

Ms Margaret Falsey  
Committee Secretariat  
Committee of Public Accounts  
Leinster House  
Dublin 2

23 March 2018  
Our Ref: BOC/AOM

Dear Ms Falsey

I refer to your correspondence of March 14<sup>th</sup>, 2018 (your ref: PAC32-I-801) in relation to expenditure by Technological University mergers.

The following table provides details of the services provided by each firm and a breakdown of the expenditure by each Institute as per PAC32-R-1098(ii) C 01/03/2018 attached.

	ITT	CIT	Services provided to CIT
Deloitte	€151,410	€39,201	Carried out the financial and operational aspects of the due diligence process which was carried out as an internal audit exercise by and on behalf of both Governing Bodies. The findings from the due diligence were addressed subsequently via the internal audit processes in CIT.
Price Waterhouse Cooper	€0	€187,517	1. Developed and verified a business case for the MTU (€104,238) 2. Developed project management framework (€83,279)
Matthew Fannin	€29,520	€0	
O'Flynn Exhams	€0	€62,620	1. Carried out legal aspect of due diligence (€56,221) 2. General legal services to CIT (€6,399)
The Communications Clinic	€0	€70,110	Contracted to provide general PR services to the MTU project from 2014 to 2016 including: <ul style="list-style-type: none"> <li>Assist the MTU consortium in developing a communication plan.</li> <li>Facilitate the communication of the MTU messages via local and</li> </ul>

			<p>national press and media outlets and online platforms.</p> <ul style="list-style-type: none"> <li>• Proactively seek promotion and publicity opportunities for the MTU.</li> <li>• Assist the MTU project with communication activities and press/media engagement.</li> </ul>
Arthur Cox	€31,425	€0	
<b>Total</b>	<b>€212,355</b>	<b>€359,447</b>	

The MTU project is well advanced and has completed three of the four stages of the process towards Technological University (TU) designation and therefore it is to be expected that the project would have incurred more expense to date than TU projects which are less advanced. Where the MTU expenditure is greater than similarly advanced projects the higher expenditure relates to two items, namely, the completion of a due diligence process (€252,708) and the development of a detailed business case for the MTU (€104,238).

Prior to making a submission at Stage 2 of the process towards Technological University designation a due diligence was carried out on both institutions. The financial and operational aspects were completed by Deloitte. The respective Governing Bodies received a report of the outcome of this due diligence exercise and the findings were addressed via the internal audit process in CIT.

Following the assessment of the MTU submission at Stage 3 of the process the MTU consortium was advised to develop a detailed business case (i.e. modelling future income, student recruitment, etc of the MTU) to verify the operational viability of the proposed MTU. Price Waterhouse Cooper were engaged to complete this business case. This exercise provides an independent assessment of the future viability of the MTU, addresses some concerns previously raised by the international panel/HEA Board.

We can confirm that the funds utilised for the expenditure in question were received from the HEA specifically to support merger activities. No main scheme funds were utilised and consequently there was no negative impact on delivery of academic programmes or student services.

Attached, please find extracts from Governing Body minutes and full Governing Body Special meeting minutes where key decisions on the MTU merger were agreed.

Yours sincerely



**DR BARRY O'CONNOR**  
UACHTARÁN

<b>Munster Technological University- Cork IT and IT Tralee (2014 - Q2 2017)</b>	
Deloitte	€190,611
Matthew Fannin	€29,520
O'Flynn Exhams	€62,620
The Communications Clinic	€70,110
Arthur Cox	€31,425
Price Waterhouse Coopers*	€187,517
<b>Total</b>	<b>€571,803</b>

<b>TU4Dublin - DIT, IT Tallaght, IT Blanchardstown (2013 – Q2 2017)</b>	
Arthur Cox	€25,642
Beauchamps Solicitors	€830
Baker Tilly Ryan Glennon*	€318,448
<b>Total</b>	<b>€344,920</b>

<b>Connacht Ulster Alliance - IT Sligo, Galway Mayo Institute of Technology, Letterkenny IT (2014 - Q2 2017)</b>	
Printfix Ltd, High St, Sligo	€2,793
<b>Total</b>	<b>€2,793</b>

<b>Technological University for the South East - Waterford IT, IT Carlow (2014 - Q2 2017)</b>	
Bance Nolan PR	€6,600
Baker Tilly Ryan Glennon	€42,742
<b>Total</b>	<b>€49,342</b>

\*Payment made to legal/ accountancy firm for management consultancy services

GOVERNING BODY MINUTES WHERE KEY DECISIONS ON THE MTU MERGER WERE AGREED		
1	GB Minutes of meeting held on 2 February 2012	Statement by the Presidents and Chairs of the Governing Bodies of CIT, ITT and LIT in relation to the proposal to establish The Munster Technological University was circulated at the meeting.
2	GB Minutes of meeting held on 5 July 2012	GB approved the draft <b>Stage 1</b> Application.
3	GB Minutes of meeting held on 7 February 2013	Letter from the President of LIT to CIT and IT Tralee formally withdrawing from the process.
4	GB Minutes of Special meeting held on 3 June 2014	GB approved the MTU <b>Stage 2</b> Plan and Memorandum of Understanding
5	GB Minutes of Special meeting held on 8 January 2015	<b>Stage 3</b> Expert Panel Report was considered. GB in unison agreed in principle to proceed to merge with IT Tralee but will wait to have a simultaneous meeting with the Governing Body of IT Tralee before approving proceeding to merge with IT Tralee and seeking TU designation.
6	GB Minutes of Special meeting held on 25 February 2015	GB passed a Resolution and in light of this agreed to proceed to <b>Stage 4</b> of the process for TU designation with IT Tralee.
		(a) Carefully considered the content and implications of the report of the Expert Panel which the HEA informed us constituted the outcome of Stage 3 of the process
		(b) Ratified the Integration Agreement between CIT and IT Tralee
7	GB Minutes of meeting held on 1 December 2016	GB gave their approval of the Succession Plan to be added to the Integration Agreement.

GB 1202

**Minutes of the meeting of the Governing Body of Cork Institute of Technology held on Thursday 2 February 2012 in the Council Room, 2<sup>nd</sup> Floor, Administration Building, Bishopstown Campus at 3.00 pm.**

**EXTRACT****1202.3 CORRESPONDENCE**

*The Chairman invited the President to present this item.*

*3.1 Statement by the Presidents and Chairs of the Governing Bodies of Cork Institute of Technology, Institute of Technology Tralee and Limerick Institute of Technology in relation to the Proposal to establish The Munster Technological University was circulated earlier in the week to Governors.*

*The President stated this item will be mentioned in his update on Technological University under the President's Report.*

**1202.4 PRESIDENT'S REPORT:**

*The President stated he wished to take an additional item "Technological University update" first before dealing with his report.*

*He advised of developments since the last meeting in December. There have been a number of parallel developments in terms of*

- the criteria and the process for designation*
- the publication of the confidential draft document entitled "Towards a Future Higher Education Landscape"*
- the IUA published their response before the Landscape document was circulated*
- there was the announcements by the BMW Technological University*
- there was the meeting of the HEA Authority on Tuesday this week which is the last meeting of the present Authority*
- there was the announcement by CIT, ITT and LIT on Tuesday*

*The President advised that the criteria led to a series of exchanges between the Minister and the Department of Education. There are a small group of people who are members of the Authority driving a particular agenda and the agenda is basically the protection of the integrity of the University name, qualifications etc., the refusal to accept that there will be Technological Universities and also driven by the fear by the small Universities of any funding diminution this might involve.*

*The statutory role of the HEA is to advise the Minister on the criteria and the process of designation. The whole argument on criteria has just focussed on two things*

- (i) the amount of research in Technological Universities and what is going on in Institutes of Technology and*
- (ii) the number of staff with PhDs.*

*These are the two criteria that are being pushed. That is the same attitude that the application by DIT met with thirteen or fourteen years ago which led to DIT being refused. It would appear that the Chair and some members of the HEA are insisting on these criteria safeguarding the traditional University model. Politically, the Minister does not want to receive advice that would put him in a position of refusing or radically changing the advice. It also would not be good for the whole higher education landscape – that the Authority's advice was rejected or had to be substantially changed which has led to the lively exchanges.*

*The President's understanding is that the criteria went to the HEA on Tuesday 31 January and will form the advice to the Minister. In terms of research students, a Technological University at a minimum will be required to have 4% of its full-time higher education equivalent students (Levels 8, 9 and 10) to be undertaking research at Level 9 and Level 10. There may well be a condition that over the next five to ten years that the percentage could rise to 10%. There are a number of traditional Universities at present who don't have 7% research students i.e. Maynooth and NUIG. The highest in the State would be Trinity which has about 13%. The average would be around 8%. This could drive two things.*

- a) It is an extremely high bar considering that Universities have had millions of euros given to them to increase their research and some of them have only reached 6%.*
- b) The other danger is that if that becomes the criteria it will drive behaviour – taught Masters are no use in terms of meeting that criteria – instead we get people to do Research Masters – that might not be good for the student, good for industry or good for the country.*

*Technological Universities will be expected to have three distinct areas of research which will not cause a problem for CIT.*

*In terms of staff qualifications – 90% of all higher education staff would have to have Level 9, professional terminal qualification or level 10 (have a Masters, Fellow of an Accountancy Body or a PhD). No lower than 35% of the total staff must have a PhD. We have about 20% with PhD qualifications.*

*There was no criteria about size or the scale of the organisation as that would not suit the smaller traditional Universities.*

*What the Department has insisted on is that these criteria would be used as part of the overall evaluation – an evaluation would take the criteria in the round.*

*The Minister in the next two or four weeks will issue the criteria and the process. A period of time will be given to express intent to seek designation as a Technological University. It will require a formal Memorandum of Understanding by the consortium. This would then be followed by a period of planning process whereby the consortium sits down, comes up with its business case, how its University is to be structured etc. The maximum period for this is two years to put the case together and make a formal submission. There will not be a requirement to have merged at this stage. The consortium draws up its detailed proposal and submits it for evaluation without having merged. The next danger point emerges because the application will be considered by a Review Panel. It is in the best interests of*

*CIT that the same Review Panel reviews all the applications. Once the process is officially laid out we then have to look at getting our act together to make sure that our application and other applications are in together and dealt with at the same time. If the application is deemed to be acceptable (will need new legislation in the interim which will have to deal with the dissolution of the existing Institutes and the creation of new Technological Universities) that the Minister would then have the powers to set out a date for dissolving and creating the new entity. That is when the merger would then take place.*

*In relation to the Landscape document, it emerged on a Friday evening and all Institutions were given one week to meet the Chair and Chief Executive of the HEA to respond to the document. When the President read the document initially he was horrified. It was horrific in terms of the terminology used. It referred to sub-degree – sub-degree was a term coined by the Universities – they did degrees and Institutes of Technology did sub-degrees. It hasn't appeared in any document in over a decade because it is not factually true. It envisaged a system where there would be three tiers – top would be the traditional Universities, middle would be the Technological Universities and bottom would be the Institutes of Technology who would be capped at Levels 6 to 8. There were comments about mission drift and there were statements that wanted to distinguish between vocational higher education and academic higher education. There was also an attack almost on the National Framework of Qualifications – that there would be a distinction between the degrees issued by various Institutions. Our degrees would be vocational degrees and the Universities would be the academic degrees. This is completely contrary to the National Framework of Qualifications which says if you hold an Honours Degree it has met the national standard of knowledge, skill and competence. It doesn't matter who issued the degree.*

*When the Chairman and Chief Executive of the HEA met with the Presidents at IOTI we unanimously rejected the document. This was not our view of Higher Education and we could not subscribe to it. They were somewhat taken back. Each one of us could not accept this. Having rejected the document we were asked what was our view of the landscape of Higher Education. We put forward that our view was a unitary Higher Education system where you would have a diversity of mission but that any Institution could operate at all levels of the framework from Levels 6 to 10. The HEA were quite taken back by this view. This was followed the following day by the announcement of the BMW (Borders, Midlands and West) region (Institutes in Letterkenny, Sligo, Galway-Mayo, Athlone and Dundalk) have all decided to come together to consider application for TU designation.*

*Because all the focus was starting to go into the South East and Dublin, the Statement by the Presidents and Chairs of CIT, LIT and ITT was issued on Monday afternoon. The response in general has been favourable in terms of the staff and students in CIT. The reaction in Tralee and Limerick has also been favourable. The reason for our merger and the message we want to send out is to improve the choice of existing students, take in more students, deal more with graduates, help and generate economic development and job creation.*

*We circulated at the last meeting of the Presidents of CIT, LIT and ITT a draft MOU and we will need to look at that again and we need to formally sign it. In the light of what was publicised it was a tentative response to*

*accommodate Limerick's slow transition. We need to go back to give it a more dynamic feel that this is something that we are all going into. It will come back to the March Governing Body meeting if there is to be a signing of an MOU.*

*Cllr Corr stated he would like to think we are exploring change, not for the sake of change, but to enhance the capacity and quality of Irish Third Level Education. There are some points in the draft Landscape document which Cllr Corr commented on. The paper stated that "quality and participation were the drivers for change in Higher Education" and it identified a number of concerns i.e. "the rapid expansion of undergraduate programmes with a narrow focus." Cllr Corr stated most undergraduate programmes would have a narrow focus due to their very nature. The document also referred to the "academic preparedness of low point entrants." Cllr stated this is something that all the ITs has had to cope with over the years. Obviously, there has to be a strategy involving second level and third level providers to come to grips with that. If the National Strategy is to further expand the higher education provision, then the question of academic preparedness has to be faced. If we see access to higher education as a right we must prepare our young people to ensure that they can achieve that right. The time for action on this has arrived. Cllr referred to Appendix 4 of the Report from the Academic Council (Item 5) – Transition from Second to Third Level Education in Ireland. This sets out clearly that prior education attainment is the strongest predictor of a successful progress to higher education. Perhaps the National Academy for the Enhancement of Teaching and Learning could be given the role to consider the difficulties of transition from second level to third level. The HEA document referred to the "suboptimal scale of some recent PhD offerings." Cllr Corr stated he would have thought that the people supervising these PhDs would ensure that they would not be suboptimal. He felt it was nasty to put that remark into the landscape document.*

*Page 5 of the document stated "But mission drift over the past decade particularly has caused the distinctions between types of institutions to become blurred. We need to revisit and revise missions to match 21<sup>st</sup> century needs, and ensure clarity and diversity." Cllr Corr stated that CIT certainly has been endeavouring to do that. If CIT does become a constituent College of the Munster Technological University, we must be very clear of our remit and its precise role in the national binary system that the HEA landscape document refers to. The document stated that "all Higher Education Institutions will actively participate in regional clusters. The clusters will facilitate extensive engagement with other education providers at all levels, as well as the enterprise, business and community stakeholders." Cllr Corr stated it is important that CIT should be clear in engaging in not only geographical clusters but also in the provision of vocationally orientated provision i.e. agriculture – the Munster Technological University could become the place to study agriculture in Ireland. We should see ourselves not just clusters in the region but also having a national part to play.*

*Cllr referred to the Endnotes in the document and it stated that Ireland out of 27 countries ranked first in terms of how employers rate our graduates. Cllr Corr stated that suggests we are making progress and certainly in the Institute of Technology level we have a very clear remit of where we want to go to. We want to ensure that we can continue to play that part into the*



*future. There is an effort to see that the traditional Universities as places for academia and the rest of the Institutes as places just to prepare students for the world of work.*

*The President thanked Cllr Corr for his contribution. In relation to the sub-optimal PhD provision it was a low blow. When we asked the question of the HEA where was this sub-optimal there was no reply. We did point out that for our PhD provision and our ability to offer PhD provision we have to go through an international review which doesn't happen in the University sector. There was an implicit assumption that the binary system would continue. In our response to the regional cluster, we pointed out you could have a regional cluster, a sectoral cluster, a cluster in terms of specific companies which could be national, another cluster in terms of the research area. The regional cluster is another invention of the Universities that you cluster around the traditional University and that you exist to feed them. You would have the Further Education Colleges, the Institutes of Technology and have the traditional University. The undergraduate specialised degree was one of the items that was debated by the Universities. They want to go back to the generic entry i.e. enters into engineering, science and commerce. The first two years are a generic course and after that there is a specialisation. They want to go to a European model of five years education where the first two or three years are general and then you put a specialisation on top of that. It is also driven by a lack of understanding that you can do this in the Humanities areas, it doesn't necessarily transfer over to the engineering areas. It doesn't reflect what the world of work now looks like. There are problems in relation to low points entry which we will have to address. At present two-thirds of students that complete the Leaving Cert receive higher education. If that is to continue and grow adjustments at second-level and third-level have to be made. It is quite clear that it is not the Universities that are going to do this.*

*The IUA document produced contained a lot of figures and they have put out that Irish Universities are less well funded than Institutes of Technology. They arrived at this statement by taking the core grant and dividing it by the number of students (HE students only) in Institutions which gives an average University funding of €5,000 and the Institutes of Technology funding of €7,000. As a sum it is true. But our core grant has to deal with apprentices and the students in the School of Music. In reality, there is no difference in funding between the two sectors. It is roughly around €7,300 per student.*

*Mr O'Sullivan stated in relation to the announcement of the Munster Technology University proposal he welcomed it but we don't really know how it will pan out. Speaking to colleagues, even the most sceptical, agree we cannot afford to miss the boat. He referred to Page 8 of the landscape document and quoted "In addition to the retention of institutes of technology, albeit with a reduced provision remit over time" – if we find ourselves number 3 in the process our ability to attract students will be greatly affected. We certainly need to be in there and concentrate our minds and proceed as positively as we can.*

*Dr O'Connor stated the President deserves great credit for flying the flag as highly and consistently as he has done. The campaign from the University sector is very strong. In relation to the IUA document they also gave figures in terms of the numbers of students and academic staff they have. They omitted completely to say that they have four times as many admin staff as we*

*have. For every academic in UCC they are two admin staff, here for every two academics there is one. They have a lot of allies. The support of Governors to the President is welcome. It will be tough.*

*Mr Owens stated that Governing Body supports the President in this stance. It was just as well that the President was so proactive over recent years. Because of that we are now well prepared for the fight and are not starting from scratch.*

*The President personally thanked Governors.*

GB 1207

**Minutes of the meeting of the Governing Body of Cork Institute of Technology held on Thursday 5 July 2012 in the Council Room, 2<sup>nd</sup> Floor, Administration Building, Bishopstown Campus at 3.00 pm.**

**EXTRACT**

**1207.5 TECHNOLOGICAL UNIVERSITY UPDATE. President to report.**  
*The following items were circulated to Governors prior to today's meeting:*

- (i) *Draft Stage 1 Application*
- (ii) *HEA letter dated 23 February 2012*
- (iii) *Future Profile Template*

*The Chairman asked the President to take this item.*

***President's Update since last meeting:***

*The new Secretary General from the Department of Education & Skills, Mr Sean Ó Foghlú visited the Institute on Friday 22 June 2012. He came at 12.50 pm and had a good long afternoon. He also visited the CIT CCAD. The visit went very well. Most of the time was spent around the Campus. Together with Michael Loftus, Head of Faculty of Engineering & Science and the Vice President for Finance & Administration we visited the Rubicon and Nimbus Centres. He was quite taken with these Centres. He is much more familiar with Institutes and with quality than quite a number of the previous Secretary Generals. He enjoyed his visit to CIT CCAD. The President also advised the Governing Body of their discussions on recent HE developments.*

*As part of the monthly meetings, the President met with the President of UCC recently. He has as part of the response by UCC to the Landscape document and the President quoted "the President of UCC sees UCC as the comprehensive University for the region." The President of UCC visited the President of WIT and his view on it is that whatever happens in the South East WIT will be dealing with UCC as the comprehensive University. They have agreed a joint statement that will appear in both their statements to the HEA.*

*The Strategy Group (three Presidents and their advisors) met last Wednesday in Limerick. In preparation for that meeting we adopted a strategy to move things along. We wrote the documents, contributed the vision, pushed things along and did the work. We did this in cooperation with the Secretary to the Group, Prof Robin Smyth and the Chair, Dr Joe McGarry. We wrote Section 4 which was circulated recently which is a common section by all three partners and we also wrote a number of papers. This was before we met. It turned out to be a good strategy because what people were then commenting on was on documents that we produced as distinct from generating the document. We made considerable progress at our meeting. We signed off on Section 4 of the document, and on some of the other documents and on a vision statement. We also agreed on a structure for a Strategy Day at the end of August, to deal with what is going to be the structure of the new University. Without that decision we can't really go and promote the University to interested groups i.e. politicians, key stakeholders, Chamber of*

*Commerce, IBEC, major industries. We had mentioned that there is a need to put a resource in place (Project Manager) for the MTU project. We produced another document which laid out the specifications for this person and those specifications were adopted at the meeting. The intent would be that come September there would be an internal competition of the three Institutes to ask if any member of staff wished to be seconded into this role for one academic year. The President paid credit to Mr Tadhg Leane for writing the papers. It did pay off and it did put some momentum back into the process.*

*Cllr Corr fully appreciated the detailed work done in the drafting of the Stage 1 Application. It is vitally important because any Board of Assessors on reading it must appreciate the fact that we have a clear vision of what we want to achieve in the establishment of the Munster Technological University. Cllr Corr made a few comments on the draft Stage 1 Application as follows:*

- In Boland's letter it states "that while most Institutions of Higher Education share many elements of mission, there are differences and emphasis which makes a college distinctive in the region." Cllr Corr wondered in this application have we clearly identified the characteristics which differentiate the three Institutes and differentiate us from UCC.*
- On top of Page 3 – it refers to eight strategic areas. Cllr Corr could only find four of them.*
- Page 10 – 2<sup>nd</sup> last line of 1<sup>st</sup> paragraph – its states "where the MTU delivers added value.....". Cllr Corr asked could examples of what added value be given and be included in the document.*
- Page 12 – reference to Mode 2 education – Cllr Corr stated this would be a characteristic which would differentiate us from the traditional University. He wondered if it should be given greater emphasis in the course of the document.*
- Page 15 – International collaborations – 2<sup>nd</sup> last line in paragraph – it states "notwithstanding the challenges inherent in our current designation". Cllr Corr asked should we identify what these challenges are.*

*The President thanked Cllr Corr for his comments.*

*Before responding to Cllr Corr's comments, the President wished to mention the three documents which had been circulated to Governors prior to the meeting. The President thought it prudent when the draft Stage 1 Application was sent to Governors that the HEA letter dated 23 February 2012 and the Future Profile Template were also circulated. He reminded Governors that Section 4 will be a common section, each of our partners in Kerry and Limerick will have the same Section 4. Appendix B of the Draft Stage 1 Application will contain maps – the spread/ physical presence of the MTU – the catchment of the three Institutes – the key economic data that goes with Munster. It is to give the message that there is room in Munster for a Technological University. The draft Stage 1 Application went to the*

*Executive last Friday and considered in detail. The document is not word finalised but there will be no changes to the principles, the structure or the substance. We are seeking today the approval of Governing Body of the submission subject to minor changes and alterations. The President's understanding is that the Governing Body in LIT has approved their submission subject to the same conditions.*

***President's response to Cllr Corr's comments:***

***Section 1 - Mission***

*The President stated Section 1 lays out the Mission of CIT. It is drawn from the new Strategic Plan. The intention is to launch the new Strategic Plan formally in the Autumn. The Mission lays out the concept of what our graduates should be. The President referred to Page 2 and quoted "CIT will continue to be a national and international leader in enterprise engagement and the practice of extending the education campus into the workplace and the wider community." That is one of the distinguishing features. The strength in terms of enterprise engagement, in innovation, in job creation, in spin-out companies here in CIT. At the end of Section 1 the President quoted "CIT will strive to make significant achievements in the areas of*

- Developing and improving the student experience*
- Offering high quality, relevant and flexible programmes*
- Strengthening and extending research, innovation and entrepreneurship activities*
- Prioritising targeted internationalisation activities*
- Advancing and growing the mission and role of CIT"*

*The President stated the above areas are mentioned by the HEA. In relation to bullet point 3, this is a strength we have in comparison to our partners. We have a lot more activity and delivery. When it comes to research we are the only Institute that has substantial funding under PRTLI 4 and 5 and we have research buildings. We are trying to establish that there is a basis for making a Technological University. We are pointing out we have competed for international funding, we have been assessed by international panels and we have been awarded the funding. Page 4 is quite strong and its needs to be strong. It will not be matched or significantly added to by our two partners which is a weakness in our partners.*

*Page 5 – Prioritising targeted international Activities – The President stated our intention is to increase our international students by 100%. If you have a small number increasing it by 100% is not an outrageous target. The reason is in a sense we have never had to chase undergraduate to fill our courses. In relation to international students we tended to pick students that added value to us both at undergraduate, postgraduate and research.*

*Page 6 – Advancing and growing the mission and role of CIT – the President quoted the objectives*

- "CIT will continue to facilitate inclusive access to higher education for increasing numbers of individuals, particularly among under-represented groups in society*

- *By means of collaboration and cooperation with educational partners, enterprise and public bodies, CIT will become a major campus of a newly designated Technological University*
- *CIT will actively promote the development of a regional higher education cluster*
- *National targets in relation to the participation of under-represented groups in higher education will be achieved or surpassed and CIT will increase its adult lifelong learner and CPD student enrolments by 50%”*

### **Section 2 – Student Profile**

*The President stated Section 2 was written carefully. Inside in it is the key to what is going to be the strategic development in terms of student numbers of the Institute as we see it over the next five years. We have put down in print what was stated in the national strategy of an increase in the order of 20% in student numbers is not deliverable with cuts in funding. You cannot take more and more students into third level while the funding continues to be cut. What eventually breaks is the quality of what the student actually gets. The President quoted “We believe that many of the underlying conditions and assumptions that led to these projections are no longer valid and there will need to be some revision of these targets.” He quoted what CIT is targeting*

- *“Overall student numbers will increase by 10% in the period 2012 to 2016*
- *There will be a 50% increase in non-standard students (this includes mature, CPD, work-based)*
- *Aim to have a minimum of 600 whole time equivalent (WTE) students studying via open and distance learning by 2016*
- *There will be a 100% increase in the number of international students in the next 5 years*
- *There will be a 10% to 15% increase in the numbers of researchers/ Research students”*

*It doesn't say that there is going to be a huge increase in undergraduate students. We have approximately 7,500 in that area. We don't have the capacity. If we were to take in large numbers there are not the lecturers to teach them. There is an Employment Control Framework that says they cannot be hired. The reality is that decision is made. So the growth is going to be in international, in distance learning, in the work base learning, in the non-standard mature and continuing professional development. The one area that we are targeting in terms of full-time students is the research students. In times of scarce resources it is going to push us significantly. But we also need to do that if we are going to meet the Technological University criteria.*

### **Section 3 – Regional Clusters**

*We decided to point out that we have the strongest regional clustering and collaboration of any Institute of Technology or traditional University. We have gone miles ahead of anyone else. It displays strength and a confidence that we can actually collaborative and cluster with the University. This doesn't exist in other Institutes. The President gave credit to UCC as they have been a lot more receptive than other Universities. Some Universities*

*have been extremely hostile to any collaboration. The President quoted “clusters should not be restricted to higher education and should extend in the first instance to other education institutions in the region.” “The regional education cluster should also include those at secondary and primary level.”*

#### ***Section 4 – The Munster Technology University***

*This section had to be set in such a way for people who have not gone through Hunt and other reports. The President quoted “The Munster Technological University, born out of a merger of strong partners with shared philosophies, will make a vital and positive contribution to the society and economy of the region through*

- *its enhanced critical mass facilitating the high quality distributed provision of focused and relevant research and taught programmes;*
- *improved effectiveness and efficiency, through the accompanying economies of scale;*
- *a reinforced spirit of enterprise and entrepreneurship across all parts of the institution, including;*
  - *the capacity to generate funds from non-traditional sources,*
  - *incubation centres in partnership with relevant agencies supporting spin-in and spin-out start-up companies,*
  - *closeness to the world of work and the professional readiness of graduates,*
  - *a staff base which will be as engaged with the business, industrial and professional community as it is with academia,*
- *a focussed research mission which stresses application and enterprise collaboration;*
- *a renewed national and international perception of capability in research, innovation and entrepreneurialism;*
- *enhanced international collaborations including fee-paying incoming students, student and staff exchanges, research projects and combined courses of study;*
- *full awarding powers at NFQ levels 6-10 supported by demonstrably robust quality assurance processes underpinning taught and research degrees, and appropriate administrative services;*
- *its explicit channels of access, transfer and progression through and from all levels;*
- *the enhanced portability and recognition of graduates’ qualifications nationally and internationally;”*

*In relation to the last bullet point, the President stated the graduates will be graduates of a university so the portability and the recognition nationally and internationally is improved.*

*In relation to “Impact” the President quoted “In looking at the nature and impact of the Munster Technological University on the Munster region we have used a combination of two frameworks developed respectively by the OECD and the Centre for International Economics in Canberra, Australia. In examining the impact of the MTU we have therefore reflected below upon five indices derived from these frameworks:*

1. *the support for regional innovation through research, knowledge exchange and learning;*
2. *the provision of human and economic capital within the region through teaching and learning;*
3. *the development of the region and regional capacity;*
4. *contribution to social, cultural and environmental development of the region;*
5. *direct economic impact on the region”*

*If we are asked how we measure “impact” we can say we looked at how the OECD and others measured it.*

*Each of the five indices above were further expanded in the document. In relation to No. 2 in agreeing to this with our partners they are agreeing to the structure and how this University will actually work. The President quoted*

- *“there will be extensive and high quality programme provision and teaching/*
- *learning activity across NFQ levels 6-10;*
- *a responsive academic portfolio with a high degree of flexibility, with interdisciplinary and multidisciplinary provision to meet market/client needs rapidly and cost effectively;*
- *flexible and innovative forms of learning as a norm through modular and credit-based provision; facilitating distance learning, in-company delivery, in-company programme accreditation, recognition of prior (experiential) learning, articulation agreements with partners, out-centre delivery and blended learning;*
- *collaboration and cooperative arrangements with other universities, and further education institutions leading to effective, distributed provision and access routes into and through NQF levels 6-10 based around the regional cluster concept.”*

*In relation to No. 3 the President quoted*

- *“intensive and broad-based links with occupations, employers and community organisations;*
- *a specialised focus on enterprise and community links;*
- *the output of graduates that are professionally ready, with a fully developed capacity to apply their knowledge in the workplace;*
- *a curriculum developed in close consultation with business, industry and the professions;*
- *the involvement of personnel seconded from and/or visiting from business, industry and the professions in teaching programmes at all levels;*
- *a governing body that collectively includes the broad range of necessary competences represented inter alia through national and international members from business, industry, the professions, external HE management, students, staff and alumni;*
- *strong processes for feedback and evaluation by business, industry and the professions, partner institutions and students;*
- *a geographical spread across a region sufficient to meet the client needs of business, industry and the professions through multiple campuses and information technology;*



- *the development of a social and community based support ethos.”*

*In relation to the paragraph on Mode 2, the President stated he was not happy with this paragraph and more needed to be done to improve the paragraph. Mode 1 is associated with the traditional university – a discipline type of approach to teaching, learning and research.*

*In relation to No.4 the President quoted “The MTU will provide a centre of education, practice and performance in the area of the visual and performing arts which would serve the entire southern region as well as being a centre of national significance in some specialised areas.” The President stated this is an area of strength for CIT. We have the only conservatoire of Music outside of Dublin. We have the Crawford College of Art & Design, the College of Art & Fashion Design in Limerick, and Siamsa Tire in Tralee. This is a significant body of not only regional but national recognition in the whole area of visual and performing arts.*

*In relation to the Structure of MTU, the President quoted “In developing a single integrated model, local perspectives will be retained, where appropriate, to meet local stakeholder needs.” The President explained that you look at what are the local needs and demands and if it makes sense to run a programme locally then that should happen. You may well have the same programme in Tralee and in Cork if it is a sensible approach. “It is envisaged that the leadership and senior management roles will be based at different sites and therefore the top management team of the University will be physically distributed to ensure that the University’s strategic policy development is well informed by local circumstances as well as the regional, national and international context.” This is trying to grapple with how do you run a multi-campus University and how do our partners not feel that everything is located in one place.*

### **Section 5 - Consolidation**

*The HEA model shows that we have been under-funded and the process of adjustment is now taking place. “Based on RGAM and HEA projections of future funding levels, the size of CIT, its level of activity and proven record of efficient resource allocation, we are confident that CIT can manage and develop its current provision while remaining financially viable. However the goal of CIT is to develop its core mission and to achieve an enhanced level of provision. Therefore, we believe that merger, in the context of designation as the Munster Technological University, is essential to advance our institutional mission and to develop sufficient scale and scope to allow us to have a significant national and international profile and impact.” The President stated we are making the point that we are financially viable and will continue in that vein, we are also saying that if we see ourselves fulfilling our mission and develop to a sufficient scale and scope to allow us to have a national and international profile we see that happening in terms of being part of the Munster Technological University.*

### **Section 6 - Collaboration**

*Under this heading, the President stated we mention not only the higher education clusters but many other forms of collaboration. We also used it as*

*a vehicle for stating once again the successes – the leads we have taken in terms of collaboration not only in academic nationally, but in terms of cooperation with enterprise and the Irish Naval Service and some of the international collaborations.*

*The President concluded his briefing by saying this document starts the ball rolling formally, we hope we get our outline planning permission approved and we can then move on to Stage 2. It is a significant submission.*

*He hoped it addressed the points which Cllr Corr raised and he agreed with Cllr Corr that there were only four of the eight strategic areas mentioned and stated this would be rectified in the final draft document.*

*The Chairman stated in terms of the three partners there is progress. The President in an executive sense is driving it forward. There is vision value and metrics which is good to see. It is a very detailed document and is an important document. Looking at the Landscape document and Tom Boland's letter it does represent where we need to be going forward.*

*In relation to the next step, Mr Woulfe asked what was the time frame.*

*The President advised all Higher Education Institutions have to submit their response to the HEA by the end of this month. The HEA has established an international panel to look at the submissions. The HEA are also carrying our detailed statistical projections i.e. number of students to give them and the panel a background. It is the President's understanding that the HEA itself will look at each submission to form some sort of a summary for the panel. The intention is having got preliminary comments from the panel, Institutions either singly or in groups will meet the panel in Sept/Oct. The HEA have targeted November to advise the Minister of how they see the future landscape of Higher Education developing over the next twenty years. It has been indicated that the Minister will announce in January. The President hoped that by the February meeting of Governing Body we will have the response from the HEA and the Minister whether if our submission is acceptable. We won't wait until then to commence Stage 2. The intent is to commence that stage in the Autumn. This is the detailed submission – which has to have done the due diligence, the business plan, the structure in some detail. It will be a lot of work and we will have to put resources into this exercise.*

*Cllr Corr suggested that one word be changed in page 8 – last paragraph – 2<sup>nd</sup> sentence “was a response to a perceived lack of skilled manpower.....” **to read** “was a response to an identified lack of skilled manpower.....”*

*The President agreed this change will be made. He invited Governors to come back to him if they had any other changes to make and would be happy to take those on board.*

*Mr O'Sullivan stated he was happy to hear that Section 4 was an agreed section by all three Institutes. He was disappointed to hear of the briefing at the last meeting of Governing Body. Section 4 gives an overall structure that is in line with our vision also and we have the basis on moving forward in a reasonable way. He asked if the final drafts will be shared by all three.*

*The President stated they will be. We have seen drafts as ITT and LIT have been developing them.*

*In relation to the briefing re. the meeting with the President of UCC, Mr O'Sullivan was interested to hear that the President of UCC sees UCC as the comprehensive University for the region and got an agreed paragraph built into his document with WIT, he asked if any consideration was given to us doing something like that.*

*The President stated it was an item for discussion and was discussed extensively. It is more of an issue for CIT. It was something that occurred to us some time ago when the request for the document emerged. We have had absolutely no contact, no overtures from WIT since they decided to go their separate ways. UCC is the winner from going down to WIT and getting that paragraph. It is establishing its credentials as the comprehensive University. If we went and got a similar paragraph - is it weakening or strengthening us. The feeling was it would weaken us. It was giving them an opening. The collaboration piece with UCC had been shared with UCC.*

*Mr Delaney stated the Hunt Report highlighted that clusters involved clustering across the binary divide – Universities and Institutes of Technologies in a particular region. It is obviously clear that UCC sees themselves as the University in the southern region which overlaps and takes in part of whatever kind of Technology University you may have in the South East. The issue for us as MTU would be a collaborative cluster outside of MTU. We also have different agendas to UCC in this regard. The emphasis for us has to be on the region.*

*Mr Ó Briain stated there is a strange irony that UCC will be going to Waterford with a Technology University close to it. All of this is ultimately about rationalisation at every level of the Institutions, in terms of themselves some which may not survive, for others their Departments won't survive because they will be shared or diluted. When you see UCC going to Waterford and encapsulating itself within the ring of Waterford, he was not sure how successful that would be ultimately.*

*The President stated that all UCC will say is that it recruits 1200 students out of Waterford each year as it stands. As far as it is concerned, there can be a Technology University in the South East but it is going to continue to do that, because it sees itself as the comprehensive University. The move by UCC was to demonstrate that it is the key University in any cluster. It does not anticipate any sense that it will put students into WIT.*

*Mr Ó Briain saw difficulties in areas of courses and programmes that are low in student populations. Ultimately there will have to be rationalisation of courses, programmes and even departments. Some Institutes will not survive. In relation to the MTU it is the management of the process that is the challenge. He complimented the draft Stage 1 Application and stated it was an excellent document. But there will be challenges.*

*Mr O'Sullivan stated that having a Technological University or not, the chances are that some of those courses surviving on their own are slim anyway. Then there would be a worse scenario because they would be abolished. Having a Technological University with all three campuses might be a more sustainable way.*

*Dr Ní Shé referred to Section 5 – Consolidation and felt that section needed a bit of rewriting – it did not emphasise enough why consolidation is imperative.*

*The President stated that the funding model is actually adding to us, we are confident that because of efficient resource allocation that we can manage and develop current provision while remaining viable. Our goal would be to be part of a multi campus technological university.*

*The Chairman stated our journey is underway. Our objective today is to approve the draft Stage 1 Application and have it submitted by 31 July 2012.*

*The President advised that what will be submitted to the HEA will be circulated to Governors. He again welcomed any comments Governors may have and he thanked Cllr Corr for his contribution.*

*Governing Body APPROVED the draft stage 1 Application subject to minor alterations or changes being made and no changes to the principles, structure or the substance of the document.*

GB 1302

**Minutes of the meeting of the Governing Body of Cork Institute of Technology held on Thursday 7 February 2013 in the Council Room, 2<sup>nd</sup> Floor, Administration Building, Bishopstown Campus at 3.00 pm.**

**EXTRACT**

1302.6

**TECHNOLOGICAL UNIVERSITY UPDATE:**

*The Chairman referred to item 6 of the Agenda and asked the President to take this item. The President referred Governors to the tabled document circulated at today's meeting.*

- 6.1 Letters dated 12 December 2012 from Dr Maria Hinfelaar, President, Limerick Institute of Technology re. LIT's involvement in the MTU proposal was circulated with the Agenda.
- 6.2 Email dated 19 December 2012 from Mr Tom Boland, Chief Executive, HEA re. process and timetable for completing the HE Landscape was circulated with the Agenda.
- 6.3 Email dated 15 January 2013 from the HEA attaching a draft configuration of the higher education system as it has emerged from the inputs to date was circulated with the Agenda.
- 6.4 Letter dated 16 January 2013 from the President to Mr Tom Boland, Chief Executive, HEA re. the intention of both CIT and IT Tralee to jointly meet the HEA on 5 March 2013 was circulated with the Agenda.
- 6.5 Letter dated 21 January 2013 from the HEA confirming receipt of the President's letter dated 16 January 2013 was circulated with the Agenda.
- 6.6 Email of letter dated 1 February 2013 from Mr Tom Boland, Chief Executive, HEA re: Landscape Meetings was tabled at the meeting.

*The President stated that items 6.1 to 6.6 would be discussed in his update.*

- 6.7 President's Update.

*The President began his update by briefing Governors in relation to where the Institute was today in relation to Technological University. He stated that it was approximately two months since this item was last discussed by Governors and a lot has happened since then. We have the document published by the HEA – item 6.3, email dated 15 January, described as a configuration of the higher education system. The HEA have stated that this is the last document that will be published before final consultations take place.*

*Our consultation with the HEA, IT Tralee and CIT have decided to meet the HEA jointly, this will take place on Wednesday 6 March. It has been*

*formally indicated to the HEA that we will meet them jointly and we have also formally written to the HEA to say that there will be a joint presentation. The reason the President is indicating this is if Governors trace back through the documentation, there is the formal withdrawal of LIT from the Consortium. Item 6.1 above refers to the letters from the President of LIT to CIT and IT Tralee formally withdrawing.*

*In the meantime, there has been considerable interaction. CIT came under intense political pressure and pressure from the HEA and some less pressure from the Department of Education to merge with Waterford. This occurred sometime in the middle of December on into Christmas week and continued in early January. He stated that the reason why he said 'pressure' was that there was a mixture of threats and offers. The threat was very much that it couldn't be seen how there was room in the country for more than two Technological Universities, one of which would obviously be in Dublin and the other one would involve the South East and CIT. It was being intimated that CIT could not expect to be a University by itself or in co-operation with IT Tralee, it would have to be involved with the South East. The offers were that the LRC building (the building as you know was not proceeded with even though it had received planning permission) this could be resurrected in some form. There were various offers. The problem that seemed to have emerged was that the International panel had identified that in their opinion that the Waterford/Carlow proposal would fall shy of a sustainable Technological University. It had expressed reservations about its research capacity, its innovation capacity and several other capacities.*

*The President stated that some of you will be aware that an inspector has been sent into Waterford Institute of Technology, that there are other problems. The President's understanding is that WIT seem to have had a web of companies where it was taking public monies and putting them into these companies and using these companies perhaps to purchase goods and services, employ people and some of these companies may well have indulged in significant borrowing and in the process bypassing the checks and balances that are built into the Act so there is considerable disquiet in the Department of Education and the HEA with what might emerge. The Inspector is due to report next month and there are other reports from the C&AG that are also pending. Internally in Waterford, it does not appear to be a happy institution. Its President went out sick in late November early December and only last week came back. WIT appears to be a house divided at a senior level. There is resistance in merging with Carlow, this would appear to have led to a certain amount of strains between the President and members of the Executive in WIT. All of this was a cause of concern for the HEA and for the Department.*

*The Chairman, the President and the Vice Presidents met three times, twice before Christmas and once after Christmas to talk these matters through and to deal with these matters.*

*No one had spoken to WIT as part of the problem was there was no one to talk to with their President not there.*

*How best to handle the situation was CIT's question, how best to handle it in the best interests of the Institution.*

*We listed out the pros and the cons and we decided it was not in CIT's best interests to say a flat no. Our strategy as always was to keep as many options open and on the table as possible. We would also be conscious of the fact of the Waterford/Carlow proposal has strong political backing.*

*We indicated back to the Minister a willingness to explore the option. The President understood that the Minister for Education and Skills met with the two relevant Ministers in the South East and agreement was not reached. The Ministers in the South East were not willing to engage with any merger of CIT and WIT and arising from that, he now believes that there is an acceptance that there will be three applications for Technological Universities.*

*The President referred Governors to item 6.3, the final landscape document as issued by the HEA on 15 January 2013 and discussed the following:*

- (i) page 6 of the document, Appendix A, the HEA is at pains to say that this is not their official position but this document has been through the Department and the HEA. The first thing it says is that no formal mergers between the 7 Universities is proposed. So the 7 Universities will be stand alone for the time being.*
- (ii) Item 3 on page 6 - initial teacher education between CIT/UCC*
- (iii) Item 4 on page 7 - NUIG/St Angela's College/Shannon College*
- (iv) the letterfrack situation, GMIT, their furniture making college in Letterfrack, there is a proposal and ongoing discussions there, this reflecting the political pressure that was brought to bear on that one.*
- (v) The interesting one is when it comes to University of Limerick, the talk is there about a merger with Mary Immaculate College, this seems to have hit choppy waters due to a blunt refusal by Mary Immaculate to merge with UL.*
- (v) DCU and its relationship with DKIT*
- (vi) NUI Maynooth and its relationship with Athlone IT*

*The Technological Sector*

*It repeats that there will be significant consolidation within the IoT sector. We now are under no illusions, no consolidation on the University side, all the consolidation will be in the IoT sector. This is not unexpected because as we have seen in the budgetary situation, a number of the smaller institutions are in deep financial trouble.*

*It indicates the Technological Universities proposals (three formal expressions of interest have been received by the HEA), it shows a footnote at number 2, indicating the pausing of LIT. The top of page 9 "this proposal for TU designation will be considered in accordance with the process for designation as a TU previously set out by the HEA in 'Process and Criteria for Designation as a Technological University'." This same comment is for WIT/Carlow. When it comes to CIT, LIT and IT Tralee, it reads "an alternative submission from the remaining Institutes, CIT and IT Tralee, has not been received." We have formally, that is IT Tralee and CIT, have formally informed the HEA that there will be a joint submission and that we will meet them jointly. Our objective is, we want the HEA to recommend, the same as it has for Dublin and the South East, that the proposal will be considered in accordance etc.*

*It talks about the other Institutes, where they are, it also mentions stand-alone Institutes of Technology – Limerick, Athlone and Dundalk.*

*Subsequent to this, these stand alone institutions could find themselves in a difficult position. There have been meetings with the HEA and the HEA has assured that there are no plans at present but they would give no assurances re: Level 10, for example, LIT has no Level 10 delegated authority and it may be unlikely that they will ever get Level 10 at this stage.*

*A number of institutions are worried that what we may be actually seeing is a three tier system of stand-alone Institutes of Technology, Technological Universities and traditional universities.*

*The President stated that the nice thing about the document was Appendix B, where it set out the regional clusters. He drew Governors particular attention to one of the major changes over the previous clustering arrangements. You will see that the South and the South-East have now been put together as a cluster. In the previous HEA presentation of clusters, Tralee was clustered in with the mid-West, this is a significant shift, it is the only cluster where there has been movement.*

*Turning to the Political Landscape*

*Minister Deenihan has met with the Minister for Education and has indicated that from Governing Body and at Executive and at political level, IT Tralee sees its future as merging with CIT and becoming a Technological University. It does not see its future in cooperation with LIT.*

*The President also understands that the President of IT Tralee has briefed the 6 TDs in Kerry (that is North and South Kerry) from all parties, as to where IT Tralee sees its future.*

*IT Tralee Governing Body has met last month and has re-affirmed its preference for merging with CIT and that's a view that is shared by the Executive in IT Tralee.*

*It is important that at this stage that this message also comes from CIT both from an Executive and the President confirmed that his Executive are very pro this merger, we see this as our future and I know the Governing Body had supported it at its last meeting, but we also need to make sure that we garn political support.*

*The next step is that various institutions/consortiums will meet the HEA, the HEA will make its final recommendation to the Minister on 26 March, the Minister will then consider that and take his proposal to cabinet and the intent is that this will be published in April. This will mark the end of the beginning, i.e. Phase I.*

*Our objective is that the Minister allows CIT and IT Tralee to go forward to seek Technological University designation. Finally, it has also been made quite clear to everyone that if you are told that you can go forward, you will be required to merge regardless of the outcome. IT Tralee and CIT will have to merge and this decision will be a decision for the two Governing Bodies. The Executive would have to do a detailed exploration and investigation and due diligence before coming back to this Governing Body and IT Tralee will do similar before going back to its Governing Body to recommend to merge or not to merge. Assuming this happens in the Autumn, and taking into consideration how long a merger will take place, with everything working well, this will not happen before September 2015. There are quite a number*



*of steps and there is also legislation to put in place. There is no provision in legislation for dissolving an institution, that would have to be put there and a means of creating a new institution.*

*The President stated that he has fully informed the Governing Body and he stressed that items said here in his report today stay in the room. Until such time as Minister's report is published, we can still come under pressure, we are not safe until this decision is delivered.*

*Cllr Corr wished to thank the President for his comprehensive update on the long saga. He would not support the idea of a merger between CIT and WIT. He referred Governors to Appendix B (page 11) on regional clusters, the South/South East have been put together, he believes that this cluster arises from the political promise to establish a University in Waterford. It is absolutely clear that Waterford and Carlow do not have the critical mass of students and suitably qualified staff to justify designation as a Technological University. CIT would be used just to provide the necessary students and staffing to justify this. I do not believe that we should even be willing to engage in exploring that possibility. Our future should be seen with IT Tralee and out of that we would hope to build a Technological University and we should be very clear on this. We should not consider any arrangement with WIT.*

*Mr O'Neill asked for clarity, his understanding is that the Minister is promoting a relationship between CIT and WIT but that the two Ministers in that area do not agree.*

*The President replied yes, IT Carlow would be the loser if that were to happen because IT Carlow would be the junior partner, they would be the junior partner twice removed.*

*Mr Whittaker, firstly wished to congratulate the President. He also wished to highlight to Governors a number of items regarding Finance and the alternative way that the Higher Education Authority is looking at Finance. IT Tralee is the significant loser. There was a moderator put in between the old funding model and the new one. As a result of this, Tralee's budget for this year is proposed to fall by 11% so their options going forward are quite difficult. He stated that at this point if he were sitting on a Finance Committee at IT Tralee, he would be saying to merge with CIT as quickly as you possibly can. We have to be mindful of their particular concerns.*

*As Mr Whittaker was not at the last Governing Body meeting, he asked if we have a scale to make a base application between CIT and IT Tralee?*

*The President responded to Mr Whittaker by acknowledging that the CIT and IT Tralee proposal would be in just as good a position as the South East. The criteria that will be the hardest to achieve would be the percentage of academic staff qualified to doctorate level. This criteria does not have been reached when applying, a time period will be given by which you must achieve this before you seek the designation. This will not be an inhibitor when applying. This is something that CIT have looked at and we have a detailed proposal to raise these numbers. The ideal scenario would be that the three applications go in, Dublin, South East and Munster and they would be adjudicated on by the same panel. The President suspects that Dublin with minor recommendations will become a Technological University very*

*rapidly. WIT and CIT will have more demanding recommendations which may take longer.*

*CIT have communicated to the HEA and the Secretary General in the Department that we want our application to be treated fairly and consistently with others. We have no problem that there will be conditions to be filled, provided that these conditions are not more onerous or more specific than the South East.*

*Mr Whittaker stated that clearly if the talks at Christmas had gone any further that both IT Tralee and IT Carlow would have a lot to lose. The President agreed and stated that in the interactions before Christmas, it was pointed out by CIT that we had an agreement with IT Tralee. The strategy was trying to keep this as fluid as possible.*

*Dr Ni Shé added that she noticed in their document that the HEA had stated that they had not received an alternative submission from the remaining Institutes, IT Tralee and CIT. I can recall at the last meeting in December, Mr O'Sullivan spoke of their being a special meeting convened and given the time that has elapsed and a lot has happened, she was a little bit surprised. We do not have a revised MOU between the two Institutes. It is very easy for the HEA to pick a little hole like this, LIT have left the pitch and IT Tralee and CIT have not gone back and done a revised MOU, a firm declaration of intent like the South East have done, are we exposed here?*

*The President replied that no, the Governing Body here and the Governing Body in Tralee IT have both endorsed going ahead and both can produce Minutes from both our Governing Bodies showing this. The requirement for an MOU is a Stage 2 requirement. This is not a requirement for Stage 1. We are working on revising the submission, it was at the insistence of LIT that there would be three separate submissions originally, we have now gone back and will put a joint submission into the HEA. They have not said that they will not accept a revised submission. The HEA final document only appeared days after the other proposal died. In that sense, there was not an opportunity to go and do a joint Memorandum. Also as many of you will know there is also slight difficulties in terms of the Chair in IT Tralee. This does not impinge on this but it does not help it.*

*Mr O'Sullivan stated that like Cllr Corr, he is glad that the proposed merger with WIT is not going any further. He would be a little concerned, it is one thing to come together and to try and hammer out an agreement about mergers with a view to achieving Technological University status but to have some sort of an arrangement ordained from outside would be of great concern. Certainly it would not do us any good and those with an interest in Higher Education in the Cork area and those with an interest in CIT and its future would not thank us if we somewhere thrown up with the South East consortium to try and make up the goals necessary to achieve Technological University status.*

*Mr O'Sullivan stated that on reading the completed Landscape document, one of the things that came across is that the HEA and the Minister have got warmer and warmer on the idea of mergers in the Technological sector. Some people may have got cooler on the idea of Technological University and it's mentioned also that some colleges might merge in the Technological sector and then would have to wait a considerable time for Technological*

*University status. That brings us back to the point where we finished up at meeting in December. The very last point that the President brought up in his very comprehensive report, that needs to be talked about again – if we are going to go forward we have to merge, this process will not take place until 2015, the question he wished to pose was at what stage in the process of application for designation as a Technological University would that merger take place? His understanding is that it would take place somewhere between Stages 3 and 4, in other words that you would get a green light to proceed from Stage 2, draw up a detailed plan and those colleges would then submit their plans with a formal MOU in relation to a merger. Then an international panel would assess this application and either turn them down or give them the green light, perhaps give them the green light with some recommendations. In the process of getting themselves to reach the goals that are necessary for Stage 4 which is the application for designation as Technological University, they would then merge. We have always assumed that to achieve Technological University there would have to be a merger, that would mean that the ultimate prize would be on the horizon but reading the completed landscape document, I notice that the Minister and the HEA seem to have a slightly different idea. For example, they suggested that the Connaught Ulster Alliance would benefit from the merger with no indication whatsoever that designation as a Technological University would take place for a long time in the future. I would be very concerned if that was the case. He asked the President if he would be correct in his assumption that for IT Tralee and CIT that after they got the green light from the panel, after merging and fulfilling the criteria that they would become a Technological University.*

*The President responded by saying the short answer is no – it is now quite clear that, first of all as you pointed out, the Department and the HEA and indeed the Minister have become much more interested in mergers, sustainability and the removal of what is described as duplication than they have about anyone achieving Technological University status, this is the driver here. As he had pointed out, the consolidation is in the Institutes of Technology sector. It was also made quite clear that Institutions will be required to merge at the same time as they are making their application for Technological University and they will merge regardless of the outcome. This is the pound of flesh that is going to happen. The system as you describe it would have been our view of how the process should take place but it is now quite clear that Institutions have to merge. If you don't merge if you don't have a signed MOU, the phrase is “legally binding” when you apply, you don't have a valid application.*

*Mr O'Sullivan stated that is what he felt. When he read the document of 15 January in terms of the criteria and the procedure and the procedure in terms of designation as a Technological University and he would have to suggest to Governors that puts us in a completely new scenario. What we are talking about now is an unconditional merger with another college, no guarantee whatsoever that we will be designated as a Technological University. This is something that we must all think about very carefully. This is not what we gave the go ahead for when we signed off on the MOU originally. He happened to read the submission made by WIT and IT Carlow to the landscape document, they included a copy of their MOU, it is very detailed and he noted paragraph 3.2.2, the way they put it is “on successful completion of a business case, and including approval by the HEA and by constituent Governing Bodies, the parties will proceed to amalgamate as part of the*

*process of designated by Technological University” – they were covering their options. We have a new scenario hitting us.*

*The President responded by saying that we do not have to cross that bridge today, we only have to cross that bridge if first of all the Minister in his determination of the landscape is willing to entertain a submission for Technological University from IT Tralee and from CIT. This will be in April, we will then have to do our investigation, do our due diligence and come back to this Governing Body, IT Tralee will have to do similarly and this Governing Body will have to decide in the best interests of the institution, its students, its staff and its graduates lies in merging. If that is agreed by this Governing Body, we are then into a twin tack approach where we are drawing up a merger and at the same time developing an application for Technological University.*

*Mr Ó Briain stated that in reading the document, collaborations, clusters and mergers in that particular order and in the context of the teacher training it was highlighted with praise between CIT and UCC in relation to Art Teaching whereas other colleges have not merged and have remained autonomous or independent as the case may be. Appendix B is very interesting in relation to clusters or potential clusters. With all clusters, it's a very interesting insight that we have received in relation to the way that the HEA are potentially thinking. UCC are going to be automatically excluded as an autonomous independent university so it leaves what is left, IT Tralee, WIT, IT Carlow and CIT. There is no doubt that CIT cannot under any circumstances lose the opportunity to participate in a Technological University and whatever way the cluster is going to fall, may very well rely on whether LIT will press the pause button and come back into play because that is really within the two letters that he has read. The HEA have created a mid-West region incorporating LIT irrespective of the fact that they have not contributed at all by way of a submission of any kind. Someone is looking and positioning LIT within a cluster and within the mid-West.*

*He stated that he would be going against colleagues on the Governing Body, but he believed that CIT cannot afford not to move towards maybe the inevitable of CIT, IT Tralee, WIT and IT Carlow, that maybe inevitable but it depends on what is the ultimate potential of the realistic cluster. He stated that at the moment to exclude that opportunity to continue work within this potential cluster in order to seek clarification and what is going to happen. The submission that was required between CIT and IT Tralee, this is obviously urgent.*

*Mr Whittaker wished to respond to one of Mr O'Sullivan's points by saying that speaking as an outsider as such as he would not have the knowledge that some of his colleagues around the table would have, our potential for getting closer to IT Tralee could happen for all sorts of reasons and there may be value to extract there, apart from the whole Technological University matter.*

*Mr Delaney wished to make two points of information:*

- (i) with regard to IT Tralee, looking at it now and looking at it as it was a few years ago, things are changing quite rapidly and the Institution of Tralee will be quite a different institution in a few years. IT Tralee will be seen much more as a regional institution.*

- (ii) *The second point he made was in the context of the discussion, he stated that terminology was very important and the document as written, clusters is one thing, clusters the way they are described will be seen as clusters involving the universities. Mergers are quite a different thing, these are consortia that may consist of one, maybe two or a minimum of three institutions come together to merge and this can only happen in the IoT sector according to this document. He stated that it is very important to note that clusters will be there anyway whether we merge or not and even if we have in the future a Technological University in the South East and one in the South involving ourselves and IT Tralee, the cluster will be there involving UCC in that cluster.*

*Mr Whittaker asked if the document now rules out an IoT merging with a traditional university.*

*The President responded by saying yes and that he was surprised in some ways. It has been made quite clear to institutions that it will not become a constituent college of an existing university and so award university degrees.*

*DKIT had not envisaged it that way but its cooperation with DCU was that DCU would award its research degrees, that they would not be students of the Institute of Technology of Dundalk but that they would be students of DCU, they may well be situated in Dundalk but they would be DCU students. This has also caused problems for Athlone.*

*Mr O'Sullivan stated that he was surprised to see how warmly they looked at the relationship between DKIT and DCU and not only that but they also recommended another warm relationship between Athlone and NUI Maynooth, it was interested to see in the document.*

*Dr Ní Shé has concerns, the big debate is ourselves viz a vis IT Tralee and yes this is a huge debate. The real potential for the rationalisation is through the cluster and in this case ourselves and UCC, we could still end up losing a lot of our Level 8 programmes to UCC in the rationalisation and then where are we, then we become a potentially weaker IOT and trying to merge with weaker IOT again, we would end up losing out. This is a third game, the game versus CIT and UCC. She still wondered if CIT should be developing that collaboration more, it's about keeping doors open, it's about minding ourselves, the rationalisation going on in the background is a threat.*

*The President responded by saying that the threat as Dr Ní Shé articulated has been there since he became President and in fact CIT's strategy has been to make us indigestible, the danger was if we did not do this and this is the problem for quite a number of institutions, they have left themselves vulnerable and they will be picked off under the sustainability. It is not only the Universities who will drive this, it will be the funding model.*

*Mr Delaney stated that the question arises if we would be in a better position to hold our own and remain as an IoT and if we were to remain on our own it is clear from the document that this is what we would be or would we be in a better being MTU merged with whoever? We have to ask ourselves this.*

*We have always taught in the Research area and one of the reasons that we have been successful is that when you are a viable collaborator you have a*

*willing partner. We have to ensure that we are a strong institution as strong as we can be.*

*Dr Ni Shé stated that there was a very healthy collaboration between CIT and UCC and the three words that she was picking up was “sustainability, quality and capacity”.*

*Mr Delaney stated what would stop CIT becoming a feeder institution was if you were Munster Institute of Technology with your own ethos as opposed to being the 3<sup>rd</sup> tier of the third level sector.*

*Mr Owens stated that the answer was that we would be better off as Munster Technological University. The worst case scenario, there are fears about the merger with IT Tralee, what would that merger look like, surely, it is worth to merge with IT Tralee and that the worst case scenario would be not to achieve Munster Technological University status. We have nothing to lose. The question he was asking was what have we to lose by merging with IT Tralee and not achieve Munster Technological University? Surely if we were to merge with IT Tralee, they would very much be a subsidiary college of the Cork Institute of Technology were we to remain so. There is a danger that we merge and we don't become a Technological University but we could be a stronger IT by merging.*

*Dr O'Connor stated that as the President indicated previously, the pieces that will answer those questions will come out of a detailed due diligence analysis. This could not be answered today, it is a tough question.*

*The President stated that we should not become too introspective and look inwards and if we look at this on a regional basis, there is sustainability in this region to have both a traditional or classical university and to have a technological university. There is a future for both organisations in the region, not only a future but a vital part of the region. This would not work in the South East in terms of its sustainability, of its enterprise, of its innovation and that is one of the fundamental problems. We can build a strong technological university that will actually look to the future of this region.*

*The Chairman asked if the due diligence will be done before the Governing Body has to reflect on a merger?*

*The President responded by stating that yes, this due diligence must be undertaken first.*

*The Chair wished to clarify that he wanted to reassure Governors that at the meetings that he attended prior to and after Christmas that it was very much taken into account that nothing could or would happen without a proper Governing Body discussion, he wished to clear this matter with Governors. He concluded by saying that we should progress this way and have enough information and data on the table and then we can figure out where we stand. There are academic, financial and political pressures there and Governors needed to be aware of this.*

*Mr Ó Briain stated that the big question is can the joint submission between CIT and IT Tralee be powerful enough and not just in content alone to influence the Minister and the HEA to say that can become a technological*

*university to the exclusion of WIT and IT Carlow? That's a huge question, it's not the submission that will ultimately decide. The HEA has presented the clusters and it has incorporated CIT, IT Tralee, WIT and IT Carlow, is that where they see the technological university as opposed to what we may be seeing?*

*The President responded by saying that in once sense it is the key question but to the best of his knowledge and belief at this stage, the Minister, the Secretary General of the Department of Education and Skills and the HEA expect three applications and they will allow three applications to go forward. By not saying no, we maintained a body of goodwill which is important. We were not the problem and it has been said that there is no question of CIT left behind. There is considerable goodwill there.*

*Cllr Corr stated that when he read about the South/South East for clusters, it reminded him of a document that had been issued from the Department of Environment suggesting the realignment of the same regions, of a physical plan to do this. When this was sent around to the various authorities, it was rejected because the South/South East included Munster plus Kilkenny, plus Carlow, plus Wexford and that was deemed to be far too large. The recommendation that went to the Department was the South West plus the mid-West minus Tipperary (Cork, Kerry, Clare, Limerick) with Tipperary being put into the South East, that this was a more preferable, more synergies between the counties in that area. So in the future, we may be talking about a very different region, mostly we tend to talk about the South West, Cork and Kerry as being the area where most of our student comes from but that region may change in the very near future.*

*Dr O'Connor added that IT Carlow's region extends from Ballyfermot to Wicklow to Gorey to Wexford back up to Carlow and over to Kildare so this is not exactly South.*

*Cllr Corr added that they have divided Leinster, they have taken out Carlow and Kilkenny and Wexford and pushed them into the South.*

*Mr O'Sullivan wished to state that he has full faith in the Chair and the President in relation to the negotiations and he was not suggesting for one moment that we would drop everything. What he is saying is that we have a new scenario, the goal posts have changed and we have the possibility facing us that that we might have the Munster Institute of Technology for a long time rather than the Munster Technological University. He is a supporter and always has been of the concept of Munster Technological University with CIT playing a leading role in the consortium. Up until today, he never before envisaged Munster Institute of Technology, this is a reality that we now have to deal with. He is assuming that serious due diligence would be done in any merger that we may enter into, he would expect a proper SWOT document to be brought to Governing Body with a proper balanced set of threats and advantages so that Governors can when the time comes make an informed decision.*

*Mr Ó Briain stated that a guess the Governing Body will not have a say anyway. If the Minister gives a decision, that will be it.*

*The President responded by saying there is that but the Governing Body will always have a considered view.*

*The President proposed that a special Governing Body Meeting will be held when the Minister's decision is published. He stated that by the next Governing Body Meeting, they will have met the HEA. Once the joint presentation is ready we will circulate this to Governing Body but we won't still have an answer by the April Governing Body Meeting so a special meeting would be appropriate once we have this.*



GB S1 1406

**Minutes of the special meeting of the Governing Body of Cork Institute of Technology held on Tuesday 3 June 2014 in the Council Room, 2<sup>nd</sup> Floor, Administration Building, Bishopstown Campus at 6.00 pm.**

**Present:** Mr Bob Savage (Chairman)  
 Dr Brendan J. Murphy  
 Ms Mary Keane  
 Dr Áine Ní Shé  
 Mr Barra Ó Briain  
 Ms Ciara O'Connor  
 Mr Danny O'Donovan  
 Mr Billy O'Neill  
 Mr John O'Sullivan  
 Mr Ted Owens  
 Mr Mark Whitaker  
 Mr Jim Woulfe

**In Attendance:** Ms Ann O'Mahony, Recording Secretary.

*The Chairman welcomed all to the meeting. Before he opened the meeting he stressed this was a special meeting of Governing Body to consider the one agenda item "MTU Stage 2 Plan" and to seek Governing Body approval for the Plan and its submission to the HEA. Therefore, the Vice Presidents were not in attendance at today's meeting.*

*He acknowledged the apologies received from Mr Eoin Deane, Ms Ann Piggott and Mr Jim Corr. It was noted that Canon Salter was on a CIT Interview Board and hoped to join the meeting later on.*

*The following Governors did not attend the meeting:*

1. *The Rt Hon Lord Mayor of Cork, Ms Catherine Clancy*
2. *Cllr Mary Hegarty*

**1406.1 APPROVAL OF THE MTU STAGE 2 PLAN AND ITS SUBMISSION TO THE HEA:**

*The draft MTU Stage 2 Plan was tabled at the meeting.*

*The Chairman stated today was a historic occasion. It was on 30 May 2013 that the Institute got permission from the Minister to proceed to Stage 2 of the process. Today was one year on. In relation to the document tabled, there had been some amendments/updates made arising from the Governing Body Workshop that took place on Thursday 29 May 2014. The purpose of the Workshop was to review the penultimate draft MTU Stage 2 Plan. The Chairman invited the President to update Governors.*

*The President advised that if Governing Body gives approval to the document today, it will mark the end of the Stage 2 process. The next phase will be Stage 3. Within twelve months we have accomplished the finalisation*

*of Stage 2. He explained that the document tabled was the final draft. The only major revisions to the document were to Section 3, subsections 3.2 “Opportunities and Benefits of the MTU” and to 3.5 “Assessing the Cost of Creating the MTU.” A lot of the comments from the Workshop were in relation to those areas. There is still a job of work to be done in terms of typographical errors, spelling and punctuation and some editorial changes. These will be the only changes that will be made to the document unless there will be changes arising from today’s meeting.*

*Assuming approval of the document by Governing Body, the President gave an outline of the sequence of events over the next few days.*

- *The final editorial/typographical changes will be made*
- *A final document to be available on Thursday 5 June and*
- *Friday 6 June is the scheduled date for its submission to the HEA.*

*The Chairman thanked the President for his briefing. Before seeking the approval of Governing Body for the document, he gave an opportunity to each Governor to respond to the document tabled.*

*Governors took the opportunity to query and probe some aspects of the document and were satisfied and happy with the clarity received. They welcomed the amendments made as a result of the Governing Body Workshop and were happy that the suggestions made then had been taken on board. They also welcomed the wording of the MOU which had been carefully worded and gave Governing Body maximum flexibility to make its decisions in the light of circumstances that will pertain. They asked that further mentions be included in the final draft as follows:*

- *In relation to the foreword, include mention of the Governing Bodies of CIT and IT Tralee in the 3<sup>rd</sup> paragraph*
- *Because the MTU region will serve two Gaeltacht areas, a paragraph to reflect this to be included*
- *For clarity purposes, redraft 3<sup>rd</sup> paragraph under heading 6.3 Governing Body Approvals Page 82*
- *Reminder that there is a lot of more information to go into Page 41 and the annualised figures*

*Overall, they were very impressed with the content, presentation and layout of the document. It is an amazing document. Great credit is due to all involved in the preparation of the document, the work involved was extensive and also the work that was done since the Workshop last Thursday was phenomenal. They extended a heartfelt “Well Done” to all. They also gave credit to the work that was done in relation to the Due Diligence exercise of both Institutes. Governing Body also congratulated the President on what is an outstanding piece of work.*

*The President gave special thanks and praise to the two authors of the document, Mr Tadhg Leane, CIT Head of Strategic Development and Mr Tim Daly, Manager, Strategic Developments IT Tralee for the input and time that they spent in its compilation.*

*For the information of Governors, the President explained that once approved, the final document will go to the HEA on Friday 6 June. It will then be put up on the CIT and IT Tralee Intranet for staff and students. In terms of publication, there is no intent to have a formal launch of the document.*

*For clarity, the President also advised that it is also a requirement to have the MOU accompany the MTU Stage 2 Plan in its submission to the HEA.*

*In conclusion, the Chairman sought the approval of Governing Body for the final MTU Stage 2 Plan and MOU which will include the suggestions made today and also any typographical and editorial changes.*

*Of those present, Governing Body unanimously APPROVED the MTU Stage 2 Plan and MOU as presented subject to the amendments and additional mentions being made.*

*The President informed Governors that in relation to the final document, that both hardcopy and softcopy will be sent to Governing Body early next week for their information.*

*The Chairman thanked all for their attendance and closed the meeting at 6.45 pm.*

*The next ordinary meeting of the Governing Body was fixed for Thursday 3 July 2014 commencing at 3.00 pm in the Council Room, 2<sup>nd</sup> Floor, Administration Building.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## GB S1 1501

**Minutes of the special meeting of the Governing Body of Cork Institute of Technology held on Thursday 8 January 2015 in the Council Room, 2<sup>nd</sup> Floor, Administration Building, Bishopstown Campus at 2.00 pm.**

**Present:** Mr Bob Savage (Chair)  
 Dr Brendan J. Murphy  
 Ms Catherine Clancy  
 Mr Jim Corr  
 Mr Eoin Deane  
 Cllr Mary Hegarty  
 Ms Mary Keane  
 Mr Michael Linehan  
 Dr Áine Ní Shé  
 Mr Barra Ó Briain  
 Ms Ciara O'Connor  
 Mr Billy O'Neill  
 Mr John O'Sullivan  
 Mr Ted Owens  
 Ms Ann Piggott  
 Canon G.A. Salter  
 Mr Mark Whitaker  
 Mr Jim Woulfe

**In Attendance:** Ms Orla Flynn, Mr Paul Gallagher, Dr Barry O'Connor, Dr Don Thornhill, Mr Tadhg Leane and Ms Ann O'Mahony, Recording Secretary.

*The Chairman welcomed all to the meeting. He introduced Dr Don Thornhill, Chair of the MTU Steering Group and Mr Tadhg Leane, Head of Strategic Development. He referred to the one agenda item and invited the President to speak.*

**1501.1 Stage 3 Expert Panel Report – its consideration and its implications for the final stage of TU designation:**

*The President stated the purpose of today's meeting was to consider the Report of the International Expert Review Panel, the HEA letter and the Minister's Statement. To set the scene for Governors, he advised that Mr Tadhg Leane, in his presentation, will set out the main points of the Panel Report and what is left to be done to become a TU, followed by a short presentation from Dr Don Thornhill, Chair of the MTU Steering Group which will give a national external view of our journey to date and the opportunities that await us.*

*The Chairman invited Mr Leane to commence his presentation.*

*Mr Leane gave the following presentation and brought Governors through each slide.*

## **Establishing the MTU – Outcome of Stage 3 of process for TU designation.**

### **Slide 1 – The Process**

Stage 1	Completed May 2013 along with Dublin and South East	Involved an expression of interest which was evaluated by the HEA.  Minister for Education and Skills who ultimately determined if the submission was successful.
Stage 2	Completed June 2014 along with Dublin	Involved the preparation of a detailed plan and timelines for meeting the criteria for Technological University designation. This submission was approved by both Governing Bodies.
Stage 3	Completed December 2014 along with Dublin	Consisted of the evaluation of the plan submitted during Stage 2. This evaluation was carried out by a HEA appointed expert panel.
Stage 4		Stage 4 requires an application for designation as a Technological University on the part of an institution that has been established (via merger) following the successful completion of Stage 3 of the process.

### **Slide 2 – Stage 3 (in detail)**

The plan will be assessed by an Expert Panel which will have regard to:

- The capacity of the proposed consortium to achieve the objectives of consolidation in terms of academic rationale, scale, the degree integration and the extent to which workplace practices have been developed to bring them into line with those of a modern university.
- The existing position of the proposed consortium in relation to each of the technological university criteria and its capacity to meet these criteria within a reasonable timeframe.

A decision will be provided by the HEA to the applicant within 6 months. If the proposal is not likely to meet the criteria for designation as a TU within the proposed timeframe the application will not proceed further. In that case a further application will not be accepted for a period of 5 years.

If the Panel is of the view that the plan presented represents a credible and realisable proposal, the Panel may provide advice to the applicant or the HEA on any matter relating to its implementation.

### **Slide 3 – Outcome of Stage 3**

The role of the HEA in Stage 3 of the process for the development of technological universities has been to manage the process on behalf of the Minister for Education and Skills. The process has now concluded and attached is the report of the expert panel which forms the decision at this stage - HEA letter 5 December 2014.

The panel is of the opinion that the Munster Technological University proposal is likely to meet the criteria for designation as a technological university within the proposed timeframe... - Expert Panel Report Section B(i), Page 4

The panel is of the opinion that the proposers have the capacity to achieve the objectives of consolidation... - Expert Panel Report Section B(ii), Page 10

### **Slide 4 – Additional comments by the Expert Panel**

In our experience of universities internationally, this proposed TU would sit comfortably in their company - Expert Panel Report Section B(i), Page 4

The [financial] planning assumptions appear broadly prudent - Expert Panel Report Section B(i), Page 8

The projected merger costs appear comparable to similar mergers elsewhere - Expert Panel Report Section B(i), Page 9

### **Slides 5 & 6 – Challenges identified by the Expert Panel**

#### **1. Mission and Vision**

- Difficulty of walking the line between the **fact** that we already operate at the level of a TU and the **expectation** of value-add resulting from TU designation.
- Assumed that the matter had been addressed thoroughly in previous submissions.
- Confident that we can easily address this issue.

#### **2. Three Layers of Academic Management**

- Aware that our proposed structure is non-standard in international Higher Education.
- We have good reasons for choosing this structure and are confident that we can fully explain the rationale for our choice.

#### **3. ‘Acting as one’**

- DTU had already made the decision to merge and had already put joint structures in place e.g. joint Graduate School.
- In contrast we could not pre-empt the Governing Body decisions regarding merger.
- If decision taken to merge then ‘acting as one’ will commence immediately.

#### **4. Timeframe for merger**

- Research shows quick is best for technical/legal merger but integration takes time.
- We are committed to the timeframe set out in our submission which envisages an 18 month period for technical/legal merger.

#### **Slide 7 – Stage 4 (in detail)**

Where a legal consolidation has been achieved and the applicant considers that all the other requirements for designation have been met, the applicant may apply for designation as a technological university.

The application for designation will be evaluated by an Expert Panel. In carrying out that evaluation, this Panel will have regard to the criteria [for TU designation], the legal and administrative requirements applying to universities in Ireland, the configuration of institutions within the Irish higher education system, the characteristics of technological universities internationally, detailed statistical profile data on Irish higher education institutions and the overall merits of the application.

This Expert Panel will report its recommendation to the HEA which will consider the report and advise the Minister.

*The Chairman thanked Mr Leane for his presentation and invited Dr Don Thornhill to commence his.*

*Dr Thornhill spoke from two perspectives (i) of somebody external to the Institute with some background in the higher education area and (ii) the insights he had gained from chairing the MTU Steering Group.*

#### **MTU – Reflections on a historic opportunity**

##### **Slides 1 to 4 – The story so far**

- Hunt Report and Government follow up
- TUs an important policy decision and initiative
- TU process now settled policy
- TUs seen as **essential** contributors to national and regional economic and social development strategies
- CIT/ITT proposal jointly setting the pace with Dublin
- Has completed 3 stages of a 4 stage process
- Remaining stage – merger and TU status
- International panel report very positive  
“The panel is of the opinion that the Munster Technological University proposal is likely to meet the criteria for designation as a technological university within the proposed time frame, subject to the considerations listed below”

- Several other instances of very positive language
- Outcome endorsed by Minister for Education and Skills  
“Dublin and Munster take further steps towards Technological University Status”  
(Statement by Minister for Education and Skills, Jan O’Sullivan, TD).

**Slide 5 – So, where are we?**

- Destination visible and attainable
- TU project has been characterised by political and policy commitment underpinned by process
- DTU and MTU in leading positions – have successfully addressed both policy and process issues
- Behind the scenes opposition addressed ...for now ...but by no means silent

**Slide 6 – Sustain the momentum...not a time to flag**

- International panel have cautioned against delay...concerned about loss of momentum and resultant uncertainties. This underlines the need for us to stick to our agreed timetable.

**Slides 7& 8 – MTU is underpinned by a convincing vision**

- The Panel underline the need for continuing thought and work on defining and articulating mission characteristics – which they acknowledge we understand
- Focus on win-win (increasing the size of the pie), not on win – lose (dividing the pie). The MTU will be greater than the sum of CIT and ITT.

**Slide 9 – Historic opportunity**

- For the two institutions
- For all stakeholders
- For the SW region as an essential part of the modern competitive Irish economy
- Momentum and the “facts on the ground” are on our side
- Need for unity of purpose and “acting as one”

**Slide 10 – Costs of failure are high**

- For the two institutions in an increasingly differentiated and competitive HE system



- For students and staff
- For stakeholders and for the region
- Process allows for application only once every 5 years

**Slide 11 – A cautionary reminder**

DIT applied for university status in 1997

*The Chairman thanked Dr Thornhill for his presentation and opened the floor for Governors to respond to the two presentations.*

*Governors were appreciative to all involved in CIT and ITT for the very good work done in bringing the successful process to Stage 3. They took comfort on how the process had been conducted so far. They sought and were given clarification on some aspects of the Panel Report. Exchange of views, opinions and concerns were expressed in relation to the Report from the International Expert Review Panel, as outlined below:*

- *The list of considerations in the Panel Report will need to be addressed before completing Stage 4 of the process*
- *We need to inform the public at large that study at the TU will be vocational/professionally oriented with strong emphasis on science and technology*
- *HEA have a role to play in selling to the public in general the concept of a Technological University on how it will differ from the traditional university and what it will deliver to the students of the future*
- *It is an appropriate step for CIT and ITT to gather all the career guidance counsellors in the region and to set out an image of what the MTU will be.*
- *Work to be done on the MTU Mission Statement. We need to ensure that the MTU mission is above and beyond what an IT can achieve.*
- *Areas that may need to be elaborated on i.e. practical aspects – integration, rationalisation, digital technologies, external partnerships, the scope of the NMCI, a single technological transfer office, practical operations that must happen and be dealt with prior to Stage 4*
- *The Academic Management Structure and how soon can that be implemented*
- *The need to examine HE models elsewhere in particular those that are multi-campus*
- *Emphasis on the new income streams and income saved as a consequence of rationalisation between the institutions*

- *The enhancement of staff qualifications through accessing EU funding*
- *The timeframe of 18 months should not slip*
- *While the Report from the Expert Panel is largely very positive, it is also clear from the Panel Report and from the HEA letter that both CIT and ITT have a lot to reflect on and that should inform our concern from here on*
- *The public perception of what MTU is needs to be addressed and explained*
- *The momentum needs to be maintained to achieve TU designation*
- *The timeframe of 18 months is to attain TU status and to achieve the legal/technical aspect. Integration will take longer to achieve*
- *The process allows an application only once every five years which is a very critical statement*
- *Staff buy-in will need to be addressed and obtained*
- *Concern that in Stage 4 TU is not a given. We have to be very clear in our minds about where the HEA are coming from, where the Minister will be coming from and where the Expert Panel are coming from*
- *Timing from now on is critical.*
- *We need to analyse whether we will realistically be in a position to meet the criteria for Stage 4. We need to reflect on this carefully.*

*In response to Mr Deane in relation to funding, the President responded that on Christmas week the Institute received €766,666 in terms of merger in 2014/15.*

*The President responded to the comments given. He thanked Governors for their praise for the process and for their support over the last number of years. He also paid tribute to all the staff who have put the building blocks in place. Our ability to build and submit the Plan is very much due to the people over the decades who have put in the effort. Partly our difficulty is that we already operate at the level of a TU in quite a number of areas. In relation to the Mission and Vision, we need to communicate that and go out and sell it. Once both Governing Bodies agree to merge, we have PR lined up and ready to go. We have tendered for the PR Company, we have identified the targets, the various stakeholders (our own staff, political, councils etc.) and very much looking at the South West Region and getting our message across about our mission and vision in the future. We have tried to be careful with our staff in terms of not getting them all worked up with no place to go. We now know where we can go, we do have to merge and when we*

*merge we can have Technological University designation and staff can see their future in the Technological University.*

*In response to Dr Ní Shé, the President advised that Stage 4 is the merge. We do need to take on board the recommendations of the Panel. What we also need to do to maintain the three tiers of Departments/Schools/Faculties is to articulate clearly why we want to maintain that structure and state the reasons for doing it. We also need to articulate in particular the role of Schools.*

*In response to Mr O’Sullivan regarding timing and meeting the criteria, the President stated that in the Stage 2 Plan, we had to state where we were in terms of each of the criteria and the timeline in which we believed we could meet those. Based on that, we came up with our timeline for merger. We already meet the majority of the criteria. The two that we need to achieve are (i) percentage of research postgrads and (ii) the staff qualifications. We have confirmed that we will meet those criteria and have also indicated same in our Mission-based Performance Compact with the HEA. The timelines we laid out which was that legal merger would take effect from academic year 2016/17. In 2017/18 we plan to meet the criteria. The Expert Panel accepted that our proposal was realistic and credible in that regard.*

*Mr Ó Briain stated that we should remain optimistic, we should “motor on” in terms of responding positively to everything that the International Panel has recommended, respond positively to the HEA. Have a roadmap set down as to when each consideration listed by the Panel will be met and when the operational matters will be undertaken. We should remain extremely optimistic and that is the high expectation of the community and the staff of both Institutes. We need to move ahead and do it diligently and as earnestly as possible.*

*The Chairman stated it has been a long journey to reach Stage 3. He paid credit to the work that has been done by a lot of people, including the MTU Steering Committee and the President and his team. There is yet much to do – no one is underestimating the challenges that remain to be met. Where we are now, strategically, it is a great position to be in. The quality of the work that goes on in CIT is truly of a university nature and is reflected in his life time and where he is at present. In relation to MTU and what is happening – knowledge generation as referred to in the Panel Report - multi-disciplinary, contacts, research etc., career changes, lifelong learning, work-based learning, e-learning and bringing that into the community and the regional focus we have to have for our futures and future generations. TU designation is so right and we are in a very good position. He thanked fellow Governors for their input at today’s meeting and he also thanked all for the work that has been done.*

*In the light of urgency and commitment that came up at today’s meeting, the Chairman suggested that maybe we should now consider to vote – do we want to proceed to Stage 4 and make a decision on that today.*

*Cllr Corr proposed that Governing Body would now formally declare that it wants to progress to Stage 4 and the necessary step is to achieve a merger.*

*Mr O'Sullivan posed two points to Dr Thornhill. (i) did he think mergers were constrained by legislation – would we need legislation for mergers to happen and (ii) The Heads of Bill issued focussed on the Dublin merger. He asked if there would have to be an amendment to the legislation or new legislation to allow mergers in other Institutes outside of Dublin.*

*Dr Thornhill stated that work is continuing on the Heads of Bill. Now there is recognition of a need for a transition legal enablement. His understanding is that will be there.*

*The President advised that the draft Heads of Bill issued does include, in the second section, facilitating Institutes of Technology merging.*

*Cllr Corr repeated for exactness that having received and discussed the findings of the International Expert Panel Report from the HEA on the MTU Application, the Governing Body now instructs the President to proceed to Stage 4 of the process and to merge with IT Tralee.*

*After much consideration, and on the basis that it had been previously agreed that a simultaneous meeting would take place with IT Tralee at the end of January before a decision be taken to proceed to Stage 4 and in keeping with our good relations with IT Tralee up to now, Governing Body in unison agreed in principle to proceed to merge with IT Tralee but will wait to have a simultaneous meeting with the Governing Body of IT Tralee before approving proceeding to merge with IT Tralee and seeking TU designation.*

*The President advised that the simultaneous meeting with IT Tralee may now take place in February due to the unavailability of their Chairman.*

*The meeting concluded at 3.50 pm.*

*The next ordinary meeting of the Governing Body was fixed for Thursday 5 February 2015 commencing at 3.00 pm in the Council Room, 2<sup>nd</sup> Floor, Administration Building.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**GB S2 1502**

**Minutes of the special meeting of the Governing Body of Cork Institute of Technology held on Wednesday 25 February 2015 in the Council Room, 2<sup>nd</sup> Floor, Administration Building, Bishopstown Campus at 12.00 noon.**

**Present:** Mr Bob Savage (Chair)  
 Dr Brendan J. Murphy  
 Mr Jim Corr  
 Mr Eoin Deane  
 Cllr Mary Hegarty  
 Mr Michael Linehan  
 Dr Áine Ní Shé  
 Mr Barra Ó Briain  
 Ms Ciara O'Connor  
 Mr Billy O'Neill  
 Mr John O'Sullivan  
 Canon G.A. Salter  
 Mr Mark Whitaker  
 Mr Jim Woulfe

**In Attendance:** Ms Ann O'Mahony, Recording Secretary.

*The Chairman welcomed and thanked all for their attendance at today's meeting.*

*Apologies were received from Ms Mary Keane, Ms Ann Piggott and Mr Ted Owens.*

*The following Governor did not attend the meeting:  
 Ms Catherine Clancy*

*At the request of Ms Piggott by email, the Chairman read out a view which she wished to be conveyed to the meeting in her absence – "As ICTU's representative on Governing Body, I believe it is vital that the IR concern of the TUI is addressed as a matter of urgency."*

1502.1 **MTU Integration Agreement** was previously circulated to Governors.

1502.2 Documents tabled at the meeting:

- 2.1 Memorandum of Understanding pertaining to the establishment of The Munster Technological University agreed and signed on 3 June 2014.
- 2.2 Letter from the Chairperson of the TUI Cork Colleges Branch to the Chairman, Mr Bob Savage requesting a meeting.
- 2.3 The Chairman's response to the letter from the Chairperson of the TUI.

*The Chairman stated this was a special meeting of Governing Body. He referred to the above documents and to the MTU Integration Agreement which will also be for discussion and approval at the meeting.*

***IR Issues:***

*The Chairman invited the President to brief Governors in relation to the TUI and the concerns of the academic staff members relating to the MTU project.*

*Referring to items 2.2 and 2.3 of the Agenda, the President advised that the significant element in the Chairman's reply to the TUI was the separation of the roles of the Governing Body and the Executive. It is the Executive which deals with Unions in terms of industrial relations. That being said, everyone is aware of the concerns of the academic and non-academic staff in terms of merger. To put on the record, the President outlined the facts as follows:*

*There is a formal Forum set up specifically for engaging in MTU matters with the TUI. That Forum met on 11 February and the Assistant General Secretary of the TUI was present as were the two Presidents. We were informed that the TUI were invoking the collective grievance and were referring the matters to the LRC. The concerns that were expressed were*

- (i) That there was no response to their request to meet with the Chair of Governing Body*
- (ii) They were concerned with the lack of information*
- (iii) They were opposed to the requirement for Institutes to merge prior to the award of TU designation*

*In relation to the lack of information, the President outlined matters as follows:*

*In January 2014, we established a Common Forum with all the Unions in CIT. That met at the end of February 2014 and end of April 2014. At the end of April 2014 meeting, the TUI informed us that they didn't wish to continue to meet with other Unions. They requested a separate Forum to meet re. MTU. We agreed to that. That Forum was established and it met in June 2014, July 2014, November 2014 and December 2014 where it considered the Report from the Expert Panel and it met in February 2015. There are Terms of Reference for that Forum. Also discussed were representations on the Implementation Group. The TUI requested that a lecturer in Cork and Tralee would be seconded so as to engage specifically on the whole area of MTU and its implementation. Both Institutes agreed to that. There is a lecturer in CIT who has been seconded to the MTU Project and that was to continue on until the merger took place. TUI have referred matters to the LRC and we received a request last Friday from the LRC asking if we would engage with the TUI at the LRC and we have responded to say we will. The IR issue is in hand. There is a specific Forum to deal with all Unions about MTU matters and that has been taking place all through 2014 and will continue to do so in 2015. Claims about lack of information do not stand up.*

*In relation to the national picture, the President specifically asked the Assistant General Secretary, if there is a problem of Institutes merging before they become TUs, that surely is a national matter and he queried if the TUI was undertaking the same intervention in Dublin. The answer was no – it is specifically here in Cork and Tralee. That is surprising – if the TUI has a problem with Government Policy it should have a problem at national level. There is no move by the TUI to try and stop the mergers happening in Dublin.*

*The President stated there is a genuine understanding of the concerns of the academics in terms of their conditions of employment. But those terms of conditions of employment are negotiated nationally and are guaranteed nationally. Both*

*Presidents at every Forum have said there will be no redundancies, no redeployment, this is written into the Stage 2 Plan. Another issue is the situation in the South East which is not advancing. Michael Kelly's report is due soon. It doesn't look like the coming together of the two Institutes there. The TUI issued a press statement to say that WIT is going it alone despite Government Policy. The danger for us is if we don't keep in line with Dublin, we then become part of what is going on in the South East. The gamble that the South East are now taking is an Election gamble. The President concluded by saying that the interaction with the other Unions in CIT has been more fruitful.*

*The Chairman stated he was very conscious when he received the TUI letter of his responsibility and Governing Body Reserve Function. He checked what consultation had taken place. He firmly believed that he needed to separate out his role as Chair versus the Executive Role, hence the reply to the letter from the TUI. The Chairman mentioned another TUI letter which he received just before the meeting today attaching petitions.*

*The Chairman opened the floor for Governors to respond. A lengthy discussion ensued with many Governors participating. Various views, opinions and concerns were expressed as follows in relation to the TUI/IR issue.*

- *Governors welcomed the President's briefing and his clarification on events*
- *There is a lack of buy-in amongst the academic staff*
- *While it is accepted that every opportunity was given to consultation with all Unions including the TUI, we need to have a plan in place on how we are going to respond to the growing unrest prior to the planned ballot by the TUI on 4 March 2015*
- *Serious concern on the impact on the merger, on the Institute and on students if there is industrial action over the next few weeks in response to whatever decision that we make today*
- *We should give some kind of response or direction to the Executive as to how to engage with the TUI and the various Unions following on from the decision taken today*
- *One of the recommendations that the Expert Panel recommended was that we should show more "acting as one." For that to happen, we need to proceed to Stage 4*
- *The term of office of this Governing Body will expired on 31 March 2015. We have a responsibility to ensure CIT and IT Tralee proceed to the final stage, acknowledging that there is still a lot of work to be done*
- *It is a bit unusual that two years on, that it is only now that the TUI are objecting – especially as they have been aware and have been part of the information process over the last year*
- *Frustration at the lack of specific issues that the TUI wished to find a resolution to rather than submitting a generalised concern which is very difficult for any form to address*
- *There was a lot of communication, information and consultation that took place last year with the town hall meetings. Because of the huge workload that went into the Stage 2 preparation and submission and consideration of the Review Panel Report, we took our foot off the pedal*
- *Following on from the decision taken today, we really need to launch getting the staff buy-in with gusto*
- *We have singularly failed to bring staff along with us on this project*

- *The perception among the staff is that the Governing Body is one of the key drivers in this project because any briefing or notification is always prefaced by a decision taken at Governing Body*
- *It is important that we try and establish communication once again*
- *There is no sense of collegial endeavour about this project*
- *Staff must be kept on board.*
- *Any merger with staff conflict ultimately leads to total disaster*
- *One of the things that Governing Body does not want to do is to aggravate the situation and make things worse*
- *The quality of engagement is a very valid point*
- *Governors welcomed that both parties were willing to engage with the LRC as soon as possible*
- *Governors appreciated and understood the concerns of staff in relation to their terms of conditions*
- *Governors were pleased to hear that the priority in all of this are the students*
- *MTU will be very exciting times for students and staff. It has to be only positive that there will be greater funds and greater activities*
- *There has been an arrangement with the Dublin consortium from the start where there is a professional facilitator from the LRC in the Chair and the TUI are working away with that facilitation*
- *In the light of the TUI concerns being discussed in the public arena, should we be publishing the major benefits of TU designation to the general stakeholders and put down the accusations being raised by the TUI which are unfounded*

*In replying to the various points raised, the President responded as follows:*

*He was glad that the concerns of the student body were raised. We are here as public servants for the students. It's the future of the students and the future of our graduates which are our responsibility as a Governing Body. Our primary responsibility is the students and their future and the future of the Institute. We knew the risks attached to this, the long term funding risk. If we stay as a stand-alone Institute we will be in a very poor funding situation. In relation to a professional facilitator from the LRC, the President advised that we asked the TUI if they wanted that facility in the Forum that they set up and they said no. We could see the advantage of having a neutral facilitator but TUI rejected that. The President advised you cannot engage IR in the public sphere. In relation to publishing the benefits of TU to the general stakeholders, this is contingent on the decision of Governing Bodies today. If we decide to proceed with the merger today, we have an external and internal communication plan in place which is well developed and we are ready to roll. The President advised that the Stage 2 Application could not have been submitted unless there was agreement to merge. It was a requirement of Stage 2. The MOU which was signed on 3 June 2014 stated "recognised that the establishment of a Technological University requires the consolidation of our two institutions. Therefore in the context of the establishment of the Munster Technological University, the Governing Bodies approve the merger of Institute of Technology Tralee and Cork Institute of Technology to establish the Munster Institute of Technology." If we turn around now and say we are not merging, we will be giving back to the HEA where they want us. You are basically saying you weren't honest about your Stage 2 Application. We have met that requirement and have had our favourable outcome at Stage 3. We crossed that Rubicon on 3 June 2014. In relation to the LRC, the*



*President advised that we would be happy to have a date arranged as soon as possible. It is the LRC that will set the date but both sides wish for an early date.*

*In concluding the discussion, the Chairman advised Governors that he had received two letters from the TUI before today's meeting commenced.*

- (i) Lengthy letter conveying their disappointment that he had not met with them. They also requested a copy of the Institute's Risk Register as they wished to review the risk assessment concerning the reputational damage to CIT in relation to the decision to proceed with the proposed merger between CIT and IT Tralee in the absence of finalised legislation and in the absence of any certainty that TU designation will be achieved.*
- (ii) Second letter enclosing a petition signed by 283 members of academic staff in the Cork Colleges' Branch of the TUI sincerely expressing their strong feeling that the Governing Body should refrain from agreeing to proceed with the merger process at this time, in the best interests of the governance of CIT.*

*In relation to (i) above, the Chairman stated having only received this correspondence prior to today's meeting, he needed some time to digest this lengthy letter.*

*In relation to (ii) above, Governing Body acknowledged this letter and the petitions which were attached.*

#### ***MTU Integration Agreement between CIT and IT Tralee:***

*Turning to the first item on the Agenda, the MTU Integration Agreement, the President stated following a favourable outcome at Stage 3, the Governing Body and the Executive in Tralee had worries. To put IT Tralee into context it is about ¼ the size of CIT. It is a small Institution that is a major employer but also significant in the whole Kerry region in terms of student access to Higher Education. They had a concern that they would be swamped and lost in a large entity. Some of the items that they are trying to look for and dictate are really outside of MTU i.e. representation on Governing Body. The Act will state the composition of Governing Body. There are also fears and concerns in CIT. While the President was not happy with some of the language and terminology in the Integration Agreement, he was satisfied with the document which was tabled at today's meeting. IT Tralee very much sees itself giving up its independence, giving up a President and very much looking at themselves as a smaller entity coming into a bigger entity and fearing will they survive, grow and flourish.*

*The Chairman stated a lot of time and weekends were spent in arriving at the Integration Agreement. He spent quite a bit of time with the Chair of IT Tralee who is a very reasonable man. In the context of where IT Tralee are coming from, the agreement overall is a reasonable document that we should consider and approve.*

*In response to Ms Hegarty, the President advised that in relation to implementation, there is an implementation group with the various working groups to deal with the six major areas of work to be undertaken. Governing Body is not expected to get involved in that. This work hasn't commenced yet.*

*Dr Ni Shé stated that in dealing with the IR issue, we need to be very careful of the use of language of what we are approving today. We are not approving a merger. We are approving the President to proceed to Stage 4. All governors have to be very careful of that*

*use of language. The merger is already policy because we have a favourable outcome at Stage 3.*

*Governors gave some serious consideration to the MTU Integration Agreement which had been tabled at the meeting and many views and comments were expressed as follows:*

*Dr Ní Shé expressed the following comments:*

- *Article 2 – emphasis on levels 6 to 8 was a little bit limiting. The President agreed, but it is a direct quote from the National Strategy.*
- *In relation to the definition of “major campuses”, the President explained that these are the main Bishopstown Campus and the North Campus in Dromtacker which is a new campus in ITTralee and which is considered their major campus.*
- *Article 6 – “Stakeholders will be seamless across all major campuses involved in the MTU.” This should reflect “both” because there are only two campuses.*
- *Slightly uneasy about the “brand” word as an academic. She would prefer “identify” which is a stronger word.*
- *In relation to the second sentence in Article 9, the President explained that the core principles are set out to reassure the students, staff and stakeholders of commitment to parity of esteem.*
- *Articles 15 and 26, disappointment that there was no mention of gender balance in the composition of the Governing Body. The Heads of Bill mentions three students and clearly there will be an issue. The President stated this is a matter for the Oireachtas.*
- *Article 20 states “the Masterplan for the Kerry and Cork campuses is to be agreed by the two Governing Bodies in advance of the legal merger of CIT and ITT.” What happens in August 2016 in terms of going back to Governing Body. The President referred to Article 19 which referred to the development of a comprehensive multi-annual MTU masterplan for the Cork and Kerry campuses and outlined the priorities of both CIT and ITT.*
  - *Sports Academy (Kerry Campus)*
  - *Students Services Building (Kerry Campus)*
  - *Capital development in the North Campus to provide for the relocation of the south campus operations (Kerry Campus)*
  - *Upgrade of original 1974 RTC building (Cork Campus)*
  - *Consolidation of the Crawford College of Art & Design into a single city centre site (Cork Campus)*
  - *Sports Arena (Cork Campus)*

*There has to be strategic development that has to go ahead in both campuses in parallel. In future we will be coming with MTU’s major priorities and seeking funding.*

- *Article 28 states “the incorporation of additional partners and applicant institutions will be required to successfully complete due diligence while also being subject to a risk assessment” – Dr Ní Shé stated that the Minister through the Heads of Bill could order the inclusion of additional partners anyway. The President explained that the*

*new Governing Body will be sovereign in who it takes in as additional partners subject to completing due diligence and undertaking a risk assessment.*

*Mr Corr had the following comments:*

- *In relation to Article 1 and the reference to “development of our respective regions”, this should reflect “region” as both CIT and ITTralee are from the one region.*
- *In relation to the reference to Governing Body, all we can do is make representation. The position of Governing Body will be determined by legislation.*
- *Regarding Article 28 – last sentence – “The incorporation of additional partners into the MTU will not result in a dilution of the student experience in the Cork or Kerry Campus.” What exactly is meant by that?*

*The President explained in terms of ITTralee, that if MTU was joined by a bigger entity, that the services that they have enjoyed wouldn't be diluted or reduced by another entity coming in.*

*Mr O'Sullivan complimented the President on the Integration Agreement and acknowledged there was a lot of work involved under pressure of time. However, the natural instinct of Governors would have been to be able to contribute to this Agreement. He would have liked to see a draft of it, so that Governing Body could make a contribution to it like they did with the Stage 2 document last June. It was a pity that we weren't given the opportunity and it highlights the difficulty of “acting as one” particularly when there is pressure of time. Mr O'Sullivan suggested that under Article 6, there should be a mention of Trade Unions before “community.” If you don't regard them as stakeholders, then the implication is that there is no need to consult or engage with them.*

*The President did not have a problem with that. They are stakeholders.*

*Mr Linehan was definitely open to amendments with the Integration Agreement as presented. Parity of esteem seems to be mentioned quite a bit. He felt that ITTralee went over and beyond what was realistic. He felt it was overly prescriptive in relation to ITTralee representation on Governing Body, the Students Union representation and the capital development project. He was not comfortable with agreeing to this document as presented. Everything works off the written word. While he did not wish this to influence the decision to proceed to Stage 4, he proposed that maybe we could vote to proceed to Stage 4 and make provision to amend this Agreement outside of that.*

*Mr Whitaker absolutely supported the President and the Chair in what they are trying to do. However, he was a small bit uncomfortable with the difference between respect, parity of esteem and 50/50 as came across in the document. There are two sections which are very important because they will influence long term policy (i) Campus Development and the reference to (ii) Senior Management. He was very anxious to do everything that he could to be supportive.*

*Mr Woulfe stated that having come through mergers in his past, they are complex. He gave serious credit to the Chair and the President for their efforts with ITTralee in hammering out what is a framework and an Agreement for integration. In relation to issues raised, there will be a smoothing of integration for the desire of MTU. Compromises will have to be reached.*

*Mr Corr stated we need to be conscious of the series of events. We jointly signed an MOU on 3 June 2014 to merge in order to achieve TU designation which was conditional on a favourable outcome at Stage 3. We have achieved a successful outcome at Stage 3 and it is now reasonable to move ahead to Stage 4.*

*Mr Woulfe concurred with that. However, he felt there was a bit of tweaking that needed to be done to the Agreement. Considering the full discussion that took place today, he proposed that the Integration Agreement would be approved today conscious of the discussion and the points raised today and the feedback given and to be clearly conscious of the staff because the lecturing staff are the people that deliver to the students.*

*Mr Whitaker supported that.*

*The Chairman advised that the Integration Agreement tabled today was as close as one could get to meet the timeline of today. If we don't have agreement today on the document, he stated he would be very worried.*

*Mr Linehan queried if Governing Body's approval of the Integration Agreement impinged on proceeding to Stage 4 and asked was there any room for amendments to the Integration Agreement afterwards.*

*The President advised that for ITTralee the answer is yes.*

*Mr Linehan reiterated that if we have concerns in relation to the Agreement we shouldn't move forward with the Agreement for the sake of proceeding with the merger. The written word is so important with this process. While having the greatest respect to everyone involved in constructing the document, it is prescriptive in its nature and it states "it will supersede every other agreement and this one will prevail" and he had a difficulty with that statement. There was a lot of input from Governing Body on previous documents and he would like to see input on this Agreement.*

*Dr Ni Shé appreciated ITTralee's concern. Looking ahead to the next Governing Body and what we will be mandating them to do, we are in a pre-election mode, things can happen, things can change. In relation to the Integration Agreement, there is mention of the Stage 2 Plan, there is mention of today's meeting to approve to proceed to Stage 4 after the outcome of Stage 3 being favourable, there is mention of Governing Body signing off on the application for TU, but there is no mention of what will happen just before the merger will take place. Is there a process that once the process is fully completed following due diligence, that there would be a Governing Body meeting before August 2016 whereby both Governing Bodies would inform the Minister that they were happy and ready to merge.*

*The President stated that the danger with that is that it will give out the message that "we are not really merging yet." Looking at it another way, Governing Bodies are sovereign, if at any stage the next Governing Body wants out it can come out. The legal position is that while the Governing Body continues to exist it can withdraw at any stage. That is the sovereign authority of Governing Body. Each Governing Body before they are dissolved can withdraw from the process. People don't take hard decisions if they think there is a way out of not taking them. There will be hard decisions as we go on to implement.*

*Mr O'Sullivan, in the main, supported the Integration Agreement while it is quite favourable to ITTralee. He appreciated the concerns expressed today. He suggested that we would agree to move to Stage 4 because if we don't we are putting everything on hold. Then the first item on the agenda would be to address the IR issue as meaningful as we can and get it back on track. In relation to the decision to merge, that has already happened. Last June, we agreed that we would merge with ITTralee conditional on a favourable outcome at Stage 3. We have received that and are now cleared to move on to Stage 4. He stated we have a*

*lot of preparatory work to do, working as one with our partners in ITTralee. We have a further round of due diligence to be carried out. Assuming everything goes well, we will need to trigger the merger – we need to request the Minister to go ahead and lay the Draft Order before the Houses of the Oireachtas and once they are passed the Minister then signs the Order and the new Institution is established. From the point of view of good governance, that is a fundamental strategic decision to be taken by the Governing Bodies of the two Institutes and that needs to be taken when the work is done. He would have liked to include the above as Clause 28 in the Integration Agreement. When the legislation is enacted and all preparatory arrangements are in place it will be necessary for the two Governing Bodies to approve the application to Government to execute the legal merger.*

*Mr Corr stated we are all in agreement that we want TU designation for the two Institutes for the benefit of our students. We have been through a process of examination by the Expert Review Panel and they have reported to the HEA. The observations and recommendations from the Expert Review Panel in relation to the MTU submission pose a very significant challenge for the consortium. We have to do everything we possibly can to achieve success in these challenges. We need to move on and “act as one” as mentioned in the report from the Expert Review Panel.*

*Dr Ní Shé agreed with Mr O’Sullivan’s proposal above and preferred it to what she had said earlier. It is positive language – it is saying the merger is something which shall happen and it is something we can look forward to. The language is spot on while allaying concerns about the role of the next Governing Body.*

*The President referred to the tabled draft resolution. He suggested including Mr O’Sullivan’s proposal at the end of the resolution. It belongs to Governing Body.*

*Governing Body gave careful consideration of the Resolution which was tabled and made some amendments.*

*They PASSED the following Resolution.*

*“On 3 June 2014 the Governing Bodies of Cork Institute of Technology (CIT) and Institute of Technology (CIT) and Institute of Technology Tralee (ITT) signed an Agreement to merge which was conditional on a favourable decision at Stage 3 of the process for University Designation. This Agreement was formally required by the HEA at Stage 2 of the Process for Technological University designation.*

*The Governing Body of CIT has:*

- (a) Carefully considered the content and implications of the report of the Expert Panel which the HEA informed us constituted the outcome of Stage 3 of the process;*
- (b) Ratified the Integration Agreement between Cork Institute of Technology and the Institute of Technology Tralee.*

*In light of the above, the Cork Institute of Technology agrees to proceed to Stage 4 of the process for Technological University designation with the Institute of Technology Tralee.*

*When the TU legislation is enacted and all preparatory arrangements are in place, the two Governing Bodies will request the Minister to give legal effect to the merger.”*

*In relation to his concerns regarding the Integration Agreement which he had already expressed, Mr Linehan wished it to be noted that any disputes arising would come back to Governing Body.*

*This was agreed.*

*The President thanked Governors for their contribution today. We have had a good, frank and honest debate that has to be a characteristic at arriving at good decisions for the future. Today is a historic step.*

*He reminded Governors of the next normal meeting of Governing Body to be held on Thursday 26 March 2015 which will be followed by the Farewell Dinner at 7.00 pm. Invitations to this dinner will be issued to Governors and their guest nearer the time.*

*The Chairman thanked Governors for their guidance to him.*

*The meeting concluded at 2.25 pm.*

*The next ordinary meeting of the Governing Body was fixed for Thursday 26 March 2015 commencing at 3.00 pm in the Council Room, 2<sup>nd</sup> Floor, Administration Building.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

GB 1612

**Minutes of the meeting of the Governing Body of Cork Institute of Technology held on Thursday 1 December 2016 in the Council Room, 2<sup>nd</sup> Floor, Administration Building at 2.00 pm.**

***EXTRACT***

**1612.7            TECHNOLOGICAL UNIVERSITY. Verbal report by the President.**  
*The Chairman invited the President to take this item.*

*The President advised that all the Presidents of the Institutes of Technology sector bar one who was ill met with the Minister for Education and Skills on Monday 28 November 2016. The Minister confirmed the Government Policy re. Technological Universities and he confirmed it is the intention to continue to fund the coming together of Institutes of Technology to becoming Technological Universities. There was somewhat pointed reference by the Minister by the Secretary General and by the Deputy Secretary of the Department that there had been no change in Government policy as regards the requirement of merger in order to become a Technological University. It is envisaged that the Bill will come back in to the Dáil in the New Year. There will be no major changes in the Bill other than some minor changes arising from the Committee stage. Our understanding is that the Oireachtas Committee on Education, once it has finished with the Cassells Report, that the next item it will consider is the TU Bill. There has also been some active engagement with the TUI and there is to be a meeting on Wednesday 7 December 2016 to address their concerns with the Bill as it stands. The Minister spent twenty minutes on the Technological University item so he regards it as an important item on his agenda.*

*Item 16 – Presidential Appointments Committee was taken next on the Agenda. As Dr O'Connor was already leaving the meeting to travel to Galway, the Chairman asked that Ms Orla Flynn would leave this meeting while this item was being discussed. He also asked those present if there were any conflicts of interest and there were none declared.*

**1612.16            PRESIDENTIAL APPOINTMENTS COMMITTEE:**  
 16.1    Verbal report by the Chair of the Governing Body.

- 16.2    (i)    Letter dated 7 November 2016 from the Principal Officer, Higher Education Funding Division, Department of Education and Skills re. Appointment of President in CIT was circulated with the Agenda.
- (ii)    Signed letter of response dated 16 November 2016 to the Department of Education and Skills from the Chairs of CIT and IT Tralee was circulated with the Agenda.

*The Chairman referred to the above two letters of correspondence. Following the special Governing Body meeting on 1 December, we wrote to*

*the Department requesting a seven year term of office intertwining the MTU equation. Clearly, we have a directive now from the Department that the term of office is for a period of five years. Also we need a position as they have in Dublin with regard to the first President of the MTU. The Chairman referred to the second correspondence signed by the two Chairs of CIT and IT Tralee on 16 November 2016. As was advised to the PAC, a meeting of the two Chairs, the two Presidents and the Chair of the MTU Steering Group Dr Don Thornhill took place to discuss a Succession Plan for the first President of MTU in advance of the advertisement for the Presidency positions in both CIT and IT Tralee. The following proposal was presented today for Governing Body approval. This proposal will also be presented to the Governing Body of IT Tralee for their approval.*

- 1. We accept the 5 year Fixed Term contract basis.*
- 2. The advertisement and terms and conditions for the two posts would make it clear that the successful candidate in each institution would be entitled to apply for the post of President of the merged institution.*
- 3. In the event that only one of the appointees s/he would succeed to the Presidency of the merged institution, the other would take up the post of Vice President in one of the two campuses.*
- 4. If neither applies the position of President of the merged institution would be advertised through open competition and the two successful candidates in CIT and IT Tralee would take up posts as Vice Presidents, one in each campus.*
- 5. In the event of both candidates applying, each would be interviewed by a five member panel comprising the two Chairs, two appointees, one made by each Chair, and Dr Don Thornhill as Chair of our MTU Steering Group. The interview panel would recommend one name (by majority vote if necessary) for appointment by the Minister.*

*This proposal was sent to the Department of Education and Skills and the Chairman referred Governors to the email response which was tabled. Having considered the proposal, the Department are happy to grant approval to the Institute to proceed with the recruitment of a new President for CIT.*

*The Chairman stated that Governing Body needed to discuss this proposal and move forward with approving this proposal or not and if approving adding it to our integration agreement. He opened the floor for Governors to respond.*

*Governing Body spent some time considering the Succession Plan in depth. They raised a number of issues. In summary, clarity was given as follows:*

- In terms of the present competition, the successful candidate will be offered a five year contract. If the MTU comes into being before the expiry date of the five year contract, and if the new Presidents of CIT and IT Tralee apply there will be another competition for the time that is left of that five year contract. This is the transition arrangement.*



- *In terms of a decision in relation to where the President's Office of the merged entity will reside, no decision has been taken as to its location.*
- *In terms of the overall timescale, this is dependent on when the TU Bill is made into law. Our understanding is that the TU Bill will allow for the fact that you can apply to become a TU before you have to merge. That is the major change to the Bill. As it is presently written you would have to merge before applying for designation.*
- *The decision to merge will come to both Governing Bodies of CIT and IT Tralee. Nobody will be railroaded into anything. In terms of the Bill when it becomes law, both Governing Bodies will have a veto.*
- *We are offering a five year contract. The person will be accepting the position with the full knowledge of what will happen at the point of merger. The Department of Education and Skills have advised us that this Succession Plan is required in advance of the competition so that people applying understand the situation.*
- *In terms of the Succession Plan, to further protect the Institute, Governing Body agreed that the following be written into today's minutes "subject to the provisions of the enacted legislation."*
- *For clarity in terms of the signed letter of 16 November 2016 by the two Chairs, the Chairman confirmed that the drafting of the Succession Plan took place with only the two Chairs and Dr Don Thornhill present. The two Presidents left the meeting and were not present. There was no input by the two Presidents. At the beginning of the meeting, the President of IT Tralee did declare a conflict of interest saying that he intended to be a candidate in the Tralee competition.*
- *Governors wished it to be noted in the minutes that we have an imposed series of choices laid down in terms of the Succession Plan and there could be downsides for CIT in terms of our selection process.*
- *It was also agreed that the following be written into today's minutes: "We had an awareness of the issue of a potential conflict at the meeting that took place on 16 November 2016 and we were happy with the assurances given."*
- *In the event of both candidates applying, it was considered important for this Governing Body to have an input into the five member interview panel in terms of the appointee to be nominated by the Chair. The Chairman explained that he was not going to appoint someone without having a discussion with Governing Body and having Governing Body approval as a collective.*
- *It was felt that it was wrong that the process did not recognise the role of the two Governing Bodies (CIT and IT Tralee). It is wrong that the two Governing Bodies are out of the loop. It was agreed*

*that in terms of CIT, that the Governing Body will be included as mentioned above.*

- *Concern was expressed that the Succession Plan had already been agreed by the Department of Education and Skills prior to Governing Body having a discussion on it. Governing Body had no contribution to the Plan going forward. The Chairman explained that there was an urgency in providing a Succession Plan so as not to halt the recruitment process for the new President. We had been requested by the Department of Education and Skills to have an agreed Succession Plan in place in advance of the advertisement.*
- *It was clarified that by having this Succession Plan, if the Minister asks who is going to be the first President of MTU, there is now an agreed process as to how that would be recommended to the Minister. The legislation will say the Minister will appoint. The Succession Plan will not be written into legislation.*
- *It was clarified that the recommendation from the Interview Panel for appointment by the Minister will come to Governing Body for approval prior to going to the Minister.*
- *The President stated that the outcome would be that the two institutions that would merge to form MTU have arrived at a process whereby they can recommend to the Minister who the President of the new entity would be. The Minister can either reject or appoint that person for the remainder of their term. After that the legal entity will exist and the next President will be sought through public open competition. It is trying to arrive at a practical solution. It was clarified that the recommendation from the Interview Panel for appointment by the Minister will first come to Governing Body for approval prior to going to the Minister.*

*The Chairman accepted that all the points raised were valid. We have to have the MTU in the equation for our competition because we have to get a candidate internally/externally that will have the capabilities and competencies going forward in terms of the merger.*

*He concluded by saying the solution to all of this is to recruit either internally/externally a superb standout President for CIT who will be interested in leading the first go of the MTU. That should sharpen our minds as a Governing Body in general and as a Presidential Appointments Committee in particular.*

*Following a lengthy discussion, Governing Body having received clarity and assurances on certain aspects gave their APPROVAL of the Succession Plan to be added to the Integration Agreement.*

*The Chairman acknowledged the work of the Presidential Appointments Committee, we are making some headway, we are engaging with the Public Appointments Service and we are on track. Governing Body will be kept informed on progress.*