vi) and the last paragraph of the minute page 2 were revised to read:

"(vi) the initial service configuration proposal could not be agreed by all parties.

The Board, noting some reservations about a twin-speed approach in the bilateral discussions, agreed that they would continue, noting that further clarification would be provided in due course as to their implications for the establishment of the TAMC."

- (ii) **11 May 2009** The minutes of the meeting held on 11 May 2009 were approved and signed.

BD/08-09/251 Matters Arising from the Minutes A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/08-09/252 and 253 below).

BD/08-09/252 Staff Matters (see minute BD/08-09/219 of 22 April 2009)

- (i) **Employment Control Framework** The Provost advised Board that, as yet, the College had received no details of the proposed Employment Control Framework for third level institutions.
- (ii) **Promotions** The Provost, noting that Board had agreed at its last meeting to proceed with on-going promotions procedures, clarified that a decision to complete the process would be taken by the Board, in the context of the proposed Employment Control Framework, before any candidates would be presented to Board for approval.

BD/08-09/253 Resignation of the Chief Operating Officer (see minute BD/08-09/225 of 22 April 2009) The Provost, advising Board of the interim arrangements he had put in place following the resignation of Mr Lyons, noted that the role and function of the Chief Operating Officer position had not been a factor in Mr Lyons' resignation and that it was still a viable and necessary function within College.

He advised Board that Mr T McMahon, the current Staff Secretary, would assume the role of Interim Chief Operating Officer until such time as the position could be permanently filled. The Provost outlined the importance of maintaining continuity in the role and progressing the areas of responsibility under the Chief Operating Officer's remit, including:

- (i) completing the reorganisation of administrative and central service areas;
- (ii) the development and implementation of e-strategy;
- (iii) proceeding to fill the posts of Treasurer, Secretary to the College and Director of IS Services.

In the course of a discussion, Board Members raised a number of issues, including:

- (i) the need for College to explore the possibility of applying the public service early retirement scheme in College as a way of relieving pressure on pay-roll costs;
- (ii) the need for certainty in relation to senior staff positions in order to develop administrative and central service areas;
- (iii) the importance of maintaining research funding and research positions;
- (iv) the need for engagement with Trade Unions on key issues;
- (v) the need to engage technical expertise in implementing e-strategy;
- (vi) the need to review the post of Chief Operating Officer to determine its effectiveness within College.

In response to queries raised by Board members, the Provost clarified a number of technical issues, including that:

- (i) the public service early retirement scheme currently does not apply to College;
- (ii) the current economic climate will continue to have an impact on research funding and research posts;
- (iii) appropriate procedures will be put in place to review all elements of the post of Chief Operating Officer before it is advertised;
- (iv) the Interim Chief Operating Officer will bring human resource and finance expertise to the role.

The Board agreed that the College should proceed with the competition for a permanent replacement for the Chief Operating Officer within the constraints of the current moratorium and that the Interim Chief Operating Officer would attend the next Board meeting to address the staffing issues raised.

Incorporating any amendments approved at subsequent Board meetings

BD/08-09/254 Provost's Report

- (i) **PRTL 5** The Provost advised Board that College had presented its proposals to the international assessment panel in the first stage of PRTL's competitive process. The Board noted that, at this initial phase, proposals were being made at an institutional level and that the specific details of the proposals would be examined further if the College was successful in progressing to the next phase.
- (ii) **Strategic Planning** The Provost advised Board that the Higher Education Steering Group, on which he is the only university representative, had begun its work. He noted the significance placed by the HEA on strategic planning as a driver for resource allocation and, noting the advice of the Audit Committee (minute AD/08-09/55 of 3 February 2009 refers), the Provost stressed the importance of College developing and maintaining a robust strategic plan which is in line with the national goals for the sector. He also stated that an interim strategy for the allocation of resources will be presented to Board in the near future, pending the finalisation of the Resource Planning Model.
- (iii) **Future alliances** The Provost advised Board that the College had been approached by the Economic and Social Research Institute (ESRI) with a view to forming a strategic alliance. The Board noted that, as yet, no agreement had been entered into with the ESRI and that negotiations were at a preliminary stage.

BD/08-09/255 Appointment of Provost - Procedures The Provost invited Board's attention to a memorandum, dated 12 May 2009, which had been circulated together with:

- (i) report of Board Sub-Group on the Choice of Future Provosts;
- (ii) reports from Sub-Committee of Fellows addressing the interview process and the composition of the electorate.

The Provost advised Board that reports from the Board Sub-Group and the Sub-Committee of Fellows were on the agenda for discussion and that the final proposals would be brought back to Board for approval in due course.

The Provost outlined the recommendations of the Board Sub-Group under the following headings:

- (i) **Terms of reference of the Board Sub-Group**
- (ii) **Context** - The Provost advised Board of the legislative context within which the Board Sub-Group developed proposals for consideration by Board, and invited Board's attention to the recommendation that any Board member or College Officer intending to be a candidate for Provostship shall stand-down from Board when he/she declares his/her candidature, until the meeting after the formal appointment of the Provost by Board.
- (iii) **Time-table for the appointment**
- (iv) **Provost Appointment Steering Committee**
- (v) **Interview** - The Provost invited Board's attention to the Board Sub-Group's recommendation to include, as part of the appointment process, an interview which would stand up to public scrutiny and identify candidates who would meet the stated criteria and be eligible to present themselves for election.

Incorporating any amendments approved at subsequent Board meetings

- (a) The Board noted that the Fellows favoured a 'light' interview process and that they had expressed confidence in the election process to select the Provost.
- (b) In the course of a detailed discussion, the following issues were raised by Board members:
 1. the interview should not exclude candidates from the election;
 2. the election process has proved successful in selecting the Provost in the past and is a trusted method within College;
 3. high level criteria at the interview stage will ensure the process stands up to public scrutiny;
 4. provision should be made for the inclusion of representatives of the Fellows on the Interview Committee.
- (vi) **Election process**
- (vii) **Electorate** The Provost invited Board's attention to the Sub-Group's proposed composition of the electorate which, in addition to academic staff, included weighted votes for research and technical administrative and support staff as well as students, thereby promoting inclusivity in the process of appointing the Provost.

The Board noted that the Fellows had recommended that the electorate should remain unchanged and also noted their view that inclusivity is addressed by including in the electorate administrative staff who are members of Board.

In the course of a discussion, Board members raised the following issues:

- (a) student representative votes should be given increased weighting;
- (b) a policy of inclusivity is of upmost importance within the College community;
- (c) inclusivity, as proposed, gives adequate weight to academic pre-eminence;
- (d) the electorate should be inclusive, with tighter criteria regarding eligibility in terms of the length and permanency of employment;
- (e) there is a need for recognition of collegiality by including weighted votes as proposed.
- (viii) **Appeals process** - In response to a query, the role of the proposed appeals process at every stage in the appointment procedure was noted.
- (ix) **Appointment** - The Provost noted that, at the conclusion of counting of votes, the Chair of the Steering Committee shall submit to Board for approval the name of the person who received the highest number of votes in accordance with the requirements of the Regulations for appointing the Provost and the Seanad Electoral (Panel Members) Act 1954, further noting that this person shall then be appointed by the Board as Provost.
- (x) **Replacement of the Provost** - The Board noted the proposed procedures for replacement of an elected Provost. Board members raised concerns that a replacement Provost would lack credibility and agreed to refer this section of the proposals to Dr E O'Dell, Chair of the Statutes Review Working Party, for review.

The Board agreed that it would consider the final proposals in due course.

BD/08-09/256 Emergency Response Plan The Provost invited Board's attention to the memorandum, dated 12 May 2009, and the College's Emergency Response Plan, which had been circulated. The Provost advised Board that preparation of the plan by the Office of

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the Chief Operating Officer, in conjunction with the College Safety Officer and the Acting Secretary to the College, involved consultation with relevant College areas and committees.

The Board noted that, upon approval of the approach outlined in the document, a series of plans will be developed by those areas with front-line responsibility for responding to emergencies. It is also proposed to develop easy-reference guidelines to provide clarity for the roles of specific individuals and areas.

The Board approved the procedures outlined in the Emergency Response Plan and noted that the plan will be tested and up-dated on a regular basis.

BD/08-09/257 Pension Matters Mr Gleeson, the Director of Strategic Initiatives, present by invitation, advised Board members that, following detailed discussions with the HEA, the Department of Education & Science and the Department of Finance and involving the Parliamentary Draftsman's Office and the Attorney General's Office regarding appropriate safeguards and legislation, the draft legislation transferring the College's pension assets and liabilities has now been prepared and is currently before the Oireachtas.

Mr Gleeson invited Board's attention to the main provisions of the draft legislation, including:

- (i) the transfer of the assets of the College schemes to the Pension Reserve Fund as established under the National Pensions Reserve Fund Act 2000;
- (ii) members' existing benefits and entitlements, as approved before the transfer of funds, will remain in force;
- (iii) the existing trusts will be wound up and the same benefits and entitlements will be honoured under the Pension Reserve Fund;
- (iv) the role of the College's Pension Trustees will cease;
- (v) contributions, where relevant, will be deducted from members and College will continue to make a contribution at the current rate: these contributions will be retained by College, accounted for separately, and will be the fund from which pensions are paid annually, with any shortfall being provided by the Pensions Reserve Fund.

In response to queries raised by Board members, Mr Gleeson clarified a number of technical issues:

- (i) there has been no decision taken by the Government regarding the retirement age at 60 noting that this matter may be reviewed in the future;
- (ii) presently there are no provisions in the draft legislation to increase College's contributions to the scheme;
- (iii) all universities are entering the scheme on the same basis;
- (iv) some discretion for governing authorities continue to be maintained and provided for within the legislation;
- (v) the matter of "added years" will be a matter for the Board in accordance with the existing Scheme. Added years in the new Model Scheme (for post 2005 entrants) is strictly defined in that Scheme;
- (vi) expert legal advice had been provided to the IUA regarding the legislation and the Chairman of the Trustees is satisfied as to the adequacy of its provisions;
- (vii) TCD and NUI Maynooth are entering the scheme first as they have similar Trust arrangements and all other universities will follow in due course.

The Provost thanked Mr Gleeson.

BD/08-09/258 University Council The Board confirmed the Acta of the University Council from its meeting held on 6 May 2009 and 7 May 2009 subject to further comments covering

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CL/08-09/154, 158, 159, 160, 167, 168 and 169 (Items from Section D in the Acta are set out in Section D of these minutes).

BD/08-09/259 Access Plan 2009-2013 (see Actum CL/08-09/154 of 6 May 2009) The Board noted the Access Plan and the recommendations made by Council at its meeting on 6 May 2009.

SECTION B

BD/08-09/260 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 14 May 2009 with particular reference to:

FN/08-09/65 Post-Graduate Research Fees In response to a query, the Treasurer invited Board's attention to the new postgraduate fee structure, which will require:

- Postgraduate research students to pay full course fees in one annual instalment for years one to four of their studies;
- Postgraduate research students who continue beyond year four will be required to pay the full course fee in two instalments. In the case where a student completes the course of study within the first six months of each additional year following year four, the second instalment will not fall due.

The Treasurer advised Board that the Finance Committee had agreed that the new fee structure and payment cycle be implemented for the academic year 2010/11 on the basis that sufficient notice of the change is provided to existing students.

Noting the concerns of Board members regarding students who may be placed under increased financial pressure due to the new fee structure, the Vice-Provost/Chief Academic Officer advised Board that the Dean of Graduate Studies will have liberty to assess individual student cases and use his/her discretion in relation to fees where appropriate.

BD/08-09/261 Information Policy Committee (see Actum CL/08-09/159 of 6 May 2009) The Board noted, and where a decision was required, approved proposals in the draft minutes of the Information Policy Committee from its meetings of 24 February 2009 and 7 April 2009 with particular reference to:

IPC/08-09/30 IS Services Project Prioritisation List Dr O'Halpin, Chair of the Information Policy Committee, advised Board of the meeting which had taken place with the Interim Chief Operating Officer on the role of the Information Policy Committee in progressing the e-strategy initiative.

BD/08-09/262 Research Committee (see Actum CL/08-09/160 of 6 May 2009) The Board noted, and where a decision was required, approved proposals in the draft minutes of the Research Committee from its meetings of 6 April 2009 and 23 April 2009 with particular reference to:

RS/08-09/15 Research Ethics Board Dr Allwright, Chair of the Research Committee, advised Board that the Research Ethics Board was preparing a Research Ethics Policy and also updating the 2006 Trinity Good Research Practice Policy. She invited Board members to review the draft documents and submit their comments.

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In response to a query, the Acting Secretary advised Board that a general ethics policy had been prepared by the Secretary's Office and would be presented to Board for consideration in due course.

BD/08-09/263 Site and Facilities Committee The Board noted, and where a decision was required, approved proposals in the draft minutes of the Site and Facilities Committee from its meetings of 28 April 2009 with particular reference to:

SF/08-09/70 Presentation by College Safety Officer Dr McGinley, Chair of the Site and Facilities Committee, advised Board that the College Safety Officer, during the course of his annual presentation, advised that substantial investment is required to bring College facilities fully in line with current safety regulations.

BD/08-09/264 Student Services Committee (see Actum CL/08-09/158 of 6 May 2009) The Board noted, and where a decision was required, approved proposals in the draft minutes of the Student Services Committee from its meeting of 3 February 2009.

SECTION C

BD/08-09/265 Higher Degrees The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 6 May 2009, as circulated.

BD/08-09/266 Sealings The Board noted Sealings, as circulated and attached as Appendix 1 to this minute.

BD/08-09/267 Prizes and Other Awards

- (i) **School of Medicine - Ophthalmology Prizes** The Board noted and approved a memorandum from the School of Medicine, circulated, dated 5 May 2009.
- (ii) **New Prize and Calendar Entry - The Oxford University Press (OUP Law Prize)** The Board noted and approved a memorandum from the Treasurer (Acting), circulated, dated 11 May 2009;
- (iii) **Walton Prize - Amendment** The Board noted and approved a memorandum from the Treasurer (Acting), circulated, dated 23 April 2009.

BD/08-09/268 Annual Reports 2007-2008 The Board noted the following annual reports, as circulated:

- (i) Accommodation and Catering Services;
- (ii) Disability Service;
- (iii) Director of Buildings;
- (iv) Equality Committee;
- (v) IS Services;
- (vi) Trinity Research and Innovation.

BD/08-09/269 Trinity Hall - Warden The Board noted a memorandum from the Provost, circulated, dated 7 May 2009 and approved the extension of Mr Brendan Tangney's term of office as Warden of Trinity Hall from 12 July 2010 for three years to 12 July 2013.

BD/08-09/270 Students' Union Elections (see minute BD/08-09/237 of 22 April 2009) The Board noted that Mr M Birmingham had been elected as Entertainments Officer.

SECTION D

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

Signed:

Date:

Appendix 1 to BD/08-09/266

Sealings

30 April 2009

Memorandum of Agreement for the Sale of 30 Cumberland Street to ESB

The Seal of the College was put to a Memorandum of Agreement for the sale of 30 Cumberland Street between the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and the Electricity Supply Board (ESB).

1 May 2009

John D. & Catherine T. MacArthur Foundation - Affidavit

The Seal of the College was put to an Affidavit Packet for Non-US Grant Applications in relations to the awarding of a grant by the John D. & Catherine T. MacArthur Foundation to the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin.