

Incorporating any amendments approved at subsequent Board meetings

The University of Dublin

Trinity College

Minutes of Board Meeting, 22 April 2009

<i>Present</i>	Provost (Dr J Hegarty), Vice-Provost/Chief Academic Officer (Dr P J Prendergast), Senior Lecturer (Dr A Douglas), Registrar (Dr J Barkhoff), Bursar (Dr M M O'Mahony), Dr S P A Allwright, Mr P G Connell, Mr W J Dowling, Ms O S Foley, Mr R Hodson, Dr E Mac Cárthaigh, Dr J F McGilp, Dr K J McGinley, Ms P Murphy, Dr E J O'Halpin, Dr D O'Neill, Dr A J Piesse, Mr C Reilly, Dr H J Rice, Dr S M Ryan, Mr H Sullivan, Dr J K Vij.
<i>Apologies</i>	Ms G Clarke, Dr A McElligott, Dr D M Singleton, Mr B Sweeney, Ms M A Coffey.
<i>In attendance</i>	Ms S Mac Bride.
<i>(ex officio)</i>	Acting Secretary, Treasurer (Acting).
<i>(by invitation)</i>	Chief Operating Officer. Vice-Provost for Medical Affairs (for BD/08-09/210) Staff Secretary (for BD/08-09/213 and 219).

SECTION A

BD/08-09/210 TAMC The Vice-Provost for Medical Affairs, present by invitation, advised Board of recent developments in the negotiations to establish the Trinity Academic Medical Centre (TAMC). He invited Board's attention to the advice given by the College's legal advisors which favoured a flexible single governance structure operating above the level of the participating hospitals and the School of Medicine, noting that new legislation may be required to achieve this. He stated that the Interim Executive's ultimate aim was to provide a centre of excellence in education and research as well as improved patient and community care, but that due to the complexity of the governance structures in the three institutions and varying service plan arrangements, difficulties in instituting the recommended single governance structure had arisen.

The Vice-Provost for Medical Affairs proposed that, in order to ensure progression in the establishment of the TAMC, bilateral arrangements would be developed with the participating hospitals while negotiations would continue towards a modified governance structure. He noted that, while the majority of Academic Medical Centre arrangements internationally follow the single governance model, there are many examples of successful multi-lateral partnership arrangements.

The Vice-Provost for Medical Affairs clarified a number of technical issues raised by Board members including:

- (i) that due to the pressure of commitments the Chairman of the Interim Executive had resigned;
- (ii) that in his opinion developing bilateral arrangements would bring greater confidence in negotiations towards establishing a new governance structure;
- (iii) that implementation of the National Cancer Strategy's decision in relation to cancer services in Dublin would remain in force;
- (iv) that a model involving delegation of authority was being considered;

- (v) that primary and community care would be expected to play a significant role;
- (vi) the initial service configuration proposal could not be agreed by all parties.

The Board, noting some reservations about a twin-speed approach in the bilateral discussions, agreed that they would continue, noting that further clarification would be provided in due course as to their implications for the establishment of the TAMC.

BD/08-09/211 Minutes The minutes of the meeting held on 1 April 2009 were approved and signed.

BD/08-09/212 Matters Arising from the Minutes A number of matters arising from the minutes were discussed and have been recorded below, (see minutes BD/08-09/213, 214, 215, 216, 217 below).

BD/08-09/213 Academic Year Structure (see minute BD/08-09/185 of 1 April 2009) The Staff Secretary, present by invitation, advised Board that progress had been made in negotiations with staff representative groups on the introduction of the new academic year structure. He stated that while trade unions had raised concerns, no insurmountable issues had arisen that would prevent the introduction of the new arrangements. The Board noted that an offer of a goodwill gesture had been proposed to staff representative groups and a response was currently awaited.

BD/08-09/214 Estimates of Income and Expenditure (iii) Taskforce to investigate the retention of students (see minute BD/08-09/186 of 1 April 2009) In response to a query, the Vice-Provost/Chief Academic Officer advised Board that the preparatory work of the Taskforce to investigate the retention of students had begun. He stated that the Taskforce, in addition to considering retention issues (including the effect of the increased student charge), would also address the filling of quotas.

BD/08-09/215 Panel of Enquiry -Student Case (see minute BD/08-09/193 of 1 April 2009) The Acting Secretary advised Board that a named student had lodged a notice of appeal to the Visitors of the decision of the Board on the outcome of the Panel of Enquiry.

BD/08-09/216 Appeal to the Visitors (see minute BD/08-09/196 of 1 April 2009) In response to a query, the Provost clarified that a once-off, *ex gratia* payment would be made to a named staff member as a contribution to the reasonable costs incurred by him as appellant in this case.

BD/08-09/217 BD/08-09/200 Trinity Ball 2010 (see minute BD/08-09/200 of 1 April 2009) The Education Officer of the Students' Union advised Board that the Trinity Ball Committee may wish to review the date approved by Board for the Trinity Ball in 2010.

BD/08-09/218 Provost's Report The Provost advised Board that a graduate of the University, Dr Louise Richardson, had been appointed Principal and Vice-Chancellor of the University of St. Andrews in Scotland on 25 March 2009.

BD/08-09/219 Staff Matters

- (i) **Employment control framework in the higher education sector** The Staff Secretary, present by invitation, invited Board's attention to recent discussions with the Higher Education Authority (HEA) on the introduction of

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an employment control framework in the sector. He advised Board that, while the HEA has indicated that its preference is for an oversight and monitoring role in terms of recruitment, the details of the proposed employment control framework have yet to be confirmed and discussions are on-going.

The Staff Secretary, noting recent correspondence from the HEA advised Board that:

- (a) recruitment could proceed for externally-funded research posts;
- (b) while there was provision for the recruitment to self-funding posts, a strategic review of the posts would be undertaken prior to decisions on recruitment being taken;
- (c) recruitment to core-funded posts is covered by the current moratorium.

The Provost highlighted the need to proceed with recruitment for externally-funded research posts and self-funding posts while noting the importance of preserving the College's autonomy and independence in managing its affairs.

- (i) **Promotions** In the course of a detailed discussion on the status of this year's promotion procedure, the role of promotion in maintaining staff morale and the expectation of staff in this regard were noted. The Board, noting the minimal savings which would accrue from a cessation of promotions and the advanced stage of this year's promotion process, agreed that it would proceed and that a decision on next year's promotions would be reviewed in September 2009.

In the course of a general discussion, Board members noted the need for a plan to deal with promotions in the future, given the challenging economic climate. It was also noted that there is a need to consider the impact of the current recruitment moratorium on the provision of services to students.

BD/08-09/220 Full Economic Costing Project (FECF) The Bursar invited Board's attention to the details of the Full Economic Costing Project, which had been circulated. Board noted that the objectives of the project include:

- establishing the full cost of each of the key activities of teaching and research;
- increasing funding in a competitive environment;
- justifying substantially increased research overheads;
- ensuring maximum financial benefit from FP-7 in the future;
- providing a relevant cost overview to external stakeholders.

The Bursar advised that this is a pilot project at sectoral level and that it is hoped that any difficulties identified with its operation will be resolved before the implementation of the full programme. She also advised Board that this project would not be used as a performance management tool. The Bursar emphasized the importance of participation in the programme due to an increase in PhD student numbers, pressure on the core university grant and the challenging current financial climate.

She advised that it is essential that resources are appropriately allocated to support both teaching and research noting that the economic cost of an activity includes direct costs, indirect costs and economic costs. The Board noted that research overhead support in Ireland is traditionally at a very modest level and that a level of cross-substitution often exists in covering overheads between teaching and research.

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The Bursar invited Board's attention to the following issues:

- (i) the benefits of the FECP to the third level sector nationally;
- (ii) the benefits to the College;
- (iii) the benefits to academics;
- (iv) the membership of the steering group;
- (v) the operation of the project, including the use of the academic activity profiling form on a percentage basis;
- (vi) the terms of reference of the pilot project;
- (vii) quality assurance and use of the data collected.

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

- (i) although some other universities are not, maintaining anonymity of those returning the academic activity profiles has been agreed by the TCD steering committee;
- (ii) participation in the project is voluntary;
- (iii) the advantages of alerting participants in the project in advance rather than seeking completion of forms retrospectively;
- (iv) a proposal to invite academics to indicate the total number of working hours, as well as the distribution of work activities on a percentage basis, if they wished to do so, will be considered;
- (v) that the high level of response to the survey anticipated by the Irish Universities Association may have to be reviewed during the pilot project;
- (vi) the data will not be used for purposes other than those of the Full Economic Cost Project.

The Board, noting that IFUT at national level had requested its members not to participate in the project, approved of the direction being taken by the Bursar in implementing the Full Economic Cost Project.

- BD/08-09/221 Committee Structures (see Actum CL/08-09/127 of 8 April 2009)** The Vice-Provost/Chief Academic Officer invited Board's attention to the first report of the Committees Review Group, which had been circulated. He advised Board of the reasons for revising the existing committee structure including:
- (i) the need to reflect the new Faculty/School structures, and to take account of the new posts of Vice-Provost/Chief Academic Officer, Chief Operating Officer, and Faculty Deans with executive authority;
 - (ii) to reaffirm the policy and oversight function of the Principal Committees of Board and/or Council in College governance;
 - (iii) to ensure clarity in identifying decisions makers and to provide for greater accountability for decisions taken.

The Board noted that the Committee Review Group, while adopting the recommendations of the Governance Working Group Report (minute 8/206 of 10 March 2004 refers) and the key principles recommended by Restructuring Implementation Oversight Group (minute BD/07-08/325(i) of 18 June 2008 refers), made additional recommendations relating to:

- (i) the definition of committees;
- (ii) the University Council and its committees;
- (iii) the Principal Committees of Board;
- (iv) advisory committees and working groups;
- (v) committees concerned with legislative compliance;
- (vi) reporting to Board and Council.

The Vice-Provost/Chief Academic Officer, noting Board members' comments on the need for clarity in relation to the scope of principal committees' authority, clarified a number of technical issues raised by Board members including that:

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- (i) there will be a need to clarify the terms of reference of Principal Committees;
- (ii) there will be flexibility in the frequency of meetings based on the specific requirements of individual committees;
- (iii) the Committee Review Group would welcome comments regarding the names of certain committees;
- (iv) there will be no change in policy regarding the membership or chairmanship of Principal Committees of Board;
- (v) Principal Committees of Board are responsible for policies and oversight and management is responsible and accountable for operational decisions;
- (vi) the definition of oversight will include monitoring and where necessary, ensuring corrective action is taken in the implementation of agreed policy.

The Board noted the suggestion to include an appendix to the report outlining a detailed example of the proposed decision making process. The Board approved the direction of the report from the Committee Review Group. The Vice-Provost/Chief Academic Officer noted the points made by Board members stating that the final report will be presented to Board for approval.

BD/08-09/222 Scholarship 2009 The Senior Lecturer invited Board's attention to a memorandum, dated 30 April 2008, which had been tabled. She stated that eighty-three Scholars were proposed for election on Trinity Monday, of whom twelve were Foundation Scholars. She invited Board's attention to the distribution of the Foundation Scholars across Faculties, as agreed by the Central Scholarship Committee, and noted that forty-one scholarships were awarded to female candidates and forty-two to male candidates.

BD/08-09/223 University Council The Board confirmed the Acta of the University Council from its meeting held on 8 April 2009 subject to further comments covering CL/08-09/127, 129, 135, 137, 144, and 145. (Items from Section D in the Acta are set out in Section D of these minutes).

BD/08-09/224 Administrative Areas Annual Reports 2007-2008 (vi) Student Counselling Service (minute BD/08-09/234 below refers) Under Other Business, the Welfare Officer of the Students' Union invited Board's attention to the Annual Report 2007-2008 of the Student Counselling Service and in particular to the substantial increase in caseload, the profile of cases and lack of suitable accommodation for provision of the service. The Board acknowledging the difficulties which a lack of suitable space pose for the Student Counselling Service, agreed that the minute of the discussion would be sent to the relevant areas of College.

BD/08-09/225 Resignation of the Chief Operating Officer Under Other Business, the Provost stated that it was with regret that he must advise Board that the Chief Operating Officer, Mr Chris Lyons, had tendered his resignation from College with effect from the end of the academic year. The Provost, noting that the position was a new post within the College, acknowledged the enthusiasm, energy and hard work which Mr Lyons had brought to the job. The Provost thanked Mr Lyons on behalf of the College for his contribution and wished him well in his future endeavours.

Mr Lyons stated that he had found the role both rewarding and challenging. He thanked the Provost and the Board for their support during his time in College and wished them well for the future.

The Provost advised Board that interim management arrangements would be put in place pending the appointment of a new Chief Operating Officer, the details of which he would advise to Board at the next meeting.

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SECTION B

BD/08-09/226 Audit Committee The Board noted, and where a decision was required, approved proposals in the draft minutes of the Audit Committee from its meetings of 3 February 2009 with particular reference to:

AD/08-09/54 Review of Trinity Research Institutes The Board noted the Internal Audit report on Trinity Research Institutes and the need for greater planning and more regular reporting.

AD/08-09/55 Strategic Planning Process in College Dr McGilp, the Board member on the Audit Committee, advised Board of the Committee's recommendation that the planning process must be aligned with the risk management process and that future plans should be subjected to a risk assessment with a financial assessment of possible scenarios, which must be flexible given the rate of change in the economic environment.

AD/08-09/57 Management of Financial Risk Dr McGilp advised Board of the Committee's view that there is a need to link the College's financial plans to the strategic planning process to ensure that any cuts in spending are carefully targeted; he also stated that all variables in the plan should be subject to a full risk assessment.

BD/08-09/227 Equality Committee The Board noted, and where a decision was required, approved proposals in the draft minutes of the Equality Committee from its meetings of 3 February 2009 with particular reference to:

Equal/08-09/18 Report of the Contact Persons 2008 and Staff Office Report Dr Ryan invited Board's attention to the report from the Contact Persons and Staff Office, noting the data as presented.

BD/08-09/228 Finance Committee The Board noted, and where a decision was required, approved proposals in the draft minutes of the Finance Committee from its meeting of 8 April 2009 with particular reference to:

FN/08-09/56 Residential Rent Review 2009/10 In response to a query, the Provost advised Board that the issue of residential rent on campus will be reviewed in September 2009. The Board noted the disappointment of the Students' Unions at the increase, given the general trend of decreasing rents in the external residential rental market.

BD/08-09/229 Information Policy Committee (see Actum CL/08-09/135 of 8 April 2009) The Board noted, and where a decision was required, approved proposals in the draft minutes of the Information Policy Committee from its meetings of 20 January 2009.

BD/08-09/230 Site and Facilities Committee The Board noted, and where a decision was required, approved proposals in the draft minutes of the Site and Facilities Committee from its meeting of 31 March 2009 with particular reference to:

SF/08-09/60 Capital Projects Report The Board approved the Capital Projects Report as presented, noting the funding arrangements for the School of Nursing and Midwifery.

BD/08-09/231 Student Services Committee (see Actum CL/08-09/137 of 8 April 2009) The Board noted, and where a decision was required, approved proposals in the draft minutes of the Student Services Committee from its meeting of 3 February 2009.

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SECTION C

BD/08-09/232 Schedule of Board and Council Meetings 2009-2010 The Board noted and approved a memorandum from the Acting Secretary, circulated, dated 9 April 2009.

BD/08-09/233 Higher Degrees The Board noted Higher Degrees, approved by the sub-committee of Board and Council on 8 April 2009, as circulated.

BD/08-09/234 Administrative Areas Annual Reports 2007-2008 The Board noted the following annual reports, as circulated:

- (i) Careers Advisory Service;
- (ii) College Health Service;
- (iii) Secretary's Office;
- (iv) Department of Sport;
- (v) Staff Office;
- (vi) Student Counselling Service;
- (vii) Treasurer's Office;
- (viii) Science Gallery.

BD/08-09/235 Sealings The Board noted Sealings, circulated, as set out in Appendix 1 to this minute.

BD/08-09/236 Bequests and Benefactions - Estate of Mr Séamus O'Mathúna The Board noted and approved a memorandum from the Treasurer (Acting), circulated, dated 30 March 2009.

BD/08-09/237 Students' Union Elections The Board noted the following:

President:	Mr C Ó Broin*
Communications Officer:	Mr R Donohue
Welfare Officer:	Mr C Cashman*
Education Officer:	Mr A Cooke*

*to serve on Board 2009-2010

BD/08-09/238 Library - Permissions - Loan of Early Printed Book The Board noted and approved a memorandum from the Librarian, circulated, dated 26 March 2009.

BD/08-09/239 Scholarship - Request for Intermission The Board noted and approved the Senior Lecturer's request that a Non-Foundation Scholar (05643295) be permitted to intermit in the academic years 2009-2010 and 2010-2011, constituting a first and second year of intermission.

BD/08-09/240 Calendar - Prizes in the Faculty of Engineering, Mathematics and Science (S22) The Board approved the following amendments:

- (i) **RPS Junior Sophister Engineering Prize** Delete 'Value €2,000' as the last sentence;
- (ii) **RPS Senior Sophister Engineering Prize** Delete 'Value €3,000' as the last sentence;

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- (iii) the Board approved the reduction in value of the current RPS Junior and Senior Sophister Engineering Prizes from €2,000 and €3,000 respectively to €1,000 each in 2008-2009.

BD/08-09/241 Discussion Document on College Fitness to Practice Policy (see Actum CL/08-09/129 of 8 April 2009) The Board approved the 'Discussion Document on College Fitness to Practice Policy', as circulated.

SECTION D

In compliance with the Data Protection Acts this information is restricted.

Signed:

Date:

Sealings

7 April 2009

Trinity Technology and Enterprise Campus - Unit 9c - Identigen Limited

The Seal of the College was put in duplicate to a Licence Agreement for Unit 9c in the Trinity Technology and Enterprise Campus between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and Identigen Limited.

Trinity Technology and Enterprise Campus - Unit 2 - Identigen Limited

The Seal of the College was put in duplicate to a Licence Agreement for Unit 2 in the Trinity Technology and Enterprise Campus between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and Identigen Limited.

Trinity Technology and Enterprise Campus - Unit 5a - Dept. of Justice, Equality & Law Reform Forensic Laboratory

The Seal of the College was put in duplicate to a Licence Agreement for Unit 5a in the Trinity Technology and Enterprise Campus between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and the Department of Justice, Equality & Law Reform Forensic Laboratory.

Trinity Technology and Enterprise Campus - 7th Floor - NUI Galway (ICHEC)

The Seal of the College was put in duplicate to a Licence Agreement for the 7th Floor in the Trinity Technology and Enterprise Campus between the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin and National University of Ireland Galway (ICHEC).

Trinity Technology and Enterprise Campus - Unit 11 - Pieterse Davison International

The Seal of the College was put to a Surrender of Lease Agreement for Unit 11 in the Trinity Technology and Enterprise Campus between Pieterse Davison International, Tom Murray (Friel Stafford Corporate Recovery – Liquidator) and the Provost, Fellows and Scholars of the College of Holy and Undivided Trinity of Queen Elizabeth near Dublin

Trinity Centre, St. James's Hospital - Unit 2.104 - Opsona Therapeutics

The Seal of the College was put to a Licence Agreement for Unit 2.104 Bio Incubation Unit, Trinity Centre, St. James's Hospital, between the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and Opsona Therapeutics Limited.

Trinity Centre, St. James's Hospital - Unit 3.8 - Opsona Therapeutics

The Seal of the College was put to a Licence Agreement for Unit 3.8 Bio Incubation Unit, Trinity Centre, St. James's Hospital, between the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and Opsona Therapeutics Limited.

Bank of Ireland - Catering Building

The Seal of the College was put in duplicate to a Memorandum of Rent Review for the lower ground floor of the Catering Building, Trinity College between the Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and the Governor and Company of the Bank of Ireland.

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