



Submission on Legislative Proposals for the Reform of the Higher Education Authority Act, 1971 and Consultation Report and Response of the Department of Education and Skills.

The Union of Students in Ireland (USI) is the sole representative body for students in Ireland and represents 374000 students in over thirty member colleges across Ireland, North and South. Throughout its history, USI has worked relentlessly in the pursuit of student rights in all areas of the student experience. The goal of USI is to work for the rights of students and a fair and equal third-level education system in Ireland.

USI is a full member of the European Students' Union (ESU) which represents students from 46 National Students' Unions in 39 countries, and a member of Eurodoc, the European Council for Doctoral Candidates and Junior Researchers.

As outlined in the call, the priority objectives under the proposed new legislation include:

- promote and safeguard the interests of students
- maintain and enhance the reputation of the higher education sector
- re-constitute Higher Education Authority (HEA) as Higher Education Commission with new statutory responsibilities, including regulation and oversight of private higher education bodies

With those three topics in mind, the Union of Students in Ireland (USI) has laid out the points of which it believes are positive within the proposed legislation coupled with the points that cause USI concern.

USI was pleased to see that the legislation outlines the importance of having the needs of the student body as an integral element of its work. This is clear to USI from point 8(a) *to provide that, as far as practicable and having regard to resources available, the needs of the student shall be a primary consideration.*

We believe that the legislation can placed further emphasis on the needs of the student in later sections such as the agreement with Solas and when considering the size and composition of the HEC Board.

USI welcomes the recognition of the value of higher education and higher education research and the positive impact it has on society. USI strongly believes that higher education is a key driver of societal and economic change which has been confirmed in

many reports such as the Indecon Assessment of Economic and Social Impact of Irish Universities¹. USI welcomes the reinforcement of this belief throughout the legislation.

USI understands that research and teaching and learning are inextricably linked and USI believes it is important to give recognition to that within the legislation. USI welcomes the outline of the Irish Research Council (IRC) as a statutory body within the legislation but places a question over the language used within the proposed legislation to describe the research undertaken at the IRC/HEC. Section 9 (m) states

Conduct research on higher education and issues related to higher education as appropriate.

USI does not believe that is an accurate reflection of the research conducted by the IRC or HEC.

USI notes with great concern that the Department of Business and Innovation is referenced on multiple occasions as the lead in the area of research. USI recognises the valuable research agenda undertaken by the Department of Business and Innovation and other bodies and wishes to see that continue. USI concludes that all parties can continue with the individual research agendas pertaining to it without appointing a lead party to oversee, influence or have any authority over another.

The functions and authority outlined within the proposed legislation are welcomed by USI, in particular, regarding good governance while recognising institutional autonomy. USI believes it is important to state the HEC is an independent body and has the necessary powers to carry out its functions.

USI recognises the importance of linking with international higher education systems to achieve a number of different goals which is a welcome inclusion in the proposed legislation. The student experience is richly improved through diversity facilitated by student mobility. Internationalisation leads to great opportunities for students and higher education institutions but we must always be mindful of the costs associated with internationalisation, particularly for students outside of the EU/EHEA.

The development of a HEC strategy is important to include in the proposed legislation. The three focuses outlined are welcomed by USI. The inclusion of environmental goals in the HEC strategy development is very positive. The Higher Education sector has a duty to ensure it is conscious of its impact on the environment and should take steps to reduce its negative effect and promote innovative ways to improve. Higher Education has a role to ensure the preparedness of the sector, community and students to address these environmental goals. USI is concerned that there is currently no reference to engaging with student representation when developing this strategy and believes this should be amended. Inclusion of a specific reference to engaging with the national student representative body when developing this strategy will ensure the students, who are ultimately the largest group who will be directly affected as a result of this strategy, are considered when developing this strategy.

¹ Indecon Independent Assessment of Economic and Social Impact of Irish Universities. Available at: <https://www.knowledgetransferireland.com/Reports-Publications/Indecon-Independent-Assessment-of-the-Economic-and-Social-Impact-of-Irish-Universities-Full-Report-.pdf>

Section 41 outlines that HEI's will provide the HEC with a strategic development plan with updated statements to be provided every three to five years. USI welcomes this but believes it is important that a point similar to 8 (a) is specifically included in the points the strategic development plan shall specify. Ensuring the student needs are at the core of the strategic development of HEI's is imperative and should be expressly stated as such by HEI's.

USI is most deeply concerned about the proposed size of the Board of the HEC. USI agrees with the position of the HEA, the Board should consist of twelve people and that the composition of the board within the legislation includes a representative nominated by a recognised national students' union. USI believes that they board should have more people with varied experience in the area of higher education to bring different opinions to the Board. USI would be concerned that a Board of nine people is too small to make important strategic decisions for the direction of higher education in Ireland.

Part IX of the proposed legislation related to amendments to current legislation. One topic that is of importance to USI relates to the size and composition of Governing Bodies and Academic Council. USI notes it is essential that students are represented on all Governing Bodies and Academic Councils of institutes of higher education, as outlined in the legislation. USI believes that at a minimum the Students' Union President and their nominee remain to have a seat on the Governing Body under the amended legislation. USI would welcome the addition of a postgraduate student representative on the Governing Body and Academic Council in all such institutes of higher education.

USI would welcome further discussion on section 59 of the proposed legislation. USI believes the need for provision of student places should be based on the number of students wishing to attend higher education. USI would like to know how the HEC would develop their advice for the Minister on this matter.

The Union of Students in Ireland as a representative body of over 374,000 students across the island of Ireland plays a valuable role in ensuring the higher education sector is one that recognises and values student partnership. Ensuring student partnership is embedded across all levels and areas of the sector is of paramount importance to USI. USI believes in the economic and social good achieved by an excellent higher education system. A focus on quality and innovative teaching, learning and research is vital to ensuring students are gaining a holistic education in a strong and supportive environment.

This is an extremely important time for higher education and the proposed HEC. USI would welcome the opportunity to engage in further discussion with the Department during the drafting of this legislation.