

Quality and Qualifications Ireland

Note of the seventy fifth Meeting of the Authority (The Board) which took place on Friday, 27 September 2024 at 10:30 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

Present:

- Prof. Irene Sheridan (Chair)
- Dr. Pádraig Walsh (Chief Executive)
- Ms. Cliona Curley (Secretary)
- Ms. Marianne Doyle
- Dr. Sean Duignan
- Dr. Sharon Feeney
- Mr. Blake Hodkinson
- Ms. Anne Naughton
- Mr. Bryan O'Mahony
- Ms. Maria Ward

Apologies: Mr. Kevin McStravock

In attendance:

- Ms. Caitríona Lawless (Recording Secretary)
- Mr. Liam Butler (Items 11 and 12)
- Mr. Eamonn Collins (Item 14)
- Dr. Anna Murphy (Item 7)
- Dr. Alan Wall (Item 1, attended via MS Teams)

INTRODUCTION

The Chairperson welcomed Members to the meeting.

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

1. PRESENTATION BY DR. ALAN WALL, HIGHER EDUCATION AUTHORITY (HEA)

Following an invitation from the Executive, Dr. Alan Wall, Chief Executive of the Higher Education Authority, delivered a presentation to the Board. An annual presentation to the respective Boards of the two agencies is one of the requirements of the Memorandum of Understanding (MoU) between QQI and the HEA.

The presentation was followed by a questions and answers session. The Board noted that the Executives of the HEA and QQI were scheduled to meet in mid-October to provide updates on current work and recent developments.

The Chairperson, on behalf of the Board, thanked Dr. Wall for his attendance and contributions to the meeting.

2. POTENTIAL CONFLICTS OF INTEREST

The Board noted that no conflicts of interest were declared.

3. MINUTES OF PREVIOUS BOARD MEETINGS

The **Minutes of the QQI Board Meetings** held on 14 June and 16 August 2024 (incorporeal meeting) were **confirmed** and signed.

4. NOTES OF PREVIOUS BOARD MEETINGS

The Board **approved** the **Notes of the Meetings of 14 June and 16 August 2024 (incorporeal meeting)** for publication on the QQI website.

5. MATTERS ARISING FROM THE MINUTES

The Board noted the **Action Tracker**.

5.1. Action Tracker

The Board noted the updated Action Tracker. The Board briefly discussed the current format of Board Papers as well as the system of provision and the Executive undertook to explore the latest developments in this area.

The Executive provided a verbal update on the expressions of interest received for the applications process for the TrustEd Ireland Mark. This first phase of the process, i.e. Confirmation of Application (COA) had opened on 2 September and was due to close at close of business on Friday, 27 September. The Board noted that the Chairperson and a number of Board Members had attended the TrustEd Ireland launch by the Minister for Further and Higher Education, Research, Innovation and Science, Mr. Patrick O'Donovan, T.D., on 25 September. It was noted that some providers expressed concerns on the fees and charges approved by the Minister for Further and Higher Education, Research, Innovation and Science and the Minister for Public Expenditure, NDP Delivery and Reform. All fees and charges were set on a cost recovery basis, as required by the Department of Public Expenditure, National Development Plan Delivery and Reform.

It was noted that the TrustEd Ireland application fee covers the assessor and associated panel costs. The Board noted for participating ELE providers the annual charge for retention of the TrustEd Ireland mark involves no programme validation costs or certification fees and is in keeping with existing fees and charges structure. The established Relationship fees cover the TrustEd Ireland application costs for public HE providers, who will also have to pay an annual charge for retention. The service QQI provides is different to that provided by other voluntary processes which ELE providers have engaged with to date.

The Board noted that the Protection of Enrolled Learners (PEL) charge goes directly into the Learner Protection Fund (LPF) and is a separate charge. All tertiary education providers other than specifically exempted providers are required to contribute to the LPF. The Board noted that the PEL charge is not applicable for TrustEd applicant providers until they are authorised to use the mark, e.g. circa November 2025 for the first tranche of applicants.

The Board noted a verbal update on the number of confirmed expressions of interest received at that point on 27 September (11:30 a.m.).

The costs set are proportionate to the size of the provider. The Department has again confirmed that the Interim List of Eligible Programmes (ILEP) hosted by the Department of Justice is closing in three years and it is closed to new applicants, since 1 September. There are two TrustEd Ireland application windows, the first being from 14 October 2024 to 28 March

2025; if a provider were to miss one window, there would be only one remaining opportunity for providers who recruit non-EEA students to apply before the ILEP closes. Following the closure of the ILEP, any provider who wishes to recruit non-EEA students must have the TrustEd mark. Therefore, it is in a provider's interest to proceed with their application for TrustEd in tandem with engagement with the Department on fees and charges. It was noted that the expressions of interest window remained open until 6 p.m. that evening.

6. CEO REPORT

The Board noted the **CEO Report**.

6.1. CEO Report

In addition to the CEO Report circulated, the Chief Executive provided Members with a verbal update on a number of recent activities. The Board noted a number of statistics following completion of the re-engagement process.

The Board noted that certification levels are still high and the Further Education and Training (FET) certification numbers have almost returned to pre-Covid levels.

The Board noted that the Cinnte Reviews of the four largest HE private providers are nearing completion. The Executive also confirmed that it has commenced planning for the next round of reviews in the private HE sector. It was noted that the latest in the Quality in HE events, 'Sectoral Findings and Enhancement Showcase 2024' would take place on 2 October and would feature an overview of the 2024 Annual Quality Reports (AQR).

7. STRATEGIC PLANNING

The Board noted documents relating to **Strategic Planning**.

7.1. Corporate Plan 2024

The Board noted the progress report covering Quarters 1-3 of the Corporate Plan for 2024. The Board noted a verbal update on progress which had occurred since the paper circulated was finalised on 6 September. It was expected that a number of other actions will be completed by the end of the month.

The Board noted that the Initial Access to Validation (IAV) application process had been paused with effect from 1 September to facilitate the incorporation of the new Due Diligence element into the process.

The Board noted that the external dependencies around the Amended Legislation Programme (ALP) functions continue to impact on the delivery of related actions within the Corporate Plan, however, it is hoped that the recent developments will mean some of this work will progress in the coming weeks and months.

7.2. Statement of Strategy 2025-2027

As the Board was aware, the draft Statement of Strategy 2025-2027 was forwarded to the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) for consideration by the Minister(s) following its approval by the Board at its meeting on 14 June. The Board noted that informal feedback was received from Principal Officers from the Department in August and this was incorporated, where appropriate, into the draft Statement. Formal observations from the Ministers were received on 21 September and a revised version of the Statement reflecting those observations was presented to the Board at this meeting. The Board was happy to incorporate the feedback and observations received from the Ministers. The Board **approved** the Statement of Strategy 2025-2027 and noted the accompanying implementation plan.

The Chairperson acknowledged the achievement in finalising the organisation's Strategy for the next three years and commended the constructive process which had involved staff and Board Members in a positive way.

The Board noted that the Statement of Strategy would now undergo a design process and the Executive expects to launch the Statement at its biennial conference on 21 November prior to publishing the document online. Work would also continue with staff on presenting the Values element as well as mapping out activities against the current organisational structure. The Board noted the Executive's view that this process does not currently suggest that major changes to QQI's organisational structure are required. The Board also noted that preparation of the draft Corporate Plan for 2025, the first of three which will deliver on the priorities within

this Statement of Strategy, is underway. The Chairperson thanked all involved for their participation.

The Board noted that members of the Executive Management Team (EMT) together with several Board Members had undergone senior leadership training on Equality, Diversity and Inclusion. It was noted that the organisation was applying for Bronze Award accreditation as part of the Investors in Diversity scheme.

8. AUDIT AND RISK

The Board noted documents relating to **Audit and Risk**.

8.1 Anti-Fraud and Corruption

The Board noted that an Anti-fraud and Corruption Policy had previously been developed and approved in 2020. The Executive had now revised the policy to update it and further tailor it to the organisation's requirements. It was noted that the draft had been considered by the Audit and Risk Committee at its last two meetings and the resulting suggestions and feedback had been incorporated into the document. The Board noted that, as there is potential overlap with elements of the Protected Disclosures Policy, the Executive had also consulted with the Protected Disclosures Designated Officer on the draft.

The Board noted that the Policy will be kept under review to ensure that it remains effective to meet the organisation's needs. It was noted that the Policy will be circulated to all staff and training will also be organised.

The Board **approved**, subject to some minor edits, the Anti-fraud and Corruption Policy.

9. BOARD MEETS WITHOUT THE EXECUTIVE PRESENT

The Board considered the series of external presentations to the Board and ways to optimise the value of these. In addition, the current funding situation, succession planning, the launch of the TrustEd Ireland mark as well as the finalisation of the Statement of Strategy were discussed.

10. GOVERNANCE

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

10.1. Schedule of Reserved Functions

The Board noted that the Executive had reviewed the Schedule of Reserved Functions of the Board following the recent approval of the new functions commencing under the ALP process. The Schedule of Reserved Functions was updated to include the new functions and any other necessary amendments. The Board **approved** the revised Schedule of Reserved Functions.

10.2. Committee Terms of Reference

In addition to the review of the Reserved Functions above, the Executive also carried out a similar review exercise on the Terms of Reference for four of the Board Committees, the Approvals and Reviews Committee (ARC), the Programmes and Awards Executive Committee (PAEC), the Programmes and Awards Oversight Committee (PAOC) and the Policies and Standards Committee (PSC). The Terms of Reference were revised to include a number of updates arising from the commencement of the new ALP functions, such as the inclusion of actions linked to the International Education Mark (IEM) and TrustEd Ireland and the Listed Awarding Bodies (LABs) processes and the removal of expired items such as those linked to the now completed re-engagement process. The Board **approved** the revised Terms of Reference for the ARC, the PAEC, the PAOC and the PSC.

The Board noted that contrary to the requirement contained within the Terms of Reference for the PSC, the Committee was likely to meet on just two occasions this calendar year as opposed to the four recommended in the ToR. It was noted that the volume of business in this area meant that four meetings were not required in 2024.

10.3. Committee Members/Appointments

The Board **approved** the following reappointment to Committees:

- Kate Cullen to the Audit and Risk Committee for a further three years until 26 September 2027.

10.4. Succession Planning

The Board noted a high-level update on succession planning.

11. ENGAGEMENT WITH THE DEPARTMENT OF FURTHER AND HIGHER EDUCATION, RESEARCH, INNOVATION AND SCIENCE (DFHERIS)

Verbal updates on a number of areas were presented by the Executive.

11.1. Funding Model

The Board noted a verbal update on the Funding Model. The Board noted that following approval by the Ministers for Further and Higher Education, Research, Innovation and Science and for Public Expenditure, NDP Delivery and Reform, of the fees and charges associated with the TrustEd Ireland, the Due Diligence and the Protection for Enrolled Learners processes, attention was now moving to consideration of the fees for the Listed Awarding Bodies process. While no further progress had been made to date, the Board noted that there had been some engagement with the Department on the Relationship Fees for the ETB sector. The Executive confirmed that it had answered all queries received from the Department on the matter. It was noted that a portion of the costs involved in the LABs process will be subsidised by EU funding linked to National Qualifications Frameworks and the associated fees will be slightly lower as a result.

11.2. Amended Legislation Programme

The Board noted a verbal update on ALP developments. The Board noted all the new ALP functions commenced on 1 September. It was noted that following closure of the expressions of interest window for the TrustEd Ireland process later that day, there would be a two week pause before the portal opens for applications. The first stages then would be assessments against the Code of Practice for HE public and private providers and assessments against Due Diligence and the Code of Practice for ELE providers.

12. BUDGET AND FINANCE

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

12.1. Management Accounts

The Board noted the Management Accounts for the seven-months to 31 July 2024. There continues to be a high level of certification income. The Board noted an update on retirements. The Senior Manager, Finance and Procurement confirmed that the organisation was

projecting a deficit at year end. The Board noted that the Executive had been engaging with the Department on addressing the matter. The Board noted the Executive's opinion that 2025 is expected to be a financially challenging year for the organisation.

The Chairperson thanked the Executive for the preparation of the material and it was noted that the Board was clear on the issues and not complacent on the situation.

The Board noted that the Quarter 2 PDA Review Meeting (to be attended by the Chairperson and Chief Executive) originally scheduled for 26 June had been postponed on a number of occasions and was now scheduled to take place on 21 October.

13. ITEMS FOR NOTING

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

13.1 Focus on the Approvals and Reviews Committee (ARC)

The Board noted the verbal update provided by the Chair of the Committee. The Board noted that the Committee had met on four occasions since September 2023 when the Chair joined the Committee. It was noted that following the commencement of the new ALP functions and the resulting changes to the Terms of Reference (Item 10 above), the ARC would now be considering decisions in relation to the TrustEd Ireland Mark and Listed Awarding Bodies. The Chair provided an update on recent initial access decisions. The Board noted that following the commencement of the Section 29b regulations (i.e. Due Diligence) on 1 September, the Executive had paused the Initial Access process to new applicants until the Due Diligence requirement is fully incorporated into the process. All applications received prior to 1 September are in train and will be processed as normal. Any applications submitted after 1 September are paused and would be evaluated under the new process once fully integrated.

13.2 Programmes and Awards Executive Committee

The Board noted the reports of the meetings of the Programmes and Awards Executive Committee held on 12 June and 17 July 2024.

13.3 Rolling Board Agenda 2024

The Board noted an update on the Rolling Board Agenda for 2024.

14. ORGANISATION AND HUMAN RESOURCES

The Board noted documents relating to **Organisation and Human Resources**.

14.1 Organisational Resources

The Board noted an update on the lease negotiations for the office building at 26/27 Denzille Lane.

The Board noted an update on the reductions to the organisation's energy consumption levels following a number of upgrades and changes made over the past 18 months.

15. ENQA REVIEW

The Board noted documents relating to the **ENQA Review**.

The Board noted the Review Report which had been approved by the ENQA Agency Review Committee on 31 May. The Executive then submitted the Report as part of its application to remain on the European Quality Assurance Register for Higher Education (EQAR). Following confirmation of its inclusion on the EQAR Register, QQI had then applied to have its membership of ENQA reconfirmed, confirmation of this acceptance was received on 23 September.

16. COMMUNICATIONS

The Board noted an update on **Communications**.

16.1. Media Mentions

The Board noted media mentions covering the period 2 June to 5 September 2024. The Board also noted a report on QQI's Social Media statistics covering the period 23 May to 5 September 2024.

17. DRAFT BOARD AGENDA

The Board noted the **Draft December 2024 Board Agenda**.

The Board noted that a presentation by the National Apprenticeship Office (NAO) had been confirmed for the December Board Meeting.

18. NEXT MEETING

The Board noted the next scheduled meeting would take place on Monday, 2 December 2024.

The Board noted and **approved** the schedule of Board Meetings for 2025:

Monday, 10 February 2025

Friday, 11 April

Friday, 13 June

Friday, 26 September

Friday, 28 November.

19. ANY OTHER BUSINESS

There was no other business.

The Chairperson thanked everyone for their participation and contributions.

THIS CONCLUDED THE BUSINESS OF THE MEETING.