

DÚN LAOGHAIRE INSTITUTE OF ART, DESIGN AND TECHNOLOGY

Annual Governance Statement 2020/2021

Code of Governance (Section 2.11.4(i))

Dún Laoghaire Institute of Art, Design and Technology (IADT) is committed to implementing and maintaining the highest standards of corporate governance. The Governing Body adopted the Code of Governance of Irish Institutes of Technology 2018 (the Code) on 10th January 2018.

(A) Statement of Governance

As Chairperson and President, we make the following statements on behalf of IADT in accordance with the provisions of Section 6.10 of the Business and Financial Reporting Requirements of the Code.

The Governing Body is satisfied that, IADT is generally compliant with the provisions of the Code of Governance of Irish Institutes of Technology 2018 as outlined within this Comprehensive Report unless otherwise stated.

1. Code of Conduct for Members (Section 2.11.4(i) IoTC¹)

The Governing Body adopted the Code of Business Conduct for Governing Body Members on 1st September 2010 and reaffirmed the Code on 5th May 2021. The Code of Business Conduct for Governing Body Members contains clear references and guidance for members in respect of conflicts of interest and ethics in public offices. IADT has a range of processes in place to monitor the provisions of this Code of Conduct.

IADT confirmation: Fully Compliant Partially compliant Not compliant

2. Code of Conduct for Employees (Section 2.11.4(i) IoTC)

The Governing Body adopted the Code of Business Conduct for Employees on 5th November 2014 and reaffirmed the Code on 5th May 2021. The Code of Business Conduct for Employees Members contains clear references and guidance for members in respect of conflicts of interest and ethics in public offices. IADT has a range of processes in place to monitor the provisions of this Code of Conduct.

IADT confirmation: Fully Compliant Partially compliant Not compliant

3. Financially Significant Developments (Section 2.11.4(ii) IoTC)

- (i) IADT has complied with the statutory provisions of the RTC Acts 1992-1999 as amended, the Institutes of Technology Act, 2006 as amended and the Technological Universities Act 2018 as amended and as is applicable to IADT.

¹ Code of Practice for the Governance of Institutes of Technology Code of Practice

The Institute has met its requirements for operating within a balanced budget at the end of December 2020. While formally, this records a 2% outturn for the year, this is somewhat masked by the receipt of Covid-19 Support funding. The operational outturn was 0.06%.

The Institute has notified the HEA of a projected over-expenditure, prior to the impact of Covid-19 exceptional costs and/or income deficits, of €221k or 1% of its budget for 2021.

The Financial Statements for the year ended 31st August 2020 have been audited by the Comptroller and Auditor General (C&AG) and submitted to the Department of Further & Higher Education, Research, Innovation & Science (DoFHERIS) for laying before the Houses of the Oireachtas.

The Institute did not establish any new subsidiaries or joint ventures and there have been no acquisitions. The Institute did not acquire any shareholdings during the year.

The Term of Office of the ordinary members of the Governing Body concluded on 31st March 2021 and a new Governing Body was appointed by the Minister for Further and Higher Education, Research, Innovation and Science (FHERIS) with effect from 1st April 2021.

In January 2020, IADT became aware of the spreading pandemic, Covid-19. IADT implemented its Critical Incident Protocol and established an advisory grouping under that Protocol. On 12th March 2020, by order of the Government, IADT closed its campus and moved all of its teaching, assessment and operational processes on-line and all staff commenced working remotely from campus. IADT commenced the return to campus with effect from 20th May 2020 in accordance with Government guidelines and students returned to campus in late September 2020. Additional restrictions were imposed by the Government in Autumn 2020 and again in January 2021. Very limited activity took place on campus during these periods, with the majority of teaching and operations being conducted remotely. In line with Government expectations and requirement, a return to campus is planned for September 2021. IADT has incurred significant costs in re-configuring the campus to meet the requirements for hygiene and social distancing as required by the Government. IADT has and continues to notify the HEA regarding these exceptional costs both directly and through THEA. IADT has received funding from the HEA to support the additional expenditure incurred and in support of students for 2020. Additional costs continue to arise during 2021.

The following issues are also likely to arise in both the short and medium terms that will have a negative impact on the future financial position of the Institute.

IADT has previously notified the HEA regarding the significant building regulatory compliance deficits of the Quadrangle Building (constructed between 1800s and 1980s) on Campus. This building does not comply with the Building Regulations and the Institute has notified both the Department of Education and the HEA with regard to this in many submissions since 2003. This building will require significant additional funding on an emergency basis over a number of years to ensure Building Regulations compliance, together with an appropriate learning and working environment for staff and students.

While the Governing Body is aware of the plans to provide a single new building through the PPP Process, IADT now understands that this building will not be available to the Institute until September 2024 at the earliest. This building along with other buildings were planned to be delivered on Campus in 2012 and this delay of 12 years is having a number of significant impacts on the Institute. The absence of these buildings is inhibiting the growth projections of the Institute which are essential to meet the growing needs of students in the Institute's catchment area. This potential growth in student numbers would assist the Institute in stabilising its financial position and would mitigate against the deficit outturns that periodically arise. The potential risk to the Institute, its staff and students arising from the continuing requirement to operate, work and study in deficient buildings is significant with regards to the Institute's capacity and legal requirement to provide places to work and study that meet the basic requirements of the legislation. This building deficit requires the Institute to invest significant sums from the recurrent grant budget towards repairs, which should be funded through the devolved grant which, in itself, is insufficient to meet the essential needs of the Institute. This requirement for the Institute to invest funds intended for the education of students towards the upkeep of state capital assets has resulted in deficits being reported in the Financial Statements from time to time, along with periodic annual budgetary deficits.

The absence of clarity on the future funding of higher education generally, and thus the Institute specifically, is impacting on the financial position of the Institute in addition to the uncertainties arising from Covid-19. The current average unit cost for a student in IADT is approximately €9,000 per annum against a total contribution received per student from all sources of approximately €7,500 per annum. IADT does not have the financial capacity to absorb this continuing cost overrun of approximately €1,500 per student per annum.

- (ii) IADT confirms that internal investigations have been initiated and/or continued that required the use of external investigators during the period and these are outlined in the Appendix to this Statement.
- (iii) IADT engaged the following consultants during the period 2020/2021:

Name of firm/ consultant	Nature of work	Duration	Final cost	Procurement method e.g. tender, existing framework
Arthur Cox	Legal Services	6 months	€7,284.57	OGP Framework (Direct Drawdown)
Conway Communications T/A Hive Agency	Media/ Communications	3 months	€16,665.00	IADT Procurement Process
CrowleysDFK	Financial Consultancy	5 years	€10,362.70	Public Procurement Process (IADT/ e-Tenders) & THEA
Deloitte	Internal Audit	3 years	€16,602.94	Public Procurement Process (IoT/EPs)

Name of firm/ consultant	Nature of work	Duration	Final cost	Procurement method e.g. tender, existing framework
Greavy & Co.	Accountancy	3 years	€3,044.25	Public Procurement Process (OGP)
Inspiration Marketing	Design Consultant	3 months	€5,665.00	IADT Procurement Process
Konstantinos Pagkratis	UNESCO Learning Cities	3 months	€1,120.00	IADT Procurement Process
Limelight Communications	PR Consultancy	1 year	€22,562.10	IADT Procurement Process
Mazars	Strategy Development	1 year	€10,300.00	OGP Framework (SRFT)
MSK Media Ltd.	PR Consultants	3 months	€1,476.00	IADT Procurement Process
Patrick Collins Toher	Design Consultant	3 months	€644.00	IADT Procurement Process
Public Authority Pension Services Ltd	Pensions Advice	1 year	€2,863.35	IADT Procurement Process
Purdey Lucey Intellectual Property Ltd.	IP Consultants	3 months	€4,166.00	D.R.I.C. Procurement Process
Pure Designs/ Pdraig Cunningham	Design Consultant	3 months	€1,914.00	IADT Procurement Process
ReVision Design Ltd.	Graphic Design	3 months	€1,498.65	IADT Procurement Process
Rosaleen Glacken	HR Consultant	6 months	€5,000.00	IADT Procurement Process
Scollard Doyle Ltd.	Engineering Consultancy and Advice	3 months	€1,493.50	IADT Procurement Process
Thinkhouse Ltd	PR and Marketing Consultancy	2 year	€12,866.25	IADT Procurement Process

As identified above, all expenditure in respect of consultants is compliant with the IADT Procurement Policy and Government Guidelines in this regard. The Governing Body maintains oversight of all such expenditure on a regular basis.

- (iv) There were no significant commercially sensitive developments in the past financial year in respect of IADT, that require reporting.
- (v) IADT does not have any joint venture arrangements and therefore does not have any financing arrangements or loans to report.
- (vi) From the above there is no cost to the Exchequer in this regard.
- (vii) As indicated above IADT remained compliant with the requirements to operate within budget and the Employment Control Framework as at 31st

December 2020. IADT has notified the HEA, as at 31st March 2021, of a projected budget deficit of €221,000 or 1% for the year ended 31st December 2021. It should be noted that this projected budget deficit does not include any continuing additional costs or impacts arising from the COVID-19 pandemic crisis. IADT notes that the budgetary and resources constraints imposed on the Sector generally and IADT in particular are impacting on the capacity of IADT to fulfil its remit and are impacting on the quality of the education being provided to its students, these impacts are in addition to the impacts relating to Covid-19 identified above.

4. Government Policy on Pay (Sections 2.6.1 and 2.11.4(iii) IoTC)

- (i)** IADT complies with the Government Policy on pay and pensions, in particular in relation to the pay of the President of the Institute.
- (ii)** IADT has implemented the recommendations from the Rolling Review on Pay and Pensions (HEA, 2019) as applicable to IADT, and has conducted specific internal audits in respect of this.
- (iii)** IADT can confirm that no severance payments were made during the period.
- (iv)** IADT has general procedures in place where employees request the permission of the President to engage in external work activities. This requirement is contained within all contracts of employment and is notified periodically to all staff members.

IADT confirmation: Fully Compliant Partially compliant Not compliant

5. Financial Reporting (Section 2.11.4(iv) IoTC)

- (i)** The Institute affirms that all appropriate procedures for financial reporting are being carried out.
- (ii)** The Institute confirms that the specific disclosures required by the Code of Practice for the Governance of State Bodies as amended by the Code of Governance for Institutes of Technology are included in the annual financial statements.

IADT confirmation: Fully Compliant Partially compliant Not compliant

6. Off Balance Sheet Transactions (BFRR)

There have been no off balance sheet transactions during the year other than as identified within the Financial Statements and/or reported to the C&AG.

7. Trusts and Foundations

IADT has not established any Trusts and/or Foundations and therefore the incorporation of such into the Institute's Financial Statements is not applicable.

IADT confirmation: Fully Compliant Partially compliant Not compliant

8. Internal Audit (Section 2.11.4(iv) IoTC)

- (i) IADT has outsourced its Internal Audit function through a procurement process operated by the Technological Higher Education Association on behalf of all Institutes of Technology in accordance with the Office of Government Procurement (OGP) requirements. The function operates in accordance with the Code of Governance, the Terms of Reference for Internal Audit and the Internal Audit Charter and reports directly to the Audit and Risk Committee. An annually approved Audit Plan has been agreed between the Audit and Risk Committee and the Internal Auditor for the period 2020/2021, and will be agreed with the internal auditor for the period 2021/2022.

IADT confirmation: Fully Compliant Partially compliant Not compliant

- (i) During the period 2020/2021, the internal auditors, Deloitte, carried out two internal audit reviews.
- (ii) The internal audit review reports were as follows:
- a) Review of Internal Controls with respect to Employment Control Framework (October 2020)
 - b) Review of Governance Compliance (February 2021)

9. Procurement (Section 2.11.4(iv) and (ix) IoTC & Section 8.20 & 8.16 SC)

(i) Procurement Procedures

IADT has a Procurement Policy which complies with the national guidelines on public procurement and the requirements of the OGP. IADT utilizes frameworks and contracts established by the OGP and Education Procurement Service (EPS), wherever appropriate. Staff members with responsibility for purchasing have been trained on and are conversant with this Policy. Following the review of both internal and external audits by the Audit and Risk Committee on behalf of the Governing Body, the Governing Body is satisfied that the public procurement guidelines have been complied with.

(ii) Procurement Non-Compliance

IADT monitors all procurement for compliance with the Institute's Procurement Policy and conducts periodic internal and external audits in this regard. IADT maintains a register of all major contracts (including all contracts in excess of €25,000) and reports on these to the Audit and Risk Committee. Following reports from the Committee, the Governing Body is satisfied that the public procurement guidelines have been complied with.

(iii) Corporate Procurement Plan

The Governing Body has approved an Institute Procurement Plan for 2021 and this is published on the Institute website www.iadt.ie.

IADT has not entered into contracts without a competitive process appropriate to the level of expenditure under the contract or otherwise in accordance with the Institute's Procurement Policy and Government Procurement Guidelines.

(iv) Office of Governance Procurement (OGP)

IADT confirms that the Institute is using the services and frameworks of the OGP and of the EPS, where applicable.

IADT confirmation: Fully Compliant Partially compliant Not compliant

(v) Details of Non-Competitive Procurement

The Institute has not engaged in any non-competitive procurement during this period.

10. Asset Disposals (Section 2.11.4(iv) IoTC)

IADT has put in place policies and procedures for the disposal of assets and the granting of access to assets by third parties. Decisions on asset disposals in excess of €70,000 and the granting of access to assets by third parties are a Reserved Function and must be approved by the Governing Body.

There were no significant asset disposals or granting of access to assets by third parties during the year other than as identified in the Financial Statements.

IADT confirmation: Fully Compliant Partially compliant Not compliant

11. Guidelines for the Appraisal and Management of Capital Proposals (Section 2.11.4(v) IoTC)

The Institute confirms that IADT's practices in the management of capital projects are compliant with the relevant principles, requirements and guidelines of the Public Spending Code and the Capital Works Management Framework, where appropriate.

IADT confirmation: Fully Compliant Partially compliant Not compliant

12. Travel Policy (Section 2.11.4(vi) IoTC)

IADT complies with the Government Travel Policy requirements.

IADT confirmation: Fully Compliant Partially compliant Not compliant

13. Guidelines on Achieving Value for Money in Public Expenditure (Section 2.11.4(vii) IoTC)

IADT confirms that the Guidelines on Achieving Value for Money in Public Expenditure, as set out in the Department of Public Expenditure and Reform Public Spending Code, are being followed.

IADT confirmation: Fully Compliant Partially compliant Not compliant

14. Tax Laws (Section 2.11.4(viii) IoTC)

IADT confirms that it has, to the best of its knowledge, complied with its obligations under tax laws.

IADT confirmation: Fully Compliant Partially compliant Not compliant

15. Legal Disputes (Section 8.48 SC & Section 1.9 (xiv) BFRR)

IADT can confirm that it is not involved in any legal disputes with any other state agency.

16. Confidential Disclosure Faith Reporting - Protected Disclosures Act 2014 (Section 3.1.1.17 IoT)

- (i) IADT has a Protected Disclosures Policy, in accordance with the Protected Disclosures Act 2014, in place which was approved by the Governing Body on 17th June 2015, and a revised Policy was approved by the Governing Body on 17th June 2020.
- (ii) IADT has published an Annual Report as required under Section 22(1) of the Act which is available at: [IADT Protected Disclosures Annual Report to 30.06.21](#)

IADT confirmation: Fully Compliant Partially compliant Not compliant

- (iii) IADT can confirm that it has received no Disclosures under the Policy or the Act during the period.

17. Governing Body Meetings (Section 4.9 SC)

The 6th Governing Body met on 7 occasions during the period 1st September 2020 to 31st March 2021. The Term of Office of the 6th Governing Body commenced on 1st April 2016 and concluded on 31st March 2021.

Meeting Date	Attendance Level
9 th September 2020	56%
7 th October 2020	78%
4 th November 2020	72%
9 th December 2020	89%
13 th January 2021	83%
3 rd February 2021	83%
3 rd March 2021	89%

The 7th Governing Body was appointed with effect from 1st April 2021 and met on 3 occasions during the period 1st April 2021 to 31st August 2021.

Meeting Date	Attendance Level
14 th April 2021	89%
5 th May 2021	94%
16 th June 2021	83%

The Governing Body did not meet without the Executive members being present during 2020/2021.

Governing Body Meetings have been held as fully incorporeal meetings due to the Government requirements for responding to Covid-19 since March 2020. The Standing Orders for the Governing Body were amended in September 2020 to provide for fully incorporeal meetings.

Membership and details of attendance, fees and expenses paid to Governing Body Members is set out below:

Governing Body Member	Nominated by	Number of meetings attended	% of attendance	Governing Body Members Fees ²	Governing Body Members Expenses	Governing Body Interview Fees ³	Governing Body Interview Expenses
David Holohan	Chairperson	9	90%	None	Nil	Nil	Nil
David Smith	President	10	100%	None	Nil	Nil	Nil
Dr Fionnuala Anderson	DDLETB	8	80%	None	Nil	€570	Nil
Sorcha Nic Cormaic	DDLETB	5	71%	None	Nil	Nil	Nil
Cllr. Barry Saul	DDLETB	2	29%	None	Nil	Nil	Nil
Tom Taylor	DDLETB	5	71%	None	Nil	Nil	Nil
Áine O'Sullivan	KWETB	6	86%	None	Nil	Nil	Nil
Celine Blacow	Staff	4	57%	None	Nil	Nil	Nil
Fiona Mc Loughlin	Academic Staff	6	86%	None	Nil	Nil	Nil
Joachim Pietsch	Academic Staff	5	71%	None	Nil	Nil	Nil
Marie Carroll	Southside Partnership	7	100%	None	Nil	€2,280	Nil
Kieron Connolly	ICTU	6	86%	None	Nil	Nil	Nil
Maeve McConnon	IDA Ireland	9	90%	None	Nil	Nil	Nil
John McDonnell	Irish Film Board	6	86%	None	Nil	Nil	Nil
Jim Pipe	Houghton Mifflin Harcourt	5	71%	None	Nil	Nil	Nil
Aoife Ruane	The Arts Council	4	57%	None	Nil	Nil	Nil
Somhairle Quigley Brennan	Student Member	9	100%	None	Nil	Nil	Nil
Rachel Sarsfield Ryan	Student Member	9	100%	None	Nil	Nil	Nil
Eoin Hick Smith	Student Member	0	N/A	None	Nil	Nil	Nil
Cllr. Kazi Ahmed	DDLETB	1	33%	None	Nil	Nil	Nil
Cllr. Michael Clark	DDLETB	3	100%	None	Nil	Nil	Nil
Caitriona Murphy	DDLETB	3	100%	None	Nil	Nil	Nil
Cllr. Úna Power	DDLETB	1	33%	None	Nil	Nil	Nil
Cllr. Anne Ferris	KWETB	3	100%	None	Nil	€1,425	Nil

² There is no provision for IADT Governing Body Members to receive fees for their membership of the Governing Body

³ Under the Department of Public Expenditure and Reform One Person One Salary provisions, employees of public sector organisations are precluded from receiving payments other than their salary and thus no fees would be payable in respect of interview board attendances.

Governing Body Member	Nominated by	Number of meetings attended	% of attendance	Governing Body Members Fees	Governing Body Members Expenses	Governing Body Interview Fees	Governing Body Interview Expenses
Turlough Conway	Staff	3	100%	None	Nil	Nil	Nil
Dr Cormac Deane	Academic Staff	2	67%	None	Nil	Nil	Nil
Eva Perez	Academic Staff	3	100%	None	Nil	Nil	Nil
Cllr. Peter O'Brien	ICTU	3	100%	None	Nil	€1,710	Nil
Sinead Gorby	Dell Ireland	3	100%	None	Nil	Nil	Nil
Ben Harper	Animation Ireland	3	100%	None	Nil	Nil	Nil
Punitha Sinnapan	Sandyford BID	3	100%	None	Nil	Nil	Nil

18. Audit and Risk Committee (Section 4.9 SC & Section 1.13 ARCG)

The Governing Body has established an Audit and Risk Committee in accordance with the Code. The Audit and Risk Committee submits an Annual Report for the approval of the Governing Body and the minutes of Audit and Risk Committee meetings are issued to all Governing Body Members.

Details of the membership of the Audit and Risk Committee and the attendance records are set out below.

In accordance with the Terms of Reference for the Audit and Risk Committee, Governing Body Members are appointed to the Audit and Risk Committee until the completion of their term of office as Governing Body Members. The Governing Body appointed two members (Cllr. Michael Clarke and Maeve McConnon) to the Audit and Risk Committee at its meeting on 16th June 2021; and an additional two members (Ben Harper and Punitha Sinnapan) at its meeting of 6th October 20201.

The Governing Body appointed an independent external member (Sam Dunwoody) at its meeting on 12th June 2019 for a period of four years until 31st May 2023.

The Audit and Risk Committee met on 4 occasions during the period 1st September 2021 to 31st August 2021.

Meeting Date	Attendance Level
29 th September 2020	60%
25 th November 2020	80%
18 th February 2021	100%
23 rd March 2021	100%

Details of Audit and Risk Committee Members attendance is set out below:

Audit and Risk Committee Member	Number of Meetings Attended	% Attendance
Dr Fionnuala Anderson	4	100%
Marie Carroll	4	100%
Kieron Connolly	3	75%
Sam Dunwoody	4	100%
Maeve McConnon	2	50%
Cllr Michael Clark	0	N/A

19. Review of Governing Body Performance (Section 4.6 SC)

- (i) The Governing Body conducted a formal review of its Performance and Effectiveness in Autumn 2018. The Board met the evaluators on 3rd October 2018 and 6th February 2019, and approved the report on the 6th March 2019. This review was conducted by the Institute's Internal Auditors, PricewaterhouseCoopers, using a template developed for the IoT Sector.

- (ii) The Governing Body conducted an annual internal review of its effectiveness at its meeting of 17th June 2020. As the 6th Governing Body completed its term of office on 31st March 2021, no further effectiveness reviews occurred. The 7th Governing Body commenced its Term of Office on 1st April and the first planned internal review of its effectiveness will occur in June 2022, with an external evaluation planned for 2023/24.

20. Salary of President (Section 1.4 (iv) BFRR)

The President's Salary is in accordance with the Salary determined by the Minister for Further and Higher Education, Research, Innovation and Science, and is €160,712 annualised.

Mr David Smith has been paid at the President's Salary rate since taking up his position on 1st April 2020. The total salary paid to David Smith during this period was €160,449.45.

21. Data provided to the HEA

- (i) IADT can confirm that the Institute has satisfied itself as to the integrity and robustness of any data on student numbers and courses provided to the HEA for the purposes of calculating and allocating the core grant and other funding allocations.
- (ii) IADT can confirm that the Institute has satisfied itself as to the integrity and robustness of any data on staff numbers provided to the HEA under the Employment Control Framework.

IADT confirmation: Fully Compliant Partially compliant Not compliant

22. The Framework for Promoting Consent in Higher Education

IADT confirms that the Institute has applied the institutional processes, which will support achievement of the objectives of the Framework for Promoting Consent and Preventing Sexual Violence in Higher Education.

IADT confirmation: Fully Compliant Partially compliant Not compliant

23. Children and Vulnerable Adults Protection Policy

IADT has a Children and Vulnerable Adults Policy in place as approved by the Governing Body on 6th February 2013 and amended on 9th December 2015 and 11th December 2019. The Governing Body is satisfied that the Policy is compliant with the legislative requirements as at the date of approval of the revised Policy.

IADT confirmation: Fully Compliant Partially compliant Not compliant

24. Disability Act 2005

IADT confirms that the Institute is fully meeting its obligations under the Disability Act 2005, in respect of its services and in respect of its buildings, apart from the Quadrangle Building (constructed 1800s to 1980s). This building remains not compliant with Part M of the Building Regulations 1991 as amended. The Institute confirms that it has regularly and consistently notified the HEA and the Department of Education and Skills and the Department of Further and Higher Education, Research, Innovation and Science of this deficiency since 2003.

IADT confirmation: Fully Compliant Partially compliant Not compliant

25. Fees and Expenses (Section 2.10 RS & Section 1.10 (vii) BFRR)

IADT confirms that Governing Body Members do not receive fees in respect of their membership of the Governing Body. Governing Body Members may receive expenses for attending Governing Body Meeting and may receive fees and expenses for facilitating the Institute in respect of Interview Boards. All such fees and expenses are paid in accordance with guidelines issued from time to time by the Departments of Finance and Public Expenditure and Reform. The details of such payments are set in Section 17 above.

We can confirm that all fees and expenses in Section 17 above are published in the Institute's Annual Report.

IADT confirmation: Fully Compliant Partially compliant Not compliant

26. Subsidiaries of the Institute and interests in external companies (Section 1.9 (xvi) & 1.11 BFRR)

(i)(ii) IADT confirms that the Institute has not established any subsidiaries and therefore sections (i) and (ii) are not relevant.

IADT confirmation: Fully Compliant Partially compliant Not compliant

(iii) IADT confirms that the Institute does not hold any shareholdings or interests in external companies.

27. Intellectual Property (IP) and Conflict of Interest

(i) IADT confirms that the Institute has in place a single IP policy which is published on its website, which:

- Reflects the requirements of the national IP Protocol
- Clearly sets out all IADT IP processes and researcher obligations
- Includes a clear description of IP commercialisation decision-making processes
- Includes a clear dispute resolution process
- Describes revenue share mechanisms
- Describes potential for conflicts of interest and directs researchers to the relevant sections of the HEI's Conflict of Interest Policy.

- (ii) IADT confirms that the Institute has in place a single Conflict of Interest Policy contained within the Code of Conduct for Employees, published on its website.
- (iii) IADT confirms that the Governing Body reviews all IP commercialisation and conflicts of interest as they arise and on an annual basis. It should be noted that no instances required Governing Body review during the period.

IADT confirmation: Fully Compliant Partially compliant Not compliant

- (iv) The Institute confirms that it has not received revenue from any spin-out companies during the financial year from (i) equity sale, (ii) dividends, (iii) any milestone related (or similar) event not covered in (i) or (ii).

28. HEA Principles of Good Practice in Research in Irish Higher Education Institutions

IADT affirms that the Institute commits to the key characteristics of good research practice as set out in the HEA Framework.

IADT confirmation: Fully Compliant Partially compliant Not compliant

29. General Governance and Accountability Issues

Based on the above declarations, the Governing Body is satisfied that there are no Governance and Accountability issues to be reported for 2020/2021.

Statement of Internal Control

30. Governing Body Responsibility for the System of Internal Control (Section 3.4.1 IoTC)

On behalf of the Governing Body, we acknowledge our responsibility for ensuring that an effective system of internal control is maintained and operated.

The Governing Body of IADT has formally approved the Statement of Internal Control 2021 on 6th October 2021; subject to audit by the C&AG.

31. Reasonable assurance against material error (Section 3.4.2 IoTC)

The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner.

32. Review of the Statement of Internal Control (Governing Body and Audit and Risk Committee) (Section 3 (iv) Appendix D BFRR)

As part of the Institute's Governance Processes, the Statement of Internal Control is reviewed by the Audit and Risk Committee for approval by the Governing Body.

The Audit and Risk Committee formally reviewed the Statement of Internal Control for the period to 31st August 2020 at its meetings of 18th February 2021 and again at its meeting of 23rd March 2021.

The Audit and Risk Committee formally reviewed the draft Statement of Internal Control for the period to 31st August 2021 at its meeting of 22nd September 2021.

33. Review of the Statement of Internal Control (External Auditors) (Section 2.7 SC)

As part of the external audit conducted by and/or on behalf of the C&AG, the Statement of Internal Control is reviewed by the Institute's External Auditors.

34. Key Procedures put in place designed to provide effective internal control

(i) Appropriate Control Environment (Section 3.4.3 (i) IoTC)

The Governing Body has taken steps to ensure an appropriate control environment by:

- Clearly defining and documenting management responsibilities and powers;
- Establishing processes for identifying risks and evaluating their financial implications;
- Establishing an Audit and Risk Committee with clear terms of reference;
- Establishing formal procedures through various committee functions to monitor the activities and safeguard the assets of the organization;
- Developing a strong culture of accountability across all levels of the organisation.
- Approving and implementing a wide range of financial and governance policies including a Prevention and Detection of Fraud Policy.

(ii) Business Risks (Section 3.4.3 (ii) IoTC)

The system of internal control is based on a framework of regular management information, administrative procedures including segregation of duties and a system of delegation and accountability. In particular, it includes:

- A comprehensive budgeting system with an annual budget which is reviewed and agreed by the Governing Body with authority delegated where appropriate, for managing and controlling the Annual Allocation as granted by the Higher Education Authority and other income and expenditure;
- Management Information Systems in respect of Financial Management, HR Records and Management, Library Information Systems, Student Records and Academic Administration and Timetabling Information;
- A Resource Allocation System;
- A Risk Management System with regular reporting and reviews;
- Regular reviews by the Governing Body of periodic and annual financial reports, which indicate financial performance against forecasts;
- Setting targets to measure financial and other performance;
- An Academic Council which reports to the Governing Body;
- An Academic Quality Framework with clearly defined academic and quality processes and control guidelines;
- Approving and implementing a wide range of financial and governance policies including a Procurement Policy and a Prevention and Detection of Fraud Policy.
- Clearly defined capital investment control guidelines;
- Formal project management disciplines.

- A Critical Incident Protocol and additional processes and structures to deal with the Covid-19 Pandemic.

(iii) Information Systems (Section 3.4.3 (ii) IoTC)

In addition to the above measures, the Institute has implemented a range of Management Information Systems in respect of Financial Management, HR Records and Management, Library Information Systems, Student Records and Academic Administration and Timetabling Information. These systems provide information enabling comparisons of actual results against budgeted forecasts.

(iv) Major Business Risks (Section 3.4.3 (iv) IoTC)

The system of internal control is based on a framework of regular management information, administrative procedures including segregation of duties and a system of delegation and accountability. In particular, it includes:

- A comprehensive budgeting system with an annual budget which is reviewed and agreed by the Governing Body with authority delegated where appropriate, for managing and controlling the Annual Allocation as granted by the Higher Education Authority and other income and expenditure;
- Management Information Systems in respect of Financial Management, HR Records and Management, Library Information Systems, Student Records and Academic Administration and Timetabling Information;
- A Resource Allocation System;
- A Risk Management System with regular reporting and reviews;
- Regular reviews by the Governing Body of periodic and annual financial reports, which indicate financial performance against forecasts;
- Setting targets to measure financial and other performance;
- An Academic Council which reports to the Governing Body;
- An Academic Quality Framework with clearly defined academic and quality processes and control guidelines;
- Clearly defined capital investment control guidelines;
- Formal project management disciplines.
- A Critical Incident Protocol and additional processes and structures to deal with the Covid-19 Pandemic.

(v) Monitoring the Effectiveness of the Internal Control System (Section 3.4.3 (v) IoTC)

The Governing Body's monitoring and review of the effectiveness of the system of internal control is informed by the work of the Internal Auditors; the Governing Body Audit and Risk Committee which oversees the work of the Internal Auditors; the Executive Team, who have responsibility for the development and maintenance of the financial control framework; and comments made by the Comptroller and Auditor General in his management letters and other reports.

The Institute has an outsourced internal audit function which operates in accordance with the Code of Governance of Irish Institutes of Technology. The work of internal audit is informed by analysis of the risk to which the Body is exposed and annual internal audit plans are based on this analysis. The analysis of risk and the internal

audit plans are endorsed and approved by the Governing Body Audit and Risk Committee. At least once annually the Internal Auditors provide the Governing Body Audit and Risk Committee with a report of internal audit activity. These reports highlight any deficiencies or weaknesses in the system of internal control and the recommended corrective measures to be taken where necessary. The Audit and Risk Committee receives regular reports on the status of issues raised.

35. Review of the Effectiveness of the System of Internal Control (Section 3.4.4 IoTC)

Through the Internal Audit structure and reporting, the Audit and Risk Committee has conducted a review of the internal controls operating in the Institute and has reported on these with a confirmation that an appropriate control environment exists within the Institute. This confirmation is set out below:

- The Audit and Risk Committee reported on its activities for the year ended 31st August 2021 to the Governing Body on 6th October 2021.
- The Governing Body conducted a review of the effectiveness of the system of internal control for the year ended 31 August 2021 at its meeting of 6th October 2021.

36. Weaknesses in Internal Controls (Section 3.4.5 IoTC)

There were no weaknesses in Internal Controls identified during the period that are required to be reported.

37. Description of the action taken to correct weaknesses (Section 3.4.6 IoTC)

Area of Non-compliance or weaknesses in Internal Control	Actions to be taken to attain compliance or correct weakness	Due Date

Signed on behalf of the Governing Body:



David Holohan
Chairperson



David Smith
President

Dated: ___7th October 2021___

Appendix

IADT Internal Investigation Cases 2020/2021

IADT has in place Institute Grievance, Disciplinary and Mutual Respect Policies. These have all been approved following consultations, either sectorally or locally, with all of the trade unions. In accordance with these policies, IADT endeavours to resolve issues through informal processes outlined within these policies. In the small number of cases where such endeavours are not successful, IADT generally uses internal management resources and other internal resources for the purposes of investigations. A range of management team members and other supervisory staff have been trained to carry out such investigations. Where the use of internal resources is either not possible or is inappropriate, IADT engages professionally qualified external investigators for the purposes of investigations. A small number of these cases commenced prior to the period comprehended by this Statement and the details of these are outlined below. No new cases requiring the use of external investigators commenced within the period.

As part of our procedures, IADT retains the details of a number of professionals in this area together with their daily rate, professional qualifications and specific areas of expertise. In accordance with IADT's Procedures, IADT selects a number of these professionals as a panel for each case and these are proposed to all of the parties in the case and following agreement with the parties appoints from within that panel for the particular case. Some of the criteria used for selecting the panel are: area of expertise; potential conflicts or prior history and availability.

All Terms of Reference are agreed between the parties to any dispute and these are reviewed by the HR Manager and the President of the Institute. The President approves the commencement of all external investigations. Where it is considered appropriate, Terms of Reference may be referred for legal advice.

All cases are managed by the HR Manager in conjunction with the relevant line manager where appropriate. The costs and timelines associated with each case are managed and reviewed by the HR Manager with regular progress communications from the external investigator taking into account the confidential nature of the specific case. Regular updates and progress reports of each case are given to the President by the HR Manager.

Case 1

Mutual Respect Complaint/Interpersonal Relations

Terms of Reference: Investigate mutual respect complaint and make findings and recommendations

Investigation commenced July 2020; process completed April 2021 and solution agreed between both parties as set out by Investigator

Rosaleen Glacken – Workplace Relations Commission

Total Costs to date: €2,500.00

Case 2

Mutual Respect Complaint/Interpersonal Relations

Terms of Reference: Investigate mutual respect complaint (alleged sexual misconduct) and make findings and recommendations

Investigation commenced June 2021; process completed with no finding of sexual misconduct having occurred.

Rosaleen Glacken – Workplace Relations Commission

Total Costs to date: €2,500.00

Please note that all costs for all Investigations with the exception of meeting rooms are incurred by the investigator and recharged to the Institute.