

GUIDE FOR GOVERNORS OF FURTHER EDUCATION COLLEGES

January 2017

FOREWORD

I am pleased to introduce this guide for governors of further education colleges.

Firstly, I wish to thank you for taking on the vital and challenging role of governor. The Department for the Economy values very highly the input of each governor. Secondly, I know many of you have other important roles, in other walks of life, so I appreciate the very significant commitment you have made to take on this responsibility.

The Department is focused on a range of actions to support economic growth, including the development of a highly skilled workforce and the generation of quality jobs. To support this work the Department has set out a clear vision for our further education sector, spanning the next ten years, in the strategy, [Further Education Means Success](#).

Our goal is for further education colleges to be recognised locally, nationally and internationally as providers of high quality economically relevant skills training. It is critical that colleges are focused on achieving excellence in delivering the right skills to grow and sustain our economy, and are ambitious for their learners and for the contribution they make to improving economic competitiveness.

Consequently, our further education system has two key functions:

- taking a pivotal role in generating a strong and vibrant economy through the development of professional and technical skills, increasingly at higher levels, and by helping employers to innovate; and
- supporting social inclusion by providing those with low or no qualifications, or who have other barriers to learning, with the skills and qualifications needed to find employment and to become economically active.

Our colleges have the ambition and the capability to be at the forefront of providing Northern Ireland with a highly skilled workforce which can compete with the rest of the world. We must support local businesses to compete on a global basis and take advantage of new technologies and opportunities to grow.

In your role as a governor, I know that you will work collectively with governing body colleagues and the college management to ensure that your college delivers a curriculum which meets the needs of your local community, businesses and your college learners.

If the governing body is to be effective, it needs you to bring your own skills and experience to every meeting and every issue. You have a strong contribution to make. Robust governance is essential, adds real value and supports more effective decision making within the college. Working in partnership with the Department and in support of its aims, governing bodies can ensure the focus on excellence in skills provision for the benefit of the learners and businesses it supports.

I appreciate the continuing commitment and the time given by you and all governing body members. Without your unique perspective, experience, skills and dedication, the sector would not be able to perform its vital role in supporting enterprise, guiding learners and helping to alleviate social exclusion and build stronger communities.

I wish you every success in your role and hope you find it worthwhile and fulfilling.

Beverley Harrison
Director of Further Education
Department for the Economy

CONTENTS

FOREWORD	1
1. INTRODUCTION	5
1.1 About This Guide	6
1.2 Further Education in Northern Ireland	8
2. WHAT IS A GOVERNING BODY AND WHAT DOES IT DO?	11
2.1 Introduction	11
2.2 How does a Governing Body work?	11
2.3 Role of a Governing Body	14
2.4 Role of the Department	16
2.5 Strategic Planning	17
2.6 Audit and risk	20
2.7 Monitoring performance and the Health Check	20
2.8 Committees	21
2.9 The relationship between the Principal and the Governing Body	24
2.10 External relationships	26
2.11 Student discipline, suspension and appeals	26
2.12 Staffing Issues	27
2.13 Estates	29
3. WHAT IS A GOVERNOR AND WHAT DO THEY DO?	30
3.1 Introduction	30
3.2 Your membership of the Governing Body	30
3.3 Performance assessment, training and development	33
3.3.1 Performance assessment	33
3.3.2 Training and development	34
3.4 Roles on the Governing Body	34
3.4.1 The Chair	35

3.4.2	The Principal	36
3.4.3	The student member	37
3.4.4	The staff member	38
3.4.5	Chairs of Committees	38
3.4.6	The Secretary	38
3.5	Asking questions and making decisions	40
3.6	Probity and Standards in Public Life	41
3.7	Your liabilities as a governor	42
	APPENDIX 1	43
	WHAT ELSE DO I NEED TO KNOW AND READ	43
	APPENDIX 2 COMPETENCE FRAMEWORK FOR FURTHER EDUCATION GOVERNING BODIES	48
	APPENDIX 3 USEFUL ABBREVIATIONS AND ACRONYMS	50
	APPENDIX 4 FACT SHEETS	54
	FACT SHEET 1: STANDARDS OF BEHAVIOUR - SEVEN PRINCIPLES OF PUBLIC LIFE	54
	FACT SHEET 2: FUNDED LEARNING UNIT (FLU)	55
	FACT SHEET 3: MAXIMUM STUDENT NUMBERS	57
	FACT SHEET 4: MEMBERSHIP OF THE GOVERNING BODY	58
	FACT SHEET 5: LINE OF ACCOUNTABILITY	59
	FACT SHEET 6: ANNUAL STRATEGIC PLANNING PROCESS	60

1. INTRODUCTION

You have been appointed under the authority of the Minister for the Economy to serve on the governing body of one of Northern Ireland's further education colleges. The role carries a public profile and membership of a college governing body brings a number of responsibilities. Along with your fellow governors, you share the responsibility of addressing the skills needs of our business community and supporting the development of thousands of people in order to help sustain and grow our economy.

Northern Ireland has six further education colleges:

- Belfast Metropolitan College
- Northern Regional College
- North West Regional College
- South Eastern Regional College
- Southern Regional College
- South West College

The high level strategic context which directs the work of the Department and colleges is set out in several key documents, these are: the Executive's Programme for Government; the Economic Strategy; the Investment Strategy; Anti-Poverty/Social Inclusion initiatives; and the Department's Business Plan. Further details on these are contained in [Appendix 1](#).

The governing body of each college is responsible for ensuring the effective management of the college's education and training provision, planning the college's future development and fulfilling certain duties regarding the college senior management team and college staff, such as specific matters around pay and discipline. Together with the college Principal, as chief executive, the Governing Body is the highest level of decision making and has ultimate responsibility for all of the affairs of the college.

This guide provides information and advice for governing bodies and individual governors. It is intended to be an introductory resource for governors. [Appendix 1](#) contains a list of important publications and documents that every governor should become familiar with. These provide the detail behind the guide and should be referred to when reading the guide.

1.1 About This Guide

Overview of the Guide

Section 1	Introduction
Section 2	What is a Governing Body and what does it do?
Section 3	What is a Governor and what do they do?
Appendix 1	What else I need to know and read
Appendix 2	Competence Framework for Governing Bodies
Appendix 3	Useful Abbreviations and acronyms
Appendix 4	Fact Sheets

This guide aims to support newly appointed governors and provide a useful reference tool for experienced governors.

It seeks to explain the key roles of:

- the Department in providing high level direction on policy and critical processes, such as Departmental skills priorities and also, adherence to public sector accounting and governance standards; and
- The Governing Body Chair/members, including their main responsibilities and the way in which they authorise the direction and control of the college.

It begins with a picture of what a governing body is and what it does (section 2), and goes on to deal with the individual governor and the various roles and responsibilities that governors are expected to undertake (section 3). The appendices contain supplementary information and links to key documents which will be useful to you in your role.

The guide is not a legally authoritative text. The authoritative definition of the powers and responsibilities of governors is that set out within legislation and in the Instrument and Articles of Government of each college (See [Appendix 1](#) for further details).

Where reference is made to the 1997 Order, this refers to the [Further Education \(Northern Ireland\) Order 1997](#) which provides the statutory basis for further education in Northern Ireland.

Feedback on the guide itself, in the light of your experience as a governor, would be welcome. Please send comments to the Department's Further Education Corporate Governance and Accountability Branch, 3rd floor, Adelaide House, 39-49 Adelaide Street, Belfast, BT2 8FD, or e-mail fegovernance@economy-ni.gov.uk

1.2 Further Education in Northern Ireland

Further Education is defined by Article 3 of the 1997 Order as:

- a. full-time and part-time education suitable to the requirements of persons over compulsory school age (including vocational training); and
- b. organised leisure-time occupation provided in conjunction with the provision of such education.

Embedding a culture of lifelong learning in all sections of the community is a key policy objective for government and further education colleges have a vital role to play in helping ensure that this objective is achieved.

The programmes offered by colleges can be broadly split into two categories: regulated¹ and non-regulated² enrolments.

Colleges offer courses from entry level to degree level.³ With a strong focus on professional and technical qualifications, colleges tend to be more influenced by the demands of the economy and requirements of their local communities than most other educational institutions.

In 2015/16:

There were **153,817** enrolments in the six Northern Ireland further education colleges.

25,800 of these enrolments were full-time and **128,017** were part-time.

129,274 were regulated enrolments and **24,543** non-regulated

Of the regulated enrolments, **92,944** were for further education; **11,631** for higher education and **24,699** for essential skills.

55.5% of total enrolments were by people aged 19 years and under.

¹ Regulated enrolments are those on courses that are at 'level 3 or below' and appear on the Register of Regulated Qualifications (RRQ), which contains qualifications on both the Qualifications and Credit Framework and the National Qualifications Framework or part of the Department's Prescribed List of Approved Qualifications (PLAQ/Access list) and Higher Education qualifications ('level 4 and above').

² Non-regulated enrolments are those which potentially lead to a formal qualification (at 'level 3 or below') but do not appear on the RRQ or where a qualification is not expected - typically hobby and leisure, or recreational courses.

³ Qualifications in Northern Ireland are grouped into nine levels, from entry level to level 8. The level refers to the difficulty of each qualification. For example, entry-level qualifications recognise basic knowledge or skills, whilst level 8 qualifications recognise leading experts or practitioners in a particular field or profession.

Colleges cater for a wide range of the population from school pupils through to adults up to and beyond retirement age. Participation is encouraged through flexibility of provision at all levels, an increasing use of technology in teaching and learning and through open and distance learning.

The main ways people study in colleges are:

- full-time courses,
- part-time courses (day and/or evening),
- sandwich courses (courses with one or more extended periods of placement in work within a period of full-time study, the work is an integral part of the assessed award, and the student may be employed or sponsored by an employer),
- day and block release (part-time release from employment),
- open learning workshops,
- short courses for industry,
- computer based learning, and
- distance learning courses using e-learning techniques.

Colleges are also key delivery organisations for government funded schemes, including apprenticeships, youth training and employment schemes. Programmes of study can therefore vary significantly from college to college.

The Department sets the strategic direction for the further education sector as a whole in Northern Ireland. The current strategic document is [Further Education Means Success](#), which was published in January 2016.

The Strategy contains the following key objectives that set the future direction for further education:

- ensuring high quality provision for learner education and training,
- developing the talents of those already in work and those seeking to enter employment in order to provide a pipeline of suitably skilled and qualified

individuals at all levels to meet employers' needs, including indigenous companies and inward investment projects,

- supporting employers to become more innovative and competitive, and to source new markets, and
- encouraging and supporting the economic participation of those who have barriers to learning and who are furthest from the labour market, to the benefit of individuals, the economy and wider society.

A [Programme for Implementation](#) outlining how the policy commitments in [Further Education Means Success](#) will be progressed jointly by the Department and the further education sector, contains specific milestones and actions for both the Department and colleges. This central direction is supplemented by individual colleges establishing their own strategies, and developing a curriculum offering education, training and other services to meet the needs of learners and employers in their local area.

2. What is a Governing Body and what does it do?

Section Overview

- 2.1 Introduction
- 2.2 How does a Governing Body work?
- 2.3 Role of a Governing Body
- 2.4 Role of the Department
- 2.5 Strategic planning
- 2.6 Audit and risk
- 2.7 Monitoring performance and the Health Check
- 2.8 Committees
- 2.9 Relationship between the Principal and the Governing Body
- 2.10 External relationships
- 2.11 Student discipline, suspension and appeals
- 2.12 Staffing issues
- 2.13 Estates

2.1 Introduction

A governing body is the corporate board of a further education college. It is responsible for ensuring the efficient and effective management of the college and that the college provides suitable further education for students. Like all corporate boards, it must operate effective governance systems and be seen to act in accordance with the highest standard of propriety.

This chapter details what this means in practice, what the role of the governing body is, how the governing body functions and how it relates to its external stakeholders.

2.2 How does a Governing Body work?

Governing bodies are legal entities established in accordance with the [Further Education \(Northern Ireland\) Order 1997](#) and are appointed under the

Article 13 of the 1997 Order

A governing body has the following responsibilities:

- a. securing the efficient and effective management of the college; and
- b. that the institution provides, or secures the provision of, suitable and efficient further education to students of the college with regard to the provision of education and the educational needs of industry and commerce and the community in that area. In meeting these obligations the governing body should have regard to the requirements of persons over compulsory school age who have learning difficulties.

authority of and are accountable to the Minister for the Economy. The governing body has to ensure that the college is managed efficiently and effectively in line with statutory obligations and relevant guidance from the Department for Economy and the Department of Finance, and that there is suitable and effective education for all its students.

The principles applying to the conduct of meetings of the governing body are the same as those applying to a well-conducted meeting of any similar body. Most items of business should be supported by a paper and minutes should be taken of all decisions. The minutes should be signed off by the Chair, or in the Chair's absence, the vice-Chair or other member acting as Chair, and a copy provided to the Department by the Secretary. A governing body will also have a number of committees which will deal with much of the detailed governing body business. Further detail on the committee system is in section 2.8.

Staff and students of the college and members of the general public should have access to information about the proceedings of the governing body. Agendas and minutes of meetings should be made available as soon as possible, by publication on the website (see [Articles of Government](#)) and hard copy, if requested. The Secretary and all members of the governing body should be aware of their obligations under the Freedom of Information Act and Data Protection Act.

As with any other corporate board, it is critically important that there:

- are robust processes and systems in place and that these are complemented by an appropriate culture on the board that encourages trust among members,
- is a willingness to challenge assumptions and beliefs, and

Articles 14, 15 and 16 of the 1997 Order

The main powers of a governing body:

- to provide further, higher and, under particular circumstances, secondary education;
- to charge fees and to provide students with appropriate financial or other assistance;
- to manage the institution;
- to supply goods or services in connection with their provision of education, including making available their facilities and the expertise of their staff.

- is ongoing analysis and, where appropriate, critical assessment of individual and collective performance to achieve better results.

A governing body acts by making decisions within the constraints of legislation and good practice and ensuring that those decisions are acted on.

The constitution and procedures of the governing body are covered by Articles 11, 12 and [Schedule 3 of the 1997 Order](#). Each governing body has Articles and an Instrument of Government which set out its conduct and constitution respectively. Rules of procedure for the conduct of the governing body and committee meetings (eg quorum, declarations of interest, etc) can be found in the [Articles of Government](#). A governing body may also have standing orders; these are subservient to the Articles and Instrument. In addition, a governing body is required to abide by the terms of the [Management Statement/Financial Memorandum](#), which is agreed between the college and the Department setting out the terms and conditions under which funding is made available, and the [Audit Code](#). It is important that you are familiar with these documents as they are critical to the successful operation of the college and all elements must be adhered to.

It should be noted that the Department can intervene in the running of a college if any individual member/members of, or the governing body itself, are considered to be in breach of any of the respective responsibilities.

Copies of the model Instrument and Articles are available on the Department's website [FE college model instruments and articles of government](#). The Secretary will provide you with a copy of your college Instrument and Articles.

The Secretary to the governing body should advise the Chair if, at any time, it appears that the governing body is in breach of the rules and procedures.

The further education [Code of Governance](#) (see [Appendix 1](#)) sets out the principles and provisions of governance in the sector. This has a supporting scheme of delegation which details the tasks and duties associated with each principle and provision. The Code and the scheme of delegation should be read together.

2.3 Role of a Governing Body

The [1997 Order](#) and the [Articles of Government](#) define the roles and responsibilities of the Principal and the governing body and its committees.

The governing body is responsible for ensuring that the college, for which it is responsible, is managed efficiently and effectively and that the vocational and academic programmes of the college reflect the college's educational character and mission, and meet the strategic priorities which the Department has set for further education. It is responsible for the financial and academic performance of the college and the quality of its teaching, learning and assessment.

The composition of a governing body is set out within [Schedule 3 of the 1997 Order](#). This is summarised in [Fact Sheet 4](#) of this Guide. A legislative change in November 2016 resulted in a change to the overall governing body composition through the removal of the Education Authority's right to nominate two members to each of the college governing bodies. To ensure a smooth transition, the legislative change allows for existing appointees, whose appointment arose from an Authority nomination, to continue to serve on their respective governing bodies until their current term of appointment ends. The vacancies which will arise as a result of this change will in future be filled by individuals selected through a public appointment process.

The governing body must guide the strategy of the college in line with Department for the Economy and Executive priorities. In doing so it is critical that the governing body provide and exercise both a support and a challenge function in respect of the Principal and the executive team. Individual governing body members should bring independence, objectivity, impartiality and expertise to both the decision making and challenge processes within the college.

A governing body has 12 to 18 members, of whom:

- a. One is the Chair who is appointed by the Economy Minister
- b. Not less than half are appointed by the Minister on the basis that they are or have been, engaged or employed in business, industry or any profession
- c. one is the college Principal
- d. one or two are elected by the staff of the college
- e. one is elected by the students of the college and
- f. two may be co-opted by the existing members of the governing body

Governing bodies are entrusted with public funds and therefore have a particular duty to observe the highest standards of corporate governance at all times and to ensure that they are discharging their duties with due regard for the proper conduct of public business.

The governing body is the highest level of decision making in the college and has a responsibility to lead by example. It must act and be seen to act in accordance with the highest standards of propriety at all times.

Guiding Principles for a Governing Body

The governing body must:

- observe the highest standards of integrity and objectivity in the transaction of all its business, and particularly in the management of funds;
- ensure that the college acts within its proper authority, as delineated by legislation, the instrument and articles of government and the management statement/financial memorandum;
- wherever possible, follow a policy of openness and transparency;
- be accountable for the activities of the organisation and for the stewardship of public funds;
- maximise value for money by ensuring that services are delivered in the most effective, efficient and economical way.

Governing bodies have specific roles in relation to staff, students, audit and risk which are discussed later in the chapter.

The role of the governing body is not to manage the day-to-day running of the college, which includes organisation, direction, and management of the college and leadership of the staff; this is the responsibility of the Principal. The governing body has an oversight role, however, and should hold the Principal to account for these responsibilities.

2.4 Role of the Department

The six colleges are classified as Non-Departmental Public Bodies. Details of the Department's legislative powers in relation to further education colleges (funding, appointments to governing body, etc) can be found in Articles 4 to 9 of the [1997 Order](#). The Department sets the strategic direction for the further education sector, including the policies, priorities and targets, which are implemented through the annual College Development Planning process.

The Department is responsible for ensuring that all funding is used for its designated purpose and has an oversight role in relation to annual, audited accounts which the college must submit, showing that funding has been spent appropriately. The Principal of the college, as college Accounting Officer, is held to account by the Department. The Department's Permanent Secretary is accountable to the Assembly/Parliament. In this way there is a line of authority from each college to the Assembly.

The [Management Statement/Financial Memorandum](#) sets out the terms and conditions under which funding is made available to colleges and provides a clear framework of strategic control for the college.

The Department produces regular health check reports for the use of the governing body, providing a range of comparative information in financial, economic, staffing, learning and quality areas. Further information is detailed in section 2.7.

The Departmental Minister appoints all of the members of the governing body, selecting over half of the membership through public competition, adhering to the [Commissioner for Public Appointments for Northern Ireland Code of Practice](#). As a governor, you will undergo induction training arranged by the Department. Guidance materials such as this document will be made available by the Department.

The Department administers an annual assessment process for governors and Chairs. This process is detailed in section 3.6.

2.5 Strategic Planning

As the corporate board of the institution, a governing body needs to ensure that it keeps a focus on the strategic direction and vision of the college. The [Articles of Government](#) place responsibility on the governing body for determining, within the framework of the [1997 Order](#), the educational character and mission of the college. The governing body should take into account the advice and guidance received from college management, particularly the Principal, one of whose duties is to make proposals to the governing body about these aspects of college governance. Governors should establish, in conjunction with the Principal, a framework within which the college is to operate and ensure that this direction is right for both the economy and the community.

The educational character of the college is the college's broad purpose and strategic direction, the nature of its educational programme, the pattern of its courses, any special characteristics of the range of subjects taught, the overall ethos of the college, its admissions policy and its relationship to the community it serves. This includes the balance of provision within the college in terms of the volume and breadth of:

- professional and technical provision,
- training provision,
- academic provision,
- higher level provision, and
- recreational or leisure course provision.

While the educational character of the college is a complex concept, there is benefit in producing a simplified mission statement which encapsulates the aims of the college and the direction of its development. The Department encourages each college to have and to publicise such a mission statement. This should be kept under review as the focus and priorities of the college evolve.

On a more regular basis, the governing body should be particularly concerned with the development and delivery of medium and long term objectives for the college. The

College Development Plan (CDP) process is an annual, cyclical exercise commissioned by the Department each autumn, which should facilitate the governing body in carrying out this function. The [Further Education Order \(Article 20\)](#) requires each college to submit a College Development Plan to the Department on an annual basis.

Along with financial reports, the College Development Plan assists the governing body to make informed strategic decisions and manage resources in accordance with its strategic priorities. As recipients of significant amounts of public funds, colleges are required to produce annual business or strategic plans.

The Department issues guidance for the completion of the College Development Plan on an annual basis. This guidance provides the key information on which budget allocation decisions are made and communicated to the colleges in April/May each year in advance of the incoming academic year.

The Department also publishes detailed analysis of sector and college performance over the previous academic year. This information includes a range of performance indicators, and allows each college to benchmark itself against other colleges and against the sector as a whole.

Figures 2.1 – 2.3 provide a brief summary of key aspects of a College Development Plan, including its aims, key information it needs to present and information a governing body will need to assess during the process.

Figure 2.1**Aims of the College Development Plan are to:**

- contribute to continuous improvement in the quality of provision for students and other customers;
- enable the governing body to make, corporately, the informed strategic decisions necessary to ensure that the college fulfils its mission statement; and
- provide the Department with strategic information on the college's strategic objectives and targets.

Figure 2.2**Key Aspects include:**

- the number of persons the governing body estimates will be students of the institution;
- the courses of further and higher education which the governing body proposes to provide or secure the provision of;
- the capital expenditure proposed by the governing body and an estimate of the recurrent expenditure and income of the governing body; and
- such other matters as may be determined by the Department in each financial year to which the plan relates.

Figure 2.3

The information the governing body needs to assess during the College Development Planning process is:

- the rationale underpinning proposed college developments;
- the courses of further and higher education which the governing body proposes to provide or secure the provision of;
- strategic information on the further education sector as a whole;
- the proper use of public funds;
- the resource requirements for the sector; and
- strategic decisions about the scope and balance of the provision by the sector.

2.6 Audit and risk

The management of audit and risk is a key role of the governing body. Each governing body must have an audit and risk committee to oversee the internal audit function and make recommendations to the full governing body based on audit findings. The audit and risk committee also oversees the risk management system in the college.

Risks for colleges can range from failure to recruit and/or retain the planned for number of students to a failure to secure financial stability. The college should put controls in place to ease the impact or likelihood of a risk occurring. The status of each risk should be monitored on an ongoing basis.

2.7 Monitoring performance and the Health Check

A crucial part of the work of a governing body is the regular monitoring of all aspects of the college's performance. Whilst this is usually done through the work of committees, which will report to the full governing body, it is essential that the governing body establishes what it wishes to monitor, how it will monitor and agrees a reporting schedule with the Principal.

The Department provides the governing body with regular information to assist with this role. This includes publication of a regular 'health check' for the sector. This document is a governance toolkit which has been developed to assist the governing body to fulfil its strategic planning, scrutiny and oversight roles.

It provides the governing body with an insight into, among other things, the financial, academic and efficiency performance of the college and brings together data in relation to a variety of areas of whole college performance. It uses information from the college and other external sources to provide a regular, objective summary on the college's performance. The provision of benchmarking information is intended to allow the governing body to make cross-sector comparisons about the performance of its college and inform decisions about its future strategic direction.

As a governor, you should be able to use the health check to:

- assess the college's financial health,
- assess the college's academic performance,
- assess college performance against its enrolment targets,
- identify and assess risks facing the college, and
- assess reports from internal audit, external audit and any other audit reports.

It is important that you gain an understanding of the data presented in the health check and seek additional analysis from college management, as required.

2.8 Committees

The governing body will delegate some of its work to committees. All colleges are required to establish an audit and risk committee under the [Further Education \(NI\) Order 1997](#) and a finance and general purposes committee under their [Articles of Government](#). The governing body may also choose to establish a staffing committee and an education committee. The names given to committees can vary between colleges.

The governing body can make decisions on the membership and the terms of reference of any committees. For these four standard committees, table 2.1 below gives details of the membership of the committees and the restrictions on membership. The [Articles of Government](#) provide further detail. Specific detail regarding the Audit and Risk Committee can be found in the [Audit Code](#).

Table 2.1 Governing Body Committees

<p style="text-align: center;">Audit and Risk Committee</p> <ul style="list-style-type: none"> • At least four members (other than the Principal). No members shall also sit on the Finance and General Purpose Committee. The chair should be a Business, Industry and Professional member • The governing body chair cannot be a member or chair of the committee • Should meet at least four times per year. 	<p style="text-align: center;">Finance and General Purpose Committee</p> <ul style="list-style-type: none"> • At least four members, of whom at least two are Business, Industry and Professional members, and the Principal
<p style="text-align: center;">Education Committee</p> <ul style="list-style-type: none"> • At least four members (other than the Principal, staff and student members), and the Principal. 	<p style="text-align: center;">Staffing Committee</p> <ul style="list-style-type: none"> • At least four members (other than the Principal and staff and student members), and the Principal.

Each committee has a specific role in respect of the governance framework. Table 2.2 details these roles and responsibilities.

Table 2.2 Roles and responsibilities of Committees

<p style="text-align: center;">Audit and Risk Committee</p> <ul style="list-style-type: none"> • Authorised to investigate any activity within its terms of reference. • Provide a channel of communication from the college's auditors. • Ensure that internal control systems, including audit activities, of the college are monitored actively, independently and objectively. 	<p style="text-align: center;">Finance and General Purpose Committee</p> <ul style="list-style-type: none"> • Determine and advise the governing body on matters relating to the estimates, budget and presentation of the accounts of the college.
<p style="text-align: center;">Education Committee</p> <ul style="list-style-type: none"> • Oversee the college curricular provision, especially nature, quality and performance of the provision and the extent to which it meets the needs of the community that the college serves. 	<p style="text-align: center;">Staffing Committee*</p> <ul style="list-style-type: none"> • Draw up standard arrangements for approval of the governing body for recruitment, appointment and promotion of staff • Ensure each member of staff has a contract of employment with the governing body • Arrange to fill any vacancies of college staff as they occur. • Ensure compliance of staff related issues (e.g. recruitment, appointment etc.) with industrial relations and equal opportunities legislation

*Senior staff and any vacancies etc among the senior staff are considered by the full governing body.

The minutes of committee meetings should be circulated to all members of the governing body within ten days of the meeting, either as the agreed or draft version, subject to any confidentiality rules. All committee meeting minutes should be ratified by the full governing body.

The governing body may also choose to establish an academic board under the terms of the [Articles of Government](#). The role of an academic board includes:

- advising the Principal on the general oversight of the academic work of the college, such as admission, assessment and examination of students, curriculum development; and
- staff development and provisions for suspension or expulsion of students for academic reasons.

2.9 The relationship between the Principal and the Governing Body

The Principal is the main liaison between the day-to-day running of the college, for which he/she has responsibility, and the governing body. He/she will make proposals to the governing body about the educational nature and mission of the college. The Principal will also keep the governing body informed about the college's affairs, enabling the governing body to carry out the requirements of its role. As a governing body, you will wish to take into account the advice and guidance received from college management, particularly the Principal. Governors should establish, in concert with the Principal, a broad framework within which the college is to operate and develop and ensure that it is the right one for the community served by the college.

The relationship between the Principal and the governing body is complex. On the one hand, the Principal is a member of the governing body with an equal say in discussions and decisions. On the other, he or she is appointed by the governing body, is accountable to the governing body, and has his or her performance assessed by the governing body.

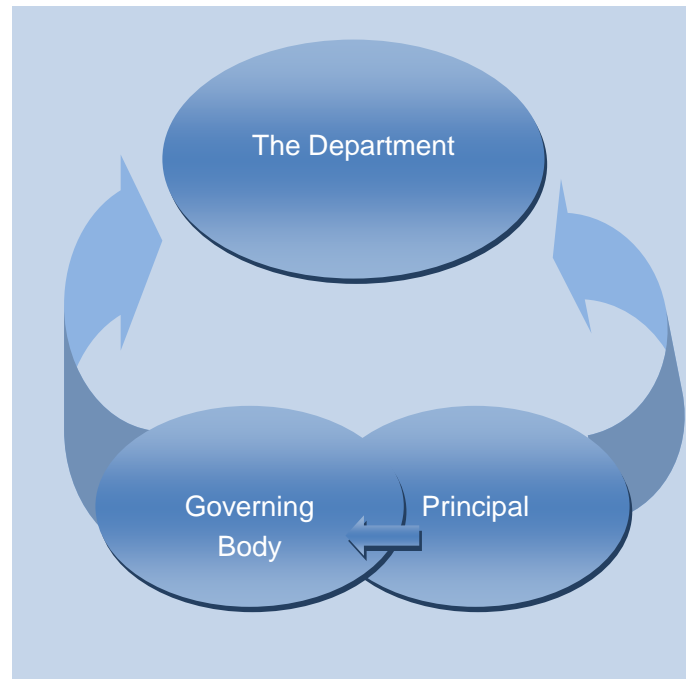
At the same time, the Department appoints the Principal as the Accounting Officer for the college. The Accounting Officer is personally responsible for safeguarding the public funds for which he/she has charge; for ensuring propriety and regularity in the handling of those public funds; and for the day-to-day operations and management of the college. The responsibilities are set out in detail in the [Management](#)

[Statement/Financial Memorandum](#). Further details on the Principal's role as a governing body member are set out in [Section 3.4.2](#).

It should be noted that the governing body is separately responsible for promoting the efficient, economic and effective use of staff and other resources of the college.

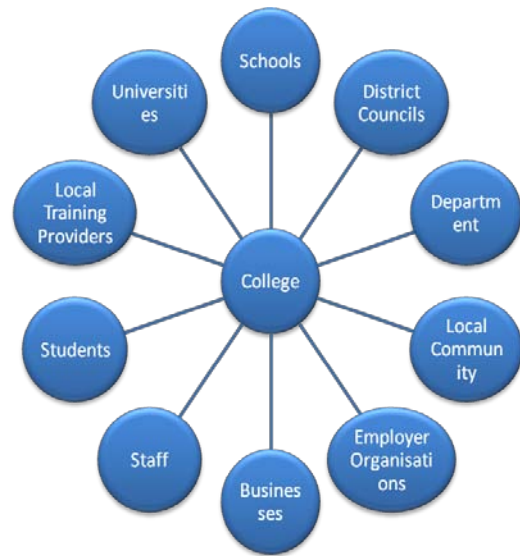
The relationships depicted at Figure 2.4 below are designed to ensure there are adequate checks and balances in the system. Each component of the system has to give recognition to the responsibilities of the others while ensuring that they fulfil their own responsibilities. Section C4 of the [Code of Governance](#) also deals with this issue.

Figure 2.4



2.10 External relationships

A governing body should have an understanding of the college's role in its community and in the development of broader regional interests, such as a successful economy and an active labour market. A governing body has a role to ensure that the Principal and other senior staff are aware of what demand exists for particular courses, enabling appropriate provision to be



made, as well as being aware of broader social and economic needs. A governing body should endeavour to have available a range of information to inform strategic decisions. This includes an awareness of the direction of government policy for the sector, as well as local conditions specific to each college.

Key external relationships which contribute to the development of the college's strategy include those with other education and training providers in the area in particular with universities in the delivery of higher education provision in colleges and with schools in the delivery of policies for 14 to 19 year olds, local councils, planning agencies and employer organisations. Constructive and reciprocal links with these bodies will assist the governing body in assessing the region's skills and training needs and in ascertaining what other provision is available in the area.

2.11 Student discipline, suspension and appeals

Each college must have a student disciplinary code. This should be approved, following consultation, between the governing body and the academic board (where one exists) and student representatives. This disciplinary code should set out a code of conduct and behaviour expected of all students and the procedures to be followed should the code be breached.

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 will advise the Chair of the governing body, as soon as possible, of any case of immediate expulsion or suspension. The Chair will inform the governing body at the first opportunity.

Any student suspended or expelled is entitled to receive notification of the suspension or expulsion from the Principal. He or she is entitled to appeal to the governing body. This includes a right to make oral representations for which purposes a student may be accompanied by a friend.

From October 2016, the Northern Ireland Public Service Ombudsman will be able to investigate complaints relating to Further Education, where a complainant, such as a student, remains dissatisfied after the college's internal complaints process has been exhausted.

2.12 Staffing Issues

Governing bodies are the employers of all staff in the college. They hold the power and responsibility for entering into contracts with staff and have specific responsibilities for staff under the terms of the [Articles of Government](#). For example, a governing body has direct responsibility for the performance appraisal of the Principal, but can delegate responsibility for the appraisal of all other staff to the Principal, within an approved framework.

Article 14(1) of the Further Education Order 1997:

"The governing body of an institution of further education shall have the power— (i) to enter into contracts, including in particular (i) contracts for the employment of teachers and other staff"

Paragraph 10 of Schedule 3 to the 1997 Order:

"The terms and conditions of the employees...shall be such as may be determined by the governing body after consultation with representatives of the employees concerned."

Article 6(e) and 6(f) of the articles of government:

the governing body shall not delegate responsibility for the following –

"the setting of 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"; and

"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".

The discipline of senior college staff⁴ is a matter for the governing body only and cannot be delegated. The discipline of all other staff can be delegated to the Principal. However, college staff, who have been subject to disciplinary measures, retain the right to make an appeal to the governing body, once all other steps have been exhausted.

Governing bodies have responsibility for the pay and conditions of staff but, in line with the Articles, have delegated this to recognised negotiating committees to provide forums for negotiating terms and conditions on a sector wide basis.

There are three negotiating committees in operation, one for each of the following staff groups:

- Principals and senior staff;
- Lecturers; and
- Support staff.

The remit of the negotiating committees extends to agreeing the terms (pay) and conditions of the staff within the above groups. They comprise representatives from both the employers and recognised unions. All pay awards across the further education sector are subject to approval by the Department of Finance, under the Executive's Public Sector Pay Policy.

It is likely that you will be involved in staffing issues during your time on the governing body. It is, therefore, important that you are aware of your role as a governor in this respect and of your college's rules and procedures on staffing matters. As with many issues, there is a demarcation of responsibilities between the governing body and the Principal and these responsibilities are detailed in the [Articles of Government](#). It is also important that you are familiar with the framework established by the negotiating committees as these govern many issues.

⁴ "Senior staff" means the posts of principal, vice-principal and such other posts as the Department may determine.

2.13 Estates

A governing body has responsibility for setting the strategy for the college's estate and the oversight of that strategy. This strategy should be underpinned by the college's curriculum planning.

The governing body should ensure that it monitors key estates performance indicators and uses these to inform operational and curriculum planning.

3. What is a Governor and what do they do?

Overview of section

- 3.1 Introduction
- 3.2 Your membership of the Governing Body
- 3.3 Performance assessment, training and development
- 3.4 Roles on the Governing Body
- 3.5 Asking questions and making decisions
- 3.6 Probity and Standards in Public Life
- 3.7 Your liabilities as a governor

3.1 Introduction

The role of the governor is a demanding one, in addition to your corporate responsibilities, as a governing body member you will have individual responsibilities to observe the highest standards of integrity. Observance of the guidelines laid down in the documents in [Appendix 1](#) should assist you to carry out your duties in line with good practice.

As a governor you are required by the Instrument of Government for your college to uphold and abide by a code of conduct as a condition of appointment.

This chapter provides detail on your role and the way in which you should carry it out, the types of members on a governing body, performance assessment and your liabilities as a governor.

3.2 Your membership of the Governing Body

Governors are appointed for a fixed term of office of four years as specified in your letter of appointment (or for one year if you are a student member). Your membership will end on the specified date, but you may be eligible for reappointment for a further term provided your performance has been deemed satisfactory during your first term; it is a Ministerial decision to reappoint members.

Expenses, Allowances and Remuneration

From January 2016, both Chairs and members of the college governing bodies are remunerated in line with the provisions of DEL circular [FE 13/15 Remuneration of Governing Body Chairs and Members](#).

Governors can also claim for travel and subsistence in respect of any activities carried out while fulfilling duties. Governing bodies will have a schedule of allowances, which properly reflect the costs incurred. These should not exceed any rates which the Department may determine.

Governing body members are appointed as individuals and should therefore act as such on the governing body. The model of governance in further education ensures that decisions are made on the basis of the experience and skills of stakeholders.

While you will be classified as a particular type of governor, this classification is for the purposes of the constitution of the governing body. It does not mean that you have to represent the views of a particular group. Individuals are voting members in their own right and you should make decisions based on the best interests of your college.

The Department has a competence framework for governors, which sets out the knowledge and skills required of individual members of a governing body and governing bodies collectively. Details can be found in [Appendix 2](#).

Each governing body will have a code of conduct which members are required to uphold and abide by as a condition of appointment. This includes adherence to the Standards in Public Life set out in section 3.6.

You are also subject to employment law and legislation on data protection, freedom of information, equal opportunities, race relations, fair employment and treatment, health and safety and Section 75 of the Northern Ireland Act 1998.

The Secretary to your governing body will provide you with copies of the college Instrument and Articles of Government on appointment. You should ensure that you also receive copies of the following documents, specific to your college:

- the most recent college development plan,
- the most recent annual report,
- the most recent financial forecast and current budget,
- key personnel policies and procedures,
- the college's equality scheme,
- student disciplinary procedures and charter, and
- the college's freedom of information policy document.

You should comply at all times with the [Code of Governance](#) (section 2.2) and Instrument and Articles of Government adopted by your college and with the rules and guidance relating to use of public funds and to conflicts of interest.

Your governing body will, at times, need to seek professional advice e.g. a legal opinion. If you are a member of a profession from which advice is sought, you should take care not to be put in the position of offering advice to the governing body. Similarly, while you should contribute to the debate in your role as a governor and contribute on the basis of your skills, you should seek to avoid any conflict of interest and not offer any professional opinion which may influence decisions on how to proceed. Formal professional opinion should be sought from the governing body's appointed professional advisers in the appropriate field.

During your period of governing body membership, you may resign at any time by giving notice in writing to the **Secretary of the governing body** (not the Principal of the college or Chair of the governing body). It is the responsibility of the Secretary to inform the relevant parties on the governing body and the Department of a resignation in writing (by letter or email), enclosing the letter of resignation. The membership of a governor who is the Principal of the college or a staff or student member lapses when he or she ceases to be the Principal, a member of staff or a student at the college respectively, or at the date specified on his/her minute of appointment.

There may also be instances when you become disqualified from membership of a governing body. These are specified in Schedule 1 to the [Instrument of Government](#). You should familiarise yourself with this list and, if your circumstances change in a way that might render you ineligible to serve on the governing body, you must immediately inform the Secretary. [The Instrument of Government](#) also defines the circumstances in which a governing body must inform the Department that a governor should be removed from office, for example, for poor attendance or a breach of the code of conduct. If the Department receives such a notification, it will inform the governor and he or she will have an opportunity to respond before any decision is reached.

3.3 Performance assessment, training and development

3.3.1 Performance assessment

As detailed in your terms and conditions of appointment, you should expect your performance to be appraised on an annual basis by the Chair of your governing body. You will be assessed based on the competence framework for governing body members, details of which are set out in circular [FE 05/12 Knowledge, Skills and Competences of Governing Body Members](#) (see [Appendix 1](#)). Your performance will be discussed between you and the Chair, and you will both sign the assessment. The Department will receive a copy of your completed assessment.

For your appointment to continue for the remainder of your term or, for you to be considered for re-appointment at the end of your term, your performance appraisal report must be satisfactory. An unsatisfactory appraisal report may lead to the consideration of disciplinary action, which could ultimately lead to termination of your appointment.

In the event that you apply for another public appointment, the Department will, on request, provide the appointing department with information relating to your performance as a member of the governing body.

Your individual assessment is part of an annual performance assessment process, details of which are set out in circular [FE 06/12 Assessment of Chairs and Members of Governing Bodies](#) (see [Appendix 1](#)). This process also includes an assessment of the governing body's overall performance. This assessment takes the form of a questionnaire which individual members are asked to complete on a non-attributable basis. The Department administers the process, and each governing body will be provided with an analysis summarising both its governing body responses and responses across the sector. This information is useful both to your governing body, as an assessment of its strengths and weaknesses, and to the Department, as it provides a mechanism to assess the operation of the governing body.

As part of the governing body self-assessment, you will be asked to provide a view on the performance of your Chair. The collective views of your governing body will form part of the Chair's annual assessment. The Chair's assessment will also consist of a self-assessment and an assessment by the Department.

Although the Department administers this annual process, the governing body should also develop a basis for the regular monitoring of its own performance in carrying out its responsibilities. This should include identification and recording of any areas where development or training for governors might be helpful.

The governing body should have formal procedures in place for regular appraisal of the Principal based on areas of performance and associated indicators determined by the governing body.

3.3.2 Training and development

As a new governor, you will be invited to attend an induction session arranged by the Department. You will also receive induction at your specific college. This should include a briefing on the organisation, its structure, and its allocation of managerial roles and responsibilities.

You may wish to arrange to visit the college during term time to meet staff and students as a way of getting to know the college. For those of you who become members of your college Audit and Risk Committee, the Department will provide a dedicated training session. Beyond this, governors themselves and the governing body as a whole are responsible for ensuring that other training and development needs are met.

3.4 Roles on the Governing Body

You should be aware that there are different ways in which individuals can become members of a governing body, and, once appointed, there are different roles which governors can perform. This section provides detail on the different roles and types of member.

3.4.1 The Chair

The Chair is the most important role on the governing body. He or she is appointed by the Department's Minister following a public competition. The Chair has a particular responsibility for providing effective strategic leadership to the governing body and for ensuring it fulfils its role effectively.

Chair – Summary of Responsibilities

The role includes:

- providing leadership to the governing body and developing individual governors into a cohesive team;
- ensuring that the governing body does not get involved in matters that are properly the preserve of management;
- enabling all governors to make a full contribution to the affairs of the governing body, including ensuring that following appointment, individual governors are fully briefed on the terms of their appointment and other duties and responsibilities;
- ensuring that key and appropriate issues are discussed by the governing body in a timely manner;
- ensuring that the governing body has adequate support and is provided with all the necessary information on which to base decisions;
- ensuring that, in reaching decisions, the governing body takes proper account of statutory and other requirements and constraints; the recommendations of college management should be accepted only when the Chair is satisfied that the governing body has fully considered all the issues, including any guidance issued by the Department;
- representing the views of the college to the general public;
- promoting the efficient and effective use of staff and other resources through the organisation.

The Department usually communicates with the governing body through the Chair and the Secretary. Nevertheless, an individual member may approach the Department on any matter which he or she believes raises important issues relating to his or her duties as a member. It is an implicit expectation that the governing body will authorise the

Chair to act on its behalf between meetings and to report items of Chair's action to the governing body at its regular meetings, particularly action agreed with the Principal on matters delegated by the governing body.

3.4.2 The Principal

The Principal is both the Chief Executive and Accounting Officer of the college. He or she is accountable to the governing body and, in addition, is accountable to the Permanent Secretary of the Department for all aspects of the college's expenditure of public funds. The Principal's responsibilities include the day to day running of the college, supplying the governing body with the information it requires and ensuring the proper use of public money. A more detailed summary can found below. A full list can be found in the [Articles of Government](#), with responsibilities of the Principal as college Accounting Officer detailed within the [Management Statement/Financial Memorandum](#).

It should be noted that the Principal also has a governance role like any other governor.

Further information on the relationship between the Principal and governing body can be found in [section 2.9](#).

Principal – Summary of Responsibilities

These are:

- making proposals to the governing body about the educational nature and mission of the college and ensuring the decisions of the governing body in this and all other matters are implemented;
- providing members of the governing body with adequate information on all of the college's affairs to enable them to comply full with requirements of their role;
- the day-to-day organisation, direction and management of the college and leadership of the staff;
- the quality and performance of the college especially with regard to academic provision;
- the arrangements for the admission, assessment and examination of students;
- the development of the curriculum and programmes of staff development;
- 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 the Articles;
- 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 approval by the governing body;
- 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 by the governing body, the Department or other appropriate statutory body;
- the maintenance of student discipline and, within procedures provided for within the Articles, for the suspension, and/or expulsion of students; and
- such other duties as may be delegated by the governing body, subject to certain exclusions.

Along with the Chair, the Principal is the visible, public face of the college. It is, therefore, essential that they fulfil their duties in a way which inspires the confidence and trust of the staff and students. The Principal also has a public role, representing the college to the outside world. The governing body will be concerned with ensuring, as far as possible, that all such activities present the college in a good light, and one which is consistent with the mission, aims and objectives set by the governing body.

3.4.3 The student member

The student member of the governing body is elected by the student population of the college, although he/she is not on the governing body to represent the student body. His/her role is to bring the learner perspective to the decision making process in the college. Like any other governor, he/she must make decisions based on the best interests of the college.

3.4.4 The staff member

The staff members of the governing body are elected by the staff of the college. The Further Education (NI) Order 1997 makes provision for either one or two staff governors. As with the student member, these elections are in accordance with the rules made by the governing body. The staff members are in the same position as the student member in respect of their role on the governing body; they should bring the perspective of staff to the decision making process but, their role is not to represent staff on the governing body.

3.4.5 Chairs of Committees

Each committee of the governing body will be chaired by a governor elected from the committee's membership. Some committees have restrictions about who can serve as chair (Section 2.8 contains further information). The Principal, staff and student members cannot chair any committee. Committee chairs have important positions on the governing body, making sure that committee business is conducted properly and that members are able to ask questions and receive appropriate answers. They also report on the work of each committee to the governing body and obtain ratification of the committee's decisions.

3.4.6 The Secretary

The Secretary to the governing body is responsible for organising the proper conduct of the business of the governing body. The Secretary is an employee of the college but works directly for the governing body and does not hold any other position in the college. He/she is not a member of the governing body.

Secretary to the Governing Body – Summary of Duties

Specific duties include:

- organising meetings;
- preparing agenda and papers;
- taking minutes of meetings;
- advising the Chair on procedures;
- ensuring that the decisions of the governing body are conveyed to those with a responsibility to implement them (though any communication with staff of the college must be via the Principal).

The Secretary must be familiar with the documents in [Appendix 1](#) to be able to carry out their duties. If you require any of these documents, or have any issues or queries regarding your governing body or its work, you should speak with your Secretary.

3.5 Asking questions and making decisions

You should make sure you are well prepared for each meeting by carefully reading minutes of previous meetings, papers supplied by the Secretary and any other correspondence, and giving thorough consideration to executive proposals. The strength of the governing body is dependent on the quality and variety of the contributions made by you and your fellow governors. These contributions should not be limited to formal meetings, but should be extended to working groups and committees looking at particular issues on behalf of the governing body. Much of the more detailed work of the governing body is carried out at the committee level and you are encouraged to join committees.

Your decisions on all subjects must be taken on merit and with the overall interests of the college in mind, and not on the basis of the interests of any particular group. You should only agree to a particular course of action if you are satisfied that it is in the best interests of the college and its students.

While you may find yourself asking questions which appear overly simplistic, it is often answers to simple questions which are the most informative. You should be wary of agreeing with a decision simply because it reflects the majority opinion within the governing body. If you are not convinced that all realistic alternative courses of action have been fully considered and that the decision is supported by relevant evidence, you should not be afraid to raise it at the meeting. The best boards have members who are willing to challenge one another and are able to do so within a constructive environment which encourages discussion.

Gifts and Hospitality

As a governor, you occupy a high-profile position in the college and you may, from time to time, be offered gifts or hospitality by other people or organisations. You should not receive benefits of any kind from individuals or organisations which might reasonably be seen to compromise your personal judgement or have the potential to embarrass the college. You may also find it helpful to discuss with the Chair or the Secretary to determine whether acceptance would be in any way inappropriate.

Any gifts or hospitality you do accept or reject should be recorded in the gifts and hospitality register(s).

The governing body should ensure there is an up-to-date policy on Gifts and Hospitality in place.

You should be aware that once a decision has been made, you are bound by the collective decision of the governing body, even if you disagree with that decision.

3.6 Probity and Standards in Public Life

As a governor, you have a responsibility to observe the highest standards of integrity, at both a corporate and personal level, as is appropriate to a publicly funded position. You should refer to the terms and conditions of appointment provided with your minute of appointment and be familiar with these requirements. Supplementary to this, everyone in public life must adhere to the Principles, established by the Committee on Standards in Public Life.

This committee was set up in 1994 and has its own website [Committee on Standards in Public Life](#). The Committee made important recommendations relevant to the governance of further education institutions including:

- the appointment and training of governors,
- openness,
- codes of conduct,
- conflicts of interest,
- whistle blowing, and
- the limits of commercial confidentiality.

Following these recommendations, the committee drew up seven principles of public life as a yardstick against which public service may be measured. Details of these can be found in Schedule 2 of the [Instrument of Government](#) and in [Fact Sheet 1](#) of this guide.

The Standards in Public Life

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

Every college is required by the [Instrument of Government](#) to maintain a register of members' interests which records any material interests that each governor holds which could be perceived to have a bearing on any decisions coming before the governing body. Every member is required to enter all business interests held, his/her membership of any other public bodies, any positions held that might give rise to a

perceived conflict of interest, the names of any relatives who work at the college and a declaration of any significant political activity undertaken in the five years prior to appointment.

It is the responsibility of each governor to ensure that his/her entry in the register is kept up to date. An opportunity to update entries in the register should form part of the agenda of each full governing body meeting.

During your time on the governing body, it is likely that you will face some kind of conflict of interest. If any issue coming before the governing body has, or could be perceived to have, the potential to conflict with your stated interests held in the register, you should declare the interest and withdraw from discussion of the issue. There may be instances where the potential conflict of interest is not clear cut; on these occasions, you should discuss the issues with the Chair in advance of the meeting. If the potential conflict is not felt to be prejudicial to the issue up for discussion, you need not withdraw. You should, however, withdraw from the discussion of any issues where there is a possible personal financial benefit or any financial benefit to your friends or relatives.

The Principal, staff and student members must also withdraw from discussions when the issue concerns their positions as a Principal, member of staff or student. Schedule 4 to the [Instrument of Government](#) sets out the conditions under which these members are required to withdraw.

3.7 Your liabilities as a governor

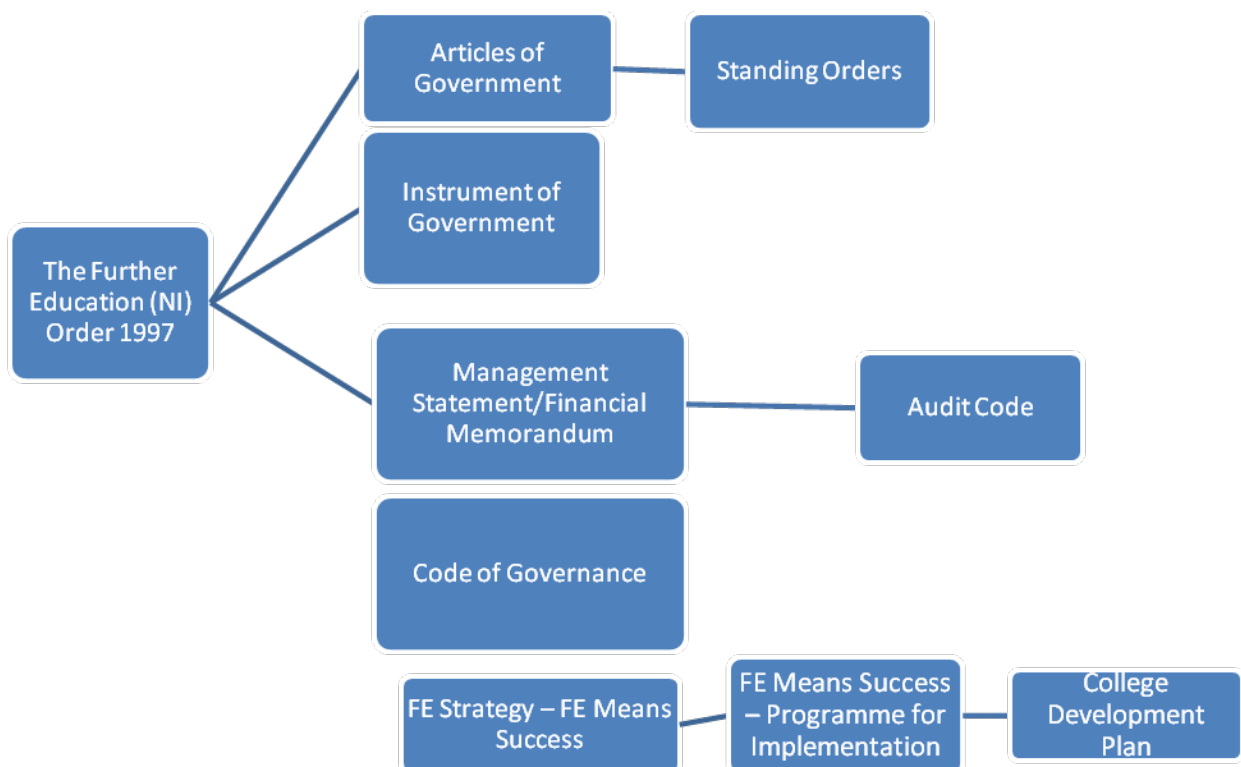
The law relating to the personal liability of board members is complex and its interpretation is ultimately a matter for the courts.

As long as a member has acted honestly and in good faith, they are indemnified by the Department against individual civil liability in the course of carrying out their responsibilities for the governing body. This indemnity does not protect a member who acts recklessly or in bad faith.

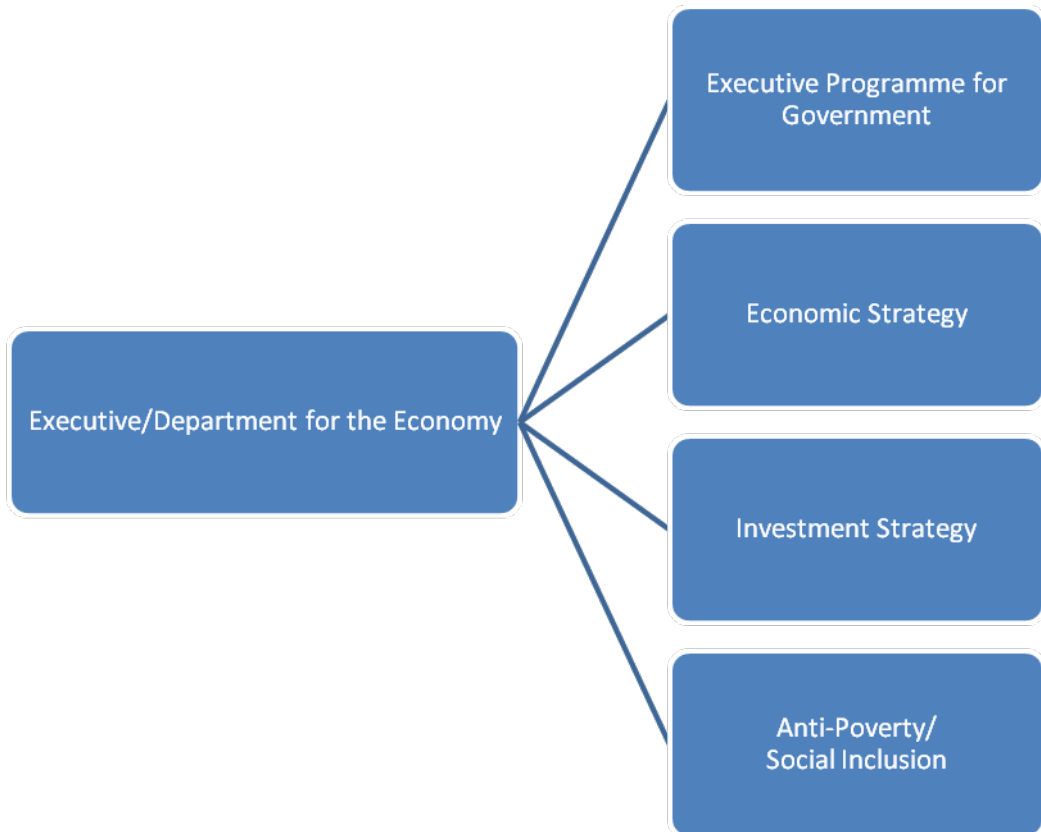
What else do I need to know and read

This appendix provides details of documents that you should obtain copies of and be familiar with – this guide should be viewed as a complement to them and not a substitute. Your governing body Secretary will be able to provide you with copies.

The following diagram illustrates the relationship between the documents, with the Further Education Order the most important.



The high level context in which the Department and colleges operate is set out within the Executive's Programme for Government; the Economic Strategy; the Investment Strategy; and Anti-Poverty/Social Inclusion initiatives. Further details on these are set out below:



The Further Education (Northern Ireland) Order 1997 - provides the

statutory basis for further education in Northern Ireland. It establishes the role and powers of the Department and the governing body. In terms of governance, all other documents are subordinate to the Order and subject to its provisions.

Instrument of Government - made under the powers of the Further Education (Northern Ireland) Order 1997, the Instrument sets out the composition of the governing body and arrangements for the appointment of its members.

Management Statement/ Financial Memorandum – this sets out the terms and conditions under which the Department makes funding available to colleges. It defines the framework which helps to ensure that the funds which are made available for further education are used effectively and efficiently and only used for the purpose for which they have been allocated. It also set out the respective responsibilities of the Department and the college, especially with regard to the planning, budgeting and control of resources. It reflects the requirements of [Managing Public Money Northern Ireland](#).

Articles of Government - made

under the powers of the Further Education (Northern Ireland) Order 1997, the Articles govern the committee structure, the proceedings, and the duties of the governing body. They also determine the matters which are reserved to the governing body and those which can be delegated to the Principal.

Standing Orders - made under the powers of the Articles, these may be procedural rules relating to the conduct of governing body business. These are internal to the college and are not subject to approval by the Department. They must, however, be fully compliant with the Articles and Instrument and take account of all other regulatory documents.

Audit Code – this is primarily to guide members of governing bodies, particularly those appointed to the Audit Committee, senior managers in colleges, and internal auditors. The guidance embodies the Department's requirements in relation to funds provided by the Northern Ireland Assembly and specifically the audit/risk assurance function.

Code of Governance (FE04/12) – this summarises the principles and provisions of the governance arrangements, and includes a scheme of delegation intended to clarify roles and responsibilities.

Knowledge, Skills and Competences of Governing Body Members (FE05/12) - this is an information document introducing the framework for recruitment and selection of members of governing bodies. It sets out the knowledge, skills and competences required of members of governing bodies and governing bodies collectively.

Assessment of Chairs and Members of Governing Bodies (FE06/12) - this document outlines the method of assessment for both Chairs and members of governing bodies. The assessment process has been designed with reference to standard practices in use elsewhere in the public sector and adapted as necessary to remain consistent with the competence framework (FE05/12)

Further Education Means Success - this is the current strategy for the sector. The policies which flow from it aim to strengthen economic development, enhance social cohesion and advance the individual's skills and learning.

College Development Plan (CDP) – this is the annual strategic plan of the college. It is a requirement of the Further Education (Northern Ireland) Order 1997 that each college produces and implements a CDP. The CDP forms part of the annual strategic planning framework and includes financial forecasting data. It enables the governing body to make informed strategic decisions and manage its resources in accordance with its strategic priorities.

Accounts Direction - this circular sets out the requirements for colleges to prepare Annual Report and Financial Statements. It is updated and issued every year.

Health Check - the Department produces a regular health check for the sector. It brings together information across a wide range of activities, both quantitative and qualitative, in order to provide a broad picture of college performance within a single document.

Programme for Government Framework (2016-2021) – this contains 14 strategic outcomes which aim to improve societal wellbeing and cover education and economic success. A key feature is the dependence on collaborative working between organisations and groups, whether in the public, voluntary, or private sectors. In due course, it will provide the strategic context for other key Executive strategies, including the Investment Strategy, the Economic Strategy and an Anti-Poverty/Social Strategy. The Programme will also inform the development of the Executive's budget.

Anti-Poverty/Social Inclusion Initiatives - the Department will support the wider social inclusion and anti-poverty initiatives of the Northern Ireland Executive by taking forward work to support economic social inclusion to enable people of working age to improve their skills through the provision of training to enhance their employability.

Economic Strategy – this sets out plans to grow a prosperous local economy over the short, medium and longer term to 2030. A key aim is to rebalance the economy by stimulating innovation, R&D and creativity; improving skills and employability; supporting business growth; increasing our competitiveness within the global economy; and developing our economic infrastructure.

Investment Strategy (2011-2021) - this sets out the programme for investment for public infrastructure in Northern Ireland and assists government, and private sector partners, to plan ahead. Delivering the skills agenda has been significantly enhanced by the high level of capital investment that has taken place within the further education sector in recent years. This has provided colleges with industry standard facilities and equipment. Continued investment in the further education estate will help to ensure that the infrastructure exists to deliver high quality courses to create a skill pool and the research capabilities that are essential to support the expansion of home-grown businesses and also to attract inward investment. Subject to budget allocations, the Department is projecting capital expenditure of approximately £250 million in further education over the four years from 2016/17.

APPENDIX 2 COMPETENCE FRAMEWORK FOR FURTHER EDUCATION GOVERNING BODIES

Competence Framework for Further Education Governing Bodies

Providing Effective Governance	Ensuring Accountability	Specified Functions
<p>Ensures the provision of suitable and efficient further education and to ensure the effective and efficient management of the college by:</p>	<p>Ensures the college provides value for money and provides for the proper stewardship of public funds by:</p>	<p>Ensures that the college executive receives appropriate support and that designated operational functions are performed in a professional manner by:</p>
<p>Providing Leadership</p> <p>Provides leadership to the college by:</p> <ul style="list-style-type: none"> • providing clear direction to achieve college objectives • communicating college objectives to internal and external stakeholders • demonstrates integrity and probity at all times 	<p>Demonstrating Financial Expertise</p> <p>Demonstrates expertise by:</p> <ul style="list-style-type: none"> • delivering financial services to meet the organisation's needs • effective budgeting to ensure organisational success • interpreting financial information to monitor organisational performance 	<p>Providing a Human Resource function</p> <p>Performing designated human resource functions in a professional and efficient manner by:</p> <ul style="list-style-type: none"> • making disciplinary decisions based on the appropriate policies, sector wide agreements, and legislative frameworks
<p>Providing Strategic Planning</p> <p>Determine objectives and ensures college performance by:</p> <ul style="list-style-type: none"> • using the framework established by the Minister and the Department to set the college's strategy. • seeks and implements ways of monitoring and improving performance. • makes decisions to ensure organisational success and ongoing viability. 	<p>Demonstrating Risk Management Expertise</p> <p>Demonstrating expertise by:</p> <ul style="list-style-type: none"> • developing and promoting risk management best practice across the organisation • identifying emerging risks at a strategic level • advising, challenging, and providing oversight of organisational compliance with Departmental, DFP, and HM Treasury standards for risk management. 	<p>Supporting the College Executive</p> <p>Providing support to the college executive by:</p> <ul style="list-style-type: none"> • scrutinising plans and proposals • giving constructive feedback
Analysing and Using Evidence	Providing effective oversight of audit procedures	

Makes decisions and solves problems in a team and organisational environment by:

- using information to understand performance and make decisions.
- understanding how to focus on issues which are the most significant.

Building Knowledge and Capability

Ensures that individual and collective knowledge and skills support the needs of the Governing Body by:

- developing knowledge of the Further Education sector.
- developing knowledge and skills in order to meet business needs.
- works collaboratively in ways which improve collective performance.
- demonstrate knowledge of corporate governance in the public sector.

Ensures the college provides effective audit procedures by:

- ensuring the college complies with all Departmental, Department of Finance and Personnel and Her Majesty's Treasury guidance and instructions.
- monitoring and assessing the effectiveness of the organisation's audit facilities.

Holding the Chief Executive to account

Managing the performance of the Principal by:

- agreeing performance objectives and targets
- monitoring performance against these
- conducting an annual appraisal

APPENDIX 3 USEFUL ABBREVIATIONS AND ACRONYMS

AFMD	Accountability and Financial Management Division	CWAP	Conversation with a purpose
ALB	Arm's Length Body	DAC	Direct Award Contract
AO	Accounting Officer	DAO	Dear Accounting Officer
ASB	Accounting Standards Board	DEL	Department for Employment and Learning (now obsolete)
ASF	Additional Support Fund	DEL	Departmental Expenditure Limit
BC	Business Case	DF	Department of Finance
BCS	Business Consultancy Service (DF)	DfC	Department for Communities
BELB	Belfast Education and Library Board (now obsolete)	DfE	Department for the Economy
BIP	Business, Industry & Professional (Board of Governors)	DNC	Directors' Negotiating Committee
BMC	Belfast Metropolitan College	DSO	Departmental Solicitors Office
BTEC	Business and Technology Education Council	EA	Economic Appraisal
CAG/		EA	Education Authority
C&AG	Comptroller and Auditor General	EC	European Commission
CAL	Centre for Applied Learning	EF	Entitlement Framework
CAU	Central Appointments Unit (Executive Office)	EIAG	(Careers) Education, Information, Advice and Guidance (Strategy)
CBI	Confederation of British Industry	EMA	Education Maintenance Allowance
CCEA	(NI) Council for the Curriculum, Examination and Assessment	EO	Executive Office
CDP	College Development Plan	EQIA	Equality Impact Assessment
CDR	Consolidated Data Report	ES	Essential Skills
CEF	College Employers' Forum	ESA	Education and Skills Authority
CIP	College Improvement Plan	ESA	Employment and Support Allowance
CIPFA	Chartered Institute of Public Finance and Accountancy	ESF	European Social Fund
CITB	Construction Industry Training Board	ESP	Employer Support Programme
CMA	Contract Management Area	ETI	Education and Training Inspectorate
CNI	Colleges NI (previously Association of Northern Ireland Colleges)	EU	European Union
COO	Chief Operating Officer	FAST	Financial Audit and Support Team
COPE	Centre of Procurement Excellence	FCR	Full Cost Recovery
CPANI	Commissioner for Public Appointments for Northern Ireland	FDI	Foreign Direct Investment
CPC	Crescent Purchasing Consortium	FE	Further Education
CPD	Central Procurement Directorate	FECGA	Further Education Corporate Governance and Accountability
CR	Cost Recovery	FELS	Further Education Leavers Survey
CSR	Comprehensive Spending Review	FEMS	Further Education Means Success (Publication)
		FEPSP	Further Education Policy and Strategic Development
		FfA	Framework for Achievement

FHEQ	Framework for Higher Education Qualifications
FLU	Funded Learning Unit
FM	Financial Memorandum
FReM	Financial Reporting Memorandum
FRS	Financial Reporting Standard
FUI	Follow Up Inspection
GAAP	Generally Accepted Accounting Principles
GANI	Government Accounting NI
GB	Governing Body
GCSE	General Certificate of Secondary Education
GIAS	Government Internal Audit Standards
GQs	General Qualifications
GT & EP	Government Training & Employment Programmes
GTCNI	General Teaching Council in Northern Ireland
HCA	Historical Cost Adjustment
HE	Higher Education
HIA	Heads of Internal Audit
HSENI	Health and Safety Executive NI
IA	Independent Assessor (allocated by CPANI)
IAS	Internal Audit Services
I & E	Income and Expenditure
IB	Incapacity Benefit
ICT	Information and Communications Technology
ICTU	Irish Congress of Trade Unions
IFRS	International Financial Reporting Standards
ILP	Individual Learning Plan
ILT	Information and Learning Technology
IQRS	Improving Quality: Raising Standards
ISLA	Individualised Student Learning Agreement
IT	Information Technology
JANET	Joint Academic Network
JISC	Joint Information Systems Committee
KS	Key Skills
KT	Knowledge Transfer
LAE	Learner Access and Agreement

LoO/LOO	Letter of Offer
LNC	Lecturers' Negotiating Committee
LPS	Land and Property Services
LRA	Labour Relations Agency
LRS	Learning Records Service
MaSM	Maximum Student Number
MIS	Management Information Systems
MOA	Mode of Attendance
MoU/MOU	Memorandum of Understanding
MPMNI	Managing Public Money NI
MSFM	Management Statement/Financial Memorandum
NAO	National Audit Office
NDAQ	National Database of Accredited Qualifications
NDPB	Non-Departmental Public Body
NEELB	North Eastern Education and Library Board (now obsolete)
NEETs	Not in Employment, Education or Training
NGO	Non-governmental Organisation
NIA	Northern Ireland Assembly
NIAO	Northern Ireland Audit Office
NICIS	Northern Ireland College Information System
NICS	Northern Ireland Civil Service
NIFON	Northern Ireland Finance Officers' Network
NIGEAE	Northern Ireland Guide to Expenditure Appraisal and Evaluation
NIMDM	Northern Ireland Multiple Deprivation Measure
NIO	Northern Ireland Office
NIPON	Northern Ireland Procurement Officers' Network
NI PPPNI	Public Procurement Policy
NISRA	Northern Ireland Statistics and Research Agency
NPISH	Non-profit Institutions Serving Households
NQF	National Qualifications Framework
NRC	Northern Regional College
NUS	National Union of Students
NUS-USI	National Union of Students-Union of Students in Ireland
NVQs	National Vocational Qualifications
NWRC	North West Regional College

OBC Outline Business Case
 OECD Organisation for Economic Co-operation and Development
 OCPANI Office of the Commissioner for Public Appointments for Northern Ireland
 OfMdfM Office of the First Minister & Deputy First Minister (now obsolete)
 OFSTED Office for Standards in Education, Children's Services and Skills
 ONS Office of National Statistics

PAC Public Accounts Committee
 PACE Practical Approach to Career Exploration
 PAU Public Appointments Unit (DfE)
 PfG Programme for Government
 PFI Private Finance Initiative
 PGCE Post Graduate Certificate in Education
 PLAQ Prescribed List of Approved Non NQF/QCF Qualification -owned by DEL
 PLR Personal Learning Record
 PO Purchase Order (Number)
 PPE Post Project Evaluation
 PPP Public-Private Partnership
 PSA Public Service Agreements
 PSIAS Public Sector Internal Audit Standards

QCA Qualifications Curriculum Authority
 QCF Qualifications and Credit Framework
 QIP Quality Improvement Plan
 QPA Quality and Performance Adjustment
 QUB Queen's University, Belfast

RRQ Register of Regulated Qualifications
 RTTCWG Report to Those Charged With Governance (Annual Report/Accounts)

SELB Southern Education and Library Board (now obsolete)
 SEELB South Eastern Education and Library Board (now obsolete)
 SENDO Special Educational Needs and Disability (NI) Order 2005
 SERC South Eastern Regional College
 SFC Scottish Funding Council (cf SFEFC/SHEFC)

SFEFC Scottish Further Education Funding Council (*obsolete – now SFC*)
 SHEFC Scottish Higher Education Funding Council (*obsolete – now SFC*)
 SID Skills and Industry Division
 SJ4 SuperJANET4
 SLA Service Level Agreement
 SLDD Special Learning Difficulties and/or Disabilities
 SME(s) Small and Medium-Sized Enterprises
 SMT Senior Management Team
 SOA Schedule of Accommodation
 SORP Statement of Recommended Practice
 SPICE Specialist Provision for Industry using College Expertise
 SPUR Student Powered Unit of Resource
 SR Spending Review
 SRC Southern Regional College
 SSAP Statement of Standard Accounting Practice
 SSC Sector Skills Council
 SSWG Shared Services Working Group
 STA Single Tender Actions
 STATA Statistical Software Package
 STEM Science, Technology, Engineering and Maths
 StW Steps to Work
 SuperJANET Super Joint Academic Network
 SUSE Step up to Sustainable Employment
 SWC South West College

TfS Training for Success
 TLD Technology in Learning Delivery
 TQS Training Quality Standard

UCU University and College Union
 UKCES UK Commission for Employment and Skills
 ULN Unique Learner Number
 USEL Ulster Supported Employment Limited
 UU Ulster University
 UUC Ulster University at Coleraine
 UUU Ulster University at Jordanstown
 UUM Ulster University Magee

VEP Vocational Enhancement Programme
 VET Vocational Education and Training
 VLE Virtual Learning Environment

VQs Vocational Qualifications
VQRP Vocational Qualifications Reform
Programme
VRQs Vocationally-Related Qualifications
WBL Work based learning

WELB Western Education and Library Board (now
obsolete)
WIP Work in Progress
WP Widening Participation

APPENDIX 4 FACT SHEETS

FACT SHEET 1: STANDARDS OF BEHAVIOUR - SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness:

Holders of public office should act solely in terms of the public interest.

Integrity:

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity:

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability:

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness:

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty:

Holders of public office should be truthful.

Leadership:

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

FACT SHEET 2: FUNDED LEARNING UNIT (FLU)

What is a Funded Learning Unit?

Funded Learning Unit or FLU is the name given to a unit of measurement used in the funding process for further education. FLUs are calculated by converting student enrolment data into quantifiable units by means of a Departmental funding formula. Each FLU has a value of £3,400.

The FLU mechanism is part of the overall further education planning model and determines funding allocations that enable colleges to deliver mainstream further education provision, Essential Skills provision and higher education provision in colleges.

How is the FLU used to allocate the block grant?

As part of the wider funding process, colleges submit College Development Plans to the Department, which set out the number of enrolments and FLUs each college hopes to provide for the next three years across broad policy areas.

The Department and the colleges then enter a bilateral process to examine these submissions, taking into account such factors as college performance, historic provision, available budget and strategic priorities for the Department, before ultimately establishing how much provision will be delivered, the targets to be achieved (both in terms of enrolments and FLUs), and the funding allocated.

Measurement against these targets is carried out at various points throughout the year by collecting student enrolment data and converting them into FLUs using the FLU funding formula.

How is FLU calculated?

Step 1

Full Time enrolments generate one third of a FLU at each of the following three trigger dates if the student is recorded as being in attendance at that date: 1st November, 1st February and 15th May. Withdrawal before the 1st November means that no FLUs are generated.

Part Time enrolments generate FLUs only if the student completes at least 1/9th of their course. FLUs are generated by dividing the number of timetabled hours recorded for that enrolment by a standard divisor of 720.



Step 2

Weightings are then applied depending on the level and subject area of the course.

Enrolments at **Level 1 and below** receive no weighting for course level and no weighting for subject area, with the exception of enrolments in ESOL and ES which attract a subject weighting of 1.8, and also specified IT courses which attract a weighting of 1.4.

Enrolments at **Level 2 and above** receive a weighting of 1.1 in respect of course level, and a subject weighting of either, 1.0, 1.2, 1.4, 1.6 or 1.8, depending on the subject area.



Step 3

A further FLU element is added to each enrolment to reflect the level of deprivation identified in the catchment area for each college, based on the NI Multiple Deprivation Measures.

A college-specific **Disadvantage Weighting** (1.0 for NRC and SERC, 1.1 for SRC and SWC and 1.2 for BMC and NWRC) is applied to 1% of the FLU already generated by each enrolment and added to the existing FLU total.

FACT SHEET 3: MAXIMUM STUDENT NUMBERS

The number of full-time undergraduate places at each higher education provider institution in Northern Ireland is subject to a cap as a means of controlling the cost to Government of higher education.

The cap was introduced in 1994 and is known as the Maximum Student Number (MaSN). It was introduced to constrain escalating public expenditure on demand led student support costs.

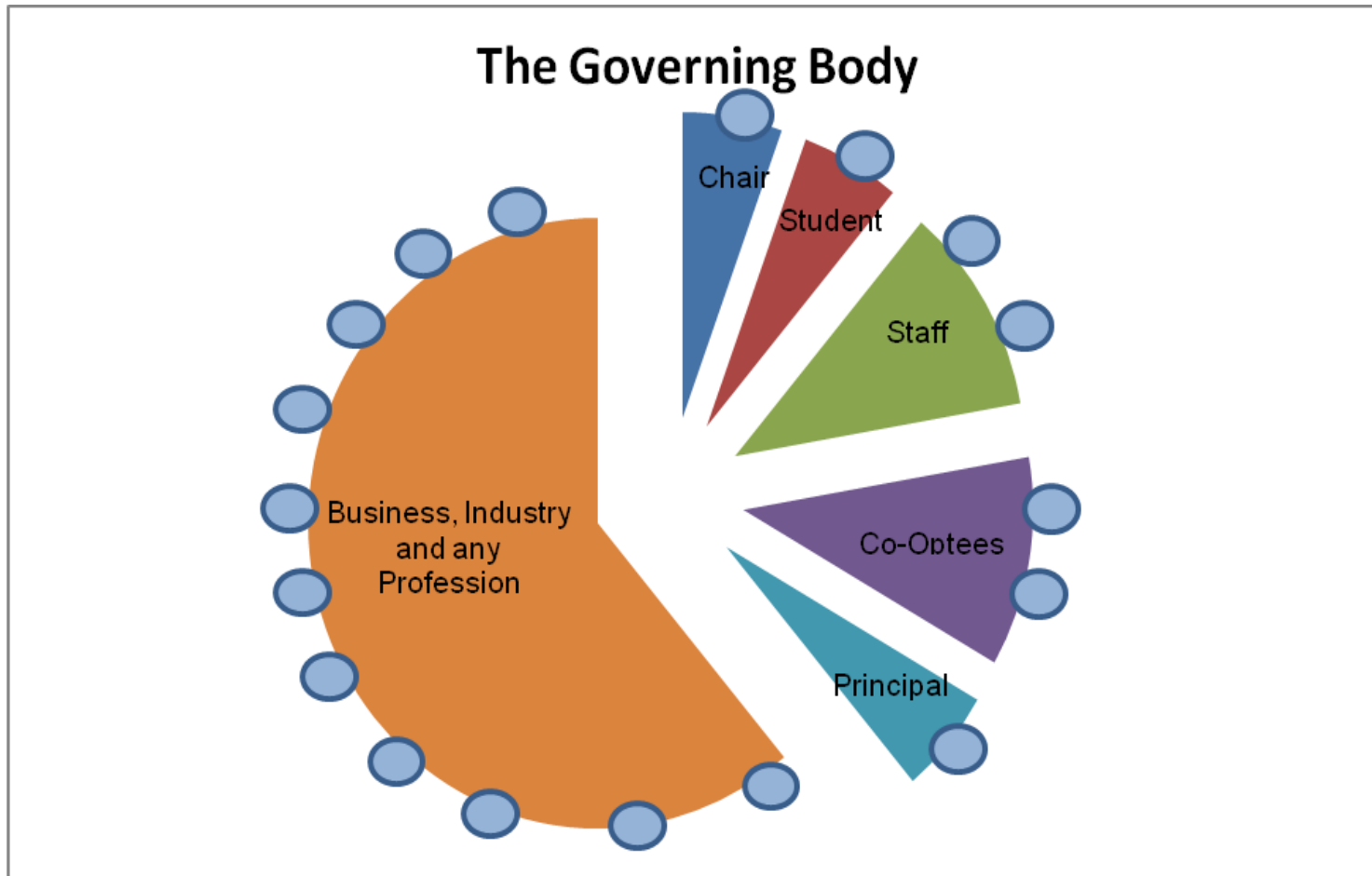
The MaSN does not apply to part-time undergraduates, postgraduates (with the exception of a Post Graduate Certificate in Education and some social work places) to students from outside the European Union - nor does it now apply to students from the rest of Great Britain.

Over the last few years the Department has conducted a phased reallocation of MaSN places across the higher education in further education sector to ensure that:

- the MaSN allocations represented an equitable and rational distribution of places to secure maximum recruitment and uptake of available places, and
- the allocations reflected available evidence of existing demand and potential future demand.

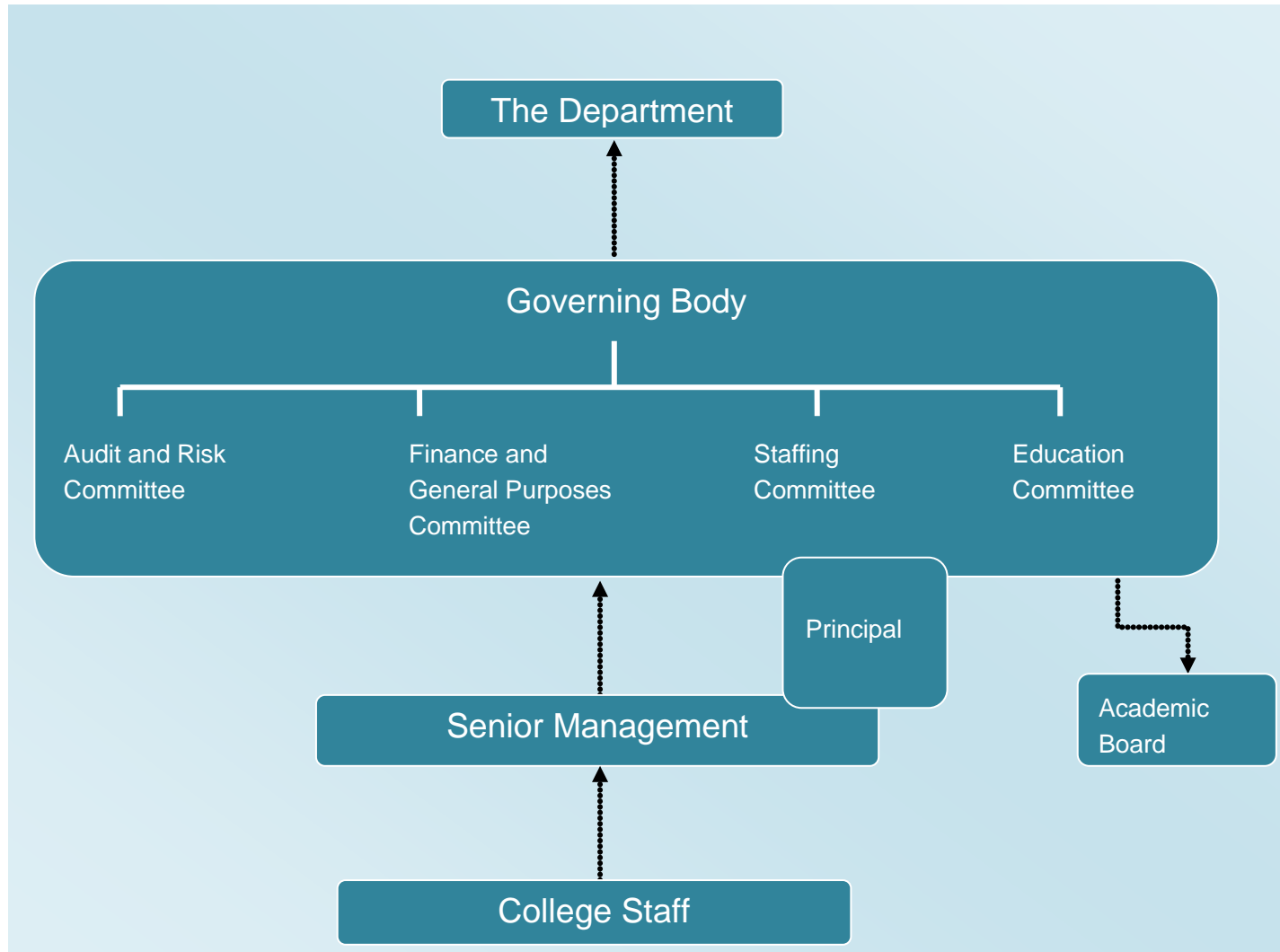
The reallocations also aimed to achieve a number of key Departmental objectives including the promotion of Priority Skills, Science Technology Engineering and Mathematics (STEM), the introduction of Foundation Degrees and widening participation in higher education across Northern Ireland.

FACT SHEET 4: MEMBERSHIP OF THE GOVERNING BODY



● One member

FACT SHEET 5: LINE OF ACCOUNTABILITY



FACT SHEET 6: ANNUAL STRATEGIC PLANNING PROCESS

