



Minutes of the meeting of the Academic Council Thursday 26 November 2020, 2pm

Present: 179
In Attendance: 7
Apologies: 24

Items are presented in the order in which they were discussed.

The President, Prof. Andrew Deeks, chaired this meeting of Academic Council.

The Chair opened the meeting by welcoming members of Academic Council, especially new members and new student representative members.

Members were advised that should they wish to speak they are required to raise their zoom 'virtual hand'. Operational instructions were summarised. The Chair informed members that if needed, an electronic vote would be facilitated.

Members were informed that the meeting would be recorded for minuting purposes. The recording will be deleted once minutes have been prepared.

Apologies were acknowledged.

The Chair noted the one year that has passed since the Academic Council last convened. Hope was expressed that the next meeting would take place in person in a more conventional setting.

The Chair thanked all members of the University community for the work undertaken during the period of Covid 19 to ensure students could continue to learn and get the support that they need and that research could continue. Additionally, those who are involved in the national fight against Covid 19 were thanked.

The Chair highlighted that the academic year 2020/21 had seen the largest number of students enrolled to date. While the non-EU student numbers slightly decreased the EU student and particularly Irish student numbers are significantly higher. It was acknowledged that higher numbers bring challenges, and gratitude was extended to those who have been putting in the time and effort to manage those challenges.

1. Minutes of the meeting held 21 November 2019

The Minutes of the meeting held on 21 September 2019 were approved as presented.

2. Matters arising from Minutes

The President provided the following information on UCD Promotions arising from ACEC 18 May 2020.

- Professor Michael Bruen - Adjunct Professor appointment has been confirmed by Head of School - UCD School of Civil Engineering.
- Dr Michael Coelli - Visiting Associate Professor appointment confirmed by Head of School – UCD School of Economics.
- Dr Tim Callan - Adjunct Professor Appointment confirmed by Director, UCD Geary Institute. The Director advised that although Dr Callan is a retired Research Professor at the Economic and Social Research Institute, he is also an Adjunct Professor at TCD. Therefore, he wishes for Dr Callan's title with UCD to remain. The Adjunct Professorship with TCD has also been confirmed.

The Chair asked if there were any items from Part 2 (Items for Approval) or Part 3 (Items for Noting) on the agenda that members would like to bring forward to Part 1 for discussion. No virtual hands were raised.

Academic Council approved items from Part 2 and noted items from Part 3 of the agenda.

Part 1

ITEMS FOR DECISION/ DISCUSSION

3. Academic Council Composition – Working Group Report

The President introduced this item, reminding members that Prof. Colin Scott delivered an update on the Working Group report at the last Academic Council meeting on 21 November 2019. Today, following another update from Prof. Scott, Academic Council is requested to make a decision on its preference of composition going forward.

Prof. Scott thanked all members of the Working Group and Orla Barry from University Secretariat.

Prof. Scott proceeded to present the Final Report of the Academic Council Composition Working Group.

A review of Academic Council composition size was recommended in the 2011 IRIU Institutional Review of UCD, which was as an endorsement of the 2005 EUA-IEP recommendation. Both the 2005 and 2011 reviews recommended a considerable reduction in membership to ensure an effective and functional Academic Council. Also, the Higher Education Authority Gender Action Plan 2018-2020 recommends that each institution, by the end of 2019, will have reviewed the structure of its Academic Council so that it will comprise a minimum of 30% of the underrepresented gender by 2020, and a minimum of 40% women and 40% men by 2024 at the very latest.

Academic Council Executive Committee (ACEC), at its meeting on 13 December 2018, agreed to commence a review of the composition of Academic Council with an agreed objective to achieve effective, informed and inclusive decision-making at AC meetings.

The Working Group put forward two recommendations to the Academic Council at its meeting on 21 November 2019 for feedback. Option one was endorsed at that time. Since then, the draft report has been reviewed and revised by the Working Group in advance of submitting this final report to Academic Council.

The Academic Council Composition Working Group met in May, September and October 2019 and January 2020 to consider the best approach to Academic Council membership and composition. ACEC considered the draft report at its meeting on 24 October 2019 and endorsed the approach outlined in option one. Academic Council considered the draft report on 21 November 2019 and endorsed the approach outlined in option one.

Option one:

- Reflects the smallest possible Academic Council membership while delivering acceptable levels of representation across each academic grade, College and students.
- Relatively even proportion of overall Academic Council membership for each College
- This approach ensures that Colleges with high numbers of Heads of School and Programme Deans achieve a higher level of representation.

Option two:

- Reflects a larger Academic Council membership while delivering enhanced representation for each College.
- Delivers a significantly reduced Academic Council membership, while enhancing both faculty and student representation per College
- Almost double the upper limit of seventy as specified in the proposed legislative reforms.

Concern over the representation was raised at the Academic Council meeting on 21 November 2019. Therefore, the Academic Council Composition Working Group recommends that Academic Council should focus on option two as the most suitable option.

The President thanked Prof. Scott and opened the floor for comments, and these included :

- A member advised that traditionally, Professors are the academic leaders of the University and hold the institutional memory. Notwithstanding the need for reform, there is a value to the current composition. The proposed structure mirrors the management structure of the University, which brings into question the effectiveness of its counterbalance. A wider forum can lead to useful discussion for the University as a whole. Sometimes items are raised and lead to appropriate broad debate and discussion. Academic Council is the traditional forum for such debate. So while option two is preferable to option one, what would be preferable beyond that is an even larger composition option with a higher number of Professors.
- A member commented on the recommendation in the report regarding how to encourage better gender representation in Heads of School. The latest DDI report show that 25% of full professors at the University are female and this is not sufficient. There is a concern that senior woman at any level in the University can be asked to do up to four times as much as their male counterparts to achieve the right gender balance in various fora. The member queried what measures are being taken by the Secretariat to monitor requests going out to senior female staff. The senior woman of the University should not take on the burden and responsibility of the inability of the University to adequately promote female staff.
- A member made the comment that there needs to be a forum that is strictly just about scholarship and academic issues. The percentage of Professors in the composition will reduce, and the concern is that when members are Heads of Schools, Deans and members of the University Management Team, they are part of the management structure and therefore largely concerned about budget issues. It is quite refreshing to have a committee where the majority of members are focused on day to day research and teaching. Ultimately, UCD must continue to prioritize its excellent scholarship. The concern is that with the composition that is proposed, members who are focused on teaching and research are in the minority and that may not bring UCD in the right direction.
- A member commented that there are few opportunities for informal conversation. Siloism is a feature of most large institutions and Academic Council offers, in its current composition, opportunities for debate and discussion. However, as evident from the low uptake on opportunities for people to reflect, such as 10% engagement from faculty who were asked to comment on the terms of Academic Freedom, maybe there is not much appetite for those discussions.

The President invited Prof. Scott to respond on behalf of the Working Group to comments provided.

- Prof. Scott noted that the Working Group endeavoured to preserve a majority of elected academics within the composition. Concerning programme Deans, particularly those chairing governing boards, it is believed that they are primarily in the role of academic governance rather than a management role. The Working Group is sensitive to the issue and recommended that where a College Principal would be a member of Academic Council as Dean, that they would nominate their Associate Dean to take their place on Academic Council. The management of the University, considered in this case to be the University Management Team and the Heads of School, make up forty-nine seats on the composition which is a minority. The proportion of student representatives has increased, which the Working Group thought to be a valuable contribution. The low attendance record of Academic Council has risks due to the lack of consistency. With the newly elected structure, we envision a very high attendance rate to Academic Council with more consistency in the capacity to manage issues.
- A member commented that while they are broadly in favour of the new composition proposal, it should be noted that something is indeed lost. It might be worth looking at committee structures, which up to now have been very much about working on getting things done, to see if there is a way of capturing some of that engagement that will be lost.
- The President highlighted that there is an imperative in creating the new composition. The legislation is being re-put to the Dáil, and it is essential that UCD can confirm it has reviewed the structure and that Academic Council meets gender balance criteria. There seems to a desire for a more prominent forum where the entire UCD community could attend and discuss issues as opposed to a decision-making forum.

Academic Council supported Option Two, with some reservations.

Decision	Academic Council endorsed option two, with some reservations, for onward referral to Governing Authority.
-----------------	---

4. Academic Council Elections 2021

The President introduced the Registrar, Prof. Mark Rogers to speak to this item.

The proposal recommends that Academic Council approve:

- The adoption of electronic voting for conducting elections to the Academic Council in 2021 and for future Academic Council terms.
- An electoral system for these elections.

In previous years, elections conducted by UCD for the Academic Council and its committees utilised paper ballots, sometimes including postal voting, across multiple units. COVID-19 restrictions render the logistics of conducting an election and a count with paper ballots significantly more challenging. However, this proposal goes beyond utilising electronic elections as a contingency mechanism, but one to provide for a consistent, transparent and inclusive process across all elected constituencies in keeping with the principles of the review conducted by the Academic Council Composition Working Group. For example, centralised, electronic elections will enable faculty on various forms of leave to vote in a more accessible manner. Further, it removes a burden on school and college offices to coordinate elections.

UCD has operated different electoral systems in internal elections including:

- a) Multiple non-transferable voting
- b) Proportional Representation by the Single Transferable Vote (PR-STV), in accordance with the provided for in the Seanad Eireann (Electoral Panel Members) Acts, 1946 and 1954

The utilisation of electronic voting would provide an opportunity to select a new electoral system. Academic Council is asked to express a preference for the type of electoral system that should be selected in the instance that the vote is held electronically. For the elections to Academic Council for the 2021-2024 triennium, a form of proportional representation is recommended as the most appropriate electoral system, subject to suitable third-party service providers being available and able to satisfy GDPR considerations. Other Universities have moved in this direction and NUIG is in the process of doing so. Therefore, it asked that Academic Council accept the two recommendations being put forward. One is that electronic elections are undertaken and the second is that having accepted that decision, proportional representation would be the accepted mechanism of those elections. Finally, to note that ACEC would manage the implementation piece to ensure the right procedures and processes are in place in order to guarantee transparency and anonymity.

The President thanked the Registrar, Prof. Mark Rogers and opened the floor up to comments:

- A member suggested that the second recommendation be changed to ask Academic Council to approve a 'proportional representation system' rather than to approve 'an electoral system'.

The President proposed the suggestion to the Committee from which there was no challenge or issue taken.

Decision	Academic Council approved: <ol style="list-style-type: none"> 1. The adoption of electronic voting for conducting elections to Academic Council in 2021 and for future Academic Council terms. 2. That a Proportional Representation System is used as the electoral system of choice.
-----------------	--

5. Academic Freedom – Working Group Report

Mr Cillian Bergin and Dr Douglas Proctor joined the meeting for this item.

The President introduced the Chair of the Academic Freedom Working Group, Prof. Grace Mulcahy, to present on the item.

ACEC set up the Academic Freedom Working Group (AFWG). It was established in December 2019 under the Terms of Reference outlined in this report. The Working Group met on four occasions, on 16 January, 5 February, 26 February 2020, and 31 March 2020. The report includes nominees from each College, UCD Legal, UCD Global, and UCD Human Resources.

The Working Group developed a set of recommendations and undertook an all-faculty consultation process between 20-30 March. In response to the feedback received through the consultation process, the Working Group revised its recommendations. This report outlines the work undertaken by the AFWG, the consultation process it undertook and the findings of that process plus the rationale for the Working Group's recommendations.

The following appendices accompany the report:

Appendix 1 – Terms of Reference

Appendix 2 – UCD Statement on Academic Freedom

Appendix 3 – Academic Freedom Working Group's recommendations to Academic Council

Recommendations of Academic Freedom Working Group :

1. UCD to develop appropriate monitoring and reporting mechanisms for potential and actual infringements of academic freedom that affect, or may potentially affect, UCD faculty or any member thereof. Such a mechanism could be based on a modified version of the international system operated by the Scholars at Risk Network, to capture information on instances such as:
 - a) A member of faculty is required to amend or edit teaching materials
 - b) A member of faculty refuses to undertake a given activity, or insists on undertaking a given activity, on the grounds of academic freedom
 - c) A member of faculty is disadvantaged, intimidated, or threatened by refusing to undertake a given activity, or undertaking a given activity, on the grounds of academic freedom
 - d) Retaliatory discharge/loss of position
 - e) Restrictions on travel or movement
 - f) Wrongful prosecution
 - g) Wrongful imprisonment/detention
 - h) Killings/violence/disappearances
 - i) Other significant events
2. Without impinging on staff's right to academic freedom but in order for UCD to carry out its duty of care to staff teaching in other jurisdictions, UCD to introduce measures to ensure that UCD Faculty are informed and understand the protection afforded by the Universities Act. The Working Group recommends that the relevant Head of School, College Principal, or the UCD-appointed Provost/Deputy Provost in a Joint College, as appropriate, should be made responsible for ensuring that UCD Faculty are briefed on the legal limits and context for academic freedom, within the relevant jurisdiction.
3. UCD's commitment to upholding the right of academic freedom enshrined in the Universities Act 1997 and the tradition and ethos of academic freedom as articulated in the *UCD Statement on Academic Freedom* should be reflected in international partnership negotiations. Therefore, academic freedom should be addressed in the initial stages of all international partnership negotiations to promote the tradition and ethos of academic freedom as articulated in the *UCD Statement of Academic Freedom*.

The President thanked Prof. Mulcahy and all members of the Academic Freedom Working Group. The floor was opened for comments:

- A member informed the Committee that last month the European Court of Justice issued a judgement on Academic Freedom which will be binding in Ireland and suggested that the Working Group review this. The details have been forwarded to the Chair of the Working Group.

- Concerning faculty teaching in other jurisdictions, a member asked who held the responsibility to ensure that those faculty members are fully informed of the legal framework and the implications for them in the location of their work. Prof. Mulcahy responded to say that the Working Group's deliberations concentrated around the fact that it was a shared responsibility and it would vary from case to case. It might be a Head of School or the line manager, for example, but the Working Group advises that there should be a central responsibility whereby UCD HR and Legal support those Heads of Schools and line managers.

Prof. Mulchay highlighted that the Working Group noticed that some of the language in the existing Statement on Academic Freedom no longer reflects some University procedures and processes.

Mr Cillian Bergin and Dr Douglas Proctor exited the meeting.

Decision	Academic Council approved all three recommendations presented in the Academic Freedom Working Group Report.
Action	University Secretariat is to review the language in the existing Statement on Academic Freedom to ensure consistency with current structures and procedures across the University.

6. UCD Research and Innovation Strategy

The President introduced Prof. Orla Feely to present the UCD Research and Innovation Strategy that's been developed.

Prof. Feely acknowledged all the work that the UCD community has been doing to keep research and innovation activities going through this challenging period of COVID-19. Enormous commitment has been demonstrated both from academics and support staff at every level.

Following on from 'Rising to the Future', 'Shaping the Future' is the proposed strategy for research and innovation at UCD for the 2020-2024 period. It seeks to achieve excellence with impact, through the development of UCD's people, and our research culture and environment. The four themes of Rising to the Future are highlighted as cross-cutting opportunities to collaborate and address areas of significant global need.

The strategy was developed in response to Rising to the Future. It began with desk research at UCD Research and Innovation, followed by consultation with research institutes, major programmes and College VPRIIs. A workshop was held with UMT RIIG leading to a draft document and feedback. Further consultation with research institutes, major programmes and RIIG was carried out to capture the expected impact of COVID-19. This led to a final draft, approved by RIIG at its meeting on 22 October 2020. The draft was reviewed and approved by UMT on the 3 November 2020. Suggested improvements to the diagrams have now been implemented in the presented draft.

The strategy requires Academic Council approval to move on to the Governing Authority for review and approval, before being formally adopted by UCD.

The President thanked Prof. Feely and opened the floor for comments:

- A member highlighted that in operationalising research within ministries and government agencies, the administrative burden of research finance has become extremely cumbersome in recent years. It therefore, presents barriers to do the type of work proposed in the strategy in terms of partnership with ministries. A UCD Agile review would be welcomed to facilitate achieving the objects set out in the strategy. Prof. Feely agreed and is happy to discuss barriers and work to eliminate any necessary blockages.

The President congratulated Prof. Feely and her team for all their work on the UCD Research and Innovation Strategy.

Decision	Academic Council endorsed the UCD Research and Innovation Strategy for onward referral to Governing Authority.
-----------------	--

7. ACEC Response to AC Subcommittee Annual Reports 2019-2020

The President introduced the Registrar to speak to this item.

The Registrar started by acknowledging the work of AC subcommittees and Chairs. The work they undertake is significant to the University in terms of changing and updating policies. The subcommittee reports very effectively demonstrate the work the subcommittees are doing on behalf of Academic Council and the value of that work. The support provided by the University Secretariat to the activities of AC subcommittees was also acknowledged.

The Annual Reports were submitted to University Secretariat in August 2020. An ACEC Response has been drafted, summarising areas of good practice across the reports and areas which require further consideration in the upcoming academic year. ACEC approved this response at its 24 September 2020 meeting. The accompanying reports are also submitted to the Academic Council for noting.

Formalised Annual Reports have been submitted to the Academic Council by Committees since the 2017-2018 academic year. Differing approaches have been adopted in providing a high-level analysis of these Reports, including a consolidated thematic review and a 'Registrar's Commentary'.

In considering the 2019-2020 Annual Reports, an 'ACEC Response' has been drafted to provide this high-level analysis. This approach mirrors that of the University's Quality Review Reports, where the UMT provides an approved response on each Quality Review Report to the Governing Authority. As the Executive Committee of the Academic Council, the ACEC is composed of, among others, the Chairs of the Academic Council Committees. It has also had significant involvement in the development of the Academic Council Standing Orders. ACEC is therefore well-placed to provide comment on both the activities of the Academic Council Committees and on the governance instruments underpinning these activities.

The ACEC response on the 2019-2020 Annual Reports aims to provide Academic Council with a survey of the good practice evident in the activities of the Committees, and areas where enhancement is possible. The approach has been to ensure that effective Academic Council decision making occurs. Part of the work has been to create some space within the broader Academic Council agenda for strategic discussions that are not necessarily about business as usual.

The Registrar invited comments from members. No comments were provided.

Academic Council are asked to endorse the ACEC Response to AC Subcommittee Annual Reports 2019-2020

Decision	Academic Council endorsed the ACEC Response to AC Subcommittee Annual Reports 2019-2020.
-----------------	--

8. Review of the Faculty Promotions Policy

The President introduced and spoke to this item.

Academic Council is reminded that the Faculty Promotion Policy is jointly owned by Academic Council and Governing Authority. If recommendations presented today are approved by Academic Council, the item will then proceed to Governing Authority for approval.

The Faculty Promotion Policy was reviewed in October 2020 in line with several actions in the Gender Equality Action Plan that had an immediate impact and requirement for policy change.

The substantive change is the removal of the prima facie case for candidates applying from Professor to Full Professor. The Faculty Promotions Policy Review Group (FPPRG) was not satisfied that the prima facie step is an issue; however, the evidence seems to indicate that if there is an issue that it is at the Full Professor level. Stark statistics show that an inordinate number of woman at the Full Professor level are failing to make the prima facie case. The FPPRG agreed that it would be preferable to make the change at the Full Professor level first to see if it does have an impact on the gender. If it does, then the removal of the prima facie case can be rolled out to the subsequent levels.

If having taken action, it is subsequently determined that it was not an effective action; this can be reported back to the GEAG with a recommendation as to what would be a more effective action.

The FPPRG considered the implication of the removal of the prima facie case for applications from Professor to Full Professor and that removing it would create a more straightforward pathway to promotion at the most senior level. Following consideration of several different ways to offset the removal of the prima facie case, the FPPRG agreed that a fourth external assessor report would be sought for candidates applying from Professor to Full Professor.

The President opened the floor for comments:

- A member asked if UCD has been failing to meet its targets around gender promotion. The President confirmed that UCD has met some of the targets but failed on others, specifically rolling targets. The real concern is the number of women getting promoted to Full Professor and the success rate of those applications, hence the proposed change put forward by the FPPRG.

Decision	Academic Council endorsed the changes proposed by the Faculty Promotions Policy Review Group and recommends those changes to Governing Authority.
-----------------	---

Part 2

ITEMS FOR APPROVAL

9. Agenda Item: AC Schedule of Reserved Decision-Making Authority

Decision	Academic Council approved the AC Schedule of Reserved Decision-Making Authority.
-----------------	--

10. Appointment of Student Complaint Investigating Officers

Decision	Academic Council approved the Appointment of Student Complaint Investigating Officers.
-----------------	--

11. UCD Subject Register

New and Renewed Head of Subject Appointments:

College	School	Subject	Proposed Head of Subject	Proposed Duration
Health and Agricultural Sciences	School of Agriculture and Food Science	Equine Science	Dr Barbara Murphy	Start Date: 01/11/2020 End Date: 31/10/2022
Health and Agricultural Sciences	School of Agriculture and Food Science	Agri-Environmental Sciences	Professor Olaf Schmidt	Start Date: 01/09/2020 End Date: 31/08/2022
Health and Agricultural Sciences	School of Agriculture and Food Science	Animal Science	Professor Pat Lonergan	Start Date: 01/09/2020 End Date: 31/08/2022
Health and Agricultural Sciences	School of Agriculture and Food Science	Crop Science	Professor Kevin McDonnell	Start Date: 01/09/2020 End Date: 31/08/2022
Health and Agricultural	School of Agriculture and	Horticulture	Dr Caroline Elliott-Kingston	Start Date: 01/09/2020 End Date: 31/08/2023

Sciences	Food Science			
Health and Agricultural Sciences	School of Nursing, Midwifery and Health Systems	Mental Health Nursing	Dr Timothy Frawley	Start Date: 01/09/2020 End Date: 31/08/2023
Engineering and Architecture	School of Architecture, Planning & Environmental Policy	Planning	Dr Paula Russell	Start Date: 02/11/2020 End Date: 31/08/2023
Business	Quinn School of Business	Banking and Finance	Professor John Cotter	Start Date: 12/10/2020 End Date: 11/10/2023
Business	Smurfit School of Business	Accountancy	Professor Eamonn Walsh	Start Date: 15/11/2020 End Date: 14/11/2023

Decision	Academic Council approved new and renewed Head of Subject Appointments as presented.
-----------------	--

12. Revised Terms of Reference

The following revised Terms of Reference were presented for approval:

- Agriculture and Food Science Taught Programme Board: Revised Terms of Reference and Board Composition.
- ACQEC: Revised Terms of Reference.
- ACCSAC: Revised Terms of Reference.

Decision	Academic Council approved the Revised Terms of Reference for: <ul style="list-style-type: none"> • Agriculture and Food Science Taught Programme Board • ACQEC: Revised Terms of Reference. • ACCSAC: Revised Terms of Reference.
-----------------	--

13. Recommendations of the Tenure Committee

Decision	Academic Council approved Recommendations of the Tenure Committee.
-----------------	--

14. Academic Council Committee on Academic Centres (ACCAC) Recommendations Report

Decision	Academic Council approved Academic Council Committee on Academic Centres (ACCAC) Recommendations Report.
-----------------	--

Part 3

ITEMS FOR NOTING

15. Conflict of Interest Policy

Decision	Academic Council noted the Conflict of Interest Policy.
-----------------	---

16. GDPR Summary for Committees

Decision	Academic Council noted the GDPR Summary for Committees.
-----------------	---

17. Academic Council Standing Orders

Decision	Academic Council noted Academic Council Standing Orders.
-----------------	--

18. AC Subcommittee Annual Reports 2019 – 2020

Decision	Academic Council noted AC Subcommittee Annual Reports 2019 – 2020
-----------------	---

19. AC Subcommittee Approved Minutes

- Minutes of Ordinary UPB meeting held 8 April 2020
- Minutes of Ordinary ACCE meeting held 17 September 2020
- Minutes of Ordinary ACEC meeting held 18 May 2020
- Minutes of Special ACEC Meeting held 20 May 2020
- Minutes of Special ACEC Meeting held 22 July 2020
- Minutes of ACQEC meeting on 30 April 2020 and electronic consultation, August 2020 (record of decisions)
- Minutes of ACCAC meeting on 13 February 2020

Decision	Academic Council noted AC Subcommittee Approved Minutes.
-----------------	--

20. Faculty Promotions Annual Report 2019 – 2020

Decision	Academic Council noted faculty Promotions Annual Report 2019 – 2020
-----------------	---

21. Statement on Responsible Use of Research Metrics

Decision	Academic Council noted Statement on Responsible Use of Research Metrics.
-----------------	--

Any Other Business

Signed: _____
Chairperson

Date: _____