

**Higher Education Authority Act 1971
Public Consultation Questionnaire
Aug 2018**

1. What should be the key functions of the Higher Education Authority?

The HEA should continue to oversee the development of the Higher Education sector by retaining responsibility for standards of governance, state funding and investment, and the strategic development of the sector. Through its oversight role the HEA should have responsibility for monitoring progress on the attainment of national policy objectives for the higher education institutions that receive funding from the HEA, and those directly funded from the Department of Education and Skills (National College of Ireland, Royal Irish Academy of Music, and others). In the case of the latter Colleges, currently receiving funding directly from the Department of Education and Skills, funding should be distributed through the HEA to facilitate both the appropriate funding levels under the Recurrent Grant Allocation Model, and the monitoring of expenditure related to this funding.

The HEA should continue to develop the performance management system and the statistical data evaluation for the sector to support achievement of Government policy priorities particularly in relation to equality of opportunity in higher education.

The HEA should be the key centre for the promotion of research, international benchmarking and innovation in higher education in Ireland, with a view to the continued development of the sector to the benefit of individuals, society and the economy.

2. What role should the Minister have in relation to regulation of the Higher Education Sector?

The Minister should continue to have oversight role, representing the sector and leading initiatives, research and accountability.

3. Are there any related updates required to other Acts?

4. Is a Registration model for Higher Education Institutions appropriate?

The HEA should have responsibility for allocation of state funding for all HEI's in receipt of state support in the form of a core grant or a grant in lieu of tuition fees. Currently a small number of HEI's such as National College of Ireland and the Royal Irish Academy of Music receive state funding from the Department of Education and Skills. Consideration should be given to changing the current 'designation model' for HEI's to a registration model with potential for recognition of the different relationships that some private, but government dependent, HEI's have with the state.

The potential benefits from a registration model would include

- a) A more coordinated HE sector in support of the attainment of key national policy priorities

- b) Increased opportunities for institutional collaboration
- c) Transparency and consistency in the allocation of state funding amongst HEI's
- d) Improved accountability for the state's investment in the sector
- e) More comprehensive and consistent statistical data for the HE sector

The consequences that might arise from the transition towards a registration system include

- a) The challenge of ensuring a more equitable institutional funding model given the existing constraints on the state's education budget
- b) The possible diminution of autonomy for private, but government dependent, HEI's, could deter innovation on the part of these institutions reducing their effectiveness

Key elements of the registration model

- a) Facilitates a diverse range of HEI's, including niche private institutions that are in receipt of state support in the form of a core grant or a grant in lieu of tuition fees.
- b) Provides a mix of incentives for HEI's to support attainment of national policy priorities
- c) Respects the autonomy for individual HEI's within a framework of accountability
- d) Requires best practice governance standards from governing boards

5. Are there international models of regulation which should be examined as part of the process of updating the Act?

A number of international model should be examined to consider their potential for application in the Irish context.

- The Dutch model of regulation provides an interesting model with Government funded institutions, government designated institutions and institutions without government funding or approval.¹
- The Danish model is also of interest with five categories of institution each with clear rationale and offering specified award levels based on the Danish National Qualifications Framework.²

National College of Ireland notes that Higher Education is in constant development, responding to the needs of society, individual learners and employers. Recent developments in eLearning and Blended learning are case in point. It is critical that regulation is adaptable to new pedagogy and developing learner/HEI relationships.

6. The following are some of the areas that could be considered for updating and/or inclusion in the Act. Are there other areas which should be considered?

The Act needs to provide the flexibility for the HEA to move from a designation model to a registration model that accommodates both public institutions and institutions that are private but government dependent.

¹ Comparison of regulatory models of higher education in Europe. The Portuguese situation. PR Bernardino, RC Marques - Avaliação: Revista da Avaliação da ..., 2009 - SciELO Brasil

² Higher Education Reform: Getting the Incentives Right. E Canton, R Venniker, BWA Jongbloed, J Koelman... - 2001 - research.utwente.nl

The Act should provide the HEA with powers to ensure greater accountability by institutions in relation to governance and compliance with regulations. Withholding of funding should only be a last resort where there is a persistent failure to address the breach.

The Act should also address the issue of data collection to ensure compliance with GDPR regulations.

7. How should the HEA monitor compliance within the Higher Education Sector?

Each HEI should provide annual report on performance against set criteria, new innovations, funding requirements and alignment with relevant part of Action Plan for Education.

Cross reference without overburdensome bureaucracy or duplication of effort (or data) to requirements of other bodies – e.g. Charities Regulator, Lobbying; QQI;

8. Are there any other relevant issues which you wish to comment on?

National College of Ireland urgently requires that the cap on number of students eligible for Free Fees funding be removed to reflect increased demand from all eligible students. The College is also seeking to have core grant funding regularised through adoption of the RGAM funding model. As one of larger Schools of Computing in Ireland, and with the continuing development of our School of Business, National College of Ireland is currently providing tertiary education programmes to level 8 for circa 1,400 full-time students. Funding is provided under a Core Grant and the Free Fees initiative which has been capped at 925 students since 2000. This limitation by the Department of Education & Skills on the number of students funded through the Free Fees Initiative and the relatively low level of Core Grant funding puts the College at a considerable financial disadvantage compared to institutions which are funded through the HEA. The Governing Body of the College requests that this funding be provided on a comparable basis to other state funded HEI's and that NCI be facilitated to respond to the demand through the CAO for National College of Ireland programmes.

The profile of NCI's full-time undergraduate student numbers by major programme stream and future programme estimates are detailed as follows:

Programme Stream	Current enrolment (excl. International students)	Projected By 2022
Business	958	1,100
Computing	509	500
Psychology	183	190
Data Science*		100
Total	1,650	1,890

* Proposed BSc (Hons) in Data Science

9. Please provide the following contact details:

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