



Ollscoil
Teicneolaíochta
an Atlántaigh

Atlantic
Technological
University

**Minutes of the 16th ATU Governing Body Meeting
Held on Monday 19th June 2023 at 10.30am
MS Teams**

Present:

Maura McNally (Chairperson) – online	MMcN
Dr Orla Flynn (President) – in person	OF
Ursula Cox – in person	UC
Dara Foynes – online	DF
Michael Gilvarry – online	MGil
Michael Geoghegan – online	MG
Séamus Hughes – in person	SH
Dr Mary Kelly- online	MK
Patricia King – online	PK
Dáire Martin – in person	DM
Dr Brian McCann – in person	BMcC
Mary McGinley - online	MMcG
Anne McHugh – in person	AMcH
Felim McNeela - online	FMcN
Oonagh Monahan – online	OM
Dr Martin Robinson – in person	MR
Gareth Roe – in person	GR
Prof. Rachel Ashworth - online	RA
David Minton – online	DMT

In attendance:

Jim Fennell (Secretary) – in person	JF
Michael Henehan (Recording Secretary) – in person	MH
Dr Séan Duffy (item 1) - in person	SD
Liam McIntyre (item 6) - online	LMcI
Dr Jacqueline McCormack (item 7) – online	JMcC
Dr Billy Bennett (item 8) - in person	BB
Elizabeth McCabe (item 9.4) – in person	EMcC
Henry McGarvey (item 13) - in person	HMcG
Mary Daly (item 13) – in person	MD
Sarah Mohan – online	SM

Apologies:

Edward Grant	EG
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GB 016.01 Declaration of Conflicts of Interests

There were no conflicts of interest declared at this meeting.

GB 016.02 Minutes of the meeting of 15th May 2023

The minutes of the meeting of the 15th May 2023 were reviewed by the members. The members requested the following amendments -

- section 15.05.05: (the insertion of the following sentence - "BMcC had a query re the presentation of research fees in the Fee Schedule and it was agreed that the Registrar would provide clarification direct to him on this."),
- sections 15.08.01 and 15.08.03: the date of GMIT's final Financial Statements be corrected to 31st March 2022 (from 2023),
- the fifth and sixth sentence of section 15.08.01 be changed from "...projects/ research/ higher education. When filling the vacancy, GMIT's..." to "...projects/ research/ higher education when filling the vacancy. GMIT's...",
- section 15.08.02 be revised to insert the sentence "The Risk Register was reviewed by ARC at their May meeting and the members of ARC are concerned about the trajectory of the risks identified in the register." as the second sentence in order to record the concerns expressed by the members of ARC re the deterioration of the Risk heatmap in the Risk Register.

Decision: The minutes of the 15th May 2023 were approved subject to the above changes on the proposal of UC and seconded by GR.

GB 0016.03 Matters arising, Correspondence and Log of Actions

GB 0016.03.1 Log of action items

The members reviewed the log of action items and agreed to close items 7, 8, 20, 26, 28, 31 and 34.

GB 0016.03.2 DAC re Foundation

Legal advice received regarding the establishment of a Foundation was circulated to the members. The Secretary advised the members that following discussion with the Chair, the University's legal advisers had been asked to draft the legal documents necessary to form a DAC and these would be submitted to the Governing Body and the Minister for approval.

GB 0016.03.3 Organisation charts

Organisation charts detailing the structure at executive level across the organisation and by campus were distributed for the members information. In discussion the members requested the organisation charts would include photographs of the managers and that the charts would include the next layer of management down from that provided.

Action: The Organisation charts are to be amended to include photographs of managers and to include the next layer down from that provided

GB 0016.03.4 Letter from Minister (DFHERIS) to Chairs of ATU and St Angela's

This letter dated 13th June 2023 was distributed for the members information.

GB 0016.04 President's Report

GB 0016.04.1 President's Update

OF provided an overview to the Governing Body of activities since the last Governing Body, highlighting the meetings with various internal groupings, the four pilot tertiary education programmes which have been validated, and updated the members regarding the ongoing processes surrounding the submissions re Veterinary Medicine and Pharmacy. She indicated that the issue of student accommodation in Sligo was a challenge that had emerged since the report was submitted.

In discussion DM asked for his concerns to be noted regarding the loss of student accommodation in Sligo town. He noted the full number affected could be higher than [REDACTED] places. He also acknowledged the funding made available by the Registrar to assist with this problem (€15,000) but expressed his disappointment that no direct contact had been made by the President of the University in the midst of the biggest crisis for Sligo students and asked that this issue get more attention from management of the University and the Governing Body given the [REDACTED]

While expressing solidarity with the refugees, the members noted that it was questionable whether it was sensible to divert that number of bed-spaces adjacent to the University's campus in Sligo from student use resulting in long commuting distances for students who wish to complete their education in Sligo. The members further noted that student accommodation blocks in Sligo had capacity for 1750 people in total and the [REDACTED] spaces affected accounted for a significant portion of that.

OF briefed the members that the University has been working with a range of people, locally and nationally, including the Minister for Children, Equality, Disability, Integration and Youth, since it had discovered the problem and was working to reduce the numbers of places affected.

The members noted the responsibility of central government for this issue and the need to raise and progress this issue with the responsible officials in the Department.

GB 0016.04.2 UPT Minutes

The President took the members through the UPT minutes of their meetings of the 20th April and the 8th May which had been distributed to the members.

GB 0016.04.3 Strategic Plan

The President updated the members on progress with the Strategic Planning process and stressed the need to settle on a period which the Strategic Plan would cover (3 or 5 years) and the need to include targets the University would like to see achieved beyond this Strategic Plan.

GB 0016.04.4 Change Management and Organisation design

The President updated the members on progress with the Organisation Design process. To date the Current State review and an updated version of the Strategic Design Principles have been drafted. The Academic Working group has also been created which will be used to develop options for the academic structure of the University.

Discussions are ongoing to create a separate PMSS working group to develop options for the support functions, and the external members of the Design Advisory Group have been briefed. They will support the President both in reviewing the structure options and updated Design Principles, and in making the final decision. The first meeting of this latter group is planned for mid-July. This aim of KPMG will be to create draft structure options for review and assessment from September.

MMcN temporarily left the meeting at this point and it was agreed by the members that Anne McHugh would take over as Chair in her absence.

GB 0016.08 Registrar's Report

GB 0016.08.1 Child Protection Policy

BB joined the meeting and explained to the members that the Child Protection Policy being proposed to the members for approval is to bring uniformity to this area across the University and had been the subject of widespread consultation across the University. The draft had been reviewed by ARC in May and the current draft incorporates legal advice received on the draft and the views of ARC.

Decision: The Child Protection Policy was approved on the proposal of GR and seconded by MR.

GB 0016.08.2 Student Vetting Policy

BB explained the purpose of the Student Vetting Policy to the members in that students working with children and vulnerable adults in their course needed to be vetted through the Garda Vetting system. The draft had been the subject of widespread consultation, and feedback from ARC had also been incorporated into the document.

Decision: The student Vetting Policy was approved on the proposal of BMcC and seconded by UC.

GB 0016.08.3 Conferring Dates 2023/24 and 2024/25

BB took the members through the conferring dates for 2023/24 by campus and extended an invitation to all of the members to attend. He asked that if they were able to attend, they would contact Gerald Gavin, Academic Affairs Manager to let him know which session(s).

GB 0016.05 Corporate Governance

GB 0016.05.1 University Risk Register and Risk Mitigations

MH brought the members through the Executive summary of the April Risk Register. Following this BB took the members through the risk mitigation actions for risk Op5 - Risk of not achieving the academic plan due to poor progression and retention rates, and he explained to the members the report on undergraduate retention would be available for the September meeting.

Rick Officer joined the meeting and explained the factors affecting risk S4 (Risk to the University of not achieving Research targets) and risk C3 (Risks to the University of conducting key R&I processes inappropriately) and the mitigating actions arising. The members noted the issues surrounding dedicated space for researchers, the stipend amount being paid to research students is currently not attractive in a full employment economy and charging tuition fees to foreign research students is also having a negative effect on recruitment.

RO also took the members through risk C3 - Risks to the University of conducting key R&I processes inappropriately, and the mitigating actions some of which are in the process of being completed (the finance system is now merged into one and the R&I committee has been formed and has met 4 times)

The members also noted more widespread issues with the Galway City campus such as the canteen capacity (350) which is a serious issue given the number of students attending the Galway City campus (4,000). This coupled with the lack of control over student accommodation are key drivers to risk Op1 - Risk of not providing a 'transformative university experience' for students.

SH noted that in the discussions surrounding the Risk Register management sometimes referred to resources not being available as factors pushing up the score on individual risks. He asked if this in effect meant that lack of resources was being scored twice given that the infrastructure was covered by risk Op1 and staffing was covered by risks Op3 and F1. The Secretary agreed to bring this point back to the management team for the next Risk Register Review.

Action: Management to review the Risk Register to ensure factors such as resource availability are not being included twice in risk assessments.

GB 0016.05.2 Code of Governance GB Self-Assessment review

MH presented an analysis of the GB Self-Assessment responses. He noted the highest number of Dissatisfied and Very Dissatisfied responses were in the sections on the Role of the Governing Body and Board Effectiveness. Accordingly, the recommendation from the Governance team was that training would be arranged with the IPA or another expert from the Governance field for the first week in September with this training to focus on the Role of the Governing Body and Board Effectiveness.

Action: Training to be arranged for the first week in September (4th September GB meeting).

GB 0016.05.3 Delegation of Authority

JF brought the members through the delegation of authority resolution which was being proposed to the Governing Body in order to facilitate the running of the University over the summer break.

The Governing Body, in exercise of the functions conferred on it by Section 9(6) of the Technological Universities Act 2018 and by paragraph 1 of Schedule 2 to the Technological Universities Act 2018, hereby resolves to delegate to a subcommittee which shall comprise:

- the President, Dr Orla Flynn
- the Chair, Ms Maura McNally

and one of either

- the Chair of the Audit & Risk Committee, Ms Anne McHugh or
- the Chair of the Finance Subcommittee, Mr Felim McNeela

the authority to:

1. Award contracts with a value more than €1m provided same are within the approved budget.
2. Make appointments to senior management grades provided same are within the approved budget.

The purpose of this delegation resolution is to facilitate the smooth running of the University during the months of July and August until the Governing Body meets on 4th September 2023, at which time this delegation resolution shall expire.

All contracts approved and appointments made under this delegation resolution shall be notified to the Governing Body at its meeting on Monday 4th September 2023.

Decision: The resolution was approved on the proposal of GR and seconded by BMcC.

GB 0016.07 EDI Subcommittee

GB 0016.07.1 Report from the EDI Subcommittee meeting 24th April 2023

Jacqueline McCormack (JMcC) joined the meeting presented a report on the most recent meeting of the EDI Subcommittee (24th April). The need for 2 members of the GB to be members of the subcommittee was highlighted along with the need for the governing Body to endorse the Anti Racism Principles for Irish Higher Education Institutions. This would be accompanied by an anti-racism action plan for the University.

GB 0016.07.2 Appointment of GB member to EDI Subcommittee

Discussion of this item was postponed until after the appointment of a new governing body which must take place before the end of November 2023 in accordance with the amended Technological Universities Act.

GB 0016.07.3 Gender Pay Gap report

JMcC presented on the Gender Pay Gap report and explained that the data in the report prepared by HR is a snapshot taken on the 28th June 2022. This shows a gender-based pay gap of 9.7% across the University. The members noted that while the pay gap is in keeping with that in other public sector organisations the University needs to work to bring this gap down. JMcC informed the members that the University will be doing a training needs analysis through the NTUTORR project, and this will ultimately lead to training pathways being put in place which will allow for staff to progress internally through promotion.

Lunch -break 13.00 to 13.30

MMcN rejoined the meeting and resumed the Chair.

GB 0016.06 Cyber Security

LMcI joined the meeting to provide the members with an update on Cyber Security. He explained to the members that in April the IT governance committee had approved a Cyber Security Strategy. This comprises 4 pillars – Security infrastructure, Security Prevention, Security Operations and Compliance and Validation. Deloitte have recently reviewed the IT systems and has provided a report which identifies key opportunities for the University in Cyber Governance, Security Monitoring, Incident response, Penetration testing and Vulnerability Scanning and Asset Management. These are opportunities which the University is working on actualising. Overall Deloitte benchmarked the University's Cyber capability and maturity with a score of 1.43 against an average score of 1.27 for the Higher Education sector and 2.2 for the Financial Services sector. He also reported the University's Secure Score had risen from 53% in February 2023 to 61% in April. This is benchmarked against other organisations of a similar size who had an average score of approx. 49% in April. LMcI also took the members through a breakdown of the cyber security threats experienced by the University in April.

In discussion with the members LMcI explained that the HEA had funded the SIEM initiative which is significant for the University in terms of identifying threats. Also, a forum had been set up to share the learnings from the recent experience in MTU. He also explained to the members that the teaching network is on a separate Virtual Local Area Network to the administration systems (HR, Finance, etc).

The members noted that getting to a higher benchmarked score would be an ongoing process which will involve ongoing expenditures to maintain systems e.g., replacing staff laptops on a 4 year cycle.

GB 0016.09 Finance subcommittee

GB 0016.09.01 Report from Finance Subcommittee meeting 7th June 2023

FMcN reported to the members on the Finance Subcommittee meeting held on the 7th June. He noted the approval of the Credit Card policy for recommendation to the members and he also noted that following review of the outturn to April the members of the subcommittee recommend to Governing Body (GB) that GB convey their concerns to HEA regarding TU Development Fund (TUDF) and shortfall on pay funding. This point was addressed further at the Finance Update below.

GB 0016.09.02 Appointment of GB members to Finance Subcommittee

This item was deferred to September when the Governing Body membership becomes clearer following the implementation of the HEA Act 2022.

GB 0016.09.03 Approval of Credit Card Policy

JF explained that the new policy on credit cards held by the University provides for the allocation of 6 cards as per the schedule on page 6 of the policy. He also explained that the Finance offices will have more detailed procedures surrounding the use of the cards.

Decision: The policy was approved on the proposal of BMcC and seconded by DM.

GB 0016.09.04 Finance Update Jan-April 2023

EMC joined the meeting and presented a finance update to the members. EMC explained to the members that a forecast surplus of €720K was now being forecast for the full budget (calendar) year, however concerns remain about funding TUTF project staff of whom there are 64 with an annual pay-cost of €4.5M. The issues centre on the funding of the continuation of these posts as the TUTF funding is due to end on 31 August and there has been no communication received yet about the TUDF which is to replace TUTF. Accordingly €2.8M of projected non-pay costs associated with the integration are to be postponed and funds secured from alternative sources. On a sectoral level further funding for pay restoration & inflation is being sought by the sector of €19M. (€5.4M relates to ATU, incl.€3Mfor pay). While recruitment competitions are continuing, only necessary appointments will be made (relating to student recruitment).

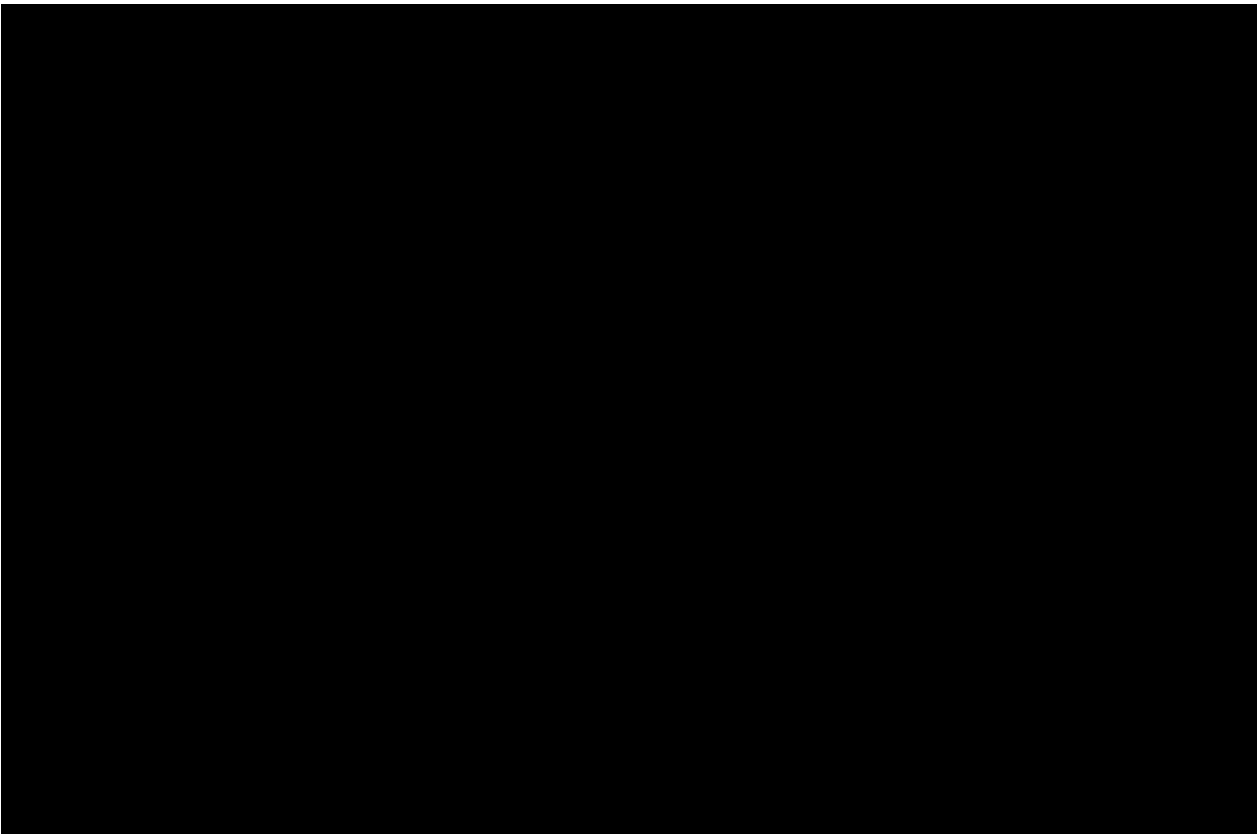
In discussion the members proposed that the University write to the Minister requesting further funding for the University given the poor budgetary situation presented and the importance of beginning the TU project with enough resources to ensure the project is a success. However OF reported to the members that it was difficult to do that when the University had more than €50M in Reserves. Looking further down the road there is some time yet to work out the impact of any shortages in staff resources before the University is affected by any staff resource shortage.

The members felt it would be useful to see the change in staff profile and numbers over time and an analysis showing how many new posts are linked to new CAO courses, special projects etc.

Action: Resourcing committee to provide an analysis of staff numbers for the next meeting

GB 0016.10 HR Appointments

The following staff appointments were presented to the Governing Body for approval:





Decision: The above posts were approved on the proposal of GR and seconded by AMcH

GB 0016.11 Integration of St Angela's College

Sean Duffy (SD) joined the meeting to present on the integration of St Angela's. He explained that the final signed agreement had been circulated with the papers for the meeting.

OF thanked Maura McNally and Niall Fennelly (Chair, St Angela's) for making themselves available to sign the agreement when the final draft became available.

SD went on to point out that significant progress has been made since the last meeting in that the final agreement has been signed and IT Services has commenced engagement with St Angela's on their integration into the University's IT systems. St Angela's has also commenced addressing issues arising from the Due Diligence reports which affect the buildings and the University's DPO has begun engagement with St Angela's re GPDR issues.

MR asked if there was any overlap between the two categories of students (UOG and ATU) in St Angela's. OF explained that as St Angela's is now a linked provider with ATU the students that registered since the start of the linked provider agreement would be studying and graduating under ATU's regulation and those who registered prior to this would be finishing out under University of Galway's regulations.

GB 0016.12 HEA Act 2022

JF briefed the members that since the last meeting the Regulations (for the selection, election, nomination and appointment of Members to the governing body) had been reviewed by DFHERIS officials and they had made recommendations on changes they would like to see reflected in the Regulations. These changes have all been accepted except one relating to the inclusion of the role of the Governing body in the Regulations – the legal advice is not to comment on the role of the Governing Body within the Regulations as this is provided for in legislation. The revised proposed regulations have been circulated.

It was proposed that the Regulations in their current draft would be approved and then forwarded to the Minister for approval. If the Minister requires the inclusion of a reference to the role of the Governing Body this would be done by referencing the relevant sections of the TU Act in the Regulations and in that event delegated authority would be given to approve the revised Regulations under the arrangement made 16.05.3 above.

Decision: The Regulations in their current form were approved and any further changes required would be approved in accordance with the delegate authority approved at section 16.05.3 above.

GB 0016.13 Presentation on Capital Plans

Henry McGarvey (HMcG) and Mary Daly (MD) joined the meeting. HMcG presented on ATU Sligo's campus plan, MD presented on ATU Donegal's campus plan and JF presented on Galway Mayo. These presentations covered the current state of buildings and plans to expand and improve the estate.

MD in presenting on Donegal's plan highlighted the proposed development of the Knocknamona site which is proposed under the Large Scale Sport Infrastructure Fund, the proposal to facilitate an expansion of Nursing, a proposal to facilitate a Veterinary school and the de-carbonisation works required under the government's climate change plans. The total estimated cost of the projects included in the plan is estimated at €364M with potential external funding sources of €83M identified to date (decisions pending).

HMcG presented Sligo's campus plan and highlighted the proposed extension of the estate in Sligo through purchasing land at Ardaghown from the County council and the potential purchase of the Clocktower on the St Columba's site from the Health Service Executive as being key developments for Sligo. He also drew the member's attention to the decarbonisation work necessary to comply with the Government's climate change plans (estimated cost €38M). He also took the members through the Technological Sector Strategic Projects Fund proposal for integrating St Angela's College (total estimated cost €70M with €10M of that coming from ATU and St Angela's reserves) into the University.

JF presented on the Galway-Mayo campus plans and highlighted the decline in M2 per student on the Galway city site as the student numbers have increased in recent years resulting in a current shortfall of at least 20,000M2 (against a current 35,000M2 of facilities at the Galway city campus) compared to sectoral space norms. He also took the members through the sites owned by the University in Galway city (Murrough site, Crowley Park, Wellpark Road, Dublin Road Northern & Southern campuses) where land exists for new buildings and facilities. The need to upgrade existing buildings and decarbonise them is also a significant problem. The total funds required to achieve the plan has been estimated at €0.5BN.

The Chair thanked HMcG, MD and JF for their comprehensive and impressive presentations.

GB 0016.14 AOB

The Chair briefed the members that based on her review of a recent complaint appeal the University requires a new policy regarding Student v Student complaints; Student v Staff complaints; Staff v Staff complaints; and Staff v Student complaints. This new policy needs to address precisely how such complaints are to be dealt with from the very outset, to include methodology, and what is to be gathered to address the complaint etc. The Chair also indicated her willingness to meet with the members of the executive to discuss the need for the University to have policies and procedures which covered natural justice and were fair.

JF explained that he had received the Chair's email on the subject and that he would need to discuss this with the Registrars and would revert.

JF informed the members that a one topic meeting is needed to approve the final annual financial statements of LYIT and IT Sligo (accounts for the 19 months ended 31.03.2022). This meeting was agreed for 24th July 2023 at 10.30 (online).

Action: Secretary to discuss the complaints process with the Registrars and revert with a timeline for an updated policy.

Signed: 
Chairperson

Date: 6/11/2023