

Quality and Qualifications Ireland

Note of the sixty-fifth Meeting of the Authority (The Board) which took place on Friday, 4 November 2022 at 10:00 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

Present:

- Ms. Joanne Harmon (Chair)
- Dr. Pdraig Walsh (Chief Executive)
- Ms. Cliona Curley (Secretary)
- Dr. Barbara Brittingham
- Ms. Mary Danagher
- Mr. Blake Hodkinson
- Mr. Thomas McDermott
- Prof. Irene Sheridan
- Dr. Anne Walsh

Apologies:

- Ms. Clodagh McGivern
- Dr. Niamh O'Reilly

In attendance:

- Ms. Caitriona Lawless (Recording Secretary)
- Mr. Liam Butler (Item 7)
- Mr. Eamonn Collins (Item 12)
- Dr. Anna Murphy (Item 11)

INTRODUCTION

The Chairperson welcomed all Members to the final meeting of the second Board of QQI.

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

1. POTENTIAL CONFLICTS OF INTEREST

The Board noted that no conflicts of interest were declared.

2. MINUTES OF PREVIOUS BOARD MEETINGS

The **Minutes of the QQI Board Meeting** held on 23 September 2022 were **confirmed** and signed.

3. NOTE OF PREVIOUS BOARD MEETINGS

The Board **approved** the **Note of the Meeting of 23 September 2022** for publication on the QQI website.

4. MATTERS ARISING FROM THE MINUTES

The Board noted the **Action Tracker**.

4.1. Action Tracker

The Board noted the updated Action Tracker.

4.2. Professional Accreditation Issue

The Board noted a verbal update provided by the Chief Executive on a recent Protection for Enrolled Learners (PEL) event. This matter had originally been outlined at the September 2022 Board Meeting. The Board noted that the full cohort of 82 learners enrolled on the programme were affected.

The Board noted a breakdown of the outcomes for affected learners as at 2 November. An estimation of the cost to the provider of the refunds to date was also provided to the Board.

The Executive provided further information on the situation, clarified any points raised and answered queries from Board Members.

5. ENGAGEMENT WITH THE DEPARTMENT OF FURTHER AND HIGHER EDUCATION, RESEARCH, INNOVATION AND SCIENCE

The Board noted updates on **Engagement with the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS)**.

5.1. PDA 2022

The Board noted a verbal update on the Quarter 2 PDA Review Meeting which had taken place on 30 September 2022. The Board noted among the items discussed were the International Education Mark (IEM), the provision of programme information to learners and the QQI Funding Model.

The Board noted the Department's interest in the targeted stakeholder consultation which the Executive had already carried out on the IEM policies, etc. The Board noted that engagement with the Department of Justice will now be key in the next phase of progressing the establishment of the IEM process.

The Board noted that the onus is on providers to provide information to learners in advance of a programme commencing. There was some discussion on the Department exploring options for stronger regulations for provision of information to learners.

The Board noted that academic integrity was also discussed at the Review Meeting, following the recent launch of the Global Academic Integrity Network (GAIN) at the QQI 10th Anniversary Conference. The Board noted that GAIN had been referred to during the recent ENQA General Assembly in Stockholm resulting in a number of additional applicants joining the initiative. The Board acknowledged the huge amount of work which had been carried out by QQI and Australia's Tertiary Education Quality and Standards Agency (TEQSA) in establishing the groundwork for the Network as the lead agencies in its establishment. It was noted that a large amount of this work will also feed into the Re-thinking Assessment Conference to be held in Quarter 1, 2023. The Board noted that the Department's officials were positive in their feedback on the QQI conference held in October.

The Board noted the PDA progress report which had been provided to the Department in advance of the Review meeting.

5.2. Funding Model

The Board noted that the Director of Corporate Services and the Senior Manager, Finance and Procurement had met with DFHERIS in late October to finalise the drawdown details for the remaining allocation of the State Grant for 2022. The topic of the Funding Model was also

discussed and the Executive clarified its current cash position resulted from the strong certification periods throughout 2022. It was noted that the Executive had reiterated to the Department that having the Funding Model in place would stabilise QQI's financial situation.

5.3. Amended Legislation Programme (ALP)

The Board noted a verbal update from the Executive on the progress of the Amended Legislation Programme.

International Education Mark

The Board noted that a press release would be issued on 7 November by DFHERIS on behalf of the Minister for Further and Higher Education, Research, Innovation and Science announcing the development of the IEM and the new suite of draft Policy documents which were being published for public consultation. As part of the new International Education, Research and Innovation Strategy which is currently under development by the Department, the IEM is seen as a key element to promote public confidence in the quality of Ireland's education system. The Board noted that as previously advised, the Executive had already conducted a targeted consultation on the draft Policy documents with relevant stakeholders.

The Board noted that the Executive is continuing to work on the establishment of the Due Diligence process as part of the development of the IEM process.

Due Diligence

The Executive outlined an issue which had arisen in relation to the Due Diligence process. The Board noted that the associated guidelines for Due Diligence had been forwarded to the Department in July for review and feedback. The Board noted that the Department's legal advisor raised an issue in relation to the Section 29b Regulations for Due Diligence. The Board noted an outline of the issue involved and noted that QQI had prepared a number of alternative models for the draft regulations which were forwarded to the Department for consideration on 28 October. Feedback on a suitable model is awaited.

The Board noted that the ALP Liaison Group had met on 3 November and the Departmental Principal Officer had been present. The Board noted that the Executive was continuing to

move forward with its work in this area e.g. the development of the ICT system, the above mentioned issue should not impact on the ICT build work.

The Executive answered queries on this matter which were raised by Board Members.

6. STRATEGIC PLANNING

The Board noted an update on **Strategic Planning**.

6.1. Draft Corporate Plan 2023

The Board noted the draft Corporate Plan for 2023 and discussed a number of the actions listed.

There was a brief discussion on Recognition of Prior Learning (RPL) projects currently underway in the national arena. The Board noted that the amended legislation makes it clear that RPL has to be operated by providers/institutions and the Executive is continuing to be briefed on the developments within the national HCI (Human Capital Initiative) funding call.

The Board **approved** the Corporate Plan 2023 subject to review in early 2023 following confirmation of the State Grant allocation and review of the plan by the new Board.

7. BUDGET AND FINANCE

The Board noted an update on **Budget and Finance**.

7.1. Management Accounts to 30 September 2022

The Board noted the Management Accounts for the nine months to 30 September 2022. The Board noted that the Executive had also expected to have some additional capital expenditure this year. However, as the landlord is to undertake the work to upgrade the ventilation system in the Denzille Lane building, this will now be less than expected.

It was noted that the Executive is continuing its efforts to finalise a Funding Model with the Department.

Following a query from a Board Member, the Executive clarified that the Due Diligence and the IEM processes are expected to be self-financing eventually, but the start-up phase will need to be funded by QQI. A brief discussion then followed on the possible options available for the establishment of the PEL fund, noting that the most likely current option would be holding provider contributions in an Escrow account. The Board noted an outline of some of the other possibilities under consideration. The Department will also need to discuss potential options.

7.2 Denzille Lane Office

The Board noted that the Executive had extended the lease for 26-27 Denzille Lane with its landlord predicated on work being carried out to upgrade the building's ventilation system.

The Board noted a Member's suggestion that the Executive should seek appropriate advice in relation to the application of VAT to new/extended leases and, if required, provision is made now. The Board noted that the Executive had completed/closed out a number of leases following its establishment of office accommodation rented by its antecedent bodies.

7.3 ICT Resources

The Board noted the proposal outlined and **approved**:

- the procurement of contracts for ICT contract resources for six months (January-June 2023) inclusive of potential additional resources spend for Quarter 1, as outlined in the proposal submitted and in accordance with the QQI Purchasing and Procurement Policy and subject to contract and
- an additional spend to support the re-estimated yearly cost in MS Azure Hosting Services covering the period July 2022-June 2023 in accordance with the QQI Purchasing and Procurement Policy, subject to contract and as outlined in the proposal submitted.

The Board also noted a previously advised additional resource spend for September – December 2022 which was in support of accelerated work on the IEM and Due Diligence ICT builds.

The Board noted that some additional ICT expenditure had been included in the details above, arising from tight business deadlines forecast for Quarter 1, 2023 in relation to the roll out of the Due Diligence and IEM processes and increased costs in hosting services.

7.4 Request for Tender (RFT)

The Board also **approved** a verbal request by the Executive to proceed with the outsourcing of the Due Diligence and IEM inspections. The Board noted that the Executive will tender for these services, one tender for the Due Diligence process and one tender for the physical/on-site IEM inspections. An estimated cost for each of the packages was outlined. The Board **approved** the Executive to proceed with the tendering process and award of contract. The Board noted that eventually the processes will be funded through the fees generated by the respective application process.

8. **GOVERNANCE**

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

8.1 Board Reflections

The Board noted the Board Reflections document. Eight responses had been received to the survey circulated in September, exempting the new Board Member (USI representative) who had only had the opportunity to attend one meeting following her appointment at the beginning of July 2022.

Board Members took some time to reflect on both the document and their experiences as Board Members. The Chairperson, Chief Executive and Members paid tribute to current and past Board Members and their achievements and those of the organisation in the 10 years since the establishment of QQI.

The Board acknowledged the amount of work which had been progressed since November 2012 and was keen to see that continued and supported by the incoming Board. The Board noted that the Chairperson had a role in advising the PAS selection committee.

The Board considered QQI's first decade to have been a successful 10 years, noting how much had been achieved by the staff and the organisation. The Board had delivered on its strategic

direction and expressed its confidence in the Executive and the organisation to continue to deliver on its objectives.

The Chief Executive thanked the Board for all its support and work over the previous five- and 10-year terms, noting the work achieved had been worthwhile and significant. He also noted the positive culture that exists in the organisation now.

The Board suggested that a summary of some of the Board's reflections could be of assistance to new members. The Board advised that it is imperative that new Members familiarise themselves with the Statement of Strategy 2022-2024 upon which the organisation bases its annual work programmes and sets the direction of the organisation.

8.2 Board Appointments

As referred to above, the Board noted a verbal update on the Board Member appointments process. Confirmation on the number of applications received through the PAS system and the organisation of a selection panel to review the applications had been received by the Executive. The Chairperson had been invited to brief the panel on 25 November. The panel is expected to adjudicate on the applications in late November or early December. The Board noted that the Minister appoints the Chairperson from the membership of the Board and the Chairperson designate is usually invited to present to the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science.

The Board noted that the Executive had put some contingency measures in place in case of a significant gap between Board terms. The Board noted that the Executive would keep the remaining Board Members updated on progress.

The Chairperson committed to briefing the new Chairperson on the role, and Board as well as the PMDS process for the CEO.

9. APPROVAL OF QUALITY ASSURANCE (QA) PROCEDURES

The Board noted the documents relating to **Approval of Quality Assurance Procedures**.

The Board noted that the QQI re-engagement process is continuing and the Programmes and Awards Executive Committee (PAEC), at its meeting on 22 September, had considered the first recommendation by a (Re-engagement) Expert Panel to refuse the approval of a named provider's QA procedures.

The Board confirmed that it was satisfied that it was provided with sufficient information to make the decision and the Board **approved** the refusal to approve the Quality Assurance procedures of the named provider and noted that the provider would be informed of the decision.

It was noted that the Board's decision means that the validation of the provider's programmes now cease but the programmes will be taught out where there are learners enrolled on the programmes and no new recruitment of learners is permitted.

The Board noted that the provider also has the opportunity to appeal the decision if they wish. This is the first such refusal under the re-engagement process.

10. ITEMS FOR NOTING

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

10.1 Programmes and Awards Oversight Committee (PAOC)

The Board noted the report of the meeting of the Programmes and Awards Oversight Committee held on 5 September 2022 together with the Annual Report of the PAOC for 2021.

The Board noted the outcomes of the Committee's Self-assessment Evaluation for 2021.

10.2 Programmes and Awards Executive Committee (PAEC)

The Board noted the report of the meeting of the Programmes and Awards Executive Committee held on 22 September 2022.

10.3 Rolling Board Agenda 2022

The Board noted an update on the Rolling Board Agenda for 2022.

11. AUDIT AND RISK

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

11.1. Verbal Report of Audit and Risk Committee Meeting

The Board noted a verbal report on the Audit and Risk Committee Meeting held on 21 October 2022.

11.2 System of Internal Controls (SIC) 2022 – Contingency Measure

The Board noted that as a contingency measure, in the event of a delay in the appointment of a new Board and in order to complete the review of the System of Internal Controls in a timely fashion, the Board **delegated** responsibility to the Audit and Risk Committee for approval of the SIC on a once off basis. This measure was taken to avoid any delays to the production of the draft Financial Statements for 2022 in early 2023.

11.3 Audit of Financial Statements 2021 – Management Letter

The Board noted the Management Letter relating to the audit of the Financial Statements for the year ended 31 December 2021. The Board noted and briefly discussed the three recommendations arising from the 2021 C&AG audit.

The Board noted that the Executive is continuing to try and establish its Reserves Policy with the Department and would ideally wish to reserve an operating balance equivalent to approximately three months' funding. The Executive hopes that having a system such as this in place would eventually lead to a time where it would be possible to see any potential shortfall in funding from six months out. This rationale also formed part of the Funding Model submission previously submitted to the Department.

The Board noted the Management letter of 7 October 2022 regarding the Audit of the Qualifications and Quality Assurance Authority of Ireland - 2021.

11.4 Internal Audit Reports

The Board noted a number of internal audit reports which had been considered by the Audit and Risk Committee at its meeting on 21 October.

The Board noted a verbal update on an audit carried out by QQI's external Internal Audit partner on a review of Data Protection and Freedom of Information (Fol).

In relation to its Record of Processing Activities (ROPA), the Board noted that the Executive Management Team (EMT) had signed off on the completed record of activity at its most recent meeting. The Board noted that it had been a large cross organisational project which had been assisted by QQI's GDPR support service.

The Board **approved** the following IA reports:

- Review of Data Protection and Freedom of Information (Fol),
- Qualifications Information and Learning Opportunities Cycle and
- Official Languages Act.

There was a short discussion on the development of a QQI Policy on Policies, covering outward facing policies.

11.5 Internal Audit Plans

The Board noted and **approved** the following Internal Audit plans:

- IA Plan – Progress Update and Proposed Internal Audits 2023 and
- Draft Rolling Internal Audit Plan 2023-2025.

11.6 Risk Management

Risk Register

The Board noted the updated draft Risk Register as at the end of Quarter 3, 2022 and noted the improvements which the EMT had found in the risk assessment process since the External Review of Risk Management had taken place earlier in 2022. It was noted that the Executive considered there to be much greater interest in and ownership of the process. It was noted that the Board's support in this area had helped enormously in the re-enforcement of risk management within the organisation.

The Board noted that among the top risks currently are:

- loss of Corporate Memory – the Board noted that the EMT are scheduled to have a day long session dedicated to succession planning in January 2023,

- the rollout of the IEM being impacted by possible delays – a lot of work and effort has gone into the process to mitigate against this,
- and the risk of ICT systems being compromised due to a cyber-attack – it was noted that mandatory ongoing ICT security training has been provided for all staff. The Board noted that the Audit and Risk Committee had suggested running a disaster recovery exercise at some point.

The Executive confirmed the role the support of the Board has played in furthering the risk agenda within the organisation. The Board confirmed its satisfaction with the revised Risk Register and it described it as now being a clear, succinct and responsive, well-presented document which was easily understood and owned by staff. The revised version provides comfort to the Board that the area of risk is well managed.

The Board **approved** the Risk Register as at Quarter 3, 2022.

11.7 Minutes of Audit and Risk Committee Meeting

The Board noted the Minutes of the Audit and Risk Committee Meeting held on 20 May 2022.

12. ORGANISATION AND HUMAN RESOURCES

The Board noted an update on **Organisation and Human Resources**.

12.1 Human Resources

The Board noted an update on Human Resources. The Board noted that the HR agenda had changed substantially over the last number of years.

The Board noted that the Executive will advertise a number of Grade V vacancies following the completion of the current round of Grade VII recruitment.

12.2 Blended Working

The Board noted the Blended Working Policy. The Board noted that the Executive was commencing blended working with a pilot of six months involving a minimum one-day attendance in the office per week. It was noted that the application process for all staff will

open shortly. The Board noted that decisions on blended working arrangements will be made locally by managers in the first instance but consistent with the organisation's policy.

12.3 Office Premises

The Board noted a verbal update on the leases of QQI office premises.

12.4 HR & Organisation Committee

The Executive, following discussions at the HR & Organisation Committee's meeting on 27 October, is preparing to go to tender for HR support services. These support services will include the provision of specific advice to assist in formalising the set-up of IR architecture with the recognised Trade Union and the provision of support to both the HR Unit and the management team. The Board noted the developments.

The Board noted the report of the HR and Organisation Committee Meeting held on 7 June 2022.

13. COMPREHENSIVE POLICY DEVELOPMENT PROGRAMME

The Board noted the documents relating to the **Comprehensive Policy Development Programme**.

13.1. Rethinking Assessment

The Board noted an update on the initial outcomes from the Learner Focus Groups organised as part of the project on Rethinking Assessment: Stakeholder Perspectives. The Board noted that work on the first draft of the report had begun and it was shared with the Board as part of the documentation for this meeting ahead of the end of their term. It was noted that work will continue on the analysis of the feedback and data from the focus group deliberations as well as the remaining drafting of the report. The Board noted that the bursary of €250,000 across 2022/2023 marking QQI's 10th Anniversary would cover projects across six different topics/areas relating to rethinking assessment.

The Board noted that a Conference on Rethinking Assessment is scheduled for Quarter 1, 2023 with a target audience of academics, Heads of Teaching and Learning, etc.

There was some discussion on areas linked to the assessment arena such as online examinations, proctoring, class sizes and the growth of and threat from the use of artificial intelligence (AI).

Board Members suggested finding opportunities to incorporate some of the findings/outcomes from the Learner Focus Groups to tailor questions into existing learner surveys. It was noted that assessment isn't a topic currently covered on Studentsurvey.ie, for instance.

13.2 Irish Quality and Qualifications Forum (IQQF)

The Board noted an update on the establishment of the IQQF. The Forum is one of the ways the Executive is trying to widen scope of QQI's engagement with stakeholders across the tertiary education sector.

The Board noted that the Executive had, in the first instance, met with separate groups such as FET and HE groups and Designated Awarding Bodies/Statutory Awarding Bodies (DABs, SABs) to outline the benefits of contributing to and membership of the IQQF together with QQI's vision for the Forum.

It was noted that the Executive intends that the Forum will contribute to discussions on the Green Paper on the Qualifications System and will be used to drive, garner feedback and debate on the future of FET qualifications and microcredentials (the latter both at FET and HE levels). The Executive noted the Board's enthusiasm for this approach, confirming that while this option requires an enormous amount of work and takes time, it should ensure that the correct groups are brought to the table and are engaged with. The work and contributions of the Forum are going to be important to many of QQI's policy outputs over the next number of years.

14. APPRENTICESHIPS

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

14.1 Review of Consortia-led Apprenticeships in Ireland

The Board noted a draft of the Report of the Review of Consortia-led Apprenticeships in Ireland. It was noted that the report is nearing finalisation and is expected to be published in the coming weeks but remains strictly confidential until that point.

The Board commented on the quality of the report, noting that views were well captured as were the challenges to the apprenticeship system. The review offered the opportunity to explore how well consortia-led apprenticeships were working and the governance of same. The Board noted that it is hoped that this review will assist in the planned migration of the craft-based apprenticeships to the new single apprenticeship model. It was noted that apprenticeships are an evolving area and the Board was pleased to see how far this sector since the publication of the Review of Apprenticeship Training in Ireland in 2016.

15. NEXT MEETING

The Board noted that a date for the next meeting would be arranged in due course, following the appointment of new Board Members and in consultation with the Chairperson. The Executive would be in touch with Members to confirm the details in nearer the time.

16. ANY OTHER BUSINESS

The Board noted a verbal update on the governance requirements at the end of the Board membership term.

The Chairperson thanked all Members for their contributions and work during their Board membership and wished them well for the future.

THIS CONCLUDED THE BUSINESS OF THE MEETING.