

SOUTH WEST COLLEGE GOVERNING BODY

Minutes of a Meeting of the **South West College Governing Body**
held on Wednesday 29 September 2010 at 5.30 pm in the Boardroom,
Dungannon Campus, Circular Road, Dungannon

PRESENT: Ms Gwen Stevenson (Acting Chair)
Mr Malachy McAleer (Director)
Mrs Kate Courtenay
Mr Gerry Kingston
Mr Gerard McDermott
Mr Joseph McFall
Dr Nicholas O'Shiel
Mrs Diane Stevenson

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

APOLOGIES : Mr Joseph Martin (Chairman)
Mr Brendan Corr
Dr Mark Kelly
Mr Wilson Matthews
Mr Adrian McCreesh
Councillor Thomas O'Reilly

1.0 WELCOME AND APOLOGIES

The Acting Chair welcomed members to the first Governing Body meeting of the new academic year.

Apologies were recorded by the Secretary to the Governing Body on behalf of those governors listed above.

2.0 CONFLICT OF INTEREST DECLARATIONS

Declarations were made as follows:

- (1) The Director with reference to Agenda Item 19 ó Report on Review of Director's Performance Objectives for 2009/10; and
- (2) Mr McFall with reference to Agenda Item 8.0 ó Report of the Finance and General Purposes Committee, Section 4.2.3, travel expenses claim lodged by South West College staff.

In relation to Mr McFall's declaration, it was acknowledged that he need only withdraw from the meeting should members wish to discuss the item in question.

Mr Kingston entered the meeting at this juncture.

3.0 MINUTES OF GOVERNING BODY MEETING HELD ON WEDNESDAY 30 JUNE 2010

PREVIOUSLY CIRCULATED: minutes of a meeting of the Governing Body held on Wednesday 30 June 2010.

It was noted that the confidential section of the above minutes (Pages 10-11) had not been circulated to the staff or student members and would be dealt with under the confidential section of the Governing Body meeting.

AGREED: on the proposal of Mr McDermott, seconded by Mr McFall, that the public section of the above minutes (Pages 1-9) be accepted as a true and accurate record. This section of the minutes was subsequently signed by the Acting Chair.

4.0 MATTERS ARISING

4.1 Student Support Fund ó Travel and Transport Issues ó Page 6, Minute Ref 9.1

The Director advised that work on the preparation of a paper for submission to the DEL Assembly Committee was ongoing and it was hoped to have this completed for the November 2010 round of meetings.

4.2 Insurances ó Directors and Officers Policy ó Page 7, Minute Ref 9.6

The Secretary to the Governing Body referred to the follow up email which she had issued in this regard and reminded members of their responsibility, under the terms of the above policy, to make a declaration of any circumstances that could give rise to litigation or a claim against the College.

Mrs Diane Stevenson entered the meeting at this juncture.

5.0 REPORT OF A MEETING OF THE EDUCATION, QUALITY AND PERFORMANCE COMMITTEE HELD ON THURSDAY 2 SEPTEMBER 2010

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Education, Quality and Performance Committee held on Thursday 2 September 2010 together with copies of the following papers:

- (1) Draft Anti-Bullying Policy and Procedure for Students
- (2) Revised Committee Terms of Reference

The report of the Education, Quality and Performance Committee was presented by Dr O'Shiel who had acted as the Presiding Chair in the absence of Dr Kelly, Committee Chairman.

Dr O'Shiel, in presenting the Committee report, made reference to the very informative presentation on DEL's skills strategy for Northern Ireland which had been given by Mr Michael Gould, a DEL official; highlighted the Committee's new reporting structure; highlighted the success of the College's HE recruitment campaign and the proposal which the Director had put to DEL for the recruitment of an additional 50 students; drew attention to the recommendations for adoption of the draft Anti-Bullying Policy for Students and the Committee's updated Terms of Reference; commented on the Committee's disappointment at the low turnout of members at the first meeting of the new academic year; and pointed out that the role of the Governing Body in the 2012-15 CDP process had been earmarked for further discussion at Board level.

The ensuing updates and discussion focused on the following issues in particular:

5.1 Curriculum and Business Development ó Page 4, Minute Ref 5.1.1

The Director reported that the proposal he had put to DEL for the recruitment of an additional 50 HE students had been rejected on equality related grounds.

5.2 CDP 2012-15 ó Page 4, Minute Ref 5.1.4

Lengthy discussion took place in relation to the role of the Governing Body in setting the strategic direction for the College; the manner in which it had fulfilled its obligations in this respect to date; and how best it might contribute to the CDP process going forward having regard to the current economic climate and impending cuts in the Northern Ireland budget.

The Director, with reference to the latter, referred the meeting to the copy of the presentation 'Budget 2010 Update to Directors' which had been circulated with the papers for the meeting under Agenda Item 8 ó Report of Finance and General Purposes Committee. The presentation, he said, had been delivered by the Assistant Secretary to DEL who had instructed Directors to inform, and keep Governing Bodies updated, in relation to budgetary matters.

Members noted that DEL was mounting a strong case in support of the sector.

AGREED: that a Special Governing Body meeting be called to consider the impact of any budget cuts on the College Development Plan going forward as soon as the extent of these were known.

5.3 Draft Anti-Bullying Policy and Procedure for Students ó Page 7, Minute Ref 6.4

Members were assured that there had been consultation throughout the College on the draft Anti-Bullying Policy and Procedure for Students. The Director, in response to a comment that such a policy should be for the entire College community and not just for students, undertook to communicate this view to the

appropriate personnel. It was however noted that a Harassment Policy for Employees was already in place.

5.4 Adoption of Report

AGREED: on the proposal of Dr O'Shiel, seconded by Mr Kingston, adoption the report of the Education, Quality and Performance Committee including the draft documents at (1) and (2) above, subject to the foregoing.

6.0 **REPORT OF A MEETING OF THE STAFFING COMMITTEE HELD ON WEDNESDAY 8 SEPTMEBER 2010**

PREVIOUSLY CIRCULATED: report of a meeting of the Staffing Committee held on Wednesday 8 September 2010 together with copies of the following papers:

- (1) Equality Progress Report 2009/10
- (2) Scoping Study ó the Protection and Welfare of Children and Vulnerable Adults in the Northern Ireland FE Sector (Executive Summary)
- (3) Revised Committee Terms of Reference

It was noted that the confidential section of the Staffing Committee report (Pages 9-10) had not been circulated to staff or student members and would be dealt with under the confidential section of the Governing Body meeting.

The Committee Chairman, Mr McDermott, in presenting the public section of the report, drew attention to the completion of an Article 55 Review covering the South West College's first three years, the Equality Progress Report which had been circulated with the papers, and the proposal for updating Mr Tom Elliott, MLA, on progress made towards implementation of the Affirmative Action Plan over the past year. He also drew attention to the Committee's recommendations in relation to appointments, new posts/ongoing recruitment, and fixed terms contracts; highlighted the College's outstanding performance in reducing the percentage days lost to sickness absenteeism to 2.86% which was below the 3% target; referred to the excellent work that was being undertaken in the area of staff development; pointed out that the College had gone down to an F2 grouping based on its 2008/09 enrolment figures; and mentioned the lack of guidance on implementation of the Government's public sector pay freeze. In completing his presentation he referred to the scoping study focusing on the protection and welfare of children and vulnerable adults in the FE Sector which had been commissioned by DEL with particular reference to the proposal for the naming of a governor with responsibility for child protection.

The ensuing updates and discussion focused on the following issues in particular:

6.1 Article 55 Review ó December 2007 to January 2010 ó Page 3, Minute Ref 4.2.1

The Director reported that comments on the above report had been received from UCU and that these were currently being examined by management.

6.2 Appointments ó Page 4, Minute Ref 4.3.1

The Secretary to the Governing Body reported that the individual selected for appointment to the Lecturer in Essential Skills post had declined the provisional offer.

6.3 New Posts/Ongoing Recruitment ó Page 4, Minute Ref 4.3.3

The Director submitted the following additional staff requests and said that none of these would add additional costs:

- Full time temporary Lecturer in Sports Studies (Enniskillen)
- Full time temporary Lecturer in Hairdressing (Dungannon)
- Full time temporary Lecturer in Computing (Enniskillen)
- Carbon Zero - part time temporary Pittsburgh Programme Co-Ordinator (Cookstown)
- Carbon Zero - part time temporary Sector Implementation Co-Ordinator (Cookstown)
- Carbon Zero - full time temporary ITTA post (Cookstown)
- Learning Support Register (Enniskillen)
- Work Based Assessor Register (All Campuses)

AGREED: that the above requests be approved.

6.4 Scoping Study ó The Protection and Welfare of Children and Vulnerable Adults in the Northern Ireland FE Sector ó Pages 6 and 7, Minute Ref 4.6.1

Members endorsed the Staffing Committee's reservations at the recommendation that there be a named governor with responsibility for child protection matters. It was generally felt that this would not be in keeping with the Governing Body's strategic role.

6.5 Scheme for the Award of Responsibility Allowances ó Page 8, Minute Ref 8.2

Mr Kingston pointed out that the above scheme applied to all colleges albeit it would apply differently to colleges below Band F4.

6.6 Adoption of Report

AGREED: on the proposal of Mr McDermott, seconded by Mrs Courtenay, adoption of Pages 1-8 of the Staffing Committee Report including the draft documents at (1) and (3) above, subject to the foregoing.

7.0 **REPORT OF A MEETING OF THE AUDIT COMMITTEE HELD ON WEDNESDAY 15 SEPTEMBER 2010**

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Audit Committee held on Wednesday 15 September 2010 together with copy of the following paper:

- (1) Draft Fraud and Corruption Policy and Fraud and Corruption Response Plan

The Report of the Audit Committee was presented by Mr McDermott who had chaired the meeting in the absence of the Committee Chair, Mrs Diane Stevenson.

Mr McDermott, in presenting the Committee report, highlighted the overall *substantial* assurance rating in terms of the programme of internal audit work undertaken during 2009/10; the Committee's acceptance of a programme of internal audit work for 2010/11; and its recommendation to the Governing Body for adoption of the Draft Fraud and Corruption Policy and Fraud and Corruption Response Plan. He also drew attention to matters discussed in relation to the 2009/10 external audit; the Corporate Risk Register, and the annual complaints report for 2009/10. In concluding his presentation, Mr McDermott commented on PwC's performance against key indicators set for 2009/10 which, he pointed out, had all been met or exceeded, and highlighted the Committee's recommendation for their reappointment as internal auditors to the College for the period 31 July 2011.

AGREED: on the proposal of Mr McDermott, seconded by Mr Kingston, adoption of the report of the Audit Committee including the Draft Fraud and Corruption Policy and Fraud and Corruption Response Plan and reappointment of PwC.

8.0 REPORT OF A MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON WEDNESDAY 22 SEPTEMBER 2010

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Finance and General Purposes Committee held on Wednesday 22 September 2010 together with copies of the following papers:

- (1) Budget 2010 Update to Directors
- (2) Draft Estates Strategy
- (3) Revised Committee Terms of Reference

The Committee Chairman, Ms Gwen Stevenson, in presenting the Committee report, highlighted the £500k adjustment which had been made to the 2010/11 budget and 2011/13 forecasts to allow for ongoing exceptional costs in the form of capital investment; the College's sound cash position; and its 2009/10 draft financial results. She also highlighted the recommendations for additional expenditure totalling £50k at the Enniskillen Campus; for adoption of the draft Estates Strategy; for the course of action to be taken in relation to an encroachment issue at the Fairview site, Enniskillen; and also for adoption of the Committee's revised Terms of Reference.

The Director, in response to a question arising under the Financial Results heading (Minute Ref 4.2.1 of Finance and General Purposes Committee minutes) said that recruitment overall was up around 4.7% on the previous year. This led to a lengthy discussion in relation to increased student output numbers

against a shrinking labour market, and whether or not the College had, or needed to have, a specific strategy for addressing this problem.

Members, for the most part, acknowledged that this was a widespread problem in the current economic climate and noted the Director's statement that around 70% of the South West College curriculum was in line with the long term needs of the economy and was sectorally well placed in this regard.

AGREED: on the proposal of Ms Stevenson, seconded by Mr McFall, adoption of the report of the Finance and General Purposes Committee including the draft Estates Strategy and the revised Committee Terms of Reference.

9.0 CHAIRMAN'S BUSINESS

The Secretary to the Governing Body reported that Mr Martin, Governing Body Chairman, had asked her to extend his best wishes to members at their first meeting of the new academic year and to extend special thanks to the Vice Chair, Ms Gwen Stevenson, for covering for him during his stay in Pittsburgh. Mr Martin, she added, had hoped to link into the November Governing Body meeting by video conference but, as the date of the meeting clashed with the University's Thanksgiving break, he was likely to be off Campus at that time.

10.0 DIRECTOR'S BUSINESS

The Director, with reference to other business not already covered during the meeting, reported that:

- (1) **Steps to Work Inspection** ó the College had received verbal confirmation that it had achieved a Grade 2.
- (2) **Steps to Work Retendering** ó this would commence shortly with the new contracts to take effect from April 2011.
- (3) **Carbon Zero Programme** ó Sir Reg Empey was planning to visit the eight South West College students who were currently on placement in Pittsburg.

11.0 REGISTER OF INTERESTS

PREVIOUSLY CIRCULATED: to all members, copy of the 2009/10 Register of Interests and a Register of Interests form for completion for the purposes of compiling the 2010/11 Register.

The Secretary to the Governing Body asked all members to submit their completed returns at the end of the meeting or as soon as possible thereafter.

12.0 DECLARATION OF ANY HOSPITALITY OR GIFTS RECEIVED OR OFFERED

No declarations were made.

13.0 CORRESPONDENCE

The Secretary to the Governing Body reported receipt of a letter dated 24 September 2010 from UCU, addressed to the Chairman of the Governing Body, on the subject of compensation for redundancy and premature retirement for FE lecturers. The writer, she added, had asked that the correspondence be forwarded to members of the Governing Body.

AGREED: that the letter be forwarded to the Staffing Committee with the papers for its next meeting.

14.0 ANY OTHER RELEVANT BUSINESS

14.1 Agenda NI Publication

Mrs Diane Stevenson, with reference to the above publication, advised that it contained some very relevant and useful information and suggested that governors be provided with a copy.

AGREED: that the relevant sections be emailed to all governors.

14.2 Governing Body Training Register

The Secretary to the Governing Body, with reference to an email request forwarded to all governors earlier in the week, asked members to complete the return form issued to them in relation to any relevant training outside the South West College which they had undertaken during 2009/10 and to submit this to her as quickly as possible.

14.3 Electronic Meetings

The Secretary to the Governing Body suggested that consideration be given to moving towards electronic (paperless) meetings with the possibility of piloting the initiative through one of the Committees.

AGREED: at the suggestion of the Acting Chair, that the initiative be piloted through the Finance and General Purposes Committee commencing in November 2010.

15.0 EVALUATION OF MEETING

PREVIOUSLY CIRCULATED: to all members, copy of meeting evaluation form.

Completion of the form was conducted on a collective basis led by the Acting Chair. In relation to the attendance question, it was noted, with disappointment, that only 8 of the 15 Governing Body members were present.

The Secretary to the Governing Body, in response to comments made during the ensuing discussion, advised that membership of the Governing Body was prescribed by the Instrument of Government but said that some categories of membership, eg, student membership, had been discussed within the review of governance arrangements for FE colleges although no decisions on the way forward had yet been forthcoming. In response to some of the comments on the subject of attendance, both in the context of the Governing Body and the Education, Quality and Performance Committee referred to earlier in the meeting, she undertook to:

- (1) contact DEL in relation to the timeframe for the recruitment process associated with the reconstitution of governing bodies in 2011; and
- (2) to reissue the 2010/11 programme to meetings to all governors and to make everyone aware that an annual return on governor attendance was made to DEL.

Mr Kingston and Mr McFall, staff members, left the meeting at this juncture (6.55 pm).

The meeting then went into private session and ended at 7.05 pm.

CHAIRMAN _____ DATE _____