

*Incorporating any amendments approved at subsequent Board meetings*

The University of Dublin

Trinity College

Minutes of Board Meeting, 1 June 2011

<i>Present</i>	Provost (Dr J Hegarty), Vice-Provost/Chief Academic Officer (Dr M A Marsh), 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>	Chief Operating Officer.
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Secretary to the College, Treasurer.
<i>(by invitation)</i>	Mr T McMahon (for minute BD/10-11/224) Vice-Provost for Medical Affairs (for minute BD/10-11/225) Director of Strategic Initiatives (for minute BD/10-11/226)

SECTION A

**BD/10-11/224 Update on Employment Control Framework and related matters**

The Staff Secretary, present by Invitation, invited Board's attention to a memorandum, dated June 2011, which had been circulated. Noting the Board decision that a contingency plan should be investigated to provide for a situation where the terms of the Employment Control Framework cannot be agreed (minute BD/10-11/203(iii) of 4 May 2011 refers), the Staff Secretary invited Board's attention to the interim measures on staff numbers, pensions, promotions and remuneration which are currently in place pending the outcome of negotiations with the Department of Education and Skills.

The Board noted in particular the options in relation to entry grade starting scales and the effect the 10% reduction for new entrants will have on the College's ability to recruit high calibre staff. The Staff Secretary advised that, in order to avoid such a competitive disadvantage with universities that have a dual entry grade, the College could consider operating two entry points to the Lecturer scale, namely point 1 and point 8, the latter being the nearest point to the minimum point on equivalent scales in other comparable universities.

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

- (i) the College should be in a position to make appointments above the entry point should the need arise;

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- (ii) the College needs flexibility in relation to lower grades in order to avoid losing staff to other institutions;
- (iii) the College should introduce two Lecturer scales in line with other universities;
- (iv) the College should be mindful that what is being proposed is not disproportionate to other areas in College where the reduction in staff numbers has had an adverse affect;
- (v) any reduction in staff numbers should be strategic and not opportunistic;
- (vi) the College should maintain its position of voluntarily agreeing with the terms of the Employment Control Framework;
- (vii) there may be a risk of litigation if staff with the same qualifications and experience are paid varying amounts;
- (viii) staff have already experienced significant reductions in pay and College should resist any further measures to reduce pay further.

In response to the issues raised the Provost and the Staff Secretary clarified a number of issues including that:

- (a) the two point entry system may not deliver optimum value for money but will enable pragmatic practice in the recruitment of essential lecturing staff;
- (b) the proposal is in relation to new entrants to the Lecturer scale only and will not apply to all grades;
- (c) the College is not a position to extend the proposal to lower grades and therefore the College may become uncompetitive in recruiting staff at this level;
- (d) the language used to describe the entry grade salary scale is that used by the Minister for Education and Skills;
- (e) the proposal is an interim arrangement pending the conclusion of negotiations with the Department of Education and Skills;
- (f) the effect of the reduction in staff numbers in all areas of College is being addressed by the Planning Group;
- (g) the proposal has not been submitted for approval to the HEA but is consistent with the intentions of the Minister for Finance in relation to new entrant pay and is in line with the entry points on scales for other universities;
- (h) the outstanding pension liability issues will be addressed as part of the multiannual budgets.

The Board agreed to proceed with the proposals as set out in the memorandum as a voluntary interim measure pending the outcome of negotiations with the Minister for Education and Skills and the Department of Finance in relation to the Employment Control Framework.

#### **BD/10-11/225 Trinity Health**

The Provost, introducing the item, advised Board that following a long period of negotiation with the two participating hospitals (St. James's Hospital and the Adelaide and Meath Hospital, Dublin incorporating the National Children's Hospital), consensus had now been reached between the parties and a draft agreement had been prepared which reflected the common position.

The Vice-Provost for Medical Affairs/Head of the School of Medicine, present by invitation, invited Board's attention to the draft Trinity Health Collaboration Agreement, which had been circulated. He advised Board that the proposed establishment of the Trinity Academic Medical Centre (Trinity Health) has been the

result of many years of consultation and negotiation between the parties. The Board noted the significant role that Trinity Health will play in contributing to improvements in teaching, research and patient care and that such centres have become the international norm in the medical field.

The Vice-Provost for Medical Affairs advised Board that Trinity Health is based on the model of delegated authority to the Trinity Health Committee, initially not involving incorporation, noting that the entity may be incorporated at a later date. The Board noted the importance of the proposed collaboration between the College and the two participating hospitals given the competitive environment and the fact that several collaborations of this nature have already taken place within other Irish universities.

In the course of a detailed discussion, a number of issues were raised by Board members and where necessary clarified by the Provost and Vice-Provost for Medical Affairs under the following headings:

(i) **Role of Head of School of Medicine**

In response to a query on whether the Head of the School of Medicine should always be the CEO of Trinity Health given that a particular unique skill set is required for each position, the Vice-Provost for Medical Affairs advised that it is envisaged that the Head of the School of Medicine will *normally* be the CEO of Trinity Health and that this can be provided for in the Agreement. He further advised that such an individual will be from an academic healthcare background and will have the required leadership skills to influence the strategic direction of a hospital. It was suggested by Board members that consideration should be given to selecting the Head of School by interview rather than by vote given the skill required of the CEO of Trinity Health; the importance of involving senior academic clinicians was also stressed.

(ii) **Involvement of other Schools/disciplines**

Concern was expressed by Board members that engagement with other Schools from within the Faculty of Health Science had not been provided for in the draft Agreement and that the negotiations with the partner hospitals surrounding the Agreement had not involved the other health disciplines.

Noting the need to provide reassurance to the Heads of Schools within the Faculty of Health Science as to how their School will fit into the Trinity Health Structure, the Vice-Provost for Medical Affairs advised Board that the other health disciplines, including Schools from within the Faculty of Health Sciences, Schools from the Life Sciences and Schools from the Social Sciences areas will be involved in Trinity Health and that the necessary engagement will take place. The Board noted that the Heads of Schools have been invited to participate in discussions with the Trinity Health Committee but that due to the need to prioritise agreement of the Collaborative Agreement these discussions have yet to take place. The Board also noted that discussions with the Trinity Health Committee have already taken place at Faculty level.

(iii) **Governance Issues**

In response to views expressed by Board members that the Board was being asked to approve the Agreement without an opportunity for further negotiation or to provide for the related Faculty matters within the Agreement, the Vice-Provost for Medical Affairs advised that there has been an extensive negotiating

period and the Agreement reflects the arrangements which have been agreed among the parties noting that any outstanding issues can be dealt with by way of a side-letter.

The Vice-Provost for Medical Affairs advised Board that if the Agreement is not approved, the College will have to restart the entire process with new partner hospitals and that this represents a significant reputational risk to the College. The Provost advised Board that proposals will be presented to Board on how engagement will take place between Trinity Health and the College and that Trinity Health will present reports to Board on an annual basis noting that the Agreement will be subject to review every 2-3 years.

(iv) **Role of the Faculty Dean / Membership of the Trinity Health Committee**

During a discussion, Board members expressed the view that, in order to ensure the involvement of other Schools within the Faculty of Health Science, prior to a change in the membership of the Trinity Health Committee, the Dean of the Faculty should be in attendance at the Trinity Health Committee and that in instances where the Dean is the Head of the School of Medicine, a Head of a School from within the Faculty other than the Head of Medicine should attend. Board members also expressed the view that, once the opportunity arises in order to ensure adequate representation from areas within the Faculty other than the School of Medicine, one of the Trinity representatives on the Trinity Health Committee could be the Dean or a Head of School from within the Faculty other than the Head of the School of Medicine.

In response to a query, the Vice-Provost for Medical Affairs clarified that the National Children's Hospital will have an independent governance structure and will report directly to the HSE but that the Paediatric Unit in Tallaght Hospital will form part of the Trinity Health structure.

Noting all the issues that had been raised by Board members and to ensure the involvement of the Faculty of Health Sciences as a whole in Trinity Health, the Board agreed that, in consultation with the other members of Trinity Health, the Faculty Dean should be invited to be in attendance at the Trinity Health Committee meetings with immediate effect until vacancies arise in the College nominees to the Trinity Health Committee.

The Board also adopted the principle that when vacancies occur in the College's membership of the Trinity Health Committee the College's nomination(s) should include Faculty representation from outside the School of Medicine through a Head of School (or Faculty Dean) who is not from the School of Medicine. The Provost advised Board that a paper on the relationship between the Faculty of Health Sciences, Trinity Health and the other Schools in the Faculty will be presented to Board at the next meeting.

The Board approved the proposals, subject to agreed actions, and the Provost thanked the Vice-Provost for Medical Affairs.

**BD/10-11/226 Institute of Catholic Theology at TCD**

The Registrar invited Board's attention to a memorandum, dated 27 May 2011, which had been circulated. He advised that following Board's approval of the Heads of

Agreement for the establishment of an Institute of Catholic Theology (minute BD/10-11/118 of 2 February 2011 refers), negotiations have been on-going with the Milltown Congregations. The Registrar further advised that while significant progress had been made, the issue of the appropriate name for the new Institute was still outstanding.

The Board noted that from the outset it was the intention of all parties that the word "Catholic" should appear in the title of the Institute to signal its differentiation from the School of Religions and Theology and the Irish School of Ecumenics. The Registrar advised that at a late stage in the negotiations with the Congregations, legal advice had been sought which indicated that the inclusion of the word "Catholic" in the title may, under Canon Law, confer rights and obligations to an external agency in regard to the academic work of the proposed Institute, something all parties were keen to avoid. The Board noted that the Congregations had proposed that the title of the Institute be "The Loyola Institute of Theology" as it would clearly indicate that the Institute is for the study of Catholic Theology. The Board noted that while the ISE supported the suggested title the School of Religions and Theology was opposed to it as it was felt it was not sufficiently distinctive to differentiate the Institute from the School.

In the course of a discussion, there was a divergence of views among Board members as to the clarity of the proposed title "The Loyola Institute of Theology" and its apparent link with Catholic Theology. A concern was raised that the College might be at risk of moving from a pluralist approach to a denominational approach. A further concern was that the inclusion of the word Catholic in the title of the Institute may suggest an imposition of Catholic beliefs on those working in the Institute.

In response to the issues raised, the Registrar, the Senior Lecturer and the Director of Strategic Initiatives, present by invitation, stated that:

- (a) the content of the Institute's courses will be clearly set out in the course prospectus;
- (b) Council will have ultimate authority in regard to the academic content and degree titles of the Institute's courses and these will be brought to Council in accordance with the normal procedures operating in College;
- (c) the degree will offer a perspective into Catholic theology and will not involve training for ministry;
- (d) it is important to adhere to the advice in relation to the possible impact of Canon law to avoid any dilution of principles of academic freedom;
- (e) the HEA will fund students in the normal manner, funds will be provided for the building which will also house the School of Ecumenics and a Trust has been set up to support activities of the Institute;
- (f) staff will be appointed through the normal College procedures and it is expected that the first Director of the Institute will come from the Congregations;
- (g) membership of the Catholic Church will not be a prerequisite for Institute staff. However, staff will have to share the ethos and vision of the Institute.

The Board approved the agreement as presented subject to the Congregations accepting that the institute be named "The Loyola Institute".

The Board noted the dissent of Dr Barrett.

**BD/10-11/227 Minutes**

The minutes of the meeting held on 4 May 2011 were approved and signed subject to the following amendment:

**BD/10-11/204 Gender Analysis of Merit Bar Reports**

Point (j) on Page 3 was amended to read "teaching is currently acknowledged in the criteria as the transfer of knowledge derived from research and this may need to be reconsidered".

**BD/10-11/228 Seanad Éireann**

Dr Barrett advised Board that following his election to Seanad Éireann he would aim to assist the College in any way he could.

**BD/10-11/229 Matters Arising**

A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/10-11/230, 231, 232 below).

**BD/10-11/230 Head of School Election: School of Business (see minute BD/10-11/207 of 4 May 2011)**

The Provost advised Board that the matter had been referred to the School of Business for further consideration.

**BD/10-11/231 Staff Matters (minutes BD/10-11/210 of 4 May 2011)**

In response to a query from Dr Gibbons regarding a judgement handed down by the Labour Court, the Board agreed that industrial relations matters should be addressed in the relevant College and external fora and that should members wish to discuss specific industrial relations matters a full paper presenting all views should be presented to Board for due consideration.

**BD/10-11/232 PRTL Cycle V - Industry Collaboration Space (BD/10-11/179 of 4 May 2011)**

The Board approved the minute which had been tabled.

**BD/10-11/233 Provost's Report**

The Provost invited Board's attention to the issues raised in a speech delivered by the Minister of Education and Skills at the Royal Irish Academy on 30 May 2011.

**BD/10-11/234 College's Annual Report 2009-2010**

The Secretary invited Board's attention to the College's Annual Report for 2009/2010 which had been circulated. The Board noted and approved the report as presented and Board members were invited to submit detailed comments on the report to the Secretary by 8 June 2011.

**BD/10-11/235 Governance Statement to HEA**

The Board approved the draft Annual Governance Statement to the HEA which had been circulated and authorised the Provost to sign it on its behalf.

**BD/10-11/236 Statutes - Amendment to the Chapter on the Provost**

The Registrar advised Board that the Fellows had assented to the amendment to the Chapter on the Provost in the 2010 College Statutes.

**BD/10-11/237 University Council**

The Board confirmed the Acta of the University Council from its meeting held on 18 May 2011 subject to further comments covering CL/10-11/171, 175, 176, 177, 178).

**BD/10-11/238 Staff Matters**

Under Other Business, the Board agreed that in line with the Croke Park Agreement the deadline for transferring all salary payments to electronic transfers will be extended by one month to allow staff previously paid by cheque to make appropriate arrangements for the changeover.

**BD/10-11/239 International Foundation Programme**

Under Other Business, the Board noted the concerns of some Board members regarding the marketing strategy of Study Group International, the company contracted to deliver the College's International Foundation Programme. The Board agreed that the College should engage further with the company to address any potential confusion and reputational risks to the College.

**BD/10-11/240 Long Room Exhibition**

Under Other Business, the Board agreed that an external expert should be consulted to assess the ethical issues associated with the current Long Room exhibition.

**BD/10-11/241 Visitors' Hearings**

Under Other Business, the Secretary advised Board that two cases are due to be heard by the Visitors and that she will advise Board of the outcomes in due course.

**BD/10-11/242 Biosciences Building**

Under Other Business, the Secretary advised Board that the formal title of the Biosciences Building will be "Trinity Biomedical Sciences Institute" and that the proposed name will be formally presented to Board through the Estates Committee minutes in due course.

**BD/10-11/243 Her Majesty Queen Elizabeth II's Visit**

Under Other Business the Board noted the success of Her Majesty Queen Elizabeth II's visit to the College on 17 May 2011 and acknowledged the contribution of all those involved.

**BD/10-11/244 Prizes and other Awards Esther J Luker and Maude Cobbe Bursary**

Under Other Business, the Board noted and approved the memorandum from the Dean of Graduate Studies, dated 30 May 2011, which had been tabled and approved the award of the 2010-2011 Bursary to Ms Emma Whittington (Girton College, Cambridge) (value: €1893.24).

**SECTION B****BD/10-11/245 Equality Committee - Minutes of 14 March 2011- Eqal/10-11/21**

The Board noted, and where a decision was required, approved proposals in the revised draft minute Equal/10-11/21 of the Equality Committee from its meeting of 14 March 2010.

**SECTION C****BD/10-11/246 Higher Degrees**

The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 18 May 2011, as circulated.

**BD/10-11/247 Prizes and Other Awards****(i) A J Leventhal Scholarship 2011**

The Board noted and approved the 2011 award of €3,000 each to Mr F Hutton-Williams and Mr J M Link of the School of English;

**(ii) Gold Medal Criteria**

The Board noted and approved memorandum from the Senior Lecturer, circulated, dated 25 May 2011.

**BD/10-11/248 Dean of Research Annual Report 2009-2010 (see Actum CL/10-11/161 of 18 May 2011)**

The Board noted the annual report of the Dean of Research, as circulated.

**BD/10-11/249 CRANN - Annual Report 2009-2010**

The Board noted the CRANN Annual Report for 2009-2010, available at:

[http://www.tcd.ie/Chemistry/nanoscience/CRANN\\_Annual\\_Report%202009\\_2010.pdf](http://www.tcd.ie/Chemistry/nanoscience/CRANN_Annual_Report%202009_2010.pdf)

**BD/10-11/250 Representation - National Forum for Pharmacy Education and Accreditation**

The Board noted and approved the nomination of Professor M Radomski, Head of the School of Pharmacy and Pharmaceutical Sciences, as the College's nominee on the National Forum for Pharmacy Education and Accreditation, for an initial period of two years.

**BD/10-11/251 Scholarship - Request to Intermit**

The Board noted a memorandum from the Senior Lecturer, circulated, dated 26 May 2011.



SECTION D

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Signed: .....

Date: .....