

Technological University Dublin Governing Body

MINUTES

MEETING 49: Wednesday 8th May 2024 (10.00 – 13.00)

PRESENT: Dr C Larkin (Chair), Professor J Doran (interim President), Dr M Carr, Ms M Cooke, Mr M Gately, Mr W Johnston, Mr B Jordan, Ms L Kavanagh, Ms P Kelly, Dr E Maher, Ms A O’Toole, Ms S A Sherry, Ms L Shoemaker

Electronic Attendance:

Dr N Burns, Ms C Clune-Mulvaney, Mr C O’Donovan, Mr B Ó Mhurchú

APOLOGIES: Mr E O’Shea, Ms A Meya

IN ATTENDANCE: Ms B Elliott (University Secretary and Head of Governance and Compliance)
Dr M Meaney (University Registrar & Deputy President), Mr D Murphy (Chief Operations Officer)

SECRETARIAT: Ms Y Cooke, Ms M Holden, Ms S Hughes,

DOCUMENTATION:

Documentation circulated prior to meeting

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| 1. | 49.A.02 | Draft Agenda Governing Body Meeting 49 (8 th May 2024) |
| 2. | 49.A.04 | Amended draft Minutes Governing Body Meeting 44 (21.02.24) |
| 3. | 49.A.05 | Draft Minutes Governing Body Meeting 46 (27.03.24) |
| 4. | 49.A.06 | Draft Minutes Special Governing Body Meeting 47 – S64/Ardú Committee Update 2 (10.04.24) |
| 5. | 49.A.07 | Draft Minutes Special Governing Body Meeting 48 – S64/Ardú Committee Update 3 (18.04.24) |
| 6. | 49.A.08 | Governing Body Action Log (29 th November 2023) |
| 7. | 49.A.09/10/11 | Correspondence Relevant to Governing Body/ Parliamentary Questions (PQ’s) |
| 8. | 49.A./12 | HEA Correspondence |
| 9. | 49.A.13 | Code of Practice for the Governance of State Bodies: Decision of HEA Board (28.03.24) |
| 10. | 49.B.02 | Proposal to Increase Fees for Postgraduate Research Programmes |
| 11. | 49.B.03 | TU Dublin Draft Charities Annual Report 2023 |
| 12. | 49.B.04 | Updated Terms of Reference for Governing Body Committees (ARC, EDIC, FPC) |
| 13. | 49.B.05 | Draft Travel, Subsistence and Expense Policy 2024 |
| 14. | 49.B.06 | Provision of Security Services for TU Dublin |
| 15. | 49.B.07 | Provision of ICT Implementation and Consulting Services (EduCampus Framework) |
| 16. | 49.C.01 | University Executive Report |
| 17. | 49.C.02 | Strategic Plan Report 1 – TU Dublin Annual Report 2023 (Draft 1) |
| 18. | 49.C.03 | Strategic Plan Report 2 – HEA Performance Agreement (Draft 2) |
| 19. | 49.C.04 | Engagement Staff Survey Overview – Phase 1 |
| 20. | 49.D.03 | University Seal Register Report (11 th March 2024) |
| 21. | 49.D.04 | Electronic Approval – Interim Chief Financial Officer Appointment Process (24.04.24) |
| 22. | 49.E.01 | Revised FPC Annual Report 2022/2023 |
| 23. | 49.E.02 | FPC Meeting Report – Meeting 24 (15 th April 2024) |
| 24. | 49.E.03 | FPC Minutes – Meeting 23 (29 th February 2023) |

Documentation circulated at the meeting

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| 25. | 49.A.16 | Correspondence - GB Chair Query and HEA Response – S64 Report (30.04.2024) |
| 26. | 49.B.01 | Interim Chief Finance Officer Appointment |


REF	ITEM	DECISION
Section A – Standard Items		
43.A.01	<p>WELCOME AND INTRODUCTION</p> <p>INTRODUCTION, ATTENDANCE AND APOLOGIES</p> <p>The Chair welcomed everyone and noted apologies for this meeting.</p>	NOTED
43.A.02	<p>PROPOSED MEETING AGENDA</p> <p>The agenda for the meeting, as had been circulated, was approved and adopted.</p>	APPROVED Proposed: E Maher Seconded: P Kelly
43.A.03	<p>DECLARATION OF CONFLICTS OF INTEREST</p> <p>The Chair noted there were no conflicts of interest declared by members present.</p> <p>GOVERNING BODY MINUTES</p>	NOTED
49.A.04	<p>The amended draft minutes for the Governing Body Meeting 44 (21.02.24) were approved.</p>	APPROVED Proposed: M Gately Seconded: L Shoemaker
49.A.05	<p>The draft minutes Governing Body Meeting 46 (27.03.24) were approved.</p>	APPROVED Proposed: W Johnston Seconded: SA Sherry
49.A.06	<p>The draft minutes of the Special Governing Body Meeting 47 – S64/Ardú Committee Update 2 (10.04.24) were approved.</p>	APPROVED Proposed: E Maher Seconded: SA Sherry
49.A.07	<p>The draft Minutes Special Governing Body Meeting 48 – S64/Ardú Committee Update 3 (18.04.24) were approved subject to minor amendment to include a question asked by a member.</p>	APPROVED Proposed: M Cooke Seconded: M Gately
49.A.08	<p>Governing Body Action Log</p> <p>Governing Body noted the following in relation to the Action Log:</p> <ul style="list-style-type: none"> - The action log to be updated to include two actions from the meeting of 21 February 2024 for the COO to provide details of Consultancy fees included in the Financial Statements 2022 and to provide details of the University’s cash reserves. - Action items agreed for closure a. <u>Item 1 Review of ToR for GB Committees</u>- updated Terms of Reference for GB Committees approved at this meeting. b. <u>Item 6 CFO Recruitment</u> – response received from DPER sanctioning this post. And recruitment of interim CFO was completed in May 2024. c. <u>Item 10 Student Numbers</u> – final response provided by Registrar and Deputy President on 7 May 2024 d. [REDACTED] e. <u>Item 21 Student Retention</u> – this item will be incorporated into the Financial Recovery action plan; agreed to create a new action item regarding the Financial Recovery plan. f. <u>Item 29– Finance Organisation Chart</u> - has been provided to BDO as part of their review and will be presented as part of the BDO report. The As /s finance structure has 	<p>NOTED</p> <p>NOTED</p>

REF	ITEM	DECISION
	<p>not changed since originally presented to Governing Body.</p> <ul style="list-style-type: none"> - Action items discussed g. <u>Item 3 Reserved Matters</u>- will form part of the actions in response to the S64 Governance Ireland review as contained within those recommendations; also contained within the IPA review of the Code of Governance. h. <u>Item 8 Executive meeting with SU re Student Development Fund</u> - to be kept open. Meetings have taken place but the Student Union require follow up re Student Development Fund. The Interim President agreed to follow up on this item. i. <u>Item 14 re Management Accounts and cash flows</u>– update log to indicate completion of draft figures to end of April 2024 which will map to Financial Statements. This action will be addressed by the Financial Recovery plan work <p>Governing Body noted the status of the remaining Action Log items as being on track, delayed or proposed for closure.</p> <p>CORRESPONDENCE RELEVANT TO GOVERNING BODY & PARLIAMENTARY QUESTIONS (PQ's)</p>	<p>NOTED</p> <p>APPROVED Proposed: A O'Toole Seconded: P Kelly</p>
49.A.09	<p>DFHERIS: TU Dublin Membership of the CAO (12.04.24)</p> <p>Legal counsel advised that as DIT was a member of the CAO, this membership automatically transferred to TU Dublin and no application for membership is therefore required.</p>	<p>NOTED</p>
49.A.10	<p>DFHERIS: Consultation Provisions for Strategic Development and Equality Statement Arising from HEA Act 2022 (15.04.24)</p> <p>Regarding the Strategic Development Plan, the University confirmed that the consultation required under the HEA Act 2022 has taken place. Regarding the Equality Statement, this was sent to the HEA but not to the Minister. This will be rectified in future and this has been communicated to the Minister.</p>	<p>NOTED</p>
49.A.11	<p>This requirement will be added to the University compliance schedule.</p> <p>DFHERIS: DPENDPDR Sanction Letter re: Chief Financial Officer Post</p> <p>The Governing Body welcomed this sanction from the Department and support the commencement of the competition for the permanent Chief Financial Officer as soon as possible noting that there are some details to be followed up with the Department in advance.</p>	<p>NOTED</p>
	<p>HEA CORRESPONDENCE</p> <p>The Governing Body noted the clarification from the HEA regarding the report to be submitted under section 64 of the HEA Act 2022 as follows:</p> <ul style="list-style-type: none"> - Submission by 21 May 2024 of the Governance Ireland report and cover letter from Governing Body. - The financial recovery plan belongs to the University and does not form part of this submission. - The Mazars report (commissioned by HEA) will be provided to the Governing Body in due course once the HEA have released it formally to the University. - The Chair advised that he is to continue to report to the HEA every two months for the next 18 months and that the Ardú Committee would remain standing for that period. 	<p>NOTED</p>

REF	ITEM	DECISION
49.A.12	<p>HEA: TU Dublin & TU Sector Grant Allocation 2024 (27.03.2024)</p> <p>The Executive explained that the University's allocation is as expected but is not where the University would like it to be; TU Dublin showed an increase of █████ compared to the █████ average. █████ Implementation of the strategic plan will drive the University to regain market share and consequently to an increase in recurrent grant allocation.</p> <p>The Executive have committed to providing an update to members on any further information provided by DEPR on the recurrent grant allocation.</p> <p>Members noted that there is no firm commitment from DPER to cover the costs of salary increases resulting from public sector pay agreements.</p> <p>It was suggested that a letter issue from the Governing Body Committee Chair to DEPR seeking funding to cover pay increases, on the basis that DEPR have negotiated these and therefore they should provide the required funding.</p> <p>This was agreed subject to checking whether a case had already been made by the IUA on behalf of all Universities.</p>	<p>NOTED</p> <p>NOTED</p> <p>NOTED</p>
<p>REGULATORY AND SECTOR UPDATES</p>		
49.A.13	<p>Code of Practice for the Governance of State Bodies: Decision of HEA Board (28.03.24)</p> <p>The Governing Body noted that the University's interpretation of Section 8 of the TU Act 2018 as being limited to real property is not shared by the HEA. Property is not defined in the TU Act and Section 8 does not contain a materiality threshold.</p> <p>The Governing Body also noted the HEA's view that it is a matter for each University to determine and adhere to the obligations under the legislation, the State Code and relevant circulars as applicable to them.</p> <p>No change in practice is proposed as a result of this correspondence.</p> <p>The IUA is aware of this, however this issue is only relevant to Technological Universities.</p> <p>It was agreed that this communication would be provided to ARC and also shared with the other Technological Universities.</p>	<p>NOTED</p>
49.A.14	<p>Code of Governance (IPA) Update</p> <p>This item is on the agenda for the TU Chairs Forum to convene on 17th May 2024. No further update at this time.</p>	<p>NOTED</p>
<p>COMMUNICATION COVERAGE</p>		
49.A.15	<p>Media Articles (Onclusive Link) https://reputation.onclusive.com/login</p>	<p>NOTED</p>
<p>Section B – Items for Approval</p>		
<p>FINANCE/COMPLIANCE ITEMS</p>		
49.B.01	<p>Interim Chief Finance Officer Appointment</p> <p>The process for the recruitment and appointment of an interim CFO proposed by the Ardú Committee was approved electronically by the Governing Body on 24th April 2024.</p> <p>The Chair of the Governing Body advised that CVs provided by recruitment agencies were shortlisted and the shortlisted candidates presented for interview.</p>	<p>NOTED</p>

REF	ITEM	DECISION
	<p>██████████ was the successful candidate. The Chair proposed the appointment of ██████████ for a period of 6 months with the option to extend for an additional 3 months, such period not to exceed 9 months.</p> <p>The COO clarified that this role is purely a Finance role and does not cover the wider remit of the current COO role.</p> <p>Governing Body approved the appointment subject to satisfactory references being provided.</p>	<p>NOTED</p> <p>APPROVED Proposed: P Kelly Seconded: SA Sherry</p>
49.B.02	<p>Proposal to Increase Fees for Postgraduate Research Programmes</p> <p>The VP for Research and Innovation, Dr Brendan Jennings presented the proposal to increase annual fees on postgraduate research programmes for the academic year 2024/25 as follows:</p> <p>EU Full-time: €5,500 pa EU Part-time: €3,666 pa Non-EU Full-time: €11,000 pa Non-EU Part-time: €7,333 pa</p> <p>With the exception that the cohort of currently registered self-financing full-time and part time, self-financing postgraduate research students will not be charged the increased fee for the remainder of their programme.</p> <p>It was noted that the SU voted against the fee increase.</p> <p>The following points were noted:</p> <ul style="list-style-type: none"> - The University’s current Postgraduate research fees are less than all other Universities and also below what Research Funders charge for this cohort of students; benchmarking has been completed to gauge the required fee level - 90% of students are funded by research grants and therefore not impacted by this increase. Only 8% pay fees themselves - For part time students, 50% pay the fees themselves, although often their Employer will refund this fee. - This proposal should result in increased income of ██████████ and will put TU Dublin on a par with other universities. - There is a price/quality perception that is real and particularly observed in the business community, however the University must remain cognisant that many students choose TU Dublin because some are from socio-economically deprived backgrounds and cost may be a very important consideration for them choosing TU Dublin. - There is an assistance fund for postgraduate researchers run by the Graduate Research School which is not heavily drawn down upon to date. Only ██████████ of a total ██████████ has been drawn down. The limit is €1,000 but this can be drawn down over multiple years. - There is an agreed desire to publish a single fee and to maintain fees in line with what is provided by Research Funders. - There is no evidence that this approach would result in a significant reduction in research in a particular area due to greater proportion of self-funded students; self-funded students are not concentrated in particular research areas. - For part time students, the cost can be offset against tax - The VP for R&I indicated that the best opportunities lie in the provision of Professional Doctorates where professional development is provided in an enterprise context. - The VP for R&I is to provide details of financial support measures. 	<p>APPROVED Proposed: E Maher Seconded: W Johnston</p> <p>NOTED</p>

REF	ITEM	DECISION
49.B.03	<p>GOVERNANCE AND COMPLIANCE</p> <p>TU Dublin Draft Charities Annual Report 2023</p> <p>The Governing Body noted that as a Registered Charitable Organisation, TU Dublin is legally required to submit a Charities Annual Report 10 months after the financial year end, i.e. by 30th June each year; the Charities Governance Code Compliance Record Form for the year ended 31 August 2023 was presented as evidence of the University’s compliance with the Charities Governance Code.</p> <p>The Governing Body approved the Form subject to review by ARC at their meeting on 28th May 2024.</p>	<p>NOTED</p> <p>APPROVED Proposed: M Cooke Seconded: L Kavanagh</p>
49.B.04	<p>Updated Terms of Reference for Governing Body Committees (ARC, EDIC, FPC)</p> <p>The updated terms of reference for the three Committees were approved, noting that these could be subject to further review following the Governance Ireland/S64 recommendations.</p>	<p>APPROVED Proposed: A O’Toole Seconded: L Kavanagh</p>
49.B.05	<p>POLICIES/STATEMENTS</p> <p>Draft Travel, Subsistence and Expense Policy 2024</p> <p>The Governing Body noted the <i>Draft Travel, Subsistence and Expense Policy 2024 as circulated</i>. This item was reviewed by the Finance and Property Committee at its meeting of 15th April 2024 and recommended to Governing Body for approval.</p> <p>It was noted that the 3-month timeframe for submitting claims for travel and subsistence is considered best practice and mitigates against the risk of the University being unable to account for expenses incurred in the correct accounting period. It was also a recommendation in the C&AG Management Letter.</p> <p>It was proposed that the 3-month deadline for making claims is maintained but that there is an option for a senior executive (e.g. CFO) to sign off on claims received outside of this timeframe. Finance will monitor late claims.</p> <p>It was noted that the University holds travel insurance to cover unexpected expenses arising from travel disruption.</p> <p>Governing Body approved the Travel, Subsistence and Expense Policy 2024 subject to the inclusion of:</p> <ul style="list-style-type: none"> - a statement that the University will “maintain the normal Insurance for travel” and; - related procedures including an escalation process for claims received after the stated 3-month timeframe. 	<p>NOTED</p> <p>NOTED</p> <p>APPROVED Proposed: W Johnston Seconded: SA Sherry</p>
49.B.06	<p>PROCUREMENT</p> <p>Provision of Security Services for TU Dublin</p> <p>Governing Body noted the documentation provided as circulated to members. This item was reviewed by the Finance and Property Committee at its meeting of 15th April 2024 and recommended to Governing Body for approval.</p> <p>Governing Body approved TU Dublin to enter into a contract with GME Security.</p>	<p>NOTED</p> <p>APPROVED Proposed: E Maher Seconded: M Cooke</p>

REF	ITEM	DECISION
49.B.07	<p>Provision of ICT Implementation and Consulting Services (EduCampus Framework)</p> <p>Governing Body noted the documentation provided as circulated to members. This item was reviewed by the Finance and Property Committee at its meeting of 15th April 2024 and recommended to Governing Body for approval.</p> <p>Governing Body approved TU Dublin to directly drawdown from this framework agreement created by EduCampus. A contract is not required as EduCampus have signed the agreement on behalf of its clients, including TU Dublin.</p>	<p>NOTED</p> <p>APPROVED Proposed: E Maher Seconded: W Johnston</p>
Section C – Executive Reports		
49.C.01	<p>University Executive Report</p> <p>Governing Body noted the “University Executive Report” (8th May 2024) as circulated.</p> <p>Following discussion Governing Body noted:</p> <ul style="list-style-type: none"> -  - the appointment of Professor Una Hunt to the Royal Irish Academy (RIA). Professor Hunt is only the second person from TU Dublin to receive this honour and the Governing Body supported the GB in writing to congratulate her. 	<p>NOTED</p>
49.C.02	<p>Strategic Plan Report 1 – TU Dublin Annual Report 2023 (Draft 1)</p> <p>Governing Body noted the working draft of the “TU Dublin Annual Report 2023” as circulated noting that this is to be prepared annually and submitted to the Minister by 30th June. As legislated for under s23 TU Act 2018 (amended) the report should cover the strategic development plan and the equality statement. It should also include the University’s sustainability statement and any items that may arise under a Cinnte review.</p> <p>The report will be presented to the Governing Body meeting on 26th June for approval.</p> <p>A member suggested the incorporation of a tagline into the report for example, “go beyond learning” or “creating a better world together”.</p> <p>Governing body advocated the transmission of the final report across all media in consultation with the Head of Communications.</p>	<p>NOTED</p>
49.C.03	<p>Strategic Plan Report 2 – HEA Performance Agreement (Draft 2)</p> <p>Governing Body noted the working draft of the “HEA Performance Agreement” as circulated, noting that this was formerly known as The Compact Agreement and was submitted to the HEA at the end of March 2024</p> <p>It documents the University’s agreement with HEA to perform across a range of objectives including Teaching and Learning, Research and Innovation, Access and Participation and Engagement. This also includes Sustainability and EDI. The document was updated in line with the Financial Recovery plan objectives. The University annually reports to the HEA on progress against objectives.</p> <p>Members highlighted the importance of qualitative reporting for example in relation to student services initiatives, as included in the financial recovery action plan.</p> <p>On the matter of student retention, the Registrar and Deputy President noted that there is a delicate balance to be achieved; for example, an increase in the Leaving Certificate points for entry onto programmes would be contrary to the University’s EDI objectives given TU Dublin has one of the most diverse student populations.</p>	<p>NOTED</p>

REF	ITEM	DECISION
49.C.04	<p>The Chair requested that for the purpose of reporting to the HEA, the University should highlight the complexity of the community that it serves and the extent of the actions it is taking to deliver to that community.</p> <p>Engagement Staff Survey Overview – Phase I</p> <p>Governing Body noted the results of the first Employee Engagement Survey as circulated. The survey was managed by the procured service provider, Willis Towers Watson.</p> <p>It was noted that c1,600 staff (45%) of staff completed the survey and to date 400 attended the webinars held to provide the survey results</p> <p>Members noted the concerns of staff and that these be addressed by Executive in responding to the survey.</p> <p>The next phase of the process is to conduct detailed qualitative thematic analysis and to move into action planning. UET are running a workshop on 29 May to address key issues identified. An action plan will be developed and communicated to staff in September 2024.</p> <p>Governing Body requested that the VP for People, Organisation and Culture attend the June meeting and include in her update an outline of how progress is monitored in this area.</p>	NOTED
Section D – Items for Noting		
49.D.01	<p>S64/Ardú Committee Update</p> <p>A verbal update was provided by the Chair.</p> <p>Clarification was received from the HEA regarding documents to be submitted by 21 May 2024, under S64 being the Governance Ireland report and cover letter to be drafted by Governing Body.</p> <p>Governing Body emphasised the importance of confidentiality in relation to the S64 submission and noted the good cooperation with the Head of Communications and his team in drafting the communications plan.</p> <p>Governing Body and the S64/Ardú Committee acknowledge and thank UET, Heads of School and Heads of Service for the additional work undertaken in responding to the S64 Letter.</p> <p>The Interim President thanked the UET and staff across the University involved in this work.</p>	NOTED
49.D.02	<p>S64 Executive Update</p> <p>A verbal update was provided by the Interim President. A significant amount of work has been completed on the Financial Recovery plan. The addition of the Interim CFO is a welcome addition at this time.</p>	NOTED
49.D.03	<p>University Seal Register Report</p> <p>Governing Body noted the University Seal Register Report from the University Legal Counsel as circulated. The report confirms documents to which the seal of University had been applied during the period 12 March 2024 to 23 April 2024.</p>	NOTED
49.D.04	<p>Electronic Approval – Interim Chief Financial Officer Appointment Process (24.04.24)</p> <p>It was noted that the President was in the minority in not approving this process, however he was satisfied with the outcome.</p>	NOTED

REF	ITEM	DECISION
Section E – Council & Committee Reports		
	COMMITTEES ANNUAL REPORTS	
49.E.01	<p>FPC Annual Report 2022/2023</p> <p>Governing Body noted the FPC annual report 2022/23 as circulated and requested the minutes reflect the fact that the President understood the COO to be his nominee on the Finance and Property Committee and that this also be reflected in the Statement on Internal Control (SIC) 2023.</p>	NOTED
	COMMITTEE MEETING REPORTS	
49.E.02	<p>FPC Meeting Report – Meeting 24 (15th April 2024)</p> <p>Governing Body noted the FPC meeting report as circulated.</p> <p>The FPC Chair provided an update from the April meeting referring to the main issues:</p> <ul style="list-style-type: none"> i) Update on student accommodation ii) Postgraduate Research fee proposal was approved iii) Taught Postgraduate Fee Proposal - will be discussed at the next meeting <p>The Chair commented that the Technological Universities are frustrated at the lack of clarity on the Borrowing Framework and are reviewing this with the Department. He requested that the article in the Business Post by the Chair of SETU be circulated for information.</p>	NOTED
	COMMITTEE MINUTES	
49.E.03	<p>FPC Minutes – Meeting 23 (29th February 2024)</p>	NOTED
Section F – Standard Items		
	ANY OTHER BUSINESS	
49.F.01	<p>The following items were raised under this item:</p> <ul style="list-style-type: none"> - TU Dublin response to the Israel/Palestine conflict in light of the student demonstration at Trinity College Dublin. The Interim President advised that UET will discuss this matter and revert to Governing Body with a proposed statement. With regard to whether TU Dublin is a University of Sanctuary, this has been discussed as part of the Athena Swan agenda. It was noted that the University is a participant in the International Protection Scholarship Scheme, which is open to students from Palestine. - The Interim President advised that legislation- the General Scheme Seanad Electoral (University Members) (Amendment) Bill 2024- is being introduced to give effect to the result of the 1979 constitutional referendum and extend the franchise to all designated institutions of higher education. Work is underway to determine the practicalities of implementation. The Interim President welcomed this as a positive change that will ensure all historical graduates of NFQ Level 7 and higher are included. The intention is to create a register within 11 months however it was noted that this is ambitious as it will necessitate the provision of a considerable level of resources which as currently proposed would be borne by each individual institution; no funding is being provided to cover this. 	NOTED

REF	ITEM	DECISION
	<p>Next Governing Body Meeting</p>	
49.F.02	<p>Members noted that the next Special Governing Body Meeting 50 (S64 Committee Update - 4) 17th May 2024</p>	<p>NOTED</p>
49.F.03	<p>Next Special Governing Body Meeting 50 (17th May 2024) Next Regular Governing Body Meeting 51 (26th June 2024) on Blanchardstown Campus</p> <p>The Chair thanked members for their attendance and participation.</p> <p style="text-align: center;">  _____ Charles Larkin, Chair </p> <p style="text-align: right;">DATE: 26th July 2024</p>	<p>NOTED</p>