

*Incorporating any amendments approved at subsequent Board meetings*

The University of Dublin

Trinity College

Minutes of Board Meeting, 2 June 2010

<i>Present</i>	Provost (Dr J Hegarty), Senior Lecturer (Dr A Douglas), Registrar (Dr J Barkhoff), Bursar (Dr M M O'Mahony), Dr S P A Allwright, Dr S D C Barrett, Ms M A Coffey, Mr A Cooke, Mr W J Dowling, Mr R Hodson, Dr E Mac Cárthaigh, Dr A McElligott, Dr J F McGilp, Dr K J McGinley, Mr C Ó Broin, Dr E J O'Halpin, Dr H J Rice, Dr D M Singleton, Mr B Sweeney, Dr J K Vij.
<i>Apologies</i>	Vice-Provost/Chief Academic Officer (Dr P J Prendergast), Mr C Cashman, Ms G Clarke, Ms P Murphy, Dr D O'Neill, Dr S M Ryan.
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Secretary to the College, Treasurer.
<i>(by invitation)</i>	Interim Chief Operating Officer.  Internal Auditor (for BD/09-10/263) Ms Laura Gallagher, Representative of the Auditors, KPMG (for BD/09-10/263) Ms Maureen Mulligan, Representative of the Comptroller and Auditor General (for BD/09-10/263) Ms Janet Byrne, Financial Resource Manager (for BD/09-10/263) Director of Strategic Initiatives (for BD/09-10/264) Director of Buildings (for BD/09-10/265) Deputy Director of Buildings (for BD/09-10/265)

SECTION A

- BD/09-10/256 Minutes** The minutes of the meeting held on 5 May 2010 were approved and signed subject to the following amendment:
- BD/09-10/230 Associated Colleges - Report of the Working Group on the Partnership between Trinity College and the Associated Colleges of Education At** the bottom on page 3, numeral (v) was amended to read  
"it is expected that existing students will be able to avail of all student services within the College noting that arrangements have yet to be finalised"
- BD/09-10/257 Matters Arising** A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/09-10/258, 259, 260, 261 below).
- BD/09-10/258 Promotions** (see minute BD/09-10/229(iii)a of 5 May 2010) The Board noted that the HEA had requested further information from the College in relation to Academic Promotions and that the discussions were ongoing in this regard.
- BD/09-10/259 Employment Control Framework** (see minute BD/09-10/229(iii)b of 5 May 2010) The Provost advised Board that the HEA had clarified that income from self-financing courses does not come under the terms of the Employment Control Framework.

**BD/09-10/260 Weighting Higher Level Mathematics** (see minute BD/09-10/234 of 5 May 2010) The Board noted that the concerns raised by Board members in relation to mathematics were being addressed by the Undergraduate Studies Committee, which would report to Council at its next meeting

**BD/09-10/261 Associated Colleges - Report of the Working Group on the Partnership between Trinity College and the Associated Colleges of Education** (see minute BD/09-10/230 of 5 May 2010) The Treasurer advised Board that the Finance Committee had approved the financial arrangements regarding the proposals for future partnership arrangements between the College and the Associated Colleges of Education.

**BD/09-10/262 Provost's Report** The Board paid tribute to Mr Connell for his contribution to Board and wished him well in his retirement. The Board also noted the recent media reports that it was expected that further cuts would be applied to the sector in the coming months.

**BD/09-10/263 Financial Statements (incorporating Consolidated Financial Statements and extracts from Funding Statements), 2006-2007, 2008** The Board noted the following documents which had been circulated for consideration under this item:

- (i) Memorandum from the Treasurer, dated 26 May 2010;
- (ii) Consolidated Financial Statements 2005/2006, 2006/2007 and 2007/2008 together with draft Letters of Representation to KPMG and to the Comptroller and Auditor General from the Provost and Treasurer, dated 2 June 2010;
- (iii) Memorandum from the Chair, Audit Committee, dated 26 May 2010.

The Treasurer, by way of presentation, outlined the College's financial reporting requirements, overall financial position as reported in the consolidated financial statements, pension matters, risks, the College's statements of internal control and timeline to present the College's Financial Statements to the Oireachtas. The Treasurer advised Board of the accounting reasons for the delay in presenting the Consolidated Financial Statements noting that these had now been resolved by the introduction of the Financial Measures (Miscellaneous Provisions) Act in 2009.

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 the variance in the recognition of the pension asset which is 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 Board's 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, in keeping with a number of other Auditors in the sector, 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 Mulligan, representative of the Comptroller and Audit General, present by invitation, noting the C & AG's reliance on the work of the external Auditors, advised

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Board that the C & AG will issue an unqualified opinion of the Consolidated Financial Statements. She stated that it is the C & AG's view that:

- (a) the legislation has now been passed transferring the full liability for the Master Scheme to the State;
- (b) the Universities Act, 1997 underpins the College's Model Pension Scheme; and
- (c) State funding of legitimate costs, including pension costs, is normal practice in non-commercial bodies.

Dr McGilp, representative of the Audit Committee, 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 years under review.

During the course of a discussion the Treasurer clarified a number of technical issues raised by Board members, including that:

- (i) the qualified opinion issued by the external Auditors will be reflected generally within the sector;
- (ii) it is hoped that the comprehensive explanatory notes which will accompany the Consolidated Financial Statements will provide all necessary explanation and clarification to stakeholders;
- (iii) the College has a legal obligation to meet any post retirement and Model Scheme pension payments that may fall due;
- (iv) the transfer of the College's Master Pension Scheme to the State in accordance with the Financial Measures (Miscellaneous Provisions) Act, 2009 ensures that from 2009/2010 the qualification will only relate to the College's pay-as-you-go Model Scheme and pension supplementation;
- (v) it is current practice in the sector for universities to have external Auditors and the C & AG audit their finances;

He also clarified the differences between the Funding Statements and the Consolidated Financial Statements.

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 2006, 2007 and 2008 and the associated Letters of Representation and agreed that they should be signed by the Provost and the Treasurer on its behalf.

**BD/09-10/264 Drama Studies – Proposed Development of Academy of Dramatic Art** The Director of Strategic Initiatives, present by invitation, invited Board's attention a memorandum, dated 25 May 2010, which had been circulated together with a copy of the draft Agreement.

Noting that proposals for the establishment of the Academy of Dramatic Art (ADA) in conjunction with the Royal Academy of Dramatic Art (RADA) had been approved by Board in November 2009 (see minute BD/09-10/054 of 11 November 2009), he invited Board's attention to the following aspects of the draft Agreement:

- (a) Capital Funding for the proposed development is being provided by the Ryan Family Trust (DADC) which will facilitate the refurbishment of a number of Units of the Trinity Technology & Enterprise Campus (TTEC). The Trust will also fund RADA consultancy costs for a period of five years. Other financial support, apart from routine operational costs, may also be provided from time to time by the Trust;
- (b) the formal title of the venture has yet to be finalised and at the request of the Ryan Family Trust the proposed trading title is *The Lir at Trinity*;

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- (c) the donors wish to commemorate Cathal Ryan by the naming of the Building Units at the TTEC and Board's approval is sought for this;
- (d) the composition of the initial Board has been agreed between the Parties to be as follows:-
  - Mr Dermot McCrum, who will be chairperson;
  - Professor Michael Marsh, and Mr Ian Mathews, both nominated by College;
  - Two named individuals nominated by the DADC;
  - Mr Michael Colgan and Mr Harry Crosbie, both nominated by College and the DADC.
- (e) the draft Agreement places all academic matters relating to the Academy under the auspices of the Board of the College (and the University Council). The Academic Director, who will be an employee of the College, will act as Recording Secretary. The legal Company Secretariat will be a professional secretarial company which will be responsible for reporting and compliance issues in relation to company law.
- (f) the ADA will remain in its first location (refurbished Units in TTEC) for at least five years, with a hope that, if the TTEC site is redeveloped, it would continue to be located there, with appropriate complementary academic and related activities.
- (g) the Agreement will formally terminate at the end of ten years at which time it may be replaced, subject to agreement between the parties.

The Board noted that the Finance Committee has examined the costs, projections and financial risks prior to the Board meeting in November and is satisfied in this regard.

During the course of a discussion, the Director of Strategic Initiatives clarified a number of technical issues raised by Board members, including that:

- (a) the Trinity brand will be represented on all aspects of the ADA's activity;
- (b) it is expected that the course intake will be 20-25 students per year;
- (c) the HEA will fund a number of part time staff for the ADA;
- (d) the Directors of the Academy will not be paid a fee;
- (e) ADA will use the services of the College's external Auditors.

The Board approved the proposals as presented, noting that should there be any material change to the proposals, the matter would come back to Board for approval.

**BD/09-10/265 Draft Development Control Plan** The Director of Buildings, present by invitation, invited Board's attention to a memorandum, dated 23 May 2010, which had been circulated together with a copy of the draft Development Control Plan. He advised Board that the plan represented the physical manifestation of the College's Strategic Plan and, if approved, would act as a framework for all future College development for the next five-ten years. The Board noted that external Architects with planning experience in the third level sector had been engaged to bring a fresh perspective to identifying potential areas for development in College.

By way of presentation, the Director of Buildings, advised Board of the main aspects of the plan under the following headings:

- (i) Context;
- (ii) Guiding General Principles;
- (iii) Future Developments;
- (iv) Locations for new Buildings;
- (v) Operation of Existing Buildings;
- (vi) Policy in Relation to Existing Open Areas;

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- (vii) Acquisitions/Disposals;
- (viii) Illustrations/ Maps.

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.

By way of a series of maps, the Director of Buildings invited Board's attention to the College's current property portfolio in a number of locations throughout the city and identified potential areas for development, redevelopment and demolition.

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

- (i) concern was expressed at the proposal to develop the site on Nassau Street at this time;
- (ii) it is not appropriate to expect academics to share office space due to the need for confidential consultations;
- (iii) a lot of the older buildings in College are still fit for purpose and provide adequate accommodation for academics and students;
- (iv) the plan should reflect the economic reality in which the College is operating;
- (v) the Board should be advised of the cost of the preparation of the plan;
- (vi) the College should have a plan in place to accommodate the increased number of students;
- (vii) the College should be in a position to make strategic decisions should the opportunity arise and funding become available;
- (viii) the plan represented a positive approach to planning for future development;
- (ix) in relation to plans for the School of Engineering there has been a general lack of communication with the School, particularly regarding buildings which are identified for demolition in the plan;
- (x) there is a fear that buildings will be demolished without a cost benefit analysis being carried out;
- (xi) there is no provision for the future development of sports facilities contained in the plan;
- (xii) the plan should act as an inventory of possible areas of development;
- (xiii) all development proposals arising from the plan should be accompanied by a risk assessment in accordance with Board policy;
- (xiv) the Board should be presented with all plans for future development rather than through the minutes of the Site and Facilities Committee;
- (xv) the College should make use of the space at Trinity Technology and Enterprise Campus (TTEC);
- (xvi) the name of the document should be changed to reflect the fact that it identifies potential development sites;
- (xvii) the proposed Social Sciences quarter north of the Rugby pitch conflicts with a proposal to locate accommodation for the Institute of Catholic Theology in that area.

Dr McGinley as Chair of the Site and facilities Committee pointed out that the task was to take the Strategic Plan and to develop a physical blue print for the future and he advised that the City Council only reviews its Development Plan periodically. In this context the timing of a request for rezoning at Nassau Street is important and the College must be in a position to respond when the opportunity arises.

In response to the matters raised by Board members the Director of Buildings clarified a number of technical issues including that:

- (a) the plan identifies potential sites for development, redevelopment and demolition which are all subject to planning permission and Board approval;

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- (b) there had been extensive consultation with the Faculty Deans and Heads of Schools and Administrative/Support areas in the development of the proposed plan;
- (c) no buildings will be demolished without a full cost benefit analysis being carried out;
- (d) the plan outlines proposals for developing external sports facilities on and off campus and there has been an amendment to the text since it was presented to the Site and Facilities Committee stating this and it is intended to examine proposals to make greater use of the sports facilities in College Park through the winter;
- (e) the TTEC can be used for a wide range of economic uses noting that the College is precluded from locating student residences on the site.

The Provost advised Board that in the past, through good and bad economic conditions, the College had delivered the capacity to meet significant growth in the number of students attending third level education and that this pressure will continue. He further advised Board that the plan recognised that the College had the potential to expand and the College should be in a position to take advantage of a development opportunity should one become available in the future.

The Board, noting that the draft plan would be presented to Fellows over the coming weeks, agreed that further comments in relation to the draft Development Control Plan should be submitted directly to the Director of Buildings and that a revised version would be presented to Board for consideration in Michaelmas Term 2010.

**BD/09-10/266 College's Annual Report 2008-2009** The Secretary invited Board's attention to the College's Annual Report for 2008/2009 which had been circulated. She advised Board that it was a high level commentary of the College's achievements in that year, noting that two new sections covering the Student Experience and Equality had now been added to the report. The Secretary invited Board members to submit comments to her directly and advised that a limited number of hard copies would be printed and that the document would be available on the College's website.

**BD/09-10/267 Annual Office** The Board noted, for approval at its meeting on 30 June 2010, the nominations for Annual Officership for the academic year 2010-2011 as presented by the Provost.

**BD/09-10/268 University Council** The Board confirmed the Acta of the University Council from its meeting held on 19 May 2010 subject to further comments covering CL/09-10/176, 177, 179, (Items from Section D in the Acta are set out in Section D of these minutes).

## SECTION B

**BD/09-10/269 Audit Committee - Audit Tender** The Board noted a memorandum from the Chairman of the Audit Committee, dated 2 June 2010, which had been circulated. The Board noted the recommendation of the Audit Committee, that subject to written confirmation of the terms, KPMG be appointed for a period of five years to provide external audit services to the College. In response to a query, Dr McGilp advised Board that price was one of the criteria upon which the appointment was made.

**BD/09-10/270 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 10 May

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2010 and an extract from the draft minutes of the Finance Committee from its meeting on 25th May 2010.

**BD/09-10/271 Information Policy Committee (see Actum CL/09-10/177 of 19 May 2010)** The Board noted, and where a decision was required, approved proposals in the draft minutes of the Information Policy Committee from its meeting of 18 March 2010, noting in particular:

**IPC/09-10/23.6 Update on New Campus Smartcard System** The Board agreed that further information should be provided to explain the reasons for the increased budget for the Campus Smartcard System, noting that the increase had arisen because of an extension of the original limited proposal to include additional functionality and the scope for further enhancement in the future.

**BD/09-10/272 Personnel and Appointments Committee (see Actum CL/09-10/179 of 19 May 2010)** The Board noted, and where a decision was required, approved proposals in the draft minutes of the Personnel and Appointments Committee from its meeting of 15 April 2010, noting in particular:

**PAC 2009-10/16 New Academic Year Structure** In response to a query the Interim Chief Operating Officer advised Board that the College is dealing with outstanding issues regarding the new Academic Year Structure through the College's Group of Unions.

**BD/09-10/273 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 meeting of 18 May 2010, noting in particular:

**SF/09-10/47 Grounds and Gardens Advisory Committee** The Board noting that plans are in place for the ongoing protection of the "Sphere within a Sphere" sculpture at the Berkley Library Podium, noted the request that leaks from the podium to the Library be addressed.

**BD/09-10/274 Student Services Committee (see Actum CL/09-10/176 of 19 May 2010)** The Board noted, and where a decision was required, approved proposals in the draft minutes of the Student Services Committee from its meeting of 16 March 2010.

## SECTION C

**BD/09-10/275 Board Minutes of 31 March 2010 - Report of Working Party on the Student Registration Charge (BD/09-10/195)** The Board noted and approved a revised memorandum from the Secretary to the College, circulated, dated 25 May 2010.

**BD/09-10/276 Response to Audit Committee Annual Report 2009** The Board noted a memorandum from the Provost, circulated, dated 25 May 2010.

**BD/09-10/277 Headships of Schools 2010-2013** The Board noted and approved the appointment of the following to headship of Schools:

(i) **School of Chemistry** Professor D Grayson;

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- (ii) **School of Engineering** Professor M O'Mahony;
- (iii) **Religions, Theology and Ecumenics** Dr A Fitzpatrick.

**BD/09-10/278 Higher Degrees** The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 19 May 2010, as circulated.

**BD/09-10/279 Senate Business - Degree of MA (*jure officii*)** The Board noted and approved a memorandum from the Registrar, circulated, dated 24 May 2010.

**BD/09-10/280 Prizes and Other Awards**

- (i) **Ekenhead Scholarship** The Board noted and approved the award of this Scholarship to Mr David Charles Maguire 08900400. Value €200.
- (ii) **Change of name of Benefaction Fund and Calendar Entry - Trinity College Dublin Genetics Award Fund (Dawson Prize)** The Board noted and approved a memorandum from the Treasurer, circulated, dated 22 March 2010.

**BD/09-10/281 Memorandum of Agreement - NIID/St Angela's College, Sligo** The Board noted and approved a Memorandum of Understanding between the NIID and St Angela's College, circulated, Sligo to ensure that the implementation of the programme is in keeping with the overall objective and targets agreed to with the HEA in the delivery of the Certificate in Contemporary Living (CCL) Course.

**BD/09-10/282 Visual and Performing Arts Fund** The Board noted and approved a memorandum from the Provost, circulated, dated 10 May 2010.

**BD/09-10/283 Trinity Long Room Hub - Board of Governance** The Board noted and approved the appointment of Professor Geoffrey Joel Crossick, MA (Cantab), PhD (Lond), FRHistS as Chair of the Trinity Long Room Hub Board of Governance.

#### SECTION D

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

Signed: .....

Date: .....