

CONFIDENTIAL
MATTERS TO BE REPORTED OF THE MEETING OF AN BORD C.N.E.D., HELD ON TUESDAY 21 JULY,
2020 AT 11.00 AM ON ZOOM

PRESENT

(Via Zoom): Professor Sarah Glennie, Director
Darragh Hogan
Christine O'Donovan
Rachel Tuffy
Dr Declan Long
Jane McDaid
Sonia O'Dwyer
Dr Richard Thorn, Chairperson
Frederick Goltz
Gráinne Murphy
Sinéad Ryan

APOLOGIES: Mark Carroll, Non-Academic Observer
Dr Siún Hanrahan, Interim Head of Academic Affairs & Research

IN ATTENDANCE: Gerry McCoy, Secretary
Amy O'Hanlon

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It was agreed by An Bord to record these meetings on Zoom and that the recordings would be deleted following the approval of the minutes.

1. MEETING OF AN BORD WITHOUT EXECUTIVE: (AGENDA ITEM 1):

An Bord did not meet without executive members present at this meeting.

2. DECLARATION OF CONFLICT OF INTEREST: (AGENDA ITEM 2):

No conflicts of interest.

3. MINUTES: (AGENDA ITEM 3):

3.a. Minutes of the meeting of An Bord held on 23 June 2020:

Copies of the minutes of the meeting of An Bord held on 23 June 2020 were circulated in advance of the meeting, deemed read, noted and by An Bord.

It was **PROPOSED** by Fred Goltz, **SECONDED** by Darragh Hogan and **AGREED** by An Bord to **APPROVE** the minutes of the meeting of An Bord held on 23 June 2020.

3.b. Matters to be Reported from the meeting of An Bord held on 23 June 2020:

Copies of the Matters to be Reported from the meeting of An Bord held on 23 June 2020 were circulated in advance of the meeting, deemed read and noted.

It was **PROPOSED** by Fred Goltz, **SECONDED** by Darragh Hogan and **AGREED** by An Bord to **APPROVE** the Matters to be Reported of An Bord held on 23 June 2020.

3.c. Matters arising from the meeting of An Bord held on 23 June 2020:

There were no matters arising.

4. EXECUTIVE REPORT: (AGENDA ITEM 4):

4.a. Executive Report:

A copy of the Executive Report was circulated in advance of the meeting, deemed read and noted by An Bord. The following items were noted:

- **Student Communications:** Students were notified that due to the COVID 19 restrictions it would not be possible to hold a graduation ceremony but that the conferring of their degrees would proceed in the normal timeframe. There were some concerns voiced from the graduating students in relation to this so a meeting took place with final year Student Reps last week. We are developing some options to work through with this group.
- **COVID support fund** from the Department of Education will hopefully be announced by the government in the coming days.

5. RISK: (AGENDA ITEM 5):

5.a. Risk Register Review and Update:

Following a review by the Audit and Risk Committee this morning, there are no changes to the Risk Register from the paperwork provided at the June 2020 meeting.

We will report to the Audit and Risk committee on the IT Audit later in the year.

It is planned that the Health & Safety Management system will be finalised by September with a view to re-convening Health & Safety Committee in September.

6. MATTERS OF STRATEGIC IMPORTANCE: (AGENDA ITEM 6):

6.a. MoA UCD:

A copy of the draft MoA UCD was circulated in advance of the meeting, deemed read and noted by An Bord.

Following the meeting of An Bord on 23 June the Director instructed St John's Solicitors to prepare a draft MOA between UCD and NCAD based on the previous agreement but for a five year term with the insertion of a break clause after three years.

St John's also advised that NCAD should seek to insert into Clause 13: 'which consent NCAD may withhold at their discretion'.

Following a meeting between the Director and Mark Rogers, Registrar and Deputy President, UCD have responded with the circulated draft.

The key changes are:

Clause 13

Removal of 'which consent NCAD may withhold at their discretion' and insertion of 'and which compete with NCAD programmes', on the basis that NCAD's insertion cedes their right to offer accreditation to an outside institution.

The risk in relation to this for NCAD is small as all other providers of Art and Design provision at 3rd level sit within institutions that do not require accreditation from another HEI.

Clause 17

Provision for UCD to also activate the break clause after 3 years with the same terms of 12 months notice to NCAD.

All other changes relate to updates to GDPR and changes to UCD's internal governance structures. The payment per student for accreditation is being kept at the current level.

If An Bord are in agreement with this draft this will be brought to UCD Governing Authority in September. A temporary extension to the current MOA will be put in place to cover this timeframe.

Force Majeure clause regarding an epidemic/pandemic was discussed by An Bord. Our understanding is that this clause is a regular inclusion in an MoA. It does include a notification process for both parties and allows a time for both parties to meet and discuss.

Christine O'Donovan will review the MoA in further detail.

An Bord recommended that the draft MoA can move forward for progression and final draft. Sarah Glennie will finalise the paperwork with UCD.

The final draft will be presented for approval to An Bord in September or by an incorporeal meeting.

7. BOARD 3 YEAR OBJECTIVES: (AGENDA ITEM 7):

7.a. Obj 1 - Financial

7.a.i. Outline Financial Budget (2020/2021):

A copy of the Outline Financial Budget 2020/2021 was circulated in advance of the meeting, deemed read and noted by An Bord.

Gerry McCoy presented the 2020/2021 Outline Financial Budget 2020/2021 and presentation which included the income challenges, salaries, COVID related salaries (Studio Plus / Design Bureau additional staffing costs due to Erasmus postponement, Visual Culture on campus teaching, additional staff support for our operations teams due to COVID) and non pay related expenditure including COVID related costs (training, cleaning, PPE, H&S).

This does not include any financial intervention from the HEA or the Department of Education or HEA capital project income/expenditure and depreciation.

At this time, we are forecasting a surplus of €24,000 based on our core grant remaining as is and our student numbers remaining the same as 2019/2020. It was noted that approximately €350,000 is COVID related expenditure.

The Digital working group is investigating the IT licence software for students and will report back to the Operations working group in the coming weeks. This will be included in the request to the HEA in the coming month.

We are not seeking approval of this forecast budget until the meeting on 22nd September 2020.

7.a.ii. Procurement Update:

1. Health & Safety Tender

Due to a delay with paperwork from our architect resulting from technical queries to lead tenderer, this agenda item to discuss the Health & Safety Tender will be reviewed by a sub committee of An Bord.

Recommendations will then be made to An Bord at the next meeting or by an incorporeal meeting.

This Health & Safety sub committee will consist of Dr Richard Thorn, Christine O'Donovan, Jane McDaid and Rachel Tuffy. Gerry McCoy and Amy O'Hanlon will be in touch regarding the meeting.

2. Wifi for Campus

A copy of the WiFi for Campus presentation was circulated in advance of the meeting, deemed read and noted by An Bord.

Gerry McCoy presented this documentation to An Bord following the IT Audit and a review of the current situation and risks by the Audit & Risk Committee.

Gerry McCoy discussed the three payment options for this upgrade. Presently, the cost is not presented in the Outline Financial Budget 2020-2021. The lease agreement will provide for software upgrades and servicing for the duration of the lease contract.

We may be able to receive funding for this upgrade from the HEA.

Declan left the meeting at 12.56pm.

It was **PROPOSED** by Darragh Hogan, **SECONDED** by Jane McDaid and **AGREED** by An Bord to **APPROVE** the lease option subject to the expenditures inclusion in a balanced forecast budget for 2020-2021 presented at the next meeting of An Bord in September 2020.

7.a.iii. Temporary COVID measures re staff expenses:

A copy of the Temporary COVID Measures re Staff Expenses was circulated in advance of the meeting, deemed read and noted by An Bord.

It was **PROPOSED** by Gráinne Murphy, **SECONDED** by Fred Goltz and **AGREED** by An Bord to **APPROVE** an extension of 6 months from March 2020.

8. ANY OTHER BUSINESS: (AGENDA ITEM 8):

8.a. Student Equipment 2020/2021:

Digital supports for students have been identified by the college. As this will be an item addressed in the additional funding for HEI's in the Department of Education announcement shortly, we will revert back to this item following the publication of their support.

8.b. Schedule of Meetings of An Bord 2020/2021:

22nd September 2020
03rd November 2020
15th December 2020
26th January 2021
2nd March 2021
13th April 2021
25th May 2021
22nd June 2021

Following the minutes of the June meeting of An Bord, there have been a number of changes to the dates of the meetings for 2020/2021. Members of An Bord are to contact Amy O'Hanlon if they have any issues. All meetings except September 2020, will take place from 11am to 1pm.

22nd September 2020 meeting of An Bord will be held in person. For now, please reserve 11am to 2pm at a venue to be confirmed.

It was noted that Jane McDaid and Fred Goltz offered their meeting facilities for the September meeting.

8.c. Sonia O'Dwyers An Bord membership tenure: at this time, Sonia O'Dwyer, member of An Bord 2018-2021, will not be in a position to be a registered student in the next academic year. Therefore, and in accordance with the terms of reference, she will not be able to remain as a member of An Bord following the September meeting. We will make a proposal to An Bord at the next meeting regarding the voting process.

8.d. Bad Debt W/O

The Bad Debt document was noted by An Bord at the 23 June 2020 meeting.

It was **PROPOSED** by Sinéad Ryan, **SECONDED** by Gráinne Murphy and **AGREED** by An Bord to **APPROVE** the Bad Debt W/O.

9. AGREED ACTION POINTS: (AGENDA ITEM 9):

- **Item 5.a Risk Register Review and Update:** We will report to An Bord on the IT Audit later in the year. .
- **6.a. MoA UCD:** Christine O'Donovan will review the MoA in further detail.
- **Item 7.a.i. Outline Financial Budget (2020/2021):** approval of the 2020/2021 budget will take place at the September 2020 meeting.

- **Item 7.a.ii. Procurement Update:** 1. Health & Safety Tender. This Health & Safety sub committee will consist of Dr Richard Thorn, Christine O'Donovan, Jane McDaid and Rachel Tuffey. Gerry McCoy and Amy O'Hanlon will be in touch regarding the meeting.
- **Item 8.b. Schedule of Meetings of An Bord 2020/2021:** Members of An Bord are to contact Amy O'Hanlon if they have any issues with the proposed dates. 22nd September 2020 meeting of An Bord will be held in person. For now, please reserve 11am to 2pm at a venue to be confirmed.
- **Item 8.c. Sonia O'Dwyers An Bord membership tenure:** A proposal to An Bord at the next meeting regarding the voting process.

The meeting concluded at 1.03 p.m.

Chairperson of An Bord

Dated