

## **DÚN LAOGHAIRE INSTITUTE OF ART, DESIGN AND TECHNOLOGY**

### **Annual Governance Statement 2022/2023**

#### **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 10<sup>th</sup> January 2018.

#### **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 amended and as outlined within this Comprehensive Report unless otherwise stated.

#### **1. Code of Governance**

- (i) The Code of Governance of Irish Institutes of Technology 2018 as amended (the Code) has been adopted and procedures have been put in place to ensure compliance with the Code. This Code is in full compliance with the Code of Practice for the Governance of State Bodies 2016.

IADT status: Confirmed

#### **2. Code of Conduct for Members (Section 2.11.4(i) IoTC<sup>1</sup>)**

- (i) A Code of Conduct for Members was in place and implemented, and includes clear conflict of interest and ethics in public office policies.

IADT status: Confirmed

- (ii) IADT's Code of Conduct is a sectorally agreed Code and is contained within the Code of Governance of Irish Institutes of Technology 2018 as amended and was periodically updated. The Governing Body adopted the Code of Business Conduct for Governing Body Members on 1st September 2010 and reviewed and reaffirmed the Code on 5th May 2021.

IADT status: Confirmed

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<sup>1</sup> Code of Practice for the Governance of Institutes of Technology Code of Practice

- (iii) During the year in review, IADT had in place processes to provide reasonable assurance that the Code of Conduct was being complied with.

IADT status: Confirmed

### **3. Code of Conduct for Employees (Section 2.11.4(i) IoTC)**

- (i) A Code of Business Conduct for Employees was in place containing clear references and guidance for staff members in respect of conflicts of interest and ethics in public offices.

IADT status: Confirmed

- (ii) IADT's Code of Business Conduct for Employees is a sectorally agreed Code and is contained within the Code of Governance of Irish Institutes of Technology 2018 as amended and is periodically updated. The Governing Body adopted the Code of Business Conduct for Employees on 5<sup>th</sup> November 2014 and reviewed and reaffirmed the Code on 5<sup>th</sup> May 2021. IADT has a range of processes in place to monitor the provisions of this Code of Conduct.

IADT status: Confirmed

- (iii) During the year in review, IADT had in place processes to provide reasonable assurance that the Code of Conduct was being complied with.

IADT status: Confirmed

- (iv) During the year in review, the Code of Business Conduct for Employees included guidance to Employees on ensuring that any external work undertaken by the Employee does not impact on the performance of their core contracted duties.

IADT status: Confirmed

### **4. Commercially Significant Developments (Section 2.11.4(ii) IoTC)**

- (i) Any events of commercial significance or sensitivity during the reporting period have been reported to the HEA, however, there has been no requirement to make any such reports.

IADT has complied with the statutory provisions of the RTC Acts 1992-1999 as amended, the Institutes of Technology Act, 2006 as amended, the Technological Universities Act 2018 as amended and as is applicable to IADT and the HEA Act 2022 as is applicable to IADT.

The Institute has met its requirements for operating within a balanced budget at the end of December 2022.

The Institute has notified the HEA of a projected over-expenditure of €475k or 1.75% of its budget for 2023.

The Financial Statements for the year ended 31st August 2022 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.

IADT has previously notified the HEA regarding the significant building regulatory compliance deficits of the Quadrangle Building on Campus and these continue to apply.

The Governing Body acknowledges the commencement of the construction of the Digital Media Building through the PPP Process, IADT understands that this building will not be available until early 2025 at the earliest.

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.

IADT status: Confirmed

- (ii) IADT confirms that a record of any events of commercial significance or sensitivity has been included in the Institute’s regular reporting to the HEA (Form C). IADT can confirm that no such reports were required during the period.

IADT status: Confirmed

- (iii) IADT confirms that there was one investigation commenced during the period, which required the use of an external investigator. There were no complaints continuing from prior years and no complaints from prior years were concluded.
  - (a) Number of Investigations on internal matters: One (see Appendix A below)
  - (b) IADT confirms that the IADT Mutual Respect Policy was relevant to the investigation as listed in Appendix A
  - (c) IADT engaged the below listing of consultants during the period 2022/2023. As identified below, 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.

<b>Name of Firm/Consultant</b>	<b>Nature of Work</b>	<b>Duration</b>	<b>Total</b>	<b>Procurement Method e.g. tender, existing framework</b>
Arthur Cox	Legal	Sept. 2022 - May 2023	€1,136.13	OGP Framework (Direct Drawdown)
Gaye Cunningham	HR Consultancy	5 months	€4,428.00	IADT Procurement Process
Holmes O'Malley Sexton	Legal	November 2022	€1,851.15	IADT Procurement Process

**5. Pay & Pensions (Sections 2.6.1 and 2.11.4(iii) IoTC)**

- (i) Government Policy on pay, in particular in relation to the pay of for the President and employees of the Institute was complied with.

IADT status: Confirmed

- (ii) Government Policy on pensions was complied with.

IADT status: Confirmed

- (iii) Any pension agreements with the Higher Education Authority, Department of Education, Department of Further and Higher Education, Research, Innovation and Science or any other Government Department, were fully complied with.

IADT status: Confirmed

- (iv) IADT can confirm that no severance payments were made during the period, without the consent of the Department of Further & Higher Education, Research, Innovation & Science.

- (v) IADT can confirm that as no severance payments were made during the period the consent of the Department of Further and Higher Education, Research, Innovation and Science was not required and compliance with the requirements of Circular 09/2018: Consolidation of arrangements for the offer of severance terms in the civil and public service was not necessary.

IADT status: Confirmed

**6. Financial Reporting (Section 2.11.4(iv) IoTC)**

- (i) All appropriate procedures for financial reporting were carried out in line with the Code of Practice for the Governance of State Bodies as amended by the Code of Governance for Institutes of Technology.

IADT status: Confirmed

- (ii) An Annual Report, including abridged audited Financial Statements, in respect of the Institute's activities, has been published and is published annually.

IADT status: Confirmed

**7. Off Balance Sheet Transactions (BFRR)**

- (i) There have been no off-balance sheet transactions during the year other than as identified within the Financial Statements and/or reported to the Comptroller & Auditor General. We can confirm that there have been no off-balance sheet transactions during the period.

IADT status: Confirmed

- (ii) Nil

- (iii) IADT can confirm that as no off-balance sheet transactions have occurred, there has been no requirement to make a report to the HEA (Form C)

## **8. Trusts and Foundations**

- (i) IADT has not established any Trusts and/or Foundations and therefore the requirements of 8 (ii) and 8 (iii) are not applicable and the incorporation of such into the Institute's Financial Statements is not applicable.

IADT status: Confirmed

## **9. Internal Audit (Section 2.11.4(iv) IoTC)**

- (i) Appropriate internal audit arrangements are in place together with a comprehensive internal audit plan relevant to the size, risks and activities of the Institute.

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 was agreed between the Audit and Risk Committee and the Internal Auditor for the period 2022/2023, and will be agreed with the internal auditor for the period 2023/2024.

IADT status: Confirmed

- (ii) During the period 2022/2023, the internal auditors, Deloitte, carried out two internal audit reviews. The internal audit review reports were as follows:
  - a. Review of Procurement (December 2022)
  - b. Review of Business Continuity Planning (March 2023)

IADT can confirm that there were no findings in either of the reports that would require to be reported to the HEA.

IADT status: Confirmed

- (iii) The Governing Body considers that the number and scope of the internal audits to be appropriate to monitor the internal control environment as applicable to IADT.

IADT status: Confirmed

## **10. Procurement (Section 2.11.4(iv) and (ix) IoTC & Section 8.20 & 8.16 SC)**

- (i) Procedures were in place to ensure compliance with current procurement rules and guidelines as set out by the Office of Government Procurement. These procedures have been published to all relevant staff and are being adhered to. 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.

IADT status: Confirmed

- (ii) The services, frameworks and contracts of the Office of Government Procurement (OGP) and Education Procurement Service (EPS), were used wherever applicable and available.

IADT status: Confirmed

- (iii) A contracts database/listing for all contracts/payments in excess of €25,000 was maintained, with monitoring systems in place to flag non-compliant and/or non-competitive procurement.

IADT status: Confirmed

- (iv) The Institute's Corporate Procurement Plan continued to be developed and was adhered to during the period under review.

IADT status: Confirmed

- (v) IADT engaged with the EPS in respect of corporate procurement planning.

IADT status: Confirmed

(vi) **Details of Non-Compliant Procurement (above €25,000)**

- a. IADT confirms that the Institute 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.
- b. Not applicable – see above.

(vii) **Details of Non-Competitive Procurement (above €25,000)**

- a. The Institute has not engaged in any non-competitive procurement during this period.
- b. Not applicable – see above.

**11. Asset Disposals (Section 2.11.4(iv) IoTC)**

- (i) All appropriate procedures for asset disposals were carried out in the financial year.

IADT status: Confirmed

- (ii) There were no asset disposals over €150,000 carried out in the period under review other than as identified in the Financial Statements. IADT can confirm that no such disposals have taken place.

IADT status: Confirmed

- (iii) As confirmed above, there were no asset disposals and thus this section is not applicable.

IADT status: Not applicable

## **12. Management of Capital Proposals (Section 2.11.4(v) IoTC)**

- (i) The Institute confirms that IADT's policies and procedures for 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, relevant Circulars, and the Code of Governance of Irish Institutes of Technology 2018 as amended

IADT status: Confirmed

- (ii) Policies and procedures for the management of capital projects and property transactions are reviewed at least every 3 years and updated where appropriate.

IADT status: Confirmed

- (iii) Policies and procedures for the management of capital projects and property transactions have been approved via the appropriate governance structures of the Institution, and are subject to external review periodically.

IADT status: Confirmed

- (iv) All capital projects and property transactions were managed and delivered in compliance with Institution's approved policies and procedures as well as relevant principles, requirements and guidelines of the current Public Spending Code and the Capital Works Management Framework, relevant Circulars and Code of Governance.

IADT status: Confirmed

- (v) IADT confirms that it had no property related transactions or expenditure in excess of €2 million on land or buildings acquisitions.

IADT status: Confirmed

## **13. Travel Policy (Section 2.11.4(vi) IoTC)**

- (i) Government Travel Policy requirements were complied with in all respects.

IADT status: Confirmed

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

- (i) The requirements of the Guidelines on Achieving Value for Money in Public Expenditure, both current and capital expenditure, as set out in the Department of Public Expenditure and Reform Public Spending Code, were complied with.

IADT status: Confirmed

**15. Tax Laws (Section 2.11.4(viii) IoTC)**

- (i) IADT confirms that it was, to the best of its knowledge, in compliance with its obligations under tax laws.

IADT status: Confirmed

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

- (i) IADT confirms that it was not involved in any legal disputes with any other State agency.

IADT status: Confirmed

**17. Confidential Disclosure Reporting - Protected Disclosures Act 2014 (Section 3.1.1.17 IoTC)**

- (i) IADT confirms that a Protected Disclosures Policy containing Procedures in accordance with S.21 (1) of the Protected Disclosures Act 2014 was in place.

IADT status: Confirmed

- (ii) IADT confirms that it has published an Annual Report required under Section 22(1) of the Act; the report is available at: [IADT Protected Disclosures Annual Report to 30 June 2023](#)

IADT status: Confirmed

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

**18. Governing Body Meetings (Section 4.9 SC)**

- (i) The 7<sup>th</sup> Governing Body met on 8 occasions during the period 1<sup>st</sup> September 2022 to 31<sup>st</sup> August 2023. No Scheduled meetings were cancelled.

- (ii) All meeting of the Governing Body were quorate throughout each meeting.

IADT status: Confirmed

- (iii) The Governing Body Chair is satisfied that the number of meetings was sufficient to discharge the duties of the Governing Body.

IADT status: Confirmed

- (iv) The Governing Body did not meet during the period without the executive members or management in attendance. The Governing Body is satisfied that the absence of such meetings has not affected either the effectiveness of the operation of the Governing Body or the capacity of the Governing Body to meet its general governance responsibilities. The Governing Body confirms that it will schedule the necessary meetings during 2023-2024.

IADT status: Explained above

**19. Audit and Risk Committee Meetings (Section 4.9 SC & Section 1.13 ARCG)**

- (i) The Audit and Risk Committee met on 4 occasions during the period 1<sup>st</sup> September 2022 to 31<sup>st</sup> August 2023. No Scheduled meetings were cancelled. During 2022/2023, all Audit and Risk Committee meetings were held as fully incorporeal.
- (ii) The Governing Body is satisfied that the number of meetings of the Audit and Risk Committee as identified in (i) above to be an appropriate level of Committee engagement to carry out its duties.

IADT status: Confirmed

**20. Review of Governing Body Performance (Section 4.6 SC)**

- (i) The Governing Body conducted a review of its effectiveness at its meeting of 11<sup>th</sup> January 2023.

Each of the Governing Body Committees conducted a self-assessment of their effectiveness and reported on this to the Governing Body.

IADT status: Confirmed

- (ii) IADT confirms that an external review is generally commissioned at the during each term of the Governing Body. An external evaluation of Governing Body was planned for 2023/2024, however due to the termination of the 7<sup>th</sup> Governing Body in accordance with the HEA Act 2022, this external review of the 7<sup>th</sup> Governing Body did not occur. A full external review is now planned to take place during 2024.

IADT status: Explained above

- (iii) IADT confirms that the scheduling of internal/external reviews is included in the Governing Body annual workplan.

IADT status: Confirmed

**21. Data provided to the HEA**

- (i) The Institute has satisfied itself as to the integrity and robustness of any data on student numbers and courses provided to the HEA in the reporting period.

IADT status: Confirmed

- (ii) The Institute has satisfied itself as to the integrity and robustness of data on staff numbers provided to the HEA under the Employment Control Framework and as otherwise required.

IADT status: Confirmed

**22. Ending Sexual Violence and Harassment in Irish Higher Education Institutions**

- (i) The Institute confirms that it had in place a published Action Plan to Tackle Sexual Violence and Harassment.

IADT status: Confirmed

- (ii) The Institution confirms that it is implementing the institution's published Action Plan to Tackle Sexual Violence and Harassment.

IADT status: Confirmed

- (iii) Progress on the Institute's Action Plan to Tackle Sexual Violence and Harassment was regularly reviewed by the institution's senior management team and was reported to the institute's Governing Body.

IADT status: Confirmed

**23. Child Protection Policy**

- (i) IADT confirms that it had a Children and Vulnerable Adults Policy (compliant with the requirements of the Children First Legislation) in place as approved by the Governing Body on 6<sup>th</sup> February 2013 and amended on 9<sup>th</sup> December 2015 and 11<sup>th</sup> December 2019.

IADT status: Confirmed

**24. Disability Act 2005**

- (i) IADT confirms that the Institute has fully met 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 non-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 status: Explained above

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

- (i) Government guidelines on the payment of fees and expenses to members of Governing Authority members were complied with. 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. IADT confirms that all fees and expenses are published in the Institute's Annual Report.

IADT status: Confirmed

- (ii) 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.

IADT pays an honorarium of €285.00 to external Governing Body members in respect of interviews. In accordance with the provision of "One person, one salary", no payments are made to Governing Body members where the member concerned is also a paid public servant. All expenses are paid in accordance with guidelines and rates issued from time to time by the Departments of Finance and Public Expenditure and Reform.

IADT status: Confirmed

- (iii) One Governing Body Member received a payment in respect of attendance on an Interview Board for IADT as follows:

Peter O'Brien:	€285.00	Interview Board Honorarium
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## **26. Governing Body Gender Balance**

- (i) IADT's Governing Body membership for the year in review comprised a minimum of 40% representation of each gender in respect of the Ordinary Members.

IADT status: Confirmed

## **27. Subsidiaries of the Institute and interests in external companies (Section 1.9 (xvi) & 1.11 BFR)**

IADT confirms that the Institute has not established any subsidiaries, joint ventures, or taken any shareholdings or interests in external companies (spinouts, joint ventures and all other shareholdings in companies) and therefore sections (i) to (v) are not applicable.

- (i) See Above, this section is not applicable.

IADT status: Not Applicable

- (ii) See Above, this section is not applicable.

IADT status: Not Applicable

- (iii) See Above, this section is not applicable.

IADT status: Not Applicable

- (iv) See Above, this section is not applicable.

IADT status: Not Applicable

(v) See Above, this section is not applicable.

IADT status: Not Applicable

(vi) The Institution disclosed details of all shareholdings and interests held by the Institution in external companies (spin outs, joint ventures and all other shareholdings in companies) in the audited financial statements. IADT can confirm that there was no requirement for such disclosures.

IADT status: Not Applicable

(vii) IADT confirms that as there were no joint ventures/arrangements, including spin outs, joint ventures and all other shareholdings in companies established, as identified above, there was no resultant cost to the Exchequer for any financing or similar arrangements attaching to same.

IADT status: Not Applicable

(viii) IADT confirms that as there were no costs to the Exchequer, no reporting was required.

IADT status: Not Applicable

## **28. Intellectual Property (IP) and Conflict of Interest**

(i) IADT confirms that the Institute had in place a single IP policy which is published on its website, which reflects the National IP Management requirements of the national IP Protocol (IP-Protocol-Resource-Guide.pdf [knowledgetransferireland.com](http://knowledgetransferireland.com))

IADT status: Confirmed

(ii) IADT confirms that the Institute had in place comprehensive and appropriate Conflict of Interest Policy/ies, published contained within the Code of Conduct for Employees, published on its website.

IADT status: Confirmed

(iii) All IP commercialisation and conflicts of interest during the year in review were reported to The Governing Body.

IADT status: Confirmed

(iv) The Governing Body received the names of all spin-out companies from which the Institute has received revenue during the financial year from (i) equity sale, (ii) dividends, (iii) any milestone related (or similar) event not covered in (i) or (ii). IADT confirms that there were no arrangements made with spin-out companies during the period and that, therefore, there was nothing to report to the Governing Body in this regard.

IADT status: Confirmed

- (v) The Governing Body has satisfied itself as to the propriety of any benefits to staff arising from IP commercialisation, joint ventures, spin-out companies or similar.

IADT status: Confirmed

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

- (i) The Institute adhered to the principles of good research practice as set out in the HEA Framework.

IADT status: Confirmed

- (ii) Research practice is subject to regular audit every 5 years.

IADT status: Confirmed

**30. System of Internal Controls**

- (i) An effective system of internal financial control was maintained and operated in the reporting period.

IADT status: Confirmed

- (ii) The control environment was appropriate to the scale and complexity of the Institute.

IADT status: Confirmed

- (iii) A statement on the system of internal controls is included with the audited financial statements for the reporting period.

IADT status: Confirmed

- (iv) An annual review of the effectiveness of the system of internal control was undertaken in respect of the reporting period.

IADT status: Confirmed

- (v) This review was approved by the Governing Body within 3 months from the end of the reporting period.

IADT status: Confirmed

**31. IT Security**

- (i) The institution is satisfied that it had implemented adequate ICT Security measures and controls to ensure that the confidentiality, integrity, and availability of data and infrastructure was reasonably assured.

IADT status: Confirmed

- (ii) Adequate and appropriate ICT security policies and procedures were in place in the reporting period.

IADT status: Confirmed

- (iii) An ICT security risk assessment was completed in May 2022 and reports on risks and actions have been issued and reviewed by the Audit and Risk Committee during the period.

IADT status: Explained above

- (iv) Adequate controls and processes were developed and implemented to address the risks identified from this risk assessment.

IADT status: Confirmed

- (v) The role of an ICT security oversight committee is included in the remit and terms of reference of the Audit and Risk Committee.

IADT status: Confirmed

- (vi) ICT security audits (internal and external) are routinely carried out (at least annually) and recommendations implemented.

IADT status: Confirmed

- (vii) A clear framework is in place for assessment of the adequacy of the ICT security framework.

IADT status: Confirmed

- (viii) The result of such assessments, on the basis of reasonable assurance considerations.

IADT status: Confirmed

## **32. Risk Management**

- (i) The Institution had in place and implements a risk management framework with processes to identify, evaluate and manage new and existing business risks.

IADT status: Confirmed

- (ii) The Corporate Risk Register is reviewed and updated at least twice during the year. Risk Management was highlighted at all Governing Body, Audit and Risk Committee, Executive and Management meetings and recorded within the Minutes. A specific Risk Register is currently under development.

IADT Status: Explained above

- (iii) Appropriate policies and procedures were in place to mitigate the risks identified by the Executive.

IADT status: Confirmed

**33. General Governance and Accountability Issues**

- (i) As per the Oversight Agreement between the Institute and the HEA, the President kept the HEA informed, on a timely basis, of any governance issues, concerns, or major risks that arose for the Institute in the reporting period.

IADT status: Confirmed

- (ii) IADT confirms that there were no other Governance and Accountability issues to be reported for 2022/2023.

IADT status: Confirmed

**34. Disclosure of non-compliance, breaches in Internal Control, weakness in internal control and/or material losses or frauds, and actions to address (Section 3.4.5 IoTC)**

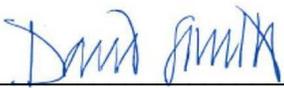
Other than as identified in this Statement and below, there were no weaknesses in Internal Controls identified during the period that are required to be reported.

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

Area of Non-compliance, breaches in Internal Control, weakness in internal control and/or material losses or frauds	Actions to be taken to correct non-compliance, breaches in Internal Control, weakness in internal control and/or material losses or frauds	Due Date

We confirm, on behalf of the Institute, that we are satisfied with the confirmations, explanations and information provided in this Annual Governance Statement return.

**Chairperson:**   
 \_\_\_\_\_  
**David Holohan**

**President/Provost/Director:**   
 \_\_\_\_\_  
**David Smith**

**Name of Institution: Dún Laoghaire Institute of Art, Design & Technology**

**Date:** \_\_13/12/2023\_\_

## Appendix A

### IADT Internal Investigation Cases 2022/2023

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:** Mediate mutual respect complaint and agree outcomes. Mediation commenced January 2023 and concluded May 2023 without resolution.

**Investigator:** Gaye Cunningham

**Total Costs to date:** €4,428.00