

Quality and Qualifications Ireland

Note of the thirtieth Meeting of the Authority (The Board) which took place on Friday, 21 July 2017 at 10.00 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

Present:

- Mr. Gordon Clark (Chair)
- Dr. Padraig Walsh (Chief Executive)
- Ms. Therese Masterson (Secretary)
- Ms. Una Buckley
- Ms. Mary Danagher
- Ms. Joanne Harmon (attended via phone conferencing)
- Mr. Thomas McDermott
- Mr. James Moore (Items 1-9, 14-16)

Apologies: Dr. Barbara Brittingham

In attendance:

- Ms. Caitríona Lawless (Recording Secretary)
- Mr. Eamonn Collins (Items 5-7)
- Ms. Mary Sheridan (Item 10)

INTRODUCTION

The Board took some time to remember its colleague, Dr. Ann Louise Gilligan, who passed away on 15 June. The Chairperson and Members paid tribute to Ann Louise's contribution, noting that she will be hugely missed and a big loss to the QQI Board.

The Chairperson, on behalf of the Board, congratulated Jim Moore on his recent appointment as Chairperson of the Governing Body of Waterford Institute of Technology.

The Board noted that this meeting had been postponed from 16 June 2017 and several of the original agenda items had been progressed incorporeally in the intervening period. The Board had also been provided with some additional material and updates in advance of this meeting.

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

1. MINUTES OF THE MEETING OF 7 APRIL 2017

The *Minutes of the QQI Board Meeting* held on 7 April 2017 were **confirmed and signed**.

2. NOTE OF THE MEETING OF 7 APRIL 2017

The Board **approved** the *Note of the Meeting of 7 April 2017* for publication on the QQI website.

3. MATTERS ARISING FROM THE MINUTES

All matters arising were covered within agenda items and were discussed during the meeting.

4. DRAFT BOARD AGENDA

The Board noted the revised **Draft September Board Agenda**.

The Board noted the current draft agenda for the next Board Meeting scheduled for 22 September 2017 which now includes an Accommodation Plan for the period 2017-2023 which arose from the incorporeal meetings held in June. The Board also requested that the Action Tracker be added to the September Agenda as a standing item.

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

The Board noted the **Update on the Organisational Review of QQI** as well as additional material circulated to the Board in advance of this meeting.

5.1. Workplace Relations Commission (WRC)

The Board noted an update on the WRC meeting which had taken place on 10 July. The Board noted that the WRC proposed the establishment for a finite period of an IR Consultative Forum comprising of members of the Executive, Union and Department of Education and Skills (DES) which would look to consider the legacy issues and the Change Management process. The Board noted that the Terms of Reference for the Forum are currently being drafted.

5.2. Steering Group

Items omitted from this note.

The Board noted a verbal update on the second meeting of the Steering Group which had taken place on 20 July. The Board noted that the Group had reviewed and agreed the process for assessing the tenders for the appointment of a Change Management Consultant. The Board noted the members of the Tender Assessment Group (TAG). It also noted that a number of applications had been received following the call for tenders. The Board noted that the Executive expects the assessment process to be completed by the end of August.

The Board noted that the next step appears to now be the establishment of the IR Consultative Forum and noted that the Executive would be in discussions with the Union.

The Board noted that no conclusion on the filling of the vacant posts had been reached by the end of the Steering Group Meeting. The next meeting of the Steering Group is scheduled for 6 September.

The Board stated that it was acutely aware of the pressure the Executive continues to operate under. The Board requested the Chairperson to write to the Secretary General of the Department expressing its concerns, particularly in relation to any potential problems which may arise in QQI's governance, financial management, corporate risk and communications due to the vacant positions at senior management level.

5.3. HR and Organisation Committee

The Board noted that the Committee had met on three occasions to date and had appointed an external expert to support the work of the Committee. The Board noted the minutes of the Committee would be copied to the Board for information and noted the minutes arising from the meeting of 15 June 2017.

The Board thanked the Executive for the assistance it has provided to this Committee.

5.4. External Communications (as highlighted in the Organisational Review)

A Board Member raised concerns again in relation to the apparent time taken by QQI to validate programmes. The Board Member noted that the matter had been raised with him on several occasions outside of QQI, stating that some parties believe the validation process takes up to 18 months to complete.

The Executive briefed the Board on current programme validation statistics. The Board noted that since July 2016, 58 FET and HE programmes were validated, on average within 12 weeks (five programmes were the exception to this, taking over 25 weeks to complete the process) – a rate of 92.8% of programmes being validated within the 25 week period. The Board noted that within the ETB sector, ETBs validate their own programmes under legacy programme approval agreements before submitting to QQI for confirmation of validation. Since July 2016, there have been 25 programmes validated in this way, in an average of seven weeks. The Board noted that the first ETB Apprenticeship programme was also validated within 11 weeks from when QQI received the application. In addition, in the six months since January 2017, QQI has validated seven other apprenticeship programmes with a further nine expected to complete the process in July.

The Board requested the Executive to explore options for communications and tackling the misconception there appears to be in relation to the time taken to validate programmes. The Board requested that the Executive look at publishing programme validation statistics on its website, through an infographics report every six months. The Board also requested the Executive to consider copying the information to CEOs and Chairs within the ETB sector. The Board also requested the Executive to look at featuring more frontline activities in future Annual Reports.

The Board **approved** the suggestion of targeted communications and requested the Executive to look at the procurement of outsourced communications support.

6. HUMAN RESOURCES

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

Items omitted from this note.

6.1. Staffing

The Board noted that the successful candidate filling the contract position of Assistant Principal Officer supporting the validation and external QA activities for apprenticeships had commenced employment in May in addition to the second Grade V officer.

7. BUDGET AND FINANCE

The Board noted the documents relating to **Budget and Finance** as well as additional material circulated to the Board in advance of this meeting.

7.1. Finance Report to 30 April 2017

The Board noted the Finance Report for the four months ended 30 April 2017.

Board Members insisted that extra attention should be given to the production of explanations for variances that are relevant, reliable, concise and understandable by all of the Board.

The Board noted however, that it is difficult to predict QQI's income and noted that, since its last meeting, Relationship Fees had been approved by DES, invoices issued and all but three providers had paid their fees by 21 July.

The Board highlighted the urgency of filling the Finance Manager position.

7.2. Licence for Fourth Floor, 10 Lower Mount Street

The Board noted that this matter had been approved at the Incorporeal Meeting held on 27 June 2017. The Executive thanked the Board for its forbearance while dealing with the matter during the incorporeal meeting.

The Board noted that the Executive had undertaken to present the Board with an Accommodation Plan for the period 2017-2023 at the September Board Meeting. The Board noted that issues connected to the current office layout/environs had been raised on several occasions during the recent staff workshops and the Executive was keen to look at better utilising the space currently available. The Board noted that the Executive intended to seek external assistance in exploring this matter.

The Board noted that the licence and lease for both Mount Street and Denzille Lane would be ending in 2023.

7.3. Review of QQI ICT and Data Security

The Board noted the progress report on the Review of QQI ICT and Data Security conducted in 2016, information which was requested as part of the Incorporeal Meeting on 22 June. The Board noted that the Head of ICT and Procurement would be in attendance at the Audit Committee Meeting on the afternoon of 21 July. The Board noted one member's suggestion that information in relation to the finances needed to complete the review recommendations and any likely obstacles should be provided to the Board. This material would be presented to the Board at its September meeting.

7.4. Directors' and Officers' Insurance

The Board noted that a quote for the provision of Directors' and Officers' Insurance had been received. The Board considered the Executive's recommendation and authorised the Executive to request the Broker to proceed with the option chosen.

8. **STRATEGIC PLANNING**

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

8.1. Corporate Plan 2017 – Quarter 1 Progress Report

The Board noted the interim progress report for Quarter 2 of the 2017 Corporate Plan. The Board noted that the mid-year MFA Review Meeting between the Secretary General and Deputy Secretary General of the Department and the Chairperson and CEO of QQI scheduled for 18 July had been postponed following

notification by the Department of a meeting, at short notice, with the Joint Committee on Education and Skills. This meeting dealt with the consideration of the Draft Scheme of the Qualifications and Quality Assurance (Amendment) Bill for pre-Legislative scrutiny. The Board noted that the Executive was working with DES to reschedule the MFA Meeting.

8.2. Annual Report 2016

The Board noted that the 2016 Annual Report had been submitted to the Minister for Education and Skills by 30 June.

9. **GOVERNANCE**

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

9.1. 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 Department would be seeking to fill a number of vacancies (including those of Chairperson and a Learner Representative). The Board noted that DES had requested QQI to prepare material on the skills blend required for the call for applications through the Public Appointments Service (PAS). The Board noted that the Chairperson and Executive had prepared a draft for the Department taking account of the outcomes of the External Review of the Board and Committees Effectiveness and the knowledge gap left by those members who did not wish to be reconsidered for a second term. The Board noted that the final version of the PAS booklet would be circulated to Board Members, for information, once received from DES. The Board noted that the Chairperson intends to give his views to the Department as part of the recruitment process.

The Board noted that there had been discussion at Committee level in relation to the attendance levels by certain members at Committee meetings.

9.2. External Evaluation of Board and Committee Effectiveness 2016

The Board noted the final Report of the External Review of Board and Committee Effectiveness which was conducted by Mazars in the first quarter of 2017. This external review is a requirement under the revised Code of Practice for the Governance of State Bodies.

The Board noted the Report's recommendations and progress where applicable:

- **Reserved Functions of the Board**

The Board noted that the Executive would present a paper on same at the September Board Meeting. This paper would capture events to date and cross reference the functions to determine if all functions currently reserved to the Board need to remain so.

- **Communications with DES and the MFA between DES and QQI**

The Board noted that these recommendations relate in the main to communications between the Board and the Department (e.g. MFA etc.) and noted that it was a point which the Chairperson would be raising directly with the Department. It was suggested that these recommendations were also impacted by the Organisational Review Report which had been published shortly before the Review of Board Effectiveness took place.

The Board noted that should the Department feel that there are strategic issues within/developments relating to the organisation, it should ensure that they are brought to the attention of the Chairperson. The Board is particularly cognisant of the lack of briefing for the Chairperson in relation to any concerns the Department may have had prior to or during the Organisational Review. This should be provided for in the next version of the MFA.

- **Board obtaining additional skills/appropriate external advice**

The Board noted that this matter was being dealt with through the Chairperson's and Executive's input to the drafting of the PAS Booklet and

the recent recruitment of external expertise supporting the HR and Organisation Committee.

- **CEO Performance Appraisal**

The Board noted the methodology for the appraisal of the CEO which had been agreed and followed since September 2014. The Board noted that the appraisals of the CEO's performance were up to date and noted that the HR and Organisation Committee was now forming part of the process on behalf of the Board. The Board **agreed** the Chairperson's proposal that the Chairperson would in future discuss and agree with the HR and Organisation Committee, the CEO goals before agreeing them with the Chief Executive. The Board noted that the Chairperson would follow this up with the Chief Executive.

- **Tailored Induction Process for new Board Members**

The Board noted that the Executive had been diligent in relation to Board Member inductions to date and was examining the new requirements under the revised Code of Practice for Governance of State Bodies published in 2016.

- **Continue to seek opportunities to foster a culture of debate and discussion**

The Board felt that it had improved in this area over the years and noted that it is something that is always a challenge and an item to keep in mind both for the current and new Board.

- **Use of an Action Tracker**

The Board **approved** the draft Action Tracker presented by the Executive.

- **Staggering of Board Membership**

The Board noted that the Chairperson had already been in contact with the Department in relation to same following the publication of the revised Code of Practice for Governance of State Bodies in 2016.

- **Conflicts of Interest**

The Board **approved** adding Conflicts of Interest as a standing item to the Board Agenda. The Board noted the Executive's suggestion of developing a Register of Interests and noted that the Executive would look at developing a template.

- **Executive Attendance at Board Meetings**

The Board noted the procedures for Executive attendance at Board meetings which it had previously agreed and which arose from the 2012/2013 Board Performance Review. The Board noted that the Executive would look at introducing more variety in Executive attendance at Board Meetings where appropriate. The Board **agreed** that the existing procedures remain valid and confirmed that it was satisfied to have other members of staff attend provided there was justification for doing so.

- **Annual Self-Assessment of Committee Performance**

The Board noted that the Executive had intended to commence an annual self-assessment process for evaluating QQI Committee Performance later this year and preparation for this had already begun.

- **Standing Conflict of Interest item on Committee Agendas**

The Board **agreed** that Committee Chairs should be asked to consider adding Conflicts of Interest as a standing item to their agendas.

9.3. DES Corporate Governance Compliance Review

The Board noted the Corporate Governance Compliance Review Report which had been received from the Department of Education and Skills on 12 July. The Board noted that the Department had, in January 2016, commenced a review of the corporate governance compliance of all the agencies under its aegis. The Board noted that the Executive would review the report and its recommendations and update the Board on progress at its September Board Meeting.

9.4. Terms of Reference – Human Resources and Organisation Committee

The Board **approved** the Terms of Reference for the Human Resources and Organisation Committee.

9.5. Complaint of Service

The Board noted the European Association for Quality Assurance in Higher Education (ENQA) had received a complaint in January 2017 in relation to QQI's compliance with the Standards and Guidelines for Quality assurance in the European Higher Education Area (ESG 2015). The Board noted that the complaint was considered by the Board of ENQA at its meeting on 21 June 2017 and a response was received by QQI on 4 July. (This response was part of the additional information the Board received prior to this meeting). The Board noted the Board of ENQA concluded that there was no breach concerning QQI's compliance with ESG 2015.

The Board noted the Executive's intention to explain how it escalates complaints received when next reviewing its monitoring policy.

The Board noted that the Executive is aware that communications need to be quicker and clearer and lessons have been learned in that regard.

The Board noted that it would be informed of any further complaints of service received.

10. LEGISLATION

The Board noted an update provided by the Executive on the draft Scheme of the Qualifications and Quality Assurance (Amendment) Bill published on 15 May 2017 by the Department of Education and Skills. The Board noted that Department officials and members of the Executive had been in attendance at a meeting with the Joint Committee on Education and Skills to brief the Committee on the provisions of the Scheme and explore if the Scheme required pre-Legislative scrutiny which would have potentially delayed the Bill for at least a further nine months. The Board noted that the Joint Committee agreed that pre-Legislative scrutiny was not required in this case and forwarded the Scheme to the

drafting stage. The Board noted the Executive's expectation that a draftsman would be appointed in the next few weeks and expect the Bill to be progressed during the Autumn.

11. QUALIFICATIONS

The Board noted the document entitled **Qualifications**.

11.1. Titling of Awards arising from New Apprenticeship Programmes

The Board noted that following the postponement of its meeting scheduled for 16 June, this item was deferred to the Policies and Standards Committee (PSC) for consideration. The Board noted the report of the PSC Meeting of 29 June 2017 (which formed part of the additional information supplied for this meeting) outlining the approval of the Committee to the derogation on titling of Awards arising from new Apprenticeship programmes.

12. RE-ENGAGEMENT

The Board noted the **Update on QQI re-engagement with Providers**.

12.1. Re-engagement update

The Board noted that the Executive had completed re-engagement with public HE providers and initial dialogue meetings with each Education and Training Board (ETB) were being scheduled for the Autumn. The Board noted that between February and May 2017, 11 re-engagement briefing sessions for independent FET and HE providers had been held nationwide at which 374 of the invited 449 providers had been in attendance (turnout of 83%). The Board noted that the Executive has also been in contact with those that did not attend. Some representative bodies such as AONTAS, ICTU and the Department of Adult and Community Education in Maynooth University had also attended sessions.

The Board noted the briefings consisted of two parts 'Agreeing Quality Assurance' and 'New Programme Validation Policy'. The Board noted that the consortia option had generated some interest amongst smaller providers and the community and voluntary sector.

The Board noted that the proposed schedule of fees for re-engagement has yet to be approved by the Minister for Education and Skills. Providers were given an indication of the proposed fees at the briefing sessions.

12.2. Public Service Obligation (PSO)

The Board noted the material provided in relation to QQI's PSO costs. The Board noted that QQI does not charge certification fees to learners for FET awards at Levels 1-3 under a legacy policy decision. There are also waivers in respect to FET awards to Social Welfare and/or Medical Card holders. Similarly, under another legacy policy decision waivers apply for Youthreach and Vocational Training Opportunities Schemes (VTOS) centres. The Board noted that the total fee income forgone in relation to FET Certification Levels 1-3 and the waivers mentioned above equated to approximately €2.7m in 2016. The Board noted that fees have been paid to date for the programme validation process.

The Board noted that the Executive had received a copy of a letter from AONTAS to the Minister for Education and Skills requesting a waiver of fees for a number of providers. A copy of the letter would be provided to the Board at its next meeting.

12.3. Re-engagement Pilot

The Board noted that 24 providers of various categories had volunteered to undergo a pilot re-engagement process. The Board noted that the Executive had selected 12 providers of various categories to take part in the pilot and the group had met for the first time on 20 July.

13. COMMUNICATIONS AND INFORMATION

The Board noted the document relating to **Communications and Information**.

13.1. Communications and Information

The Board noted progress in this area, namely the production of a number of corporate videos, podcasts and an Information Guide to QQI.

Board members highlighted the need to focus on strategic communications. The Board requested the Executive to look at a targeted social media campaign in the lead up to the Leaving Certificate results, looking at messages around the Framework, progression, variety of qualifications and the QQI Awards Brand. Possible target audiences would include Leaving Certificate students and mature students, highlighting progression options. The Board suggested also looking at infographics around Programme Validation as discussed earlier in the meeting. The Board sees a need to be proactive in promoting QQI, which would benefit providers as well as the organisation. The Board highlighted the need for resources to be directed to Communications.

The Board noted that SOLAS has recently launched a significant social media campaign around apprenticeship programmes.

The Board noted the Executive's outline of a number of advertisements and podcasts already in train but acknowledged the need to progress/increase QQI's social media presence.

13.2. Consultative Forum

The Executive noted the suggestions for additional members to be included on the Consultative Forum following the Executive's review. The Board undertook to discuss the Forum further at a later date.

14. ITEMS FOR NOTING

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

14.1. Programmes and Awards Oversight Committee (PAOC)

The Board noted the report of the meeting of the Programmes and Awards Oversight Committee held on 10 March 2017.

14.2. Programmes and Awards Executive Committee (PAEC)

The Board noted the report of the meeting of the Programmes and Awards Executive Committee held on 12 April 2017.

The Executive drew the Board's attention to the listing in Appendix 1 of the PAEC report of statistics relating to validation periods for FET programmes.

14.3. Policies and Standards Committee (PSC)

The Board noted the report of the meeting of the Policies and Standards Committee held on 28 April 2017 in addition to the report of the meeting held on 29 June which was circulated in advance of this meeting. The Board noted that the PSC had approved the derogation on titling of Awards arising from new Apprenticeship programmes as referenced above at item 11.

14.4. Approvals and Reviews Committee (ARC)

The Board noted the report of the meeting of the Approvals and Reviews Committee held on 10 May 2017.

The Board noted that the ARC had recently processed a resubmitted (apprenticeship) programme which had not been validated in 2016. The Board noted the positive feedback received by the Committee.

14.5. QQI Enhancement Events 2017

The Board noted an update on a number of QQI Enhancement Events scheduled to take place in September, November and December 2017.

14.6. Memorandum of Understanding (MoU) between QQI and China Education Association for International Exchange (CEAIE)

The Board noted that a MoU had been signed on 29 May 2017 between QQI and the China Education Association for International Exchange (CEAIE).

The Board noted that current education policy in China requires that any overseas provider operating there is required to have a local partner.

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

The Board noted the Media Mentions, Key Developments, Current and Forthcoming Events (from 18 April – 16 June 2017).

14.8. Rolling Board Agenda 2017

The Board noted an update on the Rolling Board Agenda for 2017.

15. NEXT MEETING

The Board noted that the next meeting is scheduled to take place on **Friday, 22 September 2017** beginning at **10:00 a.m.**

16. ANY OTHER BUSINESS

16.1. Board Meeting, November 2017

The Chairperson confirmed that the final meeting of the current Board would take place on 3 November 2017 and further details would be confirmed nearer the date.

Item omitted from this note.

THIS CONCLUDED THE BUSINESS OF THE MEETING.