



ARTICLES OF GOVERNMENT

Revised June 2009

ARTICLES OF GOVERNMENT FOR SOUTH WEST COLLEGE

In accordance with the requirements of Article 11 of The Further Education (Northern Ireland) Order 1997, this document provides for the functions and responsibilities of the Governing Body of South West College and should be known as the Articles of Government for South West College.

PART I - INTERPRETATION

1. In these Articles of Government the following expressions shall have the meanings indicated in this paragraph:-

"these Articles" means these Articles of Government;

"the college" means South West College and includes any organisation or company established by the college unless otherwise stated;

"the Order" means the Further Education (Northern Ireland) Order 1997;

"the Department" means the Department for Employment and Learning;

"the Instrument of Government" means the Instrument of Government for South West College in accordance with the requirements of the Order;

"the Governing Body" means the Governing Body of the college as constituted under the requirements of the Order and the Instrument of Government;

"the chairperson" means the chairman as provided for under Article 3 of Schedule 3 to the Order and as appointed in accordance with Part VI of the Instrument of Government;

"the principal" means the person who has been appointed by the Governing Body to be responsible for the day to day management of the college;

"the vice-principal" means the person who is remunerated for such a post in accordance with a determination of the Governing Body under the Order;

"senior staff" means the posts of principal, vice-principal and such other posts as the Department may determine;

"the staff" means all staff of the college;

"the secretary" means the person appointed by the Governing Body under the Instrument of Government to perform the duties of secretary for that body;

"the academic board" means the body so constituted in accordance with these Articles;

"the students' union" means any association of the generality of students formed to further the educational purposes of the college and the interests of students as students;

"the staff members" means the members elected by the staff of the college to the Governing Body in accordance with the Instrument of Government;

"staff representatives" are persons who are recognised by trade unions which in turn are recognised by the college for the purposes of representing staff;

"the student member" means the member elected by the student body to the Governing Body in accordance with the Instrument of Government;

"a friend" means a colleague in the college or a person from the member of staff's representative organisation;

"the financial memorandum" means the agreement between the Department and the college setting out terms and conditions for the payment of grants out of funds provided by the Northern Ireland Assembly.

2. The Interpretation Act (NI) 1954 shall be deemed to apply to these Articles.

PART II - CONDUCTING OF THE COLLEGE

3. The college shall be conducted in accordance with the provisions of the Order, any relevant regulations, orders or directions made by the Department and, subject thereto, in accordance with the provisions of the Instrument of Government, these Articles, any rules or standing orders made under these Articles and any trust deed regulating the college.

Responsibilities of Governing Body

4. Subject to the requirements of the Order, the Governing Body shall be responsible for securing the efficient and effective management of college activities and property. It may, however, subject to paragraph 6, delegate to an appropriate committee of the Governing Body or the principal such responsibilities as would be more expedient for the efficient organisation of college business and activities.
5. The Governing Body shall ensure that individual governors are given the required information and adequate opportunities to acquire and update the knowledge and skills required to enable them to perform effectively as a member of the Governing Body of the college.
6. Notwithstanding paragraph 4, the Governing Body shall not delegate responsibility for the following:-
 - a. determining the mission of the college and the strategic oversight of its activities and for maintaining its general character;
 - b. the effective use of resources, the solvency of the college and for safeguarding its assets;
 - c. approving annual estimates of income and expenditure;
 - d. the appointment, discipline, conduct, grievance, suspension and dismissal of senior staff;

- e. the setting of the pay and conditions of service of senior staff, other than to a body established for the purposes of negotiating the pay and conditions of service of senior staff on behalf of colleges generally;
- f. approving a framework for the pay and conditions of service of staff, other than senior staff, and arranging for the negotiation of such with the recognised representatives of such staff;
- g. approving the arrangements for the appointment, promotion, discipline, conduct and grievance of staff, other than senior staff; and
- h. ensuring that there is an efficient and effective appraisal system operating in the college.

Responsibilities of the Principal

- 7. Subject to the Governing Body having overall responsibility, the principal shall be the chief executive of the college and shall be responsible for:-
 - a. making proposals to the Governing Body about the educational nature and mission of the college and for ensuring that the decisions of the Governing Body in this and all other regards are implemented;
 - b. providing members of Governing Body with adequate information on all of the college's affairs to enable them to comply fully and effectively with the requirements of their role;
 - c. the day-to-day organisation, direction and management of the college and leadership of the staff;
 - d. the quality and performance of the college especially with regard to academic provision;
 - e. the arrangements for the admission, assessment and examination of students;
 - f. the development of the curriculum and programmes of staff development;

- g. the arrangements as necessary for the appointment, appraisal, suspension and dismissal of staff, other than senior staff, within the framework set by the Governing Body and the terms set out in these Articles;
- h. the preparation of annual estimates of income and expenditure, for consideration and approval by the Governing Body, and for the overall management of the budget and other resources within the estimates approved by the Governing Body;
- i. the maintenance of proper accounts and records subject to any guidance and instruction from the Department or requirements of statutory authorities, and the making available of such data as may be required to the Governing Body, the Department or other appropriate statutory body;
- j. the maintenance of student discipline and, within procedures provided for within these Articles, for the suspension and/or expulsion of students; and
- k. such other duties as may be delegated by the Governing Body, subject to the exclusions listed in paragraph 6.

PART III - PROCEEDINGS OF THE GOVERNING BODY

- 8. The Governing Body shall meet not less than six times a year and shall hold such other meetings as may be necessary. Meetings of committees of the Governing Body shall be conducted in accordance with the provisions set out in Part IV of these Articles.
- 9. The validity of any proceedings of the Governing Body, or of any committee of the Governing Body, shall not be affected by a vacancy amongst the members or any defect in the appointment of any member.
- 10. All meetings of the Governing Body shall be summoned by the secretary who shall send to the members written notice of the meeting, including an agenda, at least seven calendar days in advance of the meeting.
- 11. A special meeting of the Governing Body may be called at any time by the chairperson, or at the request in writing of any five members. In addition, a special meeting may be called by the internal or external auditors where they wish to discuss the circumstances

related to their removal or resignation. Where the chairperson, or, in the chairperson's absence, the vice-chairperson, decides that there are matters requiring urgent consideration, it shall be sufficient if the written notice convening the meeting, together with the agenda for the meeting, are delivered within such period being less than seven days as the chairperson determines.

12. Members of the Governing Body shall not be bound in their speaking or voting by mandates given to them by other bodies or persons.

Quorum

13. The quorum for a meeting of the Governing Body shall be six persons of whom at least three should be those persons appointed under the provisions of sub-paragraph 5a of the Instrument of Government.
14. If the number and/or the composition of members assembled for a meeting does not constitute a quorum, the meeting shall not be held. If, in the course of a meeting, the number or composition of members ceases to represent a quorum, then the meeting shall be terminated.
15. If for lack of a quorum a meeting cannot be held, or is terminated prematurely, the chairperson may cause a special meeting to be convened as soon as is convenient.

Minutes

16. Minutes shall be kept of meetings of the Governing Body and any of its committees. Minutes and any papers tabled at meetings of the Governing Body should be made available to all members of the Governing Body subject to confidentiality restrictions as set out in Part V of and Schedule 4 to the Instrument of Government and paragraph 18 below.
17. At every such meeting, the minutes of the previous meeting shall be taken as an agenda item, unless the members present decide otherwise, and, if agreed to be accurate, shall be signed as a true record by the chairperson, or, in the chairperson's absence, the vice-chairperson or other member acting as chairperson.

18. The minutes shall include a record of all withdrawals and re-entries as required under Part V of and Schedule 4 to the Instrument of Government. Separate minutes shall be taken of those parts of meetings from which any person has withdrawn. Such persons shall only be entitled to see the minutes of that part of the meeting if the other members of the Governing Body present agree.

Voting

19. In the absence of unanimity on a particular issue under consideration, the issue shall be decided by a majority of the votes of the members present and voting on the question. Where there is an equal division of votes the chairperson of the meeting shall have a second or casting vote. The outcome of a vote shall be recorded in the minutes.
20. On the requisition of any member, before a vote is taken, who is supported by at least one other member, the voting on any such question shall be recorded so as to show whether each member present gave his vote for or against that question or abstained from voting.
21. A member may not vote by proxy.
22. No resolution of the members may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.

Openness and Access to Information

23. Any question as to whether a person who is not a member of the Governing Body or the secretary may attend a meeting of the Governing Body shall be dealt with by the chairperson in the first instance, subject to ratification at the meeting by the Governing Body before such person joins the meeting. In any case, the finance officer of the college may normally attend any meeting of the Governing Body at which the finances of the college are to be discussed.
24. Subject to paragraph 25, the Governing Body shall ensure that, for every meeting, a copy of the agenda, the approved minutes and any final report, document or other paper considered at the meeting shall, in each case as soon as possible, be made available

during normal office hours at the college to any person wishing to inspect them and also published on the college's web-site.

25. There shall be excluded from any items being made available under the terms of paragraph 24, any material which makes reference to:-

- a. an employee or former employee of the college or an applicant for employment at the college;
- b. a named student of the college or candidate for admission to the college;
- c. any information, the disclosure of which is prohibited by these Articles or by any enactment or rule of law; or
- d. any matter which it appears to the Governing Body should be treated as confidential, either permanently or for a specified period.

Allowances to Members

26. The Governing Body may pay travelling and subsistence expenses claimed by members of the Governing Body undertaking approved college business including attendance at governor training events and conferences providing their attendance has previously been agreed. Any such payments shall be subject to the terms and conditions specified by the Department.

Evidence of Documents

27. In any legal proceedings, a document purporting:-

- a. to be a document made or issued by the Governing Body; and
- b. to be signed by the chairperson of the Governing Body or the principal,

shall be received in evidence and shall be treated, without further proof, as being so made or issued unless the contrary is shown.

28. In any legal proceedings, an extract from the minutes of the proceedings of any meeting of the Governing Body signed by the chairperson or the principal shall be evidence of the matters stated therein.

PART IV - COMMITTEES OF THE GOVERNING BODY

29. To assist the Governing Body and the principal in the exercise of their responsibilities, the Governing Body shall arrange for the setting up of an appropriate committee structure in accordance with the provisions of these Articles.

30. Committees of the Governing Body shall be chaired by a member of the Governing Body other than a member appointed under sub-paragraphs 5b, 5c and 5d of the Instrument of Government.

31. Except as otherwise provided in these Articles, the terms of reference, membership and reporting arrangements of any committee shall be subject to the approval of the Governing Body.

32. In the absence of unanimity on a particular issue under consideration by any committee, the procedures set out in paragraphs 19 to 20 shall apply. Only committee members who are members of the Governing Body may vote.

33. The minutes of meetings of any committees established by the Governing Body shall be circulated to all members of the Governing Body. Minutes should be circulated within ten days of the meeting taking place, either as agreed or draft version, subject to the confidentiality restrictions set out in Part V of and Schedule 4 to the Instrument of Government and paragraph 18 of these Articles. The Governing Body should adopt the minutes of all committee meetings.

Education Committee

34. The Governing Body may, in accordance with arrangements which it shall determine, establish an education committee for the purpose of overseeing college curricular provision, especially the nature, quality and performance of the provision and the extent to which it meets the needs of the community the college seeks to serve.

35. The membership of the education committee shall comprise at least four members of the Governing Body appointed under sub-paragraphs 5a, 5e and 5f of the Instrument of Government plus the principal, the academic staff member and the student member. The committee may have in attendance such other staff of the college as are considered appropriate.

Finance and General Purposes Committee

36. The Governing Body shall, in accordance with arrangements which it shall determine, establish a finance and general purposes committee, comprising at least four members of the Governing Body, of whom at least two shall be members appointed under sub-paragraph 5a of the Instrument of Government, plus the principal. The committee may have in attendance such other officers of the college as considered appropriate by the Governing Body.
37. The finance and general purposes committee shall, subject to the provisions of these Articles, determine or advise the Governing Body on matters relating to the estimates, budget and presentation of the accounts of the college and other such matters as the Governing Body may from time to time remit to it.

Audit Committee

38. The Governing Body shall, in accordance with arrangements which it shall determine and with such guidance as the Department may provide, establish an audit committee comprising at least four members (other than the principal). No members of the audit committee shall also sit on the finance and general purposes committee.
39. The chairperson of the audit committee shall be a member of the Governing Body appointed under the provisions of sub-paragraph 5a of the Instrument of Government but shall not also be the chairperson of the Governing Body.
40. The principal, the senior finance officer and the internal auditor should normally attend meetings of the audit committee. The external auditor should be required to attend when an external audit report is being considered. The committee may also have in attendance such other officers of the college and other professional advisers as are considered appropriate.

41. The audit committee is authorised by the Governing Body to investigate any activity within its terms of reference and all staff and members of the Governing Body are required to co-operate with the committee. The committee shall provide a channel of communication from the college's auditors, which is not controlled by college management. In particular it shall ensure that the internal control systems, including audit activities, of the college are monitored actively, independently and objectively in order to:-

- a. promote and ensure high standards of propriety, accountability and financial management within the college;
- b. improve the quality of financial reporting by reviewing internal and external financial statements on behalf of the Governing Body;
- c. promote a financial climate of financial discipline and control which will help to reduce the opportunity for financial mismanagement;
- d. improve where necessary, the effectiveness of the college's internal controls and mechanisms for achieving value for money and the extent to which these comply with requirements set down by the Department;
- e. reinforce the independence and effectiveness of the internal audit function and to underpin the objectivity and independence of the external auditors;
- f. advise on the reliability of the college's information systems;
- g. provide a sounding board for college management on issues of concern in relation to the college's internal control systems; and
- h. contribute to the maintenance or increasing of public confidence in the quality of the college's corporate governance and management.

42. The audit committee shall meet at least four times in each year.

43. The audit committee shall prepare an annual report to the Governing Body in a format prescribed by the Department. The report should record the work of the committee and

include a review of the internal and external audit of the college together with any other audit-related activities. Following approval by the Governing Body a copy of the audit annual report shall be submitted to the Department.

Staffing Committee

44. Subject to the provisions of these Articles, the Governing Body may establish, in accordance with arrangements which it shall determine, a staffing committee for the purpose of carrying out procedures in relation to the recruitment, appointment, promotion and grading of all staff, other than senior staff.
45. The membership of the staffing committee shall comprise at least four members of the Governing Body (other than members appointed under sub-paragraphs 5b, 5c and 5d of the Instrument of Government) and the principal. In addition, the officer responsible for personnel issues in the college should, normally, have the right to attend meetings of the committee.
46. It shall be the responsibility of the staffing committee, on behalf of the Governing Body:-
 - a. to draw up standard arrangements, for the approval of the Governing Body, for the recruitment, appointment and promotion of staff, other than senior staff;
 - b. to ensure that each member of staff shall serve under a contract of employment with the Governing Body;
 - c. upon the occurrence of a vacancy or expected vacancy in the staffing (other than in a post for a member of the senior staff), to set in train the standard arrangements; and
 - d. to ensure that all procedures, and their application, in relation to the recruitment, appointment, promotion and remuneration of staff shall comply with industrial relations and equal opportunity legislation.

Temporary Committees

47. The Governing Body may from time to time set up other committees of itself which are of a temporary ad hoc nature; but any committee which is for other than a short-term need, shall only be established after an appropriate amendment to these Articles is approved by the Department.

PART V - ACADEMIC BOARD

48. There may be an academic board to advise the principal on:-

- a. the standards, planning, co-ordination and general oversight of the academic work of the college, including arrangements for the admission, assessment and examination of students;
- b. the development of the curriculum and programmes of staff development; and
- c. the procedures for the suspension and/or expulsion of students for academic reasons.

49. The size of the academic board shall be no more than 30 members comprising the principal (who shall be the chairperson) and such other numbers of staff and students as may from time to time be approved by the Governing Body. The principal may nominate a deputy chairperson from among the members of the academic board to take the chair during the principal's unavoidable absence. The period of appointment of members and the selection or election arrangements shall be subject to the approval of the Governing Body.

50. The academic board may establish such sub-committees as it considers necessary for the purpose of enabling it to carry out its responsibilities, provided that each establishment of a sub-committee, its terms of reference and reporting arrangements must first be approved by the principal. The number of members of any such sub-committee and the terms on which they are to hold and vacate office shall be determined by the academic board.

PART VI - APPOINTMENT AND PROMOTION OF STAFF

Senior Staff

51. It shall be the responsibility of the Governing Body to ensure that each member of the senior staff shall serve under a contract of employment with the Governing Body. In particular, the Governing Body shall ensure that all procedures, and their application, in relation to the appointment and remuneration of senior staff shall comply with industrial relations and equal opportunity legislation.

52. Upon the occurrence of a vacancy or expected vacancy in the post of principal or vice-principal, the Governing Body shall prepare a job description and shall arrange for:-

- a. obtaining from the Department approval to the proposed remuneration and conditions of service for the post;
- b. advertising the vacancy widely, including placing an advertisement in one or more daily newspapers which have a circulation throughout Northern Ireland; and
- c. appointing a selection panel consisting of at least three members of the Governing Body and, except when it is the principal's post which is being considered, the principal; or at least four members when it is the post of principal that is being considered.

53. The selection panel shall:-

- a. agree the selection criteria for the post;
- b. determine the arrangements for selecting applicants for interview;
- c. interview those applicants; and
- d. where it considers it appropriate to do so, recommend to the Governing Body for appointment one of the applicants interviewed by it.

54. If the Governing Body approves the selection panel's recommendation, that person shall be appointed.

55. If the selection panel is unable to agree on a person to recommend to the Governing Body, or if the Governing Body does not approve its recommendation, the Governing Body may require the panel to repeat the steps specified in paragraph 53, with or without first re-advertising the vacancy.

Staff other than senior staff

56. Arrangements for the recruitment, appointment and promotion of staff other than senior staff shall be drawn up by the staffing committee after consultation with the recognised staff representatives for the approval of the Governing Body. These approved arrangements shall apply to all appointments and promotions referred to the staffing committee.

PART VII - CONDUCT, DISCIPLINE, GRIEVANCE AND DISMISSAL OF STAFF

57. The Governing Body, after consultation with staff representatives, shall approve a code of conduct and disciplinary code setting out the standard of behaviour expected of staff and the procedure to be followed should they be breached.

58. Matters relating to the conduct and discipline of staff, and staff grievances about their employment, shall be regulated in accordance with arrangements made by the Governing Body after consultation with recognised staff representatives. Such arrangements:-

- a. may include the establishment of a committee of the Governing Body (whose membership may include the chairperson of the Governing Body, or the principal, but not both) to consider individual cases in such categories of discipline and grievance as may be specified by the Governing Body; and
- b. shall include procedures whereby a member of staff may appeal to the Governing Body against any determination by such a committee. No member of the Governing Body who served on such a committee in a particular case shall take part in any further hearing at appeal stage of that particular case.

Dismissal of Staff

59. The Governing Body, after consultation with staff representatives and with due consideration to the requirements of employment law, shall draw up procedures for the warning and ultimate dismissal of staff and for the appeal by such staff of decisions taken under those procedures.
60. Notwithstanding the procedures drawn up under paragraph 59, the Governing Body shall, after consultation with staff representatives, draw up procedures for the dismissal of staff on grounds of redundancy and for the appeal by such staff of decisions taken under these procedures. Staff to whom redundancy procedures are applied will not also be regarded as staff to whom the arrangements for dismissal under paragraph 59 would apply.

Suspension and Dismissal of Staff for Gross Misconduct

Suspension

61. Notwithstanding any other arrangements or agreements under paragraphs 57 to 60, the chairperson of the Governing Body or, in the absence of the chairperson, the vice-chairperson, may, in the interests of public funds or of other staff or the student body, suspend from duty, with pay, a member of the senior staff for gross misconduct or other good and urgent cause. The chairperson (or vice-chairperson) shall report such suspension in writing to the Governing Body within two working days or as soon thereafter as practicable. Similarly, the principal may suspend from duty, with pay, any other member of the staff for gross misconduct or other good and urgent cause.
62. Anyone who is suspended from duty under paragraph 61 shall be entitled to receive from the principal, or, in the case of a member of the senior staff, from the chairperson (or vice-chairperson), written notification of the suspension, setting out the grounds on which the decision to suspend has been taken.
63. Procedures for the suspension of staff under paragraph 61 shall be specified in rules made by the Governing Body after consultation with representatives of the staff. The rules shall include provision that:-

- a. any person who has been under suspension for three weeks or more may appeal in writing to the Governing Body against the suspension, save that no such right of appeal shall lie if the person is the subject of a reference to a special committee as set out in paragraph 64 or has been notified of a proposal to dismiss pursuant to paragraph 65;
- b. any appeal made under sub-paragraph a. shall be considered as soon as practicable; and
- c. a suspension against which an appeal is made shall continue to operate pending the determination of the appeal.

Dismissal

64. Procedures relating to the consideration for dismissal of staff suspended in accordance with paragraphs 61 to 63 shall be drawn up by the Governing Body. Such procedures shall include:-
 - a. the setting up of a special committee of the Governing Body which shall comprise at least four members of the Governing Body (other than those appointed under sub-paragraphs 5c and 5d of the Instrument of Government) who have not been directly involved in the suspension of the member of staff, and which shall be convened as soon as practicable to examine the case for dismissal and to make recommendations to the Governing Body;
 - b. the right of the member of staff concerned to make representations to that committee, including oral representations, for which purpose the member of staff may be accompanied and represented by a friend; and
 - c. the preparation by the special committee of a written report conveying recommendations for consideration by the Governing Body, a copy of which shall be sent to the member of staff concerned.
65. The Governing Body shall consider the recommendations of the special committee and take such action as it considers appropriate, which may include the dismissal of the person concerned.

66. In the event of dismissal, pursuant to paragraph 65, the member of staff concerned shall have the right to appeal to the full Governing Body with regard to the recommendations of the special committee. Such an appeal may include oral representations, for which purpose the member of staff may be accompanied and represented by a friend. This appeal shall be heard by the Governing Body as soon as practicable in the interests of all concerned.
67. Notwithstanding the procedures set out in paragraphs 64 to 66, the chairperson, in the case of senior staff, and the principal, in the case of all other staff, may dismiss a member of staff if the circumstances relating to the conduct of the person concerned are so serious as to warrant immediate dismissal without prior notice or suspension.
68. The Governing Body shall draw up procedures for notifying the Department of cases where misconduct on the part of a member of the teaching staff of the college may have implications for that member of staff's subsequent employment as a teacher.
69. Dismissal procedures drawn up in accordance with paragraphs 64-68 shall be separate and distinct from those procedures drawn up under paragraphs 59 and 60.

PART VIII - STAFFING

Complement and Structure

70. The Governing Body has overall responsibility for determining the size and structure of the college's staffing complement in order to deliver its mission and maintain the character of the college. In exercising this responsibility, the Governing Body shall have regard to its financial, human and physical resources.

Redundancy

71. If, in the event of reviewing the college's activities, and its associated staffing needs, it is the view of the principal that a redundancy situation could arise, the principal shall present a case for consideration by the Governing Body. The Governing Body shall then determine whether there will be a redundancy situation.

72. If a redundancy situation has been declared and the staff concerned identified, the staff concerned will be notified in accordance with the procedures drawn up under paragraph 60.

PART IX - STUDENTS

73. Any students' union shall conduct and manage its own affairs and funds in accordance with a constitution approved by the Governing Body and shall present audited accounts annually to the Governing Body. No amendment to or rescission of that constitution, in part or in whole, shall be valid unless and until approved by the Governing Body.

74. The academic board, where one exists, after such consultation as it considers appropriate shall advise the principal on procedures for the suspension and/or expulsion of a student for an unsatisfactory standard of work or other academic reason.

75. The Governing Body, after consultation with the academic board, where one exists, and with representatives of students, shall approve a disciplinary code setting out a code of conduct and behaviour expected of all students and the procedures to be followed should the code be breached.

76. In the interests of public funds, other students, the staff or the good name of the college, the principal may, without notice, expel a student for gross misconduct or other serious cause. In the case of an offence of general and habitual misconduct, the Principal may suspend a student pending further consideration as to the possibility of the student's expulsion. The principal shall advise the chairperson of the Governing Body as soon as possible of any case of immediate expulsion or suspension; and the Governing Body shall be so advised at the first available opportunity.

77. Any student suspended or expelled shall be entitled to receive from the principal written notification of the suspension or expulsion, setting out the grounds on which the decision has been taken.

78. Any student suspended or expelled shall be entitled to appeal to the Governing Body, including a right to make oral representations, for which purposes the student can be accompanied or represented by a friend.

PART X - FINANCE

Accounts and Audit

79. The Governing Body shall set up, and review from time to time, arrangements:-

- a. for the keeping of proper accounts and proper records in relation to the accounts on behalf of the Governing Body;
- b. for the accounts to be prepared and audited in respect of each financial year in such manner as the Department may direct and for the accounts to be submitted to the Department on or before such date as the Department may direct; and
- c. for the keeping of proper statistics, particularly those used in the determination of the level of funding of the college.

80. The accounts shall separately identify those transactions in which a member of the Governing Body had a material interest and shall include details of the transaction and the name of the member or members involved.

81. The financial year for the college shall be the twelve month period ending 31 July.

82. The Comptroller and Auditor General shall have the right of access to the books, accounts and records of the Governing Body.

Financial Management

83. The financial administration of the college shall be conducted in accordance with the Order, the financial memorandum and any other instructions, requirements or directions issued by the Department.

84. The Governing Body shall determine the tuition and other fees payable to the college, subject to any conditions specified by the Department.

PART XI - MISCELLANEOUS

Rules and Standing Orders

85. The Governing Body shall have power to make rules and standing orders concerning such matters with regard to the governance and conduct of the college as it thinks fit. Such rules and standing orders shall be subject to the provisions of these Articles.

Copies of Articles of Government, Rules and Standing Orders

86. A copy of these Articles and of any rules and standing orders shall be:-

- a. given to every member of the Governing Body;
- b. made available during normal office hours at the college to any person wishing to inspect them; and
- c. published on the college's web-site.

Amendment of Articles of Government

87. These Articles may be modified or replaced only with the approval of the Department and subject to the Order.

PART XII - DATE OF COMMENCEMENT OF ARTICLES OF GOVERNMENT

88. These Articles shall apply with effect from 1 August 2007.

Signed and sealed: _____ **Date** _____
On behalf of the Governing Body of South West College

Signed and Sealed: _____ **Date** _____
On behalf of the Department for Employment and Learning