

SOUTH WEST COLLEGE GOVERNING BODY

Minutes of a Meeting of the **South West College Governing Body**
held on Wednesday 25 June 2008 at 5.35 pm in
the Boardroom, Dungannon Campus, Circular Road, Dungannon

PRESENT: Mr Pat O’Kane (Chairman)
Mrs Kate Courtenay
Mr Martin Groom
Dr Mark Kelly
Mr Gerry Kingston
Mr Gerard McDermott
Mr Joseph McFall
Mr Joseph Martin
Dr Nicholas O’Shiel
Mr Victor Refaussé (Director)
Ms Gwen Stevenson

IN ATTENDANCE: Mrs Elizabeth McSorley, Secretary to the Governing Body

Agenda Item 1 Only:

Mr Wilbert McKee, LSDA
Mr Roy Logan, LSDA

APOLOGIES: Mr Ian Hayes
Mr Adrian McCreesh
Mrs Diane Stevenson

1.0 GOVERNANCE HEALTHCHECK QUESTIONNAIRE

The Chairman welcomed Mr McKee and Mr Logan to this part of the meeting.

CIRCULATED: by Mr McKee to those members present, a copy of the Governance Healthcheck 2008 questionnaire for completion on an individual basis. It was noted that a copy had been circulated with the papers for the meeting for information purposes.

In presenting the questionnaire, Mr McKee explained that this was an exercise which was being carried out across the sector and, in terms of process, advised that the questionnaire responses would be analysed by LSDA and feedback given to Governing Bodies on an individual basis. He further advised that they would be provided with a report on the overall findings for the sector following completion of the exercise.

Mr Logan, in adding to Mr McKee's comments, said that LSDA was contracted by DEL to provide governance training and that the outcome of the Healthcheck process would help inform future training needs.

AGREED: that members would individually complete the questionnaire and return it to the Secretary to the Governing Body by the end of the week.

Mr McKee and Mr Logan left the meeting at this juncture.

2.0 MINUTES OF GOVERNING BODY MEETING HELD ON WEDNESDAY 28 MAY 2008

PREVIOUSLY CIRCULATED: to all members, minutes of a meeting of the Governing Body held on Wednesday 28 May 2008. It was noted that the confidential section had not been circulated to staff and student members.

AGREED: on the proposal of Mr Groom, seconded by Ms Stevenson, that the public section of the above minutes (Pages 1-9) be accepted as a true and accurate record. They were then signed by the Chairman.

3.0 MATTERS ARISING

3.1 Report of Education, Quality and Performance Committee Meeting – Page 2, Item 4.0

The Director reported that he had since been nominated onto the Western Area Planning Group for the review of post primary provision.

3.2 Appointments – Page 4, Minute Ref 5.3

The Chairman reported that the following appointments had been made by the Staffing Committee Selection Panel since the last meeting:

- HR Manager – Mrs Eimear Rushe
- ILT Services Manager – Mrs Ciara Duffy
- Student Support Manager – Miss Claire Tracey
- Financial Accounting Officer – Mrs Colette Dennison
- Management Accountant – Mrs Elaine O'Hanlon

He further advised that the Estates Manager post had not been filled and that this position was being internally trawled throughout the College. He also advised that the interviews for the Head of Department (Technology) post would take place on Monday 30 June 2008.

The Chairman, on behalf of the Governing Body, thanked the Staffing Committee for the time and effort that they had put into making these appointments.

4.0 REPORT OF A MEETING OF THE EDUCATION, QUALITY AND PERFORMANCE COMMITTEE HELD ON TUESDAY 3 JUNE 2008

PREVIOUSLY CIRCULATED: to all members, minutes of a meeting of the Education, Quality and Performance Committee held on Tuesday 3 June 2008.

Dr Kelly, in presenting the report, drew attention to the two key strands of the meeting, namely the very enlightening presentation by the group of College staff engaged in innovation, research and development activities and the potential for future development of that area of the College's business; followed by the discussion with DEL's Acting Head of Higher Education which had highlighted the current restriction on MaSN places, and DEL policy, as a barrier to development of the Committee's vision of expanding its Higher Education provision and the delivery of full degree courses. In relation to the latter, he sought support for the recommendation that the Governing Body engage external expertise to assist in the preparation of a case to the Minister and senior DEL officials for a review of MaSN places, including the basis for allocation of places, and a review of its policy in relation to the provision of full degree courses in FE Colleges.

Lengthy discussion ensued during which full support for the above course of action was expressed. In giving their endorsement, members stressed the importance of developing a strong, evidence based business case and for seeking local support, particularly political support, for the strategic direction being pursued by the College with an emphasis on the economic benefits for the region. The Director, in relation to the latter, outlined a plan of action for political and other engagement and, in relation to the timescale for preparation of the business case, indicated that it was hoped to have this completed by October.

Responding to questions relating to the proposed approach to engaging consultancy support, the Director advised that this would be a tendering exercise which would be informed by advice from institutions in, for example, the South of Ireland who had gone through a similar type of process. He undertook, in response to representations from members on the subject, to circulate the draft Terms of Reference for comment prior to going out to tender. One of the suggestions for inclusion in the terms of reference was a requirement that young people be involved in the research.

AGREED: (1) on the proposal of Dr Kelly, seconded by Dr O'Shiel, adoption of the Report of the Education, Quality and Performance Committee, and (2) on the proposal of Mr Martin, seconded by Mr McDermott, that the draft Terms of Reference for the appointment of consultants to assist the College in preparing the business case be forwarded to the Education Committee members for approval with input from any other interested member to be facilitated, and (3) that responsibility for the appointment of consultants be delegated to the Education, Quality and Performance Committee.

5.0 REPORT OF A MEETING OF THE AUDIT COMMITTEE HELD ON MONDAY 9 JUNE 2008

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Audit Committee held on Monday 9 June 2008, together with a copy of the Corporate Risk Register at April 2008.

Mr Martin, in presenting the report, drew particular attention to the four internal audit reports, especially the review of the College's financial controls and the review of its IT infrastructure and computer related controls. It was noted, with satisfaction, that the former had achieved substantial assurance, which was the highest level of assurance available, but that the latter had achieved limited assurance. Commenting on the limited rating for IT infrastructure and computer related controls, Mr Martin pointed out that the primary reason for this had been the lack of integration of the three systems but said that with the recent appointment of the Head of Client Services and the ILT Services Manager, the Committee had been assured that this would now be given high priority.

Another key area highlighted by Mr Martin during presentation of the Audit Committee report was the evolving Corporate Risk Register which was recommended to the Governing Body for adoption.

In responding to a question, Mr Martin advised that management had accepted the Auditor's various recommendations and furthermore, that they had praised management and staff on the level of their co-operation during the course of the reviews. He also pointed out that progress on implementation of all the review recommendations would be followed up and reported on at future Audit Committee meetings.

AGREED: on the proposal of Mr Martin, seconded by Mr McFall, adoption of the Report of the Audit Committee, including the Corporate Risk Register.

6.0 REPORT OF A MEETING OF THE STAFFING COMMITTEE HELD ON MONDAY 9 JUNE 2008

PREVIOUSLY CRICULATED: to all members, report of a meeting of the Staffing Committee held on Monday 9 June 2008, together with a draft copy of the Access Northern Ireland Policy Statement.

It was noted that the confidential section of the Staffing Committee report had not been circulated to staff or student members and would be dealt with under the confidential section of the Governing Body meeting.

Mr McDermott, in presenting the report, highlighted the key issues and recommendations with particular reference to the Committee's ongoing work in the areas of health and safety and absenteeism, and the proposal for adoption of the daft Access Northern Ireland Policy Statement.

The following amendments to the draft Policy Statement were suggested by Mr McFall:

Storage and Access paragraph, first line – "lockable" to be changed to "locked".

Disposal paragraph – Policy to show that a record would be kept of the names of all persons involved in the disposal of Disclosure Information.

Discussion then focused on the role of the Staffing Committee and the important part that it would have to play in ensuring that the College had the skills profile necessary to meet the future needs of the College and, in particular, the vision being developed through the Education, Quality and Performance Committee. The Staffing Committee Chairman, in responding to the comments made in this regard, said that this issue would be looked at in the context of the College's Human Resource Strategy and Action Plan and expressed the view that there would be a need for some joined up work between the two Committees in identifying skills gaps and in developing the Strategy and Action Plan so as to ensure that the mechanisms necessary to meet those needs were put in place.

AGREED: on the proposal of Mr McDermott, seconded by Mr Groom, adoption of Pages 1-6 of the Report of the Staffing Committee, including the Access Northern Ireland Policy Statement incorporating the amendments put forward above.

7.0 REPORT OF A MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON WEDNESDAY 18 JUNE 2008

CIRCULATED: to those members present, report of a meeting of the Finance and General Purposes Committee held on Wednesday 18 June 2008, together with the following supporting documents:

- (a) Financial Strategy 2008-2013
- (b) South West College Financial Projections 2008/09 – 2010/11
- (c) Financial Highlights Report, May 2008

It was noted that the confidential section of the Finance and General Purposes Committee report had not been circulated to staff or student members and would be dealt with under the confidential section of the Governing Body meeting.

Ms Stevenson, in presenting the report, highlighted the key issues and recommendations which, apart from the above issues, also covered matters relating to proposals for provisions and contingent liabilities in the 2007/08 accounts, and the commissioning of the Department of Finance and Personnel, Properties Division, to provide a property maintenance service at the Enniskillen Campus for a period of twelve months subject to review. The questions and discussion which followed centred primarily on the financial projections for the next three years, particularly the near breakeven projections for years two and three of the budget proposed for acceptance.

Members were assured that the budget had been prepared along conservative lines, particularly on the income side; that the projections for years two and three would be reviewed on an annual basis; and that the Finance and General Purposes Committee would continue to subject the finances of the College to rigorous scrutiny through, for example, quarterly financial management reports

and monthly variance reports which would allow corrective action to be taken as necessary on a timely basis. Reference was also made to the robust system of financial controls in place across the College as evidenced by the outcome of the recent internal audit review. This was viewed as an added measure of assurance which the Governing Body could take comfort from.

The Director, in responding to a question relating to the rationale for the appointment of the Department of Finance and Personnel, Properties Division, given that the organisational structure allowed for the appointment of an Estates Manager and a Maintenance Officer, emphasised the short term nature of the arrangement and highlighted the benefits in terms of the development of strategy and best practice going forward.

AGREED: on the proposal of Ms Stevenson, seconded by Mr O’Kane, adoption of Pages 1-6 of the Report of the Finance and General Purposes Committee, including the reports at (a) – (c) above.

Mrs Courtenay left the meeting at this juncture.

8.0 REVIEW OF COLLEGE DEVELOPMENT PLAN 2007/10

PREVIOUSLY CIRCULATED: to all members, report of a Review of the College Development Plan 2007/10 at June 2008.

The Director, in responding to members' questions, said that the timescale for completion of outstanding HR/legal issues was largely outside the College's control; and, in relation to the HR/Personnel section generally, said that once the voluntary redundancy and restructuring arrangements were complete, a skills audit could follow.

The Chairman, on behalf of the Governing Body, commended the Director and his senior staff on the level of progress that had been achieved.

9.0 CHAIRMAN’S BUSINESS

9.1 Industrial Dispute

CIRCULATED: to those members present, the following correspondence between Mr Gerry Kingston, Secretary of UCU, South West College Branch, and Mr Pat O’Kane, Chairman of the Governing Body, which had also been forwarded electronically to all members earlier in the day:

- (1) emailed letter dated 24 June 2008 to Mr O’Kane from Mr Kingston enclosing copy of a letter dated 18 June 2008 sent by the Director to all South West College lecturing staff and a further letter dated 19 June sent to lecturing staff in the Omagh Campus, of which, it was stated, a slightly altered version had been sent to lecturing staff in the Dungannon and Enniskillen Campuses. The subject matter of the correspondence

was “unlawful threats by SWC to suspend lecturing staff without pay at start of their summer holidays”.

- (2) email response dated 24 June 2008 to Mr Kingston from Mr O’Kane largely disagreeing with the content of his letter of the same date, together with a copy of Mr Kingston’s follow up response.

The Chairman indicated that the subject matter of the correspondence would be discussed during the private section of the meeting but said that he felt it was important to give Mr Kingston, who wouldn’t be present for those discussions, an opportunity to comment. He did however briefly allude to developments subsequent to the issuing of the correspondence at (1) above, ie, suspension of industrial action, and College action against lecturers, to allow a further three months for negotiations commencing in September.

Mr Kingston, by way of context, briefly explained the background to the industrial dispute and the outcome of the 18 June 2008 UCU ballot which had, he said, lead to management issuing what he described as a serious and unlawful threat to suspend lecturing staff without pay; summoning them to meetings based on an unlawful threat; and the publication of confidential Teacher Reference numbers in the case of two of the three Campuses. He spoke of the distress and upset which the situation had caused, particularly to lecturing staff in the Omagh Campus who had been required to participate in meetings with management prior to the agreed suspension of action, and called on the College to apologise to staff for they manner in which they had been treated.

In concluding his comments, Mr Kingston made reference to the mechanism that had been agreed for moving the process forward, including the involvement of the Labour Relations Agency.

The Chairman thanked Mr Kingston for his contribution on the subject during this public part of the meeting.

9.2 Chairman’s Resignation

The Chairman announced that he had, with regret, formally tendered his resignation as Chairman of the Governing Body earlier that day with effect from 31 July 2008 and read a communication which he had forwarded to the Minister and the Department informing them of his decision, and of his willingness to serve as a member of the Governing Body until the end of its current term.

It was noted that the action taken by the Chairman was on the grounds of the excessive workload that was expected of the Chairs which he felt unable to sustain on a voluntary basis.

Members, after registering their initial shock at the Chairman’s announcement, paid tribute to his strong leadership and outstanding contribution to the College during his period as Chair Designate and Chair.

The Chairman thanked members for their sentiments.

10.0 DIRECTOR'S BUSINESS

10.1 Director's Report

The Director gave the following report on various activities over the past month:

- (1) **Skillbuild (NI) 2008** – participants from the South West College/Sligo Institute of Technology who had won medals in this annual competition to showcase student excellence and talent from twelve different construction craft areas across the sector had been as follows:

Plumbing – Andrew Lindsay from Florenscourt had won a gold medal and Thomas Woods from Lack had won a silver medal

Bench Joinery – Christopher McCrory from Omagh had won a gold medal

Floor and Wall Tiling – Dale Alexander from Fivemiletown won a bronze medal

Plastering – Shaun Lynch from Castlederg won a bronze medal

Carpentry – Christopher Gillick from Co Westmeath won a gold medal in carpentry (Sligo IT)

The Chairman of Fermanagh District Council had hosted a reception in the Town Hall, Enniskillen, to mark the achievement of the six prizewinning trainees and the College would send letters of congratulations to each of them.

- (2) **Meetings with Staff** – meetings had recently taken place with all staff in each of the three Campuses to outline draft action plans prepared by the Head of Curriculum and Business Development, the Head of Corporate Services, and the Head of Client Services, for their respective areas.

CIRCULATED: for information purposes to those members present, a copy of the above presentation.

- (3) **Presentation Event at Enniskillen Campus** – a presentation event for the top students and trainees had been re-established at the Enniskillen Campus.
- (4) **Beyond Computing Project Launch** – this project, which offered courses on video production, sound recording, and web developments, had recently been launched at the Enniskillen Campus. Among those present at the launch had been Mr Thomas O'Reilly, Chairman of Fermanagh District Council, Fearghal McKinney, UTV, and Jim Fitzpatrick, BBC.
- (5) **Launch of National Diploma in Civil Engineering** – this level 3 programme, with specialist units for the extractives industry, had been launched in Cookstown at the end of May by Sir Reg Empey and

industry representatives. It would run from September 2008 in the Dungannon Campus.

CIRCULATED: for information purposes to those members present, a copy of the programme leaflet.

- (6) **Evening of Mid Summer Music at Omagh Campus** – the main attraction at this fund raising event for “Project Children” had been the Garda Siochana Band.

A number of members commented favourably on the event and on the importance of utilising the College Estate for community purposes.

- (7) **Completion of Projects** – two European Projects had been completed during the month, namely the Beyond Caring Project and the Beyond Leisure Project. Janet Gray, the World Disabled Water Ski Champion, had been the guest speaker at the closing event for the Beyond Leisure Project.

- (8) **“Steps to Work” Programme** – a tender had been submitted on behalf of the South West College for the Steps to Work Programme, which would replace the New Deal Programme.

- (9) **Part Time Prospectus 2008/09** – members were provided with a copy of this prospectus for information purposes.

10.2 Presentation to Governing Body

The Director suggested that the group of staff who had made the presentation to the June meeting of the Education, Quality and Performance Committee make a similar presentation to the September meeting of the Governing Body.

AGREED: acceptance of the above suggestion.

10.3. Expression of Thanks

The Director thanked the Chairman and members of the Governing Body, and especially the members of the Staffing Committee, for the time and effort that they had devoted to recruitment exercises associated with the College restructuring over the past few months.

10.4 Delegation of Appointment Authority

AGREED: on the proposal of Mr O’Kane, seconded by Mr McDermott, in response to a request from the Director, that appointment authority for all posts subject to ratification by the Governing Body be delegated to the Director over the Summer months.

11.0 AMENDMENTS TO THE REGISTER OF INTERESTS 2007/08

Members were reminded of their responsibility under the Instrument of Government to declare any amendments to the Register of Interests.

No amendments were reported.

12.0 CORRESPONDENCE

There was no correspondence to report.

13.0 ANY OTHER RELEVANT BUSINESS

13.1 Committee Vacancies

The Chairman advised that Committee vacancies would be addressed when the outstanding appointments to the Governing Body were complete.

13.2 Programme of Meetings for 2008/09

CIRCULATED: to those members present, a proposed Schedule of Governing Body meetings for 2008/09 which, the Secretary to the Governing Body advised, was based on the agreement arrived at at the May Governing Body meeting in terms of an overall reduction in scheduled meetings with effect from the 2008/09 academic year.

AGREED: that the proposed schedule be approved.

The staff representatives left the meeting at this juncture (8.15 pm) and the meeting then went into private session.

The meeting concluded at 9.10 pm

CHAIRMAN _____ **DATE** _____