

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

### **Annual Governance Statement 2021/2022**

#### **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 has been put 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 is periodically updated. 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.

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 has been put in place and contains clear references and guidance for 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 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.

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.

The Institute has met its requirements for operating within a balanced budget at the end of December 2021.

The Institute has notified the HEA of a projected over-expenditure 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 has managed to continue to function and operate throughout the Covid-19 Pandemic, with the support, including financial, of the HEA

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 is aware of the plans to provide a new building through the PPP Process, IADT understands that this building will not be available until late 2024 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 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.
  - a. IADT Policies relevant to the investigation(s) in Appendix A to this Statement were Complaints Policy and Mutual Respect Policy.

IADT engaged the following consultants during the period 2021/2022:

<b>Name of firm/ consultant</b>	<b>Nature of work</b>	<b>Duration</b>	<b>Final cost</b>	<b>Procurement method e.g. tender, existing framework</b>
Arthur Cox	Legal Services	6 months	€12,068.51	OGP Framework (Direct Drawdown)
Beauchamps Solicitors	Legal Services	6 months	€141.45	OGP Framework
Bridgespan Ltd	HR Consultancy	6 months	€23,673.20	IADT Procurement Process
Clearstory Ltd	PR Consultancy	3 months	€615.00	IADT Procurement Process
Conway Communications T/A Hive Agency	Media/ Communications	3 months	€4,305.00	IADT Procurement Process
CrowleysDFK	Financial Consultancy	5 years	€4,354.20	Public Procurement Process (THEA/OGP)
Deloitte	Internal Audit	3 years	€21,460.45	Public Procurement Process (THEA/EPs)
Dorgan Associates	Economic Analysis	3 months	€1,599.00	IADT Procurement Process
Hilary Fennell	Website	1 year	€3,075.00	IADT Procurement Process



<b>Name of firm/ consultant</b>	<b>Nature of work</b>	<b>Duration</b>	<b>Final cost</b>	<b>Procurement method e.g. tender, existing framework</b>
Forum 21 Business Development Ltd	Student Support	1 year	€1,200.00	IADT Procurement Process
Greavy & Co.	Accountancy	3 years	€17,656.65	Public Procurement Process (OGP)
Inspiration Marketing	Design Consultant	3 months	€4,059.00	IADT Procurement Process
Invisio Ltd	Training	1 year	€1,080.00	IADT Procurement Process
Janie Lazar	Facilitator	3 months	€2,350.00	IADT Procurement Process
Lean Disruptor Ltd	Training	1 year	€2,940.00	IADT Procurement Process
Limelight Communications	PR Consultancy	1 year	€3,283.50	IADT Procurement Process
HJ Lyons	Design Architects	3 months	€59,212.20	IADT Procurement Process
O'Kennedy Consultancy	Charity Advice	3 months	€3,837.60	Combined Procurement Process (NCAD)
Optimum Ltd	Training	3 months	€1,850.00	IADT Procurement Process
Public Authority Pension Services Ltd	Pensions Advice	1 year	€2,988.90	IADT Procurement Process
ReVision Design Ltd.	Graphic Design	3 months	€953.25	IADT Procurement Process
Studio Unthink Ltd	Social Media	3 months	€442.80	IADT Procurement Process
Tara 365 Learning	Training	3 months	€6,998.70	IADT Procurement Process
Turley Communications	Marketing Consultancy	1 year	€1,200.00	IADT Procurement Process
VHI Corporate Solutions	Employee Wellbeing	4 year	€3,808.08	IADT Procurement Process
Videosonthenet	Website	3 months	€2,979.38	IADT Procurement Process
VM Digital	Website	3 months	€160.00	IADT Procurement Process

- b. 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.

- (iii) As indicated above IADT has remained compliant with the requirements to operate within budget and the Employment Control Framework as at 31<sup>st</sup> December 2021. IADT has notified the HEA, as at 31<sup>st</sup> March 2021, of a projected budget deficit of €257,000 or 1% for the year ended 31<sup>st</sup> December 2022. 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.

IADT status: Confirmed

## **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 is being complied with.

IADT status: Confirmed

- (ii) Government Policy on pensions is being 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, or any other Government Department are 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.

IADT status: Confirmed

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

- (i) All appropriate procedures for financial reporting are being 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.

IADT status: Confirmed

**8. Trusts and Foundations**

- (i) 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 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 has been agreed between the Audit and Risk Committee and the Internal Auditor for the period 2021/2022, and will be agreed with the internal auditor for the period 2022/2023.

IADT status: Confirmed

- (ii) During the period 2021/2022, the internal auditors, Deloitte, carried out two internal audit reviews. The internal audit review reports were as follows:
  - a. Review of Third Party Contract Management (November 2021)
  - b. Review of Cyber Security Controls (April 2022)
- (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 are 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), are used wherever applicable and available.

IADT status: Confirmed

- (iii) A contracts database/listing for all contracts/payments in excess of €25,000 is 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 is engaging 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.

(v) **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 €150,00 carried out in the period under review other than as identified in the Financial Statements.

IADT status: Confirmed

**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, and relevant Circulars, 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 are 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 has 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 are being 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, are being complied with.

IADT status: Confirmed



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

- (i) IADT confirms that it has, to the best of its knowledge, complied 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 is 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 is 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 2022](#)

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 10 occasions during the period 1<sup>st</sup> September 2021 to 31<sup>st</sup> August 2022. No Scheduled meetings were cancelled. During 2021/2022, a number of Governing Body meetings were held as fully incorporeal due to the continuing response to the Covid-19 pandemic. Hybrid meetings were held from March 2022.

- (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 met on two occasions during the period without the executive members or management in attendance.

**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 2021 to 31<sup>st</sup> August 2022. No Scheduled meetings were cancelled. During 2021/2022, all Audit and Risk Committee meetings were held as fully incorporeal due to the continuing response to the Covid-19 pandemic.
- (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 an annual review of its performance and effectiveness at its meeting of 15<sup>th</sup> June 2022. Reviews of each of its Committees are being conducted initially by the Committee and being reported to the Governing Body.

IADT status: Confirmed

- (ii) IADT confirms that an external review is commissioned at the middle and end of each term of the Governing Body. An external evaluation of Governing Body is planned for 2023/2024.

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.

IADT status: Confirmed

- (ii) 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 status: Confirmed

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

- (i) The Institute confirms that it is implementing appropriate institutional structures, policies and processes, which will support the achievement and monitoring of the outcomes of Safe, Respectful, Supportive and Positive – Ending Sexual Violence and Harassment in Irish Higher Education Institutions (the 'Framework for Consent') as per the institution's published Action Plan to Tackle Sexual Violence and Harassment.

IADT status: Confirmed

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

IADT status: Confirmed

### **23. Child Protection Policy**

- (i) IADT confirms that it has 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 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 status: See 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 are being 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. The details of such payments are set in Section 17 above. IADT confirms that all fees and expenses are published in the Institute's Annual Report.

IADT status: Confirmed

- (ii) 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.



- (iii) The following Governing Body Members received payments in respect of attendance on Interview Boards for IADT, no other member of the Governing Body received payments:

Dr Fionnuala Anderson	€570.00	Interview Board Honorarium
Cllr. Anne Ferris	€285.00	Interview Board Honorarium

## 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. Nine female members (53%) (up until June 2022), Eight female members (47%) (from June to August 2022), and seven male members (41%). Once vacancy existed up to June 2022, with two vacancies from June to August 2022.

IADT status: Confirmed

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

IADT confirms that the Institute has not established any subsidiaries and therefore sections (i) to (iv) are not applicable.

- (i) Any subsidiary of the institution (or subsidiary thereof) continues to operate solely for the purpose for which it was established and remains in compliance with the terms and conditions of the consent under which it was established.

IADT status: Not Applicable

- (ii) An appropriate code of governance is in place in respect of trading subsidiaries (i.e. subsidiaries with annual turnover and employees), and annual statements provided to the Governing Authority, and the Board has received a formal report of compliance from the Chairperson of the Board of each subsidiary.

IADT status: Not Applicable

- (iii) The Governing Body was satisfied with the confirmations, explanations and information provided in the formal reports of compliance of each subsidiary.

IADT status: Not Applicable

- (iv) 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 status: Not Applicable

- (v) There was no cost to the Exchequer for any financing arrangements attaching to any joint venture or other similar arrangements (including loans, dividends or other forms of funding provided by the HEI at the point of establishment of the joint venture / arrangement and thereafter)

IADT status: Not Applicable

## **28. 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 National IP Management requirements of the national IP Protocol (IP-Protocol-Resource-Guide.pdf [knowledge-transferireland.com](http://knowledge-transferireland.com))

IADT status: Confirmed

- (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.

IADT status: Confirmed

- (iii) The Governing Body has been made aware of all IP commercialisation and conflicts of interest during the reporting period.

IADT status: Confirmed

- (iv) The Governing Body received the names of any 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 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 has adhered to the principles of good research practice as set out in the HEA Framework.

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 has implemented adequate ICT Security measures and controls to ensure that the confidentiality, integrity, and availability of data and infrastructure was assured.

IADT status: Confirmed

### **32. Risk Management**

- (i) The Institution has 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.

IADT Status: Risk Management is 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.

- (iii) Appropriate policies and procedures are 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 has 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 2021/2022.

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 or weaknesses 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:



## **Appendix A**

### **IADT Internal Investigation Cases 2021/2022**

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**

General Complaints Policy

Terms of Reference: Investigate complaint under the General Complaints Policy

Process: Investigation completed in April 2022 and a solution was agreed between both parties as set out by the Investigator

Investigator: Michael Stirling – Bridgespan

Total Costs to date: €19,875.57 (inclusive of VAT @ 23%)