



## **QUALITY ASSURANCE/QUALITY ENHANCEMENT**

### **OFFICE OF CORPORATE & LEGAL AFFAIRS PEER REVIEW PANEL REPORT**

***ACADEMIC YEAR 2017-18***

***MARCH 2018***

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### List of Panel Members

Name	Position/Discipline	Institution
<b>Dr Peter Coulahan</b>	Safety, Insurance, Operational Risk and Compliance (SIRC) Manager	University College Dublin
<b>Mr John L. Duffy</b>	Chief Operating Officer	London Metropolitan University
<b>Ms Kate Moriarty</b> (Student Reviewer)	Postgraduate, School of Applied Psychology	University College Cork
<b>Ms Kate O'Brien</b>	College Manager, College of Science, Engineering and Food Science	University College Cork
<b>Professor Patrick O'Donovan</b> (Chair)	Professor of French, School of Languages, Literatures & Cultures	University College Cork
<b>Dr Veena O'Halloran</b>	University Secretary & Compliance Officer	Strathclyde University
<i>Ms Deirdre O'Brien</i>	<i>Panel Secretariat, Quality Enhancement Unit</i>	<i>University College Cork</i>

### Methodology

The composition of the Panel brought together national and international expertise and the involvement of a student as a full Panel member provided a valuable student perspective. The Report was compiled collaboratively; the entire Panel contributed to the production of the final Report. Secretariat support from the Quality Enhancement Unit (QEU) was provided to the Peer Review Panel throughout, to facilitate the conduct of the review and support the Panel in formulating and agreeing the final Report.

### Site Visit

The Panel met over three days from 30 January to 1 February 2018 (the timetable of the site visit is attached as Appendix 1). The site visit was well organised, and the timetable allowed for comprehensive engagement with senior officers and staff from across the University, Governing Body (GB) members, including, the Chair of GB and the President of the Students' Union, and external stakeholders.

## **Self-Evaluation Report (SER)**

The Panel found the Self-Evaluation Report (SER) to be an excellent example of a methodical and clearly laid-out SER. It provided clear information on the operations of the distinctive functions within the Office of Corporate & Legal Affairs (OCLA). The Panel commended the frank and informative nature of the SER and the supportive nature of the appendices provided. The Panel did note that there was a mainly staff and research operational focus to the SER and the strategic and student dimension of the work of the OCLA could have been developed and reflected upon further in the SER narrative.

The SER Committee appeared to be well-coordinated; preparation was done on a project management basis and involved a consultation process with OCLA staff, a UCC staff survey, a previous Governing Body (GB) effectiveness review, SWOT and benchmarking analysis. The GB effectiveness review was commended by the Panel as extremely informative. Findings from all these consultations were integrated in the SER and contributed to the overall self-evaluation and recommendations. The recommendations are considered and offer scope to strengthen OCLA's engagement with students and staff across the University and to support units across the University in pursuit of enhanced strategic readiness and improved operational capacity.

### *UCC Staff survey*

The Panel commended OCLA for their UCC staff survey which produced a wealth of information. The inclusion of all responses to the staff survey in an unadulterated form is also to be commended.

### *Benchmarking*

OCLA engaged in a comprehensive desktop exercise in order to identify a suitable benchmarking institution. Following an extensive analysis of many different Universities based within Ireland, the UK and in Europe, the University of Dundee was selected, as it has very similar functions and structure to OLCA, with similar staffing levels, and because of its international ranking. The outcomes of the benchmarking were comprehensive and used to good effect in the SER.

### *SWOT Analysis*

An away day was held off-campus and facilitated by an external, experienced facilitator. A previously filled-in staff questionnaire helped proceedings. The Panel commended the work done to produce a comprehensive and searching SWOT analysis.

## **Overall Analysis**

The Panel was impressed with the professionalism of the staff of OCLA and heard much evidence that staff are to be commended for their dedication and work ethic, and for the informed expertise they bring to bear on the work of the University. Senior officers and staff from across the University were warm in their praise for the commitment, sensitivity and professionalism of staff; OCLA staff are respected and trusted by the University community. The Panel also received eminently satisfactory evidence of productive working relationships

with external stakeholders, some of whom testify to standards of performance and expertise at the forefront of peer institutions nationally.

Much of the work of OCLA straddles the spheres of management and governance. The Panel would urge that across OCLA as a whole the distinct responsibilities that arise from this dual role be kept closely in view, both from a strategic and an operational point of view.

The University has a relatively large management team, a factor that allows the full range of relevant considerations to be brought to bear on deliberation and decision making. OCLA has a central role in facilitating informed assessment of context and risk and in the effective appraisal of the balance between innovation and the protection of the institution. The contribution of OCLA spans several kinds of counsel, e.g. legal advice, as distinct from risk assessment. OCLA has a many-sided role: it supports and participates in decision-making; it also plays a part in recording and formalising decisions, and in facilitating engagement between Governing Body and the leadership and management of the University. OCLA can be self-confident in its engagement with the other main parts of the University: this is a good basis on which to engage with the priorities and points of view that others in the University Management Team (UMT) and further afield bring to bear, as they must, on deliberation and decision making. Self-monitoring on the part of OCLA is important: the office serves the University well when its advice carries the right weight in context, the quality of good decision-making being a collective responsibility, notably so at UMT level. It is indeed important to give due weight to context when giving advice, given that judgement calls, whether on the part of UMT as a whole or its individual members in their areas of responsibility, are rarely entirely clear-cut. The role of OCLA to advise and guide should not be confused with the separate functions of senior management to make decisions and drive innovation.

OCLA, Finance and Human Resources comprise an important group of central services, all of which provide advice and support to UMT. The Panel recommends that these offices jointly consider the optimal approach to the range of advice, collectively and separately, to be provided and its impact, to support UMT and the University more widely in effective decision-making and strategic risk-taking in context. A shared framework of understanding on how these areas interact with the Colleges and other central functions would also be beneficial.

The Panel received strong positive feedback from Governing Body (GB) members and GB remains constructively engaged with OCLA. The quality of support provided was commended. The Panel recommends that OCLA takes a role in educating the voting constituency on the role and responsibilities of the elected internal representatives within GB. The Panel also recommends that training be expanded to include targeted training for members who take up position during the course of the GB term of office (for example, Students' Union officers) and mandatory training for Chairs of GB sub-committees. The Panel was informed that a new IUA code of governance is being developed and this will be taken as an opportunity to evaluate and review GB structures. The Panel noted the view of some of the external members that GB should consider externalising their focus; working

with other offices as appropriate, OCLA should work to anticipate the kinds of support GB may require in pursuing this objective.

Areas such as Risk Management and Health and Safety are culturally well embedded within the University and the opportunity now exists to leverage this cultural receptiveness and utilise the expertise of OCLA to move risk management and health and safety operations to the next level, where the assessment of safety, risk and opportunity are seamlessly embedded in strategic deliberation and action. There is evidence that at some levels in the University, Risk Management is heavily weighted towards compliance, a factor that may unduly limit risk appetite. The advice of the Panel is that the risk register could be balanced with an opportunity register and that the concept of risk management as a tool to identify and exploit uncertainties and the associated opportunities be communicated to the wider University community.

The Health and Safety Office is to be commended for its role in fully embedding a culture of occupational health and safety compliance and awareness within the University. The Panel was cognisant of the fact that this is an under-resourced area and extra resources may be required to enable the office to service the complete health and safety needs of the University community, including the student body. The Panel recommend that Health and Safety expand and move from a focus on compliance towards a focus on the enabling, guidance and support functions that are required across the University.

The Panel noted the level of dissatisfaction among UCC staff regarding the annual health and safety reporting process currently in place and recommend that it is reviewed against LEAN principles. This will also facilitate effective use of reporting procedures in sustaining and developing leadership across the University in this key area of responsibility. A development of the Health and Safety service is required also to ensure that the health and safety needs of the student community are being met, a particular concern for the Panel. The Panel heard of plans to secure a post focused on the health and safety needs of students and recommends that this resource is integrated into the current H&S Office. This resource would ensure continuity between fixed-term sabbatical Students' Union officers.

The Panel noted that differing opinions on both the status of student groups and their activities within the University were expressed during the course of the review. It is recommended that the status of student groups and activities within the university be clarified in the context of OCLA interaction and involvement in areas such as risk management, insurance, health and safety, etc. This is recommended for the purpose of clarification but also to ensure a focus on a whole community approach to staff and student matters.

## **Findings of the Panel**

### **Unit details including staff profile**

OCLA, as currently constituted, has been in place since May 2008. OCLA is a central administrative office of the University with responsibility for the management of the Governing Body, Secretariat, Corporate Governance, Statutes and Regulations, Legal Affairs, Insurance, Policies, Information Compliance, Archives and Records Management, Occupational Health and Safety, Risk Management, Emergency Management and Business Continuity Planning and Subsidiary Companies.

OCLA is structured into six clear and distinct areas; Secretariat and Administration; Legal Services; Information Compliance; Risk Management, including Business Continuity Planning; Archives and Records Management; and Health and Safety.

At the time of the previous quality review in 2009, OCLA was a relatively small office consisting of nine staff; OCLA has since increased in size to nineteen staff members. The scale and scope of the workload of the office has increased in that period. A Risk Manager was appointed as a result of a recommendation from the previous quality review. The previous quality review also recommended that an additional solicitor be recruited. Since then, the increase in demands on the legal service due to factors such as an increase in research activity and commercialisation within the University has seen the number of in-house solicitors increase to five.

Internal communication within OCLA appears to be supportive and works well at an operational level. The Panel noted the effective use of regular internal meetings to ensure the cohesive delivery of support to the University.

The Panel heard of excellent engagement from across the University with areas such as Information Compliance, Insurance and Archives; the development and delivery of such services is of vital importance to the University although they are not often in the spotlight.

### ***Strategic planning***

The Panel recommends that OCLA clarifies its strategic aims and objectives and articulates its full strategic contribution to the University.

### ***Breadth and depth of stakeholder reach***

Contact with members of Governing Body appears to be positive. The Panel noted the view of members that GB would benefit from adopting a more external focus and extending its reach to engage more widely with external stakeholders.

OCLA demonstrates strong engagement with external policy drivers and is leading the field in a number of areas, e.g. clinical research compliance.

### ***Internal communication, engagement and impact across the University***

Feedback from internal stakeholders on the subject of communication was varied and while OCLA collaborate individually at a high level, there appears to be little knowledge of how the different areas within OCLA interconnect. The Panel heard of communication mechanisms such as the informal meetings with College Managers and the legal partnerships with Tyndall. Such examples of intra-University co-operation and communication are to be commended. Future potential collaboration alongside other main central offices should be explored further.

### ***Student support/impact***

The student voice was notably absent within the SER and this perhaps reflects an absence of focus within the OCLA on student issues. There is an opportunity to enhance student engagement and a more inclusive community approach would benefit the University.

There appears to be an institutional lack of clarity with regard to the liability for student clubs and societies. The Panel recommend that the legal position and framework for collaboration with student clubs and societies is clarified.

### ***Staff development and workload***

It was evident to the Panel that workloads are heavy, with staff working at capacity. The Panel noted that the Deputy Corporate Secretary post is due to be filled shortly and that reporting relationships are in the main to the Deputy Corporate Secretary; this arrangement will help to ensure that the Corporate Secretary can maintain the capacity to fulfil the strategic role that the post requires.

The Panel noted that some important functions are operating one person deep and are potential critical points of failure and suggest the OCLA consider a closer working alliance between some areas to minimise risk in that regard, e.g. between insurance, risk management and safety. Increasing cross functionality would alleviate such concerns and also encourage closer working relationships.

The Panel would encourage OCLA to focus on its clarity of mission and avoid becoming over-extended through involvement in initiatives that may also involve other central services and thereby increase the pressure on the office. OCLA should be rigorous in maintaining its priorities and its own risk assessment in this regard.

### ***Local quality assurance and enhancement activities, including those for feedback and evaluation of services***

OCLA appears to be responsive to feedback. The Panel agrees with OCLA's own assessment that it needs to continue to monitor performance in regard to delays on research contracts, although the delay in the process is often to be found elsewhere in the University



The Panel recommends that a thematic review of cross-cutting issues arising from quality review takes place at UMTS level as a way of aligning the outcomes of service area reviews with the ongoing strategic annual cycle and identifying relevant enhancement projects to enable more effective collaboration.

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### **Recommendations for Enhancement by OCLA**

For the most part, the Panel endorses the OCLA recommendations as set out in the SER. However, the Panel recommends that OCLA reflects on its strategic priorities and reconsiders its recommendations in that light.

The recommendations should be re-organised in light of strategic priorities for OCLA; OCLA should also consider how each recommendation adds value. The Panel also recommend that the recommendation pertaining to a self-service option on the website be risk assessed.

### **Recommendations for Enhancement by the Panel**

#### ***Recommendations for the University***

- The Panel recommends that UMT considers the optimal approach as to the range of advice to be provided to it and other parts of the University by OCLA (along with Finance and HR), so as to support UMT and the University more widely in effective decision-making and strategic engagement with risk and opportunity in context. It is also recommended that the impact of such advice be monitored over time to ensure the continuing quality enhancement of this key role.
- The Panel recommends that a thematic review of cross-cutting issues arising from quality review takes place at UMTS level as a way of aligning the outcomes of service area reviews with the ongoing strategic annual cycle and identifying relevant enhancement projects to enable more effective collaboration.

#### ***Recommendations for OCLA***

##### ***OCLA role and objectives***

- The Panel recommends that the strategic role and key strategic contributions of OCLA to the University are clearly defined.
- The Panel recommends continued collaboration between OCLA, Finance and Human Resources in two areas: (1) as units providing advice and support to UMT in the context of decision-making and (2) as units with a role in sustaining a shared framework for effective interactions with the Colleges and other central functions.
- The Panel recommends that OCLA develops a priority agenda and clear delineation of its functions in order to ensure that the operational focus and efforts remain on the University's strategic priorities as these evolve.

- The Panel recommends that work in Risk Management be further developed to optimize a sustained level of strategic engagement with risk, and that consideration be given to developing opportunity registers alongside risk registers.
- The Panel recommends that the legal position and framework for collaboration with student clubs and societies is clarified.
- The Panel recommends that the value proposition brought to University operations by the various areas of the OCLA be better communicated to the wide University community, alongside the regulatory boundaries within which the OCLA must operate, so that the wider University community has a better understanding of the role and function of the OCLA.

#### *Health and Safety*

- The Panel recommends a reappraisal of the role of the Health & Safety Office in light of current University needs. This should focus on the remit of the office in terms of a reorientation towards a service model which could increase the enabling function of the office to support staff across the University to manage and fulfil health and safety requirements locally. The Panel recommends that Health and Safety expand and move from a focus on compliance towards a focus on the enabling, guidance and support functions that are required across the University.
- The Panel recommends that the health and safety annual reporting process is reviewed against LEAN principles with a view to streamlining the process.
- The Panel recommends that the proposed new post focused on student health and safety is amalgamated into the Health and Safety team to ensure that the University takes a holistic view of health and safety on campus.

#### *Governing Body*

- The Panel recommends that OCLA take a role in educating the voting constituency on the role and responsibilities of the elected internal representatives on GB.
- The Panel recommends that GB training be expanded to include targeted training for members who take up position during GB term of office (for example, Students' Union officers) and mandatory training for Chairs of GB sub-committees.

## Appendix 1 – Site Visit Timetable

<b>Tuesday 30 January 2018</b>	
12.00 – 13.30	Convening of Panel members. <i>Briefing by Director of Quality Enhancement and Panel Secretariat, Quality Enhancement Unit</i>
13.30 – 14.30	Private meeting of Panel <i>Panel agree issues to be explored in meetings</i>
14.30 – 15.15	Meeting with Corporate Secretary <i>Discussion regarding developments to date, strategic priorities of OCLA and overview of provision.</i>
15.30 – 16.00	Private meeting of Panel <i>Panel agree tasks and prepare for meetings</i>
16.00 – 16.50	Meeting with OCLA staff
17.00 – 18.00	Meeting with Governing Body members
19.00	Informal dinner for the Panel & staff members of OCLA

<b>Wednesday 31 January 2018</b>	
08.45 – 09.00	Convening of the Panel
09.00 – 09.45	Meeting with Chair, Governing Body (conference call)
09.45 – 10.15	Meeting with College Managers (or nominees)  College Manager, College of Arts, Celtic Studies & Social Sciences College Manager, College of Business & Law Financial Analyst, College of Science, Engineering and Food Science
10.30 – 11.00	Conference call with external Governing Body members Chairperson, GB Strategy & Innovation Committee Chairperson, GB Audit Committee
11.00 – 11.30	Private meeting of the Panel
11.30 – 12.30	Meeting with University Management Team members Chief Financial Officer/Bursar Vice President for Research & Innovation Vice President for External Relations Vice President for Teaching & Learning Head of College of Science, Engineering and Food Science

12.30 – 14.00	Private meeting of the Panel
14.00 – 14.45	Meeting with University Management Team members  Acting Head, Student Experience Director, Human Resources Director, Buildings and Estates
15.00 – 15.45	Meeting with UCC staff members  Representative from Room Bookings, Buildings and Estates Representative from Office of the Director of Building and Estates Director, UCC Research Support Services, OVPRI Academic Secretary (member of UMT) Procurement Officer
15.45 – 16.00	Meeting with University Management Team member  Head, College of Business and Law
16.00 – 16.15	Private meeting of the Panel
16.15 – 17.00	Meeting with UCC staff members  Head, Student Health Department Office Manager, President's Office Director, IT Services Representative from Internal Audit Office General Services Officer Deputy Director, Department of Sport & Physical Activity P.A. to the Vice President for Teaching and Learning
17.00 – 17.30	Conference call with external stakeholders  Chief Operating Officer, Health Research Board Clinical Research Representative from Coordination Ireland (HRB CRCI) Representative from Willis Towers Watson, Willis Risk Services (Ireland) Chief Executive, Clinical Research Development Ireland Head of Client Enterprise Risk Management Services, IPB Insurance
17.30 – 17.45	Meeting with Head of Strategic Programmes, Tyndall National Institute
19.00	Working private dinner for members of the Panel to commence drafting the report.

<b>Thursday 1 February 2018</b>	
08.45 – 09.00	Convening of the Panel
09.00 – 09.45	Meeting with President (conference call)

10.00 – 10.45	Meeting with Corporate Secretary <i>Clarification and discussions of main findings by Panel.</i>
10.45 – 11.50	Private meeting of Panel
12.00 – 12.30	Exit presentation by the Panel to OCLA staff members
12.30 – 14.30	Further work on drafting the final report