

Quality and Qualifications Ireland

Note of the twenty-seventh Meeting of the Authority (The Board) which took place on Friday, 10 February 2017 at 10.00 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

Present:

- Mr. Gordon Clark (Chair)
- Dr. Pádraig Walsh (Chief Executive)
- Ms. Therese Masterson (Secretary)
- Dr. Barbara Brittingham
- Ms. Una Buckley
- Ms. Mary Danagher
- Dr. Ann Louise Gilligan
- Ms. Joanne Harmon
- Mr. Jack Leahy (Items 1 and 2)
- Mr. Thomas McDermott
- Mr. James Moore

Apologies: None

In attendance:

- Ms. Caitríona Lawless (Recording Secretary)
- Ms. Laura Carrigan (Item 9)
- Mr. Eamonn Collins (Items 7, 8 and 9)

INTRODUCTION

The Board agreed the agenda for the meeting was acceptable and adopted same.

1. MEMORANDUM OF UNDERSTANDING BETWEEN QQI AND SOLAS

The Chief Executive of the Further Education and Training Authority (SOLAS), Mr. Paul O'Toole delivered a presentation to the Board as part of the commitments under the Memorandum of Understanding between QQI and SOLAS. The presentation covered developments in the further education and training sector since the establishment of SOLAS such as the transfer of training functions to the Education and Training Boards (ETBs) and the development of the FET Strategy.

Mr. O'Toole's presentation was followed by a Questions and Answers session, the discussions were mainly around the areas of apprenticeship, further education and training, lifelong learning and the promotion of vocational education. The discussions also touched on the ongoing relationship between SOLAS and QQI.

The Chairperson, on behalf of the Board, thanked Mr. O'Toole for his participation and contribution to the meeting.

2. ORGANISATIONAL REVIEW OF QQI (ON BEHALF OF THE DEPARTMENT OF EDUCATION AND SKILLS)

The Board noted the document circulated as QQI/A27.2, **Organisational Review of QQI**.

The Board noted the Clarion Report on the Organisational Review of QQI together with background information provided by the Executive. The Board noted that a draft report had been produced and sent to the Department prior to the Executive being given an opportunity to comment. While the consultant met the Executive subsequently, the Executive was not invited to comment on the report prior to its finalisation.

The Board noted that since receipt of the review report, an all staff meeting had taken place and the report had also been discussed at two CEO and Directors Meeting.

The Board then discussed the report at length without the Executive present.

When the Executive re-joined the meeting, the Chair updated the Executive on the outcome of its discussions. The Board stated that it considered that, while it had been kept informed that the review was taking place, it had not been involved in the process leading to the finalisation of the report and that it was now important that the Board has a central role in overseeing the implementation of the key outcomes of the report and in approving any new organisational structure.

Items omitted from this note.

The Board also expressed concern at the impact the process was having on staff. The Board wished to find a way of reassuring staff and expressing its appreciation of the work done to date, in particular the progress that QQI has made in recent years.

The Board stressed the importance of it playing a key role in interacting with the Steering Group referenced in the Report.

The Board noted the Chief Executive had recently met with the Department of Education and Skills to discuss the review report and that he had relayed the concern from the Board in relation to its involvement in the review to date.

The Board **agreed** that the Chair should write to the Department of Education and Skills (DES) on behalf of the Board. The Board noted there had been no developments in relation to the establishment of the Steering Group.

The Board discussed requesting a meeting with the Department.

The Board noted that QQI had delivered on the majority of its planned actions for 2016, as outlined in the Corporate Plan and the Management Framework Agreement with the Department of Education and Skills. The Board and Executive hoped to build on that in 2017.

The Board noted that it was important to mitigate any risk that the follow up and implementation of the report could result in the key business and agreed actions of QQI not being completed.

3. MINUTES OF THE MEETING OF 25 NOVEMBER 2016

The *Minutes of the QQI Board Meeting* held on 25 November 2016 were **confirmed and signed**.

4. NOTE OF THE MEETING OF 25 NOVEMBER 2016

The Board **approved** the *Note of the Meeting of 25 November 2016* for publication on the QQI website.

5. MATTERS ARISING FROM THE MINUTES

In relation to the discussion on Directors' and Officers' Liability Insurance (QQI/M26.7.4), the Board noted that the matter would be considered by the Audit Committee at its next meeting scheduled for 3 March in the first instance. The Board would then consider the matter at its meeting scheduled for 7 April.

6. DRAFT BOARD AGENDA

The Board noted the **Draft April Board Agenda**.

The Board noted the current draft agenda for the next Board Meeting scheduled for 7 April 2017. The Board noted that the Organisational Review of QQI would appear on the April Board agenda.

The Board noted that consideration of draft Procedures for Focused Reviews by QQI of the Implementation and Effectiveness of Provider Quality Assurance Procedures would also feature on the agenda of the next meeting. The Board noted that these draft Procedures had been due to appear on the agenda for this meeting but the Executive extended the consultation period on receipt of an external request.

7. HUMAN RESOURCES

The Board noted the **Update on Human Resources**.

Items omitted from this note.

7.1. PMDS

The Board noted that PMDS reviews for 2016 were nearing completion, this material would feed into an analysis of the training provided for 2016. The initial objectives for individuals for 2017 were also well advanced.

The Board noted that the Executive plans to carry out a review of the PMDS process as well as a training needs assessment for 2017. The Board noted that the Executive

is exploring training programmes for managers, with the intention of rolling one out over the next year. The Executive is currently looking at best practice models.

8. BUDGET AND FINANCE

The Board noted the documents relating to **Budget and Finance**.

8.1. Financial Report

The Board noted the Financial Report for the 12 months ended 31 December 2016. The Board noted the Executive's agreement that the expenditure business planning could be improved in 2017.

The Board noted that there had been delays in the roll out of devolved budgeting within the organisation. The Board noted that a Financial Analyst had begun working in the Finance section at the beginning of January 2017. The Board noted that the Executive expressed a need to be better able to predict income and expenditure before the final roll out of devolved budgeting within the organisation. The Executive is also currently examining the actions contained within the 2017 Corporate Plan to assist in developing the budget and expenditure plan. The Board noted the Executive's update on the Institutional Review process. The Board noted the Higher Education institutional review schedule had taken longer to agree than expected. The Board noted that reviews of HE providers would commence in 2017 with the first review reports available for consideration in 2018 and with approximately five reviews taking place per year thereafter. The Board noted that the Executive is still awaiting official notification of the State Grant for 2017 and expects it to be in the region of €4 million.

The matter of the Community and Voluntary Sector and the payment of fees was raised by a Board Member. There was a discussion on public service obligations and fees. Board Members are aware that there is some negative feedback from the Community and Voluntary Sector on the issue of fees. The Board noted that the Board or the Executive cannot take a policy decision on not charging fees to particular sectors. Criteria are required and improved communication around this is needed. The matter also cannot be examined in a vacuum/in isolation.

The Board noted that all existing providers have to re-engage with QQI. The process has already begun with larger public providers and the Executive is working through each sector progressively. The process began with public HE providers, followed by private HE providers, then large private FET providers and then smaller FET providers. The Executive noted that perhaps there is a need for better dialogue with the providers involved.

The Board requested that the matter be added to the agenda for the April Board Meeting.

8.2. Dilapidations Tender

The Board noted that the Executive had initiated contact with the Landlord and Management Company of the former FETAC office premises in East Point Business Park in relation to the execution of the break clause in the current lease. The Board noted that under the break clause, QQI is required to vacate the premises by 31 May 2017. The Board noted that QQI is also required to restore the offices to their original standing at the time the lease was originally signed in 2002. The Board noted that there were two options in this regard, QQI can either pay for the works to be carried out or agree a monetary settlement with the Landlord if agreeable, in lieu of the works. The Board noted that the Executive has issued a request for tenders for the works in accordance with QQI's Purchasing and Procurement Policy and Procedures. The Board noted the estimated costs involved. The Board **approved** the expenditure outlined and authorised the Executive to either

- award the contract for Building Works at East Point Business Park to the successful tenderer, following the conclusion of the competitive tender process, in accordance with QQI's Purchasing and Procurement Policy, and subject to contract or
- make an appropriate monetary settlement if the Landlord is agreeable.

9. STRATEGIC PLANNING

The Board noted the documents entitled **Strategic Planning**.

9.1. Corporate Plan 2016 – Out-turn for 2016

The Board noted that despite a small number of items moving to Quarter 1, 2017 for completion, the majority of the actions under the Corporate Plan 2016 had been completed. The Board noted that following the resignation of the Head of Strategic Planning and Communications and the retirement of the Director of Corporate Services, Strategic Planning and Communications towards the latter end of 2016, the planning work had been continued and completed by the HR, Employee Engagement and Finance Manager and the Strategic Planning and Communications Unit.

The Board noted the Executive's suggestion that it needs to update staff on how much progress had actually been made during 2016.

9.2. Corporate Plan 2017

The Board noted that feedback received from the Board on the draft Corporate Plan and during discussion at the Board Workshop held on 24 November 2016 had been incorporated into the current draft Corporate Plan for 2017. The Board noted that among the revisions were the inclusion of two events, to promote and facilitate QA improvement in further education and training through a FET public provider event and a FET private provider event. A similar QA improvement event would also be hosted for the HE sector. The Board noted that the Executive would also continue to work with Transition Year Ireland (TYI) which is proving to be a useful pathway for QQI to inform and communicate with learners at secondary level, as well as an additional focus on strengthening communications with our range of stakeholders.

The Board noted that in addition to the usual tracking and monitoring of the Corporate Plan, the Executive intended to review the Plan in Quarter 2 and assess the impact of the Organisational Review report (on resources) and reassess priorities as necessary. While the Plan is flexible and resources are currently unchanged, it is possible that organisational changes arising from the Organisational Review may

impact on the delivery of some of the actions within the Corporate Plan, particularly those stated for delivery within Quarters 3 and 4.

The Board **approved** the Corporate Plan for 2017 subject to the proposed review scheduled to be carried out in Quarter 2 as outlined above.

10. RELATIONS WITH THE DEPARTMENT OF EDUCATION AND SKILLS

The Board noted the documents entitled **Relations with the Department of Education and Skills**.

The Board noted the draft Management Framework Agreement (MFA) between QQI and the Department of Education and Skills for 2017.

As the actions contained in the MFA for 2017 are largely based on the Corporate Plan for 2017, the Board requested that the draft MFA be amended to reflect the Executive's review of the Corporate Plan in Quarter 2 (see item 9 above, Strategic Planning), a review which will assess the impact of the Organisational Review report (on resources) and reassess priorities as necessary. As the review of the Corporate Plan may result in the Executive reprioritising its actions for Quarters 3 and 4, this would also impact on the actions for those Quarters contained within the MFA. The Board noted that the Department is reviewing the draft MFA and the Executive expects the final version to be signed by the end of Quarter 1.

11. GOVERNANCE

The Board noted the documents relating to **Governance**.

11.1. Appointment of Board Members 2017

The Board noted the Chair's verbal update in relation to the appointment/reappointment of Board Members at the end of the current five-year term of office in November 2017.

The Board noted that the Chair had contacted each Board Member individually to discuss their intentions.

The Board noted that the Chair would discuss the matter with the Department in the coming weeks.

11.2. External Evaluation of Board and Committee Performance 2016

The Board **approved** the draft Terms of Reference for the External Evaluation of the Effectiveness of the Board and Committee Performance which would be conducted by Mazars. This external review is a requirement under the revised Code of Practice for the Governance of State Bodies.

The Board noted the draft timetable for the review and that the Executive would be in contact with Members in relation to the interview arrangements. The Board noted that the Chair and Executive expect to have some initial feedback in time to feed into the discussions with the Department in relation to the appointment of Board Members. The Board noted that the Executive expects to be in a position to give initial feedback at the April Board Meeting with the findings presented by Mazars to the Board at a later meeting.

11.3. Appointments to QQI Committees

The Board noted the Executive's recommendations for the filling of two positions on QQI Committees.

The Board **approved** the appointment of Mr. Tony Mealy to the Audit Committee. Mr. Mealy replaces Mr. Colin Maynard who retired from the Committee on 11 November 2016.

The Board **approved** the appointment of Professor Daire Keogh to the Policies and Standards Committee (PSC). Professor Keogh replaces Dr. Aidan Mulkeen whose term of membership finishes on 19 March 2017.

11.4. Code of Business Conduct

The Board noted that the Executive had amended the Code of Business Conduct for Members and Employees of Quality and Qualifications Ireland to include new

requirements under the revised Code of Practice for the Governance of State Bodies. The Board noted that the Code of Business Conduct was amended to include the following points:

- All Board members and employees are required to co-operate with internal audit in the internal audit process;
- Board members should endeavour to attend all Board meetings;
- The development of a culture of 'speaking up' should be promoted, whereby workers can raise concerns regarding serious wrongdoing in the workplace without fear of reprisal.

The Board **approved** the revised Code of Business Conduct and noted that Board Members and employees will be required to acknowledge that they have noted the revised Code.

12. REVIEWS

The Board noted the documents entitled **Reviews (Section 46 Review of Validated Programmes at a Named Provider)**.

The Board noted the report of the Review Team and summary paper provided by the Executive. The Board noted that the Programmes and Awards Executive Committee (PAEC) considered and approved the recommendations of the Review Team at its meeting of 25 January 2017 and referred the recommendations to the Board for its decision.

The Board considered and **adopted** the review report and **approved** the recommendations of the Review Team to withdraw validation of specified programmes leading to QQI awards offered by Named Provider.

The Board noted that the provider has, under Section 47(2), one month from receipt of formal notice of the proposed withdrawal of validation in which to make observations on the reasons for the proposed withdrawal. The matter will be brought to the Board again at its meeting scheduled for 7 April 2017 for consideration of any observations received. The Board noted that consideration of the timing of the withdrawal of validation of the aforementioned programmes will also be taken at the April 2017 Board Meeting.

The Board requested the Executive highlight the fact that the review report found that there are no implications for the qualifications already awarded to graduates of this provider.

13. WITHDRAWAL OF VALIDATION

The Board noted the documents related to **Withdrawal of Validation**.

The Board noted the steps taken by the Executive in the process to recommend withdrawal of validation from specific providers who have ceased operation of QQI validated programmes and noted the request of the Programmes and Awards Executive Committee that the Board withdraw validation of those programmes. The Board **approved** the withdrawal of validation from the specified providers under Section 47 of the 2012 Act.

14. COMMUNICATIONS AND INFORMATION

The Board noted the **Update on Communications and Information Strategy**.

The Board noted the update on progress in Communications and Information.

15. ITEMS FOR NOTING

The Board noted the **Items for Noting**.

15.1. Programmes and Awards Oversight Committee (PAOC)

The Board noted the report of the meeting of the Programmes and Awards Oversight Committee held on 25 November 2016.

15.2. Programmes and Awards Executive Committee (PAEC)

The Board noted the reports of the meetings of the Programmes and Awards Executive Committee held on 28 November 2016, 12 and 25 January 2017.

15.3. Policies and Standards Committee (PSC)

The Board noted the report of the meeting of the Policies and Standards Committee held on 9 December 2016.

15.4. Reviews

The Board noted the correspondence relating to the two-year follow up report to the ENQA Review of QQI.

The Board noted the correspondence relating to QQI's Substantive Change Report to the EQAR Register.

15.5. Media Mentions, Key Developments, Current and Forthcoming Events

The Board noted the Media Mentions, Key Developments, Current and Forthcoming Events (from 27 November 2016 – 9 February 2017).

15.6. Rolling Board Agenda 2016 and 2017

The Board noted an update on the Rolling Board Agendas for 2016 and 2017.

16. NEXT MEETING

The Board noted that the next meeting is scheduled to take place on **Friday, 7 April 2017** beginning at **10:00 a.m.**

17. ANY OTHER BUSINESS

There was no other business.

THIS CONCLUDED THE BUSINESS OF THE MEETING.