

## SOUTH WEST COLLEGE GOVERNING BODY

Minutes of a Meeting of the **South West College Governing Body**  
held on Wednesday 30 January 2008 at 5.30 pm in  
the Boardroom, Omagh Campus

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**PRESENT:** Ms Gwen Stevenson (Presiding Chair)  
Dr Mark Kelly  
Mr Gerry Kingston  
Mr Adrian McCreesh  
Mr Gerard McDermott  
Mr Joseph McFall  
Mr Joseph Martin  
Dr Nicholas O'Shiel  
Mr Victor Refaussé (Director)  
Mrs Diane Stevenson

**APOLOGY:** Mrs Kate Courtenay  
Mr Pat O'Kane (Chairman)

**IN ATTENDANCE:** Mrs Elizabeth McSorley, Secretary to the Governing Body  
  
Project Board Representatives: (5.30 – 6.25 pm)  
  
Mr Tom Redmond, DEL  
Mr Norman Mawhinney, Central Procurement Unit  
Mr Adam Robinson, WHS Project Management

### **1.0 PRESENTATION BY PROJECT BOARD REPRESENTATIVES ON THE ENNISKILLEN CAMPUS CAPITAL DEVELOPMENT PROJECT**

The Presiding Chair welcomed the Project Board representatives to the meeting

**CIRCULATED:** Briefing Paper on the proposed new Skills Centre at the Killyhevlin site, Enniskillen.

Mr Robinson, with the aid of a powerpoint presentation, provided members with an overview of the proposed development. His presentation included slides of the existing site plan and facility; the site plan for the new 5,735m<sup>2</sup> Skills Centre; floor plans; section drawings; and three dimensional images of the new building. It also included details of the overall Project costs totalling £9.1m excluding VAT.

In concluding his presentation, Mr Robinson stated that the fixed price tender of Tracey Bros Ltd in the sum of £7,456,942.89 excluding VAT for the design and

construction of the new Skills Centre represented good value for money and was recommended to the Governing Body for acceptance.

Lengthy discussion ensued during which the Project Board representatives, in responding to a range of questions and comments from members, advised that:

- (a) the furniture and equipment estimate, which equated to 12% of the net construction costs, was considered reasonable and was close to an updated estimate based on information produced by the Project Management Team in November 2006;
- (b) the tender was fixed price and the risk in terms of any increased costs would therefore transfer to the contractor. In terms of the demolition and associated costs, £104k of these were actual costs with the balance of £200k being a best estimate, subject to tender;
- (c) as the majority of the total projected costs comprised fixed and actual costs, the risk of overrun that would attach to the College was very small. While overrun was not anticipated, the Department for Employment and Learning had sufficient flexibility within its budget to accommodate marginal overrun and was already committed to fully funding the cost of the project on the basis of the figures presented to the meeting;
- (d) the contract period would be approximately sixteen months. The issue of liquidated damages would be dependent on the wording within the contract documentation but it would not be in the contractor's own best interests to delay completion of a fixed price contract;
- (e) the cost of £1,200/m<sup>2</sup> was based on construction costs of £6.8m excluding fees and statutory charges and was considered to be in the medium range of building specification. Factors such as ground conditions were built into the cost.

In terms of the latter point, one member questioned the methodology for determining the cost per/m<sup>2</sup> and felt it would be useful to have further information in this regard. Other issues covered during discussion of the project included its development history; the different fees and charges attached to the contract; proposed energy conservation measures; the length of the defects liability period; and the Department's expectations in terms of future maintenance standards.

Mr Martin, the Governing Body's representative on the Project Board, said he was satisfied that the majority of the outstanding issues had been satisfactorily resolved and, in emphasising the importance of getting the contract underway so that the building would be ready for occupation by September 2009, proposed that the tender of Tracey Bros be accepted. His proposal was seconded by Mr McDermott.

The Director stated that he would like to place on record his appreciation of the contribution of all concerned with the project, including the three representatives present, and staff members Mr Sean Henry, Mrs Anne Beattie, and Mr Dermot

Dolan. He was supported in his comments by the other Governing Body members.

**AGREED: adoption of the proposal by Mr Martin, seconded by Mr McDermott, that the fixed price tender of Tracey Bros in the sum of £7,456,942.89 excluding VAT for the design and construction of the Skills Centre at Killyhevlin be accepted and that the contract be awarded immediately.**

*The delegation left the meeting at this juncture.*

Discussion on the project continued briefly following the delegation's departure during which the decision making protocols associated with the whole area of presentations to the Governing Body; the treatment of VAT; and future maintenance costs were all touched upon. The cost of the project per/m<sup>2</sup> was also again touched upon during which the view was expressed that this should be on the basis of the total project costs as opposed to the net construction costs.

**2.0 PRESENTATION BY MRS CATHERINE BELL, DEPUTY SECRETARY, DEPARTMENT FOR EMPLOYMENT AND LEARNING, ON THE DEPARTMENT'S VISION FOR THE DEVELOPMENT OF FURTHER EDUCATION IN NORTHERN IRELAND**

The Presiding Chair advised that the Deputy Secretary had had to cancel her visit due to a family bereavement but that it was hoped she would attend the February Governing Body meeting.

**3.0 MINUTES OF GOVERNING BODY MEETING HELD ON WEDNESDAY 28 NOVEMBER 2007**

PREVIOUSLY CIRCULATED: to all members, minutes of a meeting of the Governing Body held on Wednesday 28 November 2007. It was noted that the confidential section had not been circulated to staff members.

**AGREED: on the proposal of Mr Martin, seconded by Mr McCreesh, that the public section of the minutes (Pages 1-9) be accepted as a true and accurate record. They were then signed by the Presiding Chair.**

**4.0 MATTERS ARISING**

**4.1 LSDA Training Offer – Page 6, Minute Ref 9.0**

The Secretary to the Governing Body, in response to an enquiry, advised that no further information in relation to the LSDA Governance Support Programme was currently available.

4.2 Meeting at Cookstown Campus – Page 8, Minute Ref 14.2

**AGREED: that the February Governing Body meeting be held in the Cookstown Campus.**

5.0 **REPORT OF A MEETING OF THE AUDIT COMMITTEE HELD ON WEDNESDAY 28 NOVEMBER 2007**

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Audit Committee held on Wednesday 28 November 2007.

Mr Martin, Chairman of the Audit Committee, pointed out that most of the issues had been dealt with as a result of the External Auditors' presentations and his verbal report to the 28 November 2007 Governing Body meeting.

The Secretary to the Governing Body advised that the Audit Code and Financial Memorandum referred to under Item 8.1, Page 8 of the minutes, had now been published and asked members to indicate, on the sheet being circulated, their preference as regards the format in which they wished to receive copies of the documents, ie, electronic or hard copy.

**AGREED: on the proposal of Mr Martin, seconded by Mr McCreesh, adoption of the report of the Audit Committee.**

6.0 **REPORT OF A MEETING OF THE EDUCATION, QUALITY AND PERFORMANCE COMMITTEE HELD ON TUESDAY 8 JANUARY 2008**

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Education, Quality and Performance Committee held on Tuesday 8 January 2008.

Dr Kelly, Chairman of the Education Committee, provided members with an overview of the Committee's deliberations and, in particular, its evolving vision for the development of Higher Education provision within the College curriculum with effect from 2009/10 and pointed out that "Strategic Curriculum Development" would, in future, be a standing item on the Education Committee agenda. He shared with members details of the subject areas that were currently under consideration and invited the Governing Body's comments on the Committee's thinking.

*Mrs Stevenson entered the meeting at this juncture.*

Members, in fully endorsing the strategic direction being pursued by the Committee, spoke of the importance of taking the College to a new and dynamic level; of the importance of engaging with business, industry and other stakeholders in the development of the vision; of not being deterred by obstacles, such as mindset, along the way; and of the importance of the new Head of Curriculum and Business Development post in delivery of the vision.

Other comments included the need to be mindful of the timescales involved in the setting up new courses, particularly in terms of the 2009/10 target; of the need to be clearly focused in terms of target markets; and of the need to be in a position to positively identify and appropriately respond to new opportunities in, for example, niche areas.

The Presiding Chair, by of an additional contribution to the list of subject areas under consideration by the Education Committee, suggested waste management.

**AGREED: on the proposal of Dr Kelly, seconded by Dr O’Shiel, adoption of the report of the Education, Quality and Performance Committee, including its draft Terms of Reference.**

The Secretary to the Governing undertook to circulate a copy of the Terms of Reference to all members.

## **7.0 REPORT OF A MEETING OF THE STAFFING COMMITTEE HELD ON WEDNESDAY 16 JANUARY 2008**

PREVIOUSLY CIRCULATED; to all members, report of a meeting of the Staffing Committee held on Wednesday 16 January 2008, together with Health and Safety booklet entitled “Leadership Actions for Directors and Board Members”. It was noted that the confidential section of the Staffing Committee report had not been circulated to staff members.

Mr McDermott, Chairman of the Staffing Committee, highlighted the evolving work on the development of a Human Resource Strategy and a Carers’ Policy; drew attention to the principle elements of the health and safety booklet “Leadership Actions for Directors and Board Members” and the proposal that these be incorporated within a Health and Safety Policy for the College; and sought Governing Body support for the recommendations relating to adoption of a number of sectoral policies; proposed action in the area of absenteeism; staff appointments; renewal of contracts etc; as well as support for the course of action proposed in relation to voluntary redundancy numbers and funding negotiations.

The Secretary to the Governing Body advised that the career break application referred under Item 6.4 had since been withdrawn.

The discussion which followed focused primarily on the areas of staff absenteeism and voluntary redundancy. In responding to particular comments in relation to sickness absence levels, the Director spoke of some of the existing and proposed initiatives including the Carecall scheme, relaunching of the Sickness Absence Management Policy, and the “health promoting College” initiative, and said that the Staffing Committee, as part of its ongoing scrutiny of this issue, would be looking at the reasons for the current levels of sickness absence in the Enniskillen Campus in particular. In terms of the voluntary redundancy issue, he updated members on the College’s representations for additional funding to the Department for Employment and Learning and said that he was hopeful some money would be forthcoming.

It was noted, with disappointment, that efforts to achieve a resolution to the long standing industrial action had failed. The Director, by way of update, advised that the NASWT Union had withdrawn their industrial action.

**AGREED: on the proposal of Mr McDermott, seconded by Mr Martin, adoption of the public section of the report of the Staffing Committee (Pages 1-9).**

## **8.0 REPORTS OF MEETINGS OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON WEDNESDAY 14 DECEMBER 2007 AND 23 JANUARY 2008**

PREVIOUSLY CIRCULATED: to all members, reports of meetings of the Finance and General Purposes Committee held on Wednesday 14 December 2007 and 23 January 2008, together with copy of Financial Management Report to 31 October 2007 for information purposes. It was noted that the confidential section of the 14 December 2007 Finance and General Purposes Committee report had not been circulated to staff members.

Ms Gwen Stevenson, Chair of the Finance and General Purposes Committee, took members through the key outcomes from the two meetings with particular reference to the revised financial projections presented to the January 2008 meeting and the investment issue.

In responding to members questions, Ms Stevenson highlighted the actions that would be necessary for delivery of the 2007/08 budget and said that the Finance Committee was satisfied that there were no significant issues of concern at present. On the question of bad debt, she commented on the debtor control arrangements that were currently in place and confirmed that it was not proposed to write off any debt at present.

Referring to Item 1.1 of the 23 January 2008 minutes, the Secretary to the Governing advised members of the details of the resolution that would require to be passed by the Governing Body to effect the opening of the HBOS investment account. The Director, in response to a question relating to withdrawal restrictions, undertook to confirm the position at the next meeting.

**AGREED: on the proposal of Ms Stevenson, seconded by Mr McCreesh, (1) adoption of the public section of the 14 December 2007 Finance and General Purposes Committee report (Pages 1-5) and the report of the 23 January 2008 Finance and General Purposes Committee meeting, and (2) the passing of the necessary resolution to effect the opening of an HBOS investment account for possible future investment purposes.**

## **9.0 DIRECTOR'S BUSINESS**

### **9.1 Threshold Scheme Applications**

CIRCULATED: list of twenty one successful applications under the Further Education (NI) Threshold Scheme for 2007/08 which, the Director advised, required formal Governing Body approval.

The Director, in response to questions, explained the background to the development of the Scheme and its practical operation. It was noted that the Scheme was funded by DEL.

UNDERTOOK: by the Director, to provide the Staffing Committee Chairman with a brief synopsis of the Scheme and some practical examples of applications.

**AGREED: that formal Governing Body approval to the twenty one applications be granted.**

### **9.2 Northern Ireland Assembly Committee for Employment and Learning**

The Director advised that the Northern Ireland Assembly Committee for Employment and Learning would be visiting Omagh Campus on Wednesday 20 February 2008 and extended an invitation to all governors to join the Committee for lunch in the Gallery Restaurant at 1.00 pm.

**AGREED: by those Finance and General Purposes Committee members present, that as the visit clashed with their February meeting, that the Finance and General Purposes Committee meeting be rescheduled to 2.00 pm on Thursday 21 February 2008.**

### **9.3 Full Time Prospectus 2008/09**

The Director advised that the Full Time Prospectus for 2008/09 would be available for distribution the following week.

## **10.0 AMENDMENTS TO THE REGISTER OF INTERESTS 2007/08**

The Secretary to the Governing Body reminded members of their responsibility under the Instrument of Government to declare any amendments to the Register of Interests.

No amendments were reported.

## **11.0 CORRESPONDENCE**

### **11.1 Amendments to the Model Instrument of Government**

PREVIOUSLY CIRCULATED: to all members, circular dated 27 December 2007 from the Department for Employment and Learning requesting changes to

be made to each College's Instrument of Government concerning the tenure of governors and inviting each College to submit a revised Instrument to the Department for approval.

The Secretary to the Governing Body outlined the details of the changes requested.

**AGREED: following a short discussion on the proposed amendment relating to the tenure of governors appointed to fill vacancies, that the amendments requested be accepted and that a revised Instrument of Government be submitted to the Department for Employment and Learning for approval.**

#### 11.2 Further Education Residence Requirements

The Secretary to the Governing Body advised of receipt of Circular FE 06/07 dated 16 January 2008 relating to Further Education Residence Requirements (Addendum) Eligible Overseas Territories and said a copy would be made available to interested members, on request.

### 12.0 **COLLEGE RESTRUCTURING UPDATE**

PREVIOUSLY CIRCULATED: (1) to all members, Restructuring Timetable 2008.

PREVIOUSLY CIRCULATED: (2) to all business governors only, the Guide for Applicants in relation to the appointment of each the three Senior Management Posts, ie, Head of Curriculum and Business Development; Head of Corporate Services; and Head of Client Services.

It was noted that the timetable would be dealt with during the public section of the meeting and that the Guides for Applicants would be dealt with during the private section of the meeting.

#### 12.1 Restructuring Timetable 2008

A short discussion ensued during the Director responded to comments about the lack of Governing Body input to the Deputy Head of Department and Curriculum Manager posts; the level at which Human Resources became involved in the appointments process; and the impact of the restructuring on the support staff side in particular. In relation to the first issue, the Director stated that the Deputy Heads of Department (Principal Lecturer) would be allocated from Pool 1 and that if there were any vacancies, these posts would be internally trawled and appointed by the Staffing Committee. With regard to the Curriculum Manager posts (Senior Lecturer), these would be agreed from the existing cohort of Senior Lecturers and, if there were any vacancies, these would be internally trawled and appointed by a panel of senior managers. This process was in line with the College's Recruitment and Selection Policy.

**AGREED: adoption of the Restructuring Timetable 2008.**

**13.0 ANY OTHER RELEVANT BUSINESS**

**13.1 Staff Appointments to Committees**

**AGREED:** that vacancies for staff representatives on the Education, Finance and Audit Committees be filled as follows:

**Education, Quality and Performance Committee – Gerry Kingston  
Finance and General Purposes Committee – Joe McFall  
Audit Committee – Gerry Kingston**

*The Staff representatives left the meeting at this juncture and the meeting then went into private session.*

The meeting concluded at 9.00 pm

**CHAIRMAN** \_\_\_\_\_ **DATE** \_\_\_\_\_