

SOUTH WEST COLLEGE GOVERNING BODY

Minutes of a Meeting of the **South West College Governing Body**
held on Wednesday 26 January 2011 at 5.30 pm in Room MG04,
Enniskillen Campus, Fairview, 1 Dublin Road, Enniskillen

PRESENT:

- Mr Joseph Martin (Chairman)
- Mr Malachy McAleer (Director)
- Mrs Kate Courtenay
- Dr Mark Kelly
- Mr Gerry Kingston
- Mr Wilson Matthews
- Mr Gerard McDermott
- Mr Joseph McFall
- Councillor Thomas O'Reilly
- Dr Nicholas O'Shiel
- Mrs Diane Stevenson
- Ms Gwen Stevenson

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

APOLOGIES:

- Mr Brendan Corr
- Mr Wilbert Mayne
- Mr Adrian McCreesh

1.0 APOLOGIES AND OTHER PRELIMINARIES

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

The Chairman, Mr Martin, thanked Ms Gwen Stevenson, Governing Vice Chair, for chairing Governing Body meetings during his recent period of absence.

2.0 CONFLICT OF INTEREST DECLARATIONS

A conflict of interest declaration was made by Mr Kingston with reference to Agenda Item 8.0 – Report of the Staffing Committee, Section 4.3, Human Resource Report; and Section 4.4.1, Sectoral Policies, Employee Travelling and Subsistence Allowances Scheme for Non Teaching Staff.

Mr McFall, at a later stage in the meeting, declared an interest in Section 4.4.1, Sectoral Policies, Employee Travelling and Subsistence Allowances Scheme for Non Teaching Staff, under Section 8.0 of the agenda.

It was noted that the staff governors need only withdraw from the meeting should members wish to discuss the items in which they had declared an interest.

3.0 REVIEW OF FE GOVERNANCE

PREVIOUSLY CIRCLATED: to all members, copy of Review of Further Education Governance consultation document dated November 2010 issued by DEL.

CIRCULATED: to those members present, copy of presentation relating to the consultation document including suggested response to each of the review document recommendations.

The presentation was led by the Chairman who, by way of background and introduction, commented briefly on significant developments within the FE sector since incorporation in 1998 with particular reference to the college mergers in 2007 and the review of governance arrangements announced by the Minister in 2008; the subsequent review of governance undertaken by the Learning and Skills Improvement Service (LSIS) on the Department's behalf; followed by the wider review of governance initiated by the Department on foot of the Northern Ireland Public Accounts Committee's findings and conclusions in 2009.

The Chairman went on to highlight the key issues that had emerged from the wider consultation, these being around lack of clarity on the part of governing bodies about the respective roles and responsibilities of governors, college management, and the Department; differing views about the degree of autonomy which governing bodies have or should have; and the need for governing bodies to understand the linkages between all aspects of the regulatory frameworks. He then referred to different considerations in terms of a model of governance; the primary purposes of governance; the LSIS report and recommendations which had become part of the wider review; and current South West College performance with regard to its governance responsibilities. In concluding the presentation, the Chairman drew attention to the review recommendations on Pages 59-61 of the consultation document and, in turn, to the suggested South West College responses on Pages 6-8 of the presentation handout. He specifically drew attention to the fact that there was no recommendation for the remuneration of governors and explained the Department's rationale for not progressing the proposal put forward by LSIS for payment of an annual investment allowance.

Dr Kelly entered the meeting at this juncture.

Commenting on the mechanism for responding to the consultation document, the Chairman advised that a collective response from the six colleges would be submitted to DEL through Colleges Northern Ireland and individually.

Lengthy discussion ensued during which careful consideration was given to each of the sixteen review recommendations and an agreed position arrived at (as per Appendix 1 attached).

Mrs Diane Stevenson entered the meeting during consideration of recommendation No 10.

AGREED: (1) that the draft response to the review recommendations be emailed to all governors for sign off prior to submission, and (2) on the matter of remuneration for governors, that DEL be asked to explain why FE colleges continued to be treated differently from other arms length bodies.

3.1 Subsidiary Issues Raised under the Review of FE Governance Discussion

Subsidiary issues raised during the Review of FE Governance discussion were:

- (1) the need for a review of Colleges Northern Ireland (formerly ANIC) from a value for money perspective; and
- (2) the threat of clawback of College reserves with particular reference to the reclassification issue and the implications for the future development of the College.

The Chairman, with reference to Colleges Northern Ireland issue, said that members' representations for a review would be pursued further once a new Director had been appointed.

The Director, by way of update on the reclassification issue and the implications for College reserves in particular, advised that DEL had issued a statement the previous day to the effect that reclassification would not now apply in Northern Ireland in the current financial year and that they would continue to explore the issue in the context of the following financial year. The College, he added, would continue to press the case to DEL for the sector to be taken outside the reclassification.

AGREED: support for the above course of action.

4.0 MINUTES OF GOVERNING BODY MEETING HELD ON WEDNESDAY 24 NOVEMBER 2010

PREVIOUSLY CIRCULATED: minutes of a meeting of the Governing Body held on Wednesday 24 November 2010.

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

AGREED: on the proposal of Dr O'Shiel, seconded by Mr McDermott, that the public section of the above minutes (Pages 1-10) be accepted as a true and accurate record. This section of the minutes was subsequently signed by the Chairman.

5.0 **MATTERS ARISING**

5.1 **Summer Marketing Campaign – Evaluation Report and Planning Ahead – Page 5, Minute Ref 7.2**

The Director, in response to an enquiry relating to the schools collaboration issue, advised that it was being pursued in the first instance through a contact on the Lisanelly Steering Group.

5.2 **Governor Training Provision – Page 9, Minute Ref 15.1**

The Secretary to the Governing Body, with reference to the undertaking she had given at the November Governing Body meeting, reported that the CIPFA Spring Programme 2011 had been electronically circulated to all governors and that a number of expressions of interest had been received. Details of these, and the associated cost, were shared with the meeting.

AGREED: that on the basis of the cost of this provision, participation be limited to one relevant training course per governor with the following expressions of interest being approved on this basis:

- Best Practice in Audit Committees – Diane Stevenson and Brendan Corr
- Finance for Non-Financial Managers – Joe McFall

6.0 **REPORT OF A MEETING OF THE AUDIT COMMITTEE HELD ON WEDNESDAY 24 NOVEMBER 2010**

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Audit Committee held on Wednesday 24 November 2010.

It was noted that a verbal report of this meeting had been given by the Committee Chair to the November Governing Body meeting.

AGREED: on the proposal of Mrs Diane Stevenson, seconded by Mr Kingston, adoption of the report of the Audit Committee.

6.1 **Membership of the Audit Committee**

The Secretary to the Governing Body reported that the recently appointed governor, Mr Wilbert Mayne, may be interested in membership of the Audit Committee and sought approval for his appointment subject to confirmation of his provisional expression of interest.

AGREED: that the necessary approval be granted.

7.0 REPORT OF A MEETING OF THE EDUCATION, QUALITY AND PERFORMANCE COMMITTEE HELD ON THURSDAY 6 JANUARY 2011

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Education, Quality and Performance Committee held on Thursday 6 January 2011 together with copies of the following papers:

- (1) CDP Interim Progress Report at 15 December 2010
- (2) CDP Strategic Projects Traffic Light Report at 15 December 2010
- (3) Draft Careers, Education, Information and Guidance Policy and Procedure
- (4) Higher Education Access Agreement

The Committee Chair, Dr Kelly, in presenting the Committee report, made particular reference to the excellent presentation given by the Marketing Manager and the progress that had been made on the marketing front generally; commented on the continuing efforts to secure additional MaSN places going forward, the findings from the ETI evaluation of the Blended Learning Pilot and the fact that plans were being put in place to roll this initiative out across the College, the establishment of an International Working Group representing the six colleges and the Committee's discussion relating to the objectives of the group; and the recommendation for adoption of the fee proposals and bursary arrangements detailed in the Higher Education Access Agreement at (4) above. He also drew members' attention to CDP progress reports and the fact that a specific Governing Body approval meeting would not be required for the written element of the Plan going forward; referred to the discussion relating to funding for students; highlighted the recommendation for adoption of the draft Careers, Education, Information and Guidance Policy and Procedure; and tendering updates and other matters of note recorded under the "Any Other Relevant Business" section of the Committee report.

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

7.1 MaSN Update – Page 5, Minute Ref 5.8

The Director commented on the College's strategy going forward in relation to its MaSN allocation and said that a document on the "Development of a Higher Education Strategy for Northern Ireland" which DEL had recently put out to consultation would be brought to the March Education, Quality and Performance Committee meeting for discussion.

7.2 Student Hardship/Support Fund – Page 6, Minute Ref 6.2.1

The Director, with reference to discussions that had taken place at the Finance and General Purposes Committee meeting on the issue of financial support for students, advised that management was currently exploring the possibility of creating a Trust Fund focused on the more mature student and said that a report on this subject would be brought to the next meeting of the Education, Quality and Performance Committee.

7.3 Training for Success Bid – Page 7, Minute Ref 9.1(3) – Expression of Appreciation

The Governing Body Chairman paid tribute to the commitment and hard work of all involved in preparation of the College's Training for Success bid which he described as a substantial, high quality document.

7.4 Other Expressions of Appreciation

Expressions of appreciation recorded at the Education, Quality and Performance Committee meeting in relation to the website award, the Destination Fermanagh Project, and the Carbon Zero Programme, were reiterated by the Director and the respective members.

7.5 Adoption of Report

AGREED: on the proposal of Dr Kelly, seconded by Dr O'Shiel, adoption of the report of the Education, Quality and Performance Committee including the draft Careers, Education, Information and Guidance Policy and Procedure.

8.0 **REPORT OF A MEETING OF THE STAFFING COMMITTEE HELD ON WEDNESDAY 12 JANUARY 2011**

PREVIOUSLY CIRCULATED: report of a meeting of the Staffing Committee held on Wednesday 12 January 2011.

It was noted that the confidential section of the Staffing Committee report (Page 7) had not been circulated to the staff members and would be dealt with under the confidential section of the Governing Body meeting.

Mr Kingston withdrew from the meeting at this juncture.

The Committee Chair, Mr McDermott, in presenting the public section of the report, drew the Governing Body's attention to ongoing work in the area of Health and Safety, the Committee's recommendations in relation to appointments, new posts/ongoing recruitment, fixed term contracts, and other resourcing matters. He also highlighted the position that had been adopted by the Committee in relation to a range of other issues including the Employee Travelling and Subsistence Allowances Scheme for Non Teaching Staff which was a new sectoral policy.

Mr McFall withdrew from the meeting to facilitate discussion on the travel policy.

8.1 Employee Travelling and Subsistence Allowances Scheme for Non Teaching Staff – Pages 4 and 5, Minute Ref 4.4.1

The Director briefed members on the position that had been adopted by management on the travel expenses issue to date and the rationale for this position which revolved around affordability.

The Chairman, in response to a question, explained the procedure for the negotiation of sectoral policies.

8.2 Adoption of Public Section of Report

AGREED: on the proposal of Mr McDermott, seconded by Mrs Courtenay, adoption of Pages 1-6 of the Staffing Committee Report.

Mr Kingston and Mr McFall re-entered the meeting at this juncture.

9.0 **REPORT OF A MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON WEDNESDAY 19 JANUARY 2011**

PREVIOUSLY CIRCULATED: to all members, report of a meeting of the Finance and General Purposes Committee held on Wednesday 19 January 2011 together with copies of the following papers:

- (1) Financial Highlights Report
- (2) Revised Financial Projections 2010/11

The Committee Chair, Ms Gwen Stevenson, in presenting the Committee report, highlighted the discussion that had taken in the context of the Financial Highlights Report on the need to establish a minimum level of the reserves for the College and the work that was being taken forward in that regard; sought Governing Body support for the revised financial projections for 2010/11; highlighted DEL's budget paper and the College's concerns in relation to some of the proposals for reducing expenditure; drew attention to various bid submissions made by the College for which Governing Body endorsement was sought; highlighted proposed sustainability projects at the Dungannon and Enniskillen Campuses which the Governing Body was asked to support, and drew attention to the Tribal recommendation for a service audit in 2011 rather than a full benchmarking exercise in relation to the two PFI contracts.

The ensuing discussion centred on the following issues.

9.1 Financial Highlights Report and College Reserves – Pages 3 and 4, Minute Ref 4.1.1

The Director, in response to a question, confirmed that a follow up investment plan for utilisation of College reserves above the level currently permitted under the Financial Memorandum was being developed and would include projects such as the energy projects being taken forward at the Dungannon and Enniskillen Campuses.

9.2 Revised Financial Projections 2010/11 – Page 5, Minute Ref 4.2.1

The Director referred to the positive contribution of the Resource to Risk project in reducing overhead costs and, at the request of a member, undertook to bring further details to a future meeting.

9.3 Adoption of Committee Report

AGREED: on the proposal of Ms Stevenson, seconded by Dr O'Shiel, adoption of the Report of the Finance and General Purposes Committee.

10.0 CHAIRMAN'S BUSINESS

The Chairman reported on the following issues:

- (1) **Appointment/Reappointment of Members to FE College Governing Bodies** – DEL had issued the timetable for the reappointment of existing business, industry and professional members whose term of office expired on 31 July 2011, and for the appointment of new members to governing bodies, as appropriate.

It was noted that the process had commenced earlier in the month.

- (2) **HE Graduation Ceremony** – this highly successful event had been attended by Minister Kennedy and had proved to be an excellent relationship building opportunity.
- (3) **DEL Draft Budget** – the Director and himself were engaged in a round of meetings with representatives of the four main political parties for the purposes of briefing them on issues of concern to the College in relation to the forthcoming budget cuts. DEL, he added, had been informed that these meetings were taking place.

The Director, in adding to the Chairman's comments, elaborated on the areas of concern, primarily training and innovation funding, and, in relation to the latter, said that Cookstown District Council and Dungannon and South Tyrone Borough Council were writing unsolicited letters of support for continuation of this funding to the College.

11.0 DIRECTOR'S BUSINESS

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

- (1) **Trainee Travel Costs** – the College was currently paying out a total of £140k per annum in excess of the amount it received from DEL for reimbursement of trainee travel costs and said this position was unlikely to be sustainable under the new training contract;
- (2) **Single Tender Action** – the College, in furtherance of its objective of achieving excellence in classroom teaching, had offered teaching staff the opportunity of working towards an Advanced Teaching Thinking Certificate which was delivered by Martin Renton of JN Partnership at a cost of £175 per person. The response of 40 plus expressions of interest, which was double what had been expected but was nevertheless to be

welcomed and encouraged, would bring the contract amount to approximately £7k.

The Director, in responding to members' comments and questions, confirmed that DEL was informed of all single tender actions through the established reporting mechanisms.

AGREED: that single tender actions should, from a good governance perspective, be avoided as far as possible but that the Governing Body, in recognition of the exceptional nature of this particular request, endorse the Director's decision.

- (3) **Official Launch of STEM Centre at Dungannon Campus** – this would take place on Wednesday 9 March 2010 at 2.00 pm and an invitation would be extended to all governors. The DEL Minister would be performing the official opening.

AGREED: that, subject to his availability, the Minister be asked to facilitate a working lunch with members of the Governing Body immediately prior to the official opening.

Mr McDermott apologised in advance for his unavailability on that date.

- (4) **Innovation Fund Inspection** – ETI inspectors were currently undertaking an inspection of three strands of the Innovation Fund, including InnoTech and Carbon Zero.

12.0 REGISTER OF INTERESTS

The Secretary to the Governing Body asked that outstanding returns for the 2010/11 Register be submitted before the end of the month.

13.0 DECLARATION OF ANY HOSPITALITY OR GIFTS RECEIVED OR OFFERED

No declarations were made.

14.0 CORRESPONDENCE

There was no correspondence to report.

15.0 ANY OTHER RELEVANT BUSINESS

There were no items of business raised under this heading.

16.0 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 Governing Body Chairman. There were no issues of note as regards governor feedback.

Mr Kingston and Mr McFall, staff members, left the meeting at this juncture.

The meeting then went into private session and ended at 8.08 pm.

CHAIRMAN _____ DATE _____