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**Employment
and Learning**
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GUIDE FOR GOVERNORS OF FURTHER EDUCATION COLLEGES

July 2015



FOREWORD **Dr Mary McIvor - Director, Further Education Division**

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

Firstly, thank you for taking on the vital and challenging role of governor. The Department values very highly the input of each and every governor. Secondly, I know many of you have other roles, in other walks of life, so I appreciate that you have made personal sacrifices and commitments to take on this responsibility.

As a consequence of the Department's strategy, *FE Means Business*, and the role of governing bodies in setting the college vision within this strategy, colleges are now seen as a key agent for strengthening economic development and have a crucial role to play in supporting business and innovation. Today's employers want a responsive public education and training system to supply the skills they need and our schools, colleges and universities must understand these needs if they are to contribute fully to our economic progress. International evidence confirms that the strategic direction of the further education colleges in Northern Ireland is the right one, particularly the strong economic focus that colleges bring to their region.

Over the next few years, the further education sector has 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 need to support local businesses to enable them to compete in the global marketplace and take advantage of new technologies to build and attract new business.

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 continues to deliver a curriculum which meets the needs of your local community, your local businesses and your college learners in line with appointment targets.

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. Good governance adds real value and supports effective decision making

within the college. Working in partnership with the Department, governing bodies can ensure the focus on excellence in providing the skills needed for the economy of today and tomorrow, and in being ambitious for learners.

I appreciate the continuing commitment and the time given by members of governing bodies. Without your dedication, the sector would not be able to perform its vital role in supporting enterprise, assisting communities and guiding learners.

I hope you find the role worthwhile and fulfilling.

A handwritten signature in black ink, appearing to read 'Mary McIvor', is centered on the page. The signature is written in a cursive, flowing style.

Dr Mary McIvor

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1. INTRODUCTION

You have been appointed by the Minister for Employment and Learning to serve on the governing body of one of Northern Ireland's further education colleges. As well as carrying a public profile, membership of a college governing body brings a number of responsibilities. Along with your fellow governors, you share the responsibility of overseeing the education and training of thousands of people to develop the Northern Ireland 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 governing body of each further education college is responsible for ensuring the effective management of the college's education and training provision, and for planning the college's future development. The governing body, together with the principal as chief executive, constitutes 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 read 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 has been written with the needs of newly appointed governors in mind. It will also serve as a useful reference tool for experienced governors.

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

You should note that this 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.

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, Room 203, Adelaide House, 39-49 Adelaide Street, Belfast, BT2 8FD, or e-mail fegovernance@delni.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 and requirements of their local communities than most other educational institutions.

Colleges cater for a wide range of the population from school pupils through to adults up to and

In 2013/14:

There were **180,825** enrolments in the six Northern Ireland further education colleges.

25,833 of these enrolments were full-time and **154,992** were part-time.

141,778 were regulated enrolments and **39,047** non-regulated

Of the regulated enrolments, **100,226** were for further education; **11,576** for higher education and **29,976** for essential skills.

50.5% 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.

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 Business, which was introduced in 2004. Further Education Means Business set out the following objectives for further education:

- to be a key driver of local, sub-regional and regional economic and workforce development;
- to be an active agent for social cohesion; and
- to be a major promoter of lifelong learning.

Although it is for each individual college to establish its own strategy, and to develop a curriculum offering education, training and other services to meet the needs of learners and employers in its local area, everything should be built

around these three objectives. Since the introduction of Further Education Means Business, the sector's profile as a provider of high-quality services has been enhanced, increasing the influence of the sector over local and regional economic planning.

A dedicated team within the Department is currently working to develop a new Strategy which will take account of the new challenges and opportunities for the sector. As key stakeholders, the views of governors, and those of the wider college staff have been sought as the Strategy has been developed. The new Strategy will be published in autumn 2015.

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 accountable to 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.

Minister for Employment and Learning. The members of a governing body are appointed by the Minister. 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 of Finance and Personnel, and that there is suitable and effective education for 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 of the 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 and submitted 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 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, a willingness to challenge assumptions and beliefs and a willingness to critically assess individual and collective performance to achieve better results. A governing body acts by

Articles 14, 15 and 16 of the 1997 Order

The main powers of a governing body:

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

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 and 12 and Schedule 3 of the 1997 Order. Each governing body has Articles and an Instrument of Government which set out 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. They must be observed. Copies of the model Instrument and Articles are available on the Department's website; [Model instrument of government](#) and [Model 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 professional, technical 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 governing body must guide the strategy of the college in line with the government's priorities, and provide and exercise both a support and 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.

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 responsibility to lead by example. It must act and be seen to act in accordance with the highest standards of propriety at all times.

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

- a. One is the Chair who is appointed by the Department Minister,
- b. Up to nine 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;
- f. two are nominated by the local education and library board (now Education Authority); and
- g. two may be co-opted by the existing members of the governing body

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

With effect from October 2010, the six colleges were reclassified as Non-Departmental Public Bodies following a determination by the Office of National Statistics. This reclassification resulted in the Department having to realign the administrative relationship with colleges and the wider further education sector, as well as enacting changes to governance controls; most notably the Management Statement/Financial Memorandum which sets out reporting arrangements and the parameters under which the sector operates.

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 Department has the ultimate power to intervene in the running of the college if it feels that any individual member/members of or the governing body itself are considered to be in breach of any of the respective responsibilities.

The Department 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 in 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 provided by the Department.

The Department administers an annual assessment of governors. 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 broad framework within which the college is to operate and develop and ensure that it is the right one for its 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. Colleges will prepare and submit 3-year financial forecasts as part of this process.

Along with the 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, including retention, achievement and success, 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 quarterly 'health check' on each college. The 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 financial health of the college from the financial ratios and data;
- assess the academic performance of the college from the retention, achievement and success data;
- assess the performance of the college against its enrolment targets;
- identify and assess risks facing the college; and
- assess reports from internal audit and the Education and Training Inspectorate.

It is important that you gain an understanding of the data presented in the health check. You may need to obtain briefing from your Chair or other governors to assist you in this.

2.8 Committees

The committees of a governing body are:

- Audit and Risk Committee
- Finance and General Purposes Committee
- Staffing Committee
- Education Committee

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 governing body can make decisions on the membership (numbering at least four) and the terms of reference of any committees. Table 2.1 below gives details of the membership of committees and the restrictions on membership. The Articles provide further detail.

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 excluding the Principal and any member of the Finance and General Purpose Committee. The chair should be a Business, Industry and Professional member, but not the governing body chair • 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 to include two 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 excluding the Principal, staff and student members. 	<p style="text-align: center;">Staffing Committee</p> <ul style="list-style-type: none"> • At least four members excluding the Principal and staff and student members.

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.

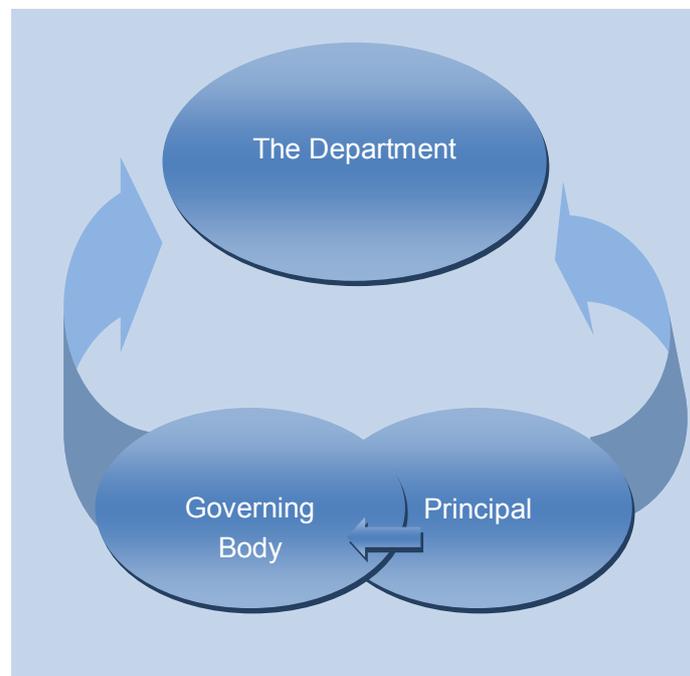
The relationship between the Principal and the governing body is complex. On the one hand, the Principal is a member of the governing body with an equal say in discussions and decisions. On the other, he or she is appointed by the governing body, is accountable to the governing body, and has his or her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

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.

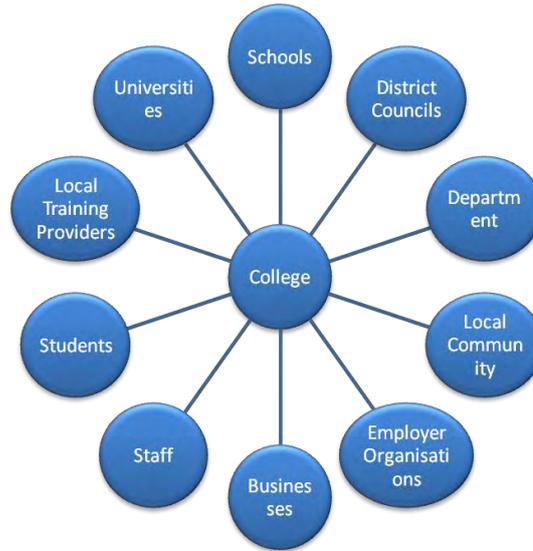
This complex web of relationships, depicted at Figure 2.4, is designed to ensure there are adequate checks and balances in the system. Each component of the system has to give recognition to the responsibilities of the others while ensuring that they fulfil their own responsibilities. Section C4 of the 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.

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 staff 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 Department of Finance and Personnel, 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.

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 Department provides detailed guidance on the requirements for managing the college estates. 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 Nolan principles
- 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

Expenses, Allowances and Remuneration

At the date of this guide, governing body members are not remunerated. This position is under review and an update will be provided to governing body members in the event of a change.

Governors can claim for travel and subsistence. No other remuneration is allowed, including for any duties as a director of a college company. Governing bodies will have a schedule of allowances, which properly reflect the costs incurred. These should not exceed any rates which the

satisfactory during your first term; it is a Ministerial decision to reappoint members.

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 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 should have a code of conduct which members are required to uphold and abide by as a condition of appointment. This includes adherence to the Nolan Principles 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, 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 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 the college and with the rules and guidance relating to use of public funds and to conflicts of interest.

The 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 original 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 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 request, 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 both will 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 contribute to certain actions being taken, which could ultimately lead to termination of 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. 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 will be useful both to your governing body, as an assessment of its strengths and weaknesses, and to the Department, as it provides a means 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 training.

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 be 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 fully 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 not 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. Chairs have important positions on the governing body, making sure that committee business is conducted properly and that committee members are able to ask and receive appropriate answers. They also have to 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. In these situations, you should consider whether acceptance of the offer would in any way be seen as influencing your approach to any issue facing the governing body. Any gifts or hospitality you do accept should be recorded in the register of interests.

The governing body should maintain guidelines on the proper approach to dealing with gifts or hospitality. You may also find it helpful to discuss with the Chair or the Secretary to determine whether acceptance would be in any way inappropriate.

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 Nolan Principles

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 Nolan Principles, established by the Committee on Standards in Public Life.

This committee was set up in 1994 and has its own website www.public-standards.gov.uk. The Nolan 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 Principles of Public Life (The Nolan Principles)

- 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

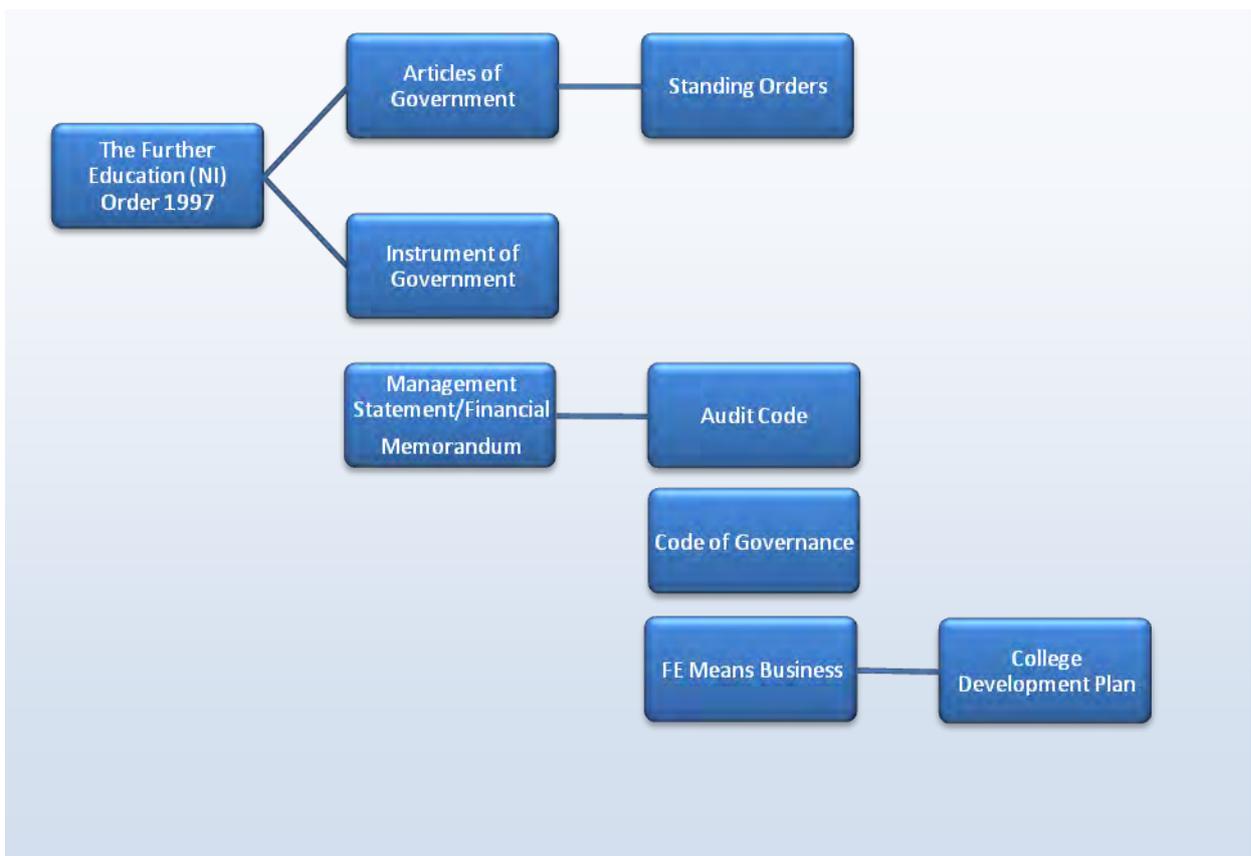
The law relating to the personal liability of board members is complex and its interpretation is ultimately a matter for the courts.

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.

Appendix 1 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 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.

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.

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.

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.

Management Statement/ Financial Memorandum - set 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. They 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](#).

Audit Code – this sets out the Department's requirements in relation to internal audit and the requirements of the Northern Ireland Audit Office in relation to external audit. It also provides a framework within which further education colleges and governing bodies should operate.

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 Business - 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 health check for each college three times a year. 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.

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>
Providing Leadership	Demonstrating Financial Expertise	Providing a Human Resource function
<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>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>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
Providing Strategic Planning	Demonstrating Risk Management Expertise	Supporting the College Executive
<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 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>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

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.

Providing effective oversight of audit procedures

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

A	<ul style="list-style-type: none"> •ASF Additional Support Fund •AY Academic Year (runs 01 August – 31 July) 	I	<ul style="list-style-type: none"> •ICT Information and Communications Technology •ILT Information and Learning Technology •IQRS Improving Quality: Raising Standards •ISLA Individualised Student Learning Agreement
B	<ul style="list-style-type: none"> •BMC Belfast Metropolitan College 	L	<ul style="list-style-type: none"> •LAE Learner Access and Engagement
C	<ul style="list-style-type: none"> •CEA Council for the Curriculum, Examinations and Assessment •CDP College Development Plan •CPA NI Commissioner for Public Appointments for Northern Ireland 	M	<ul style="list-style-type: none"> •MaSN Maximum Student Number •MOA Mode of Attendance
D	<ul style="list-style-type: none"> •DAO Dear Accounting Officer •DfP Department of Finance and Personnel •DEL Department for Employment and Learning •DETI(NI) Department of Enterprise, Trade and Investment 	N	<ul style="list-style-type: none"> •NDAQ National Database of Accredited Qualifications •NDPB Non-Departmental Public Body •NIAO Northern Ireland Audit Office •NIRAN Northern Ireland Regional Area Network •NRC Northern Regional College •NQF National Qualifications Framework •NWRC North West Regional College
E	<ul style="list-style-type: none"> •EF Entitlement Framework •ES Essential Skills •ESP Employer Support Programme •ETI Education and Training Inspectorate •e2s Entitled to Succeed 	R	<ul style="list-style-type: none"> •RTTCWG Report(s) to Those Charged with Governance
F	<ul style="list-style-type: none"> •FCR Full Cost Recovery •FE Further Education •FEC Further Education College •FHEQ Framework for Higher Education Qualifications •FLU Funded Learning Unit •FT Full-time •FTE Full-Time Equivalent 	P	<ul style="list-style-type: none"> •PAYE Pay-as-you-earn •PFI Private Finance Initiative •PT Part-time
G	<ul style="list-style-type: none"> •GANI Government Accounting Northern Ireland •GCE General Certificate of Education •GCSE General Certificate of Secondary Education •GQ General Qualifications 	Q	<ul style="list-style-type: none"> •QCA Qualifications Curriculum Authority •QCF Qualifications and Credit Framework
H	<ul style="list-style-type: none"> •HE Higher Education 	S	<ul style="list-style-type: none"> •SENDO Special Educational Needs and Disability (NI) Order 2005 •SERC South Eastern Regional College •SLDD Students with Learning Difficulties and/or Disabilities •SME Small to Medium Enterprises •SRC Southern Regional College •STEM Science, Technology, Engineering and Maths •StW Steps to Work •SWC South West College
		T	<ul style="list-style-type: none"> •TfS Training for Success
		V	<ul style="list-style-type: none"> •VEP Vocational Enhancement Programme •VRQ Vocationally-Related Qualifications

FACT SHEET 1: Seven Principles of Public Life**Selflessness:**

Holders of public office should take decisions solely in terms of the interest of the public. They should not do so in order to gain financial or other material benefits for themselves, their families or their friends.

Integrity:

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity:

In carrying out public business, including making appointments, awarding contracts, and recommending individuals for rewards and benefits, holders of public office should make choices on merit alone.

Accountability:

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness:

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands this.

Honesty:

Holders of public office have a duty to declare any private interest relating to their public office duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership:

Holders of public office should promote and support these principles by leadership and example.

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.

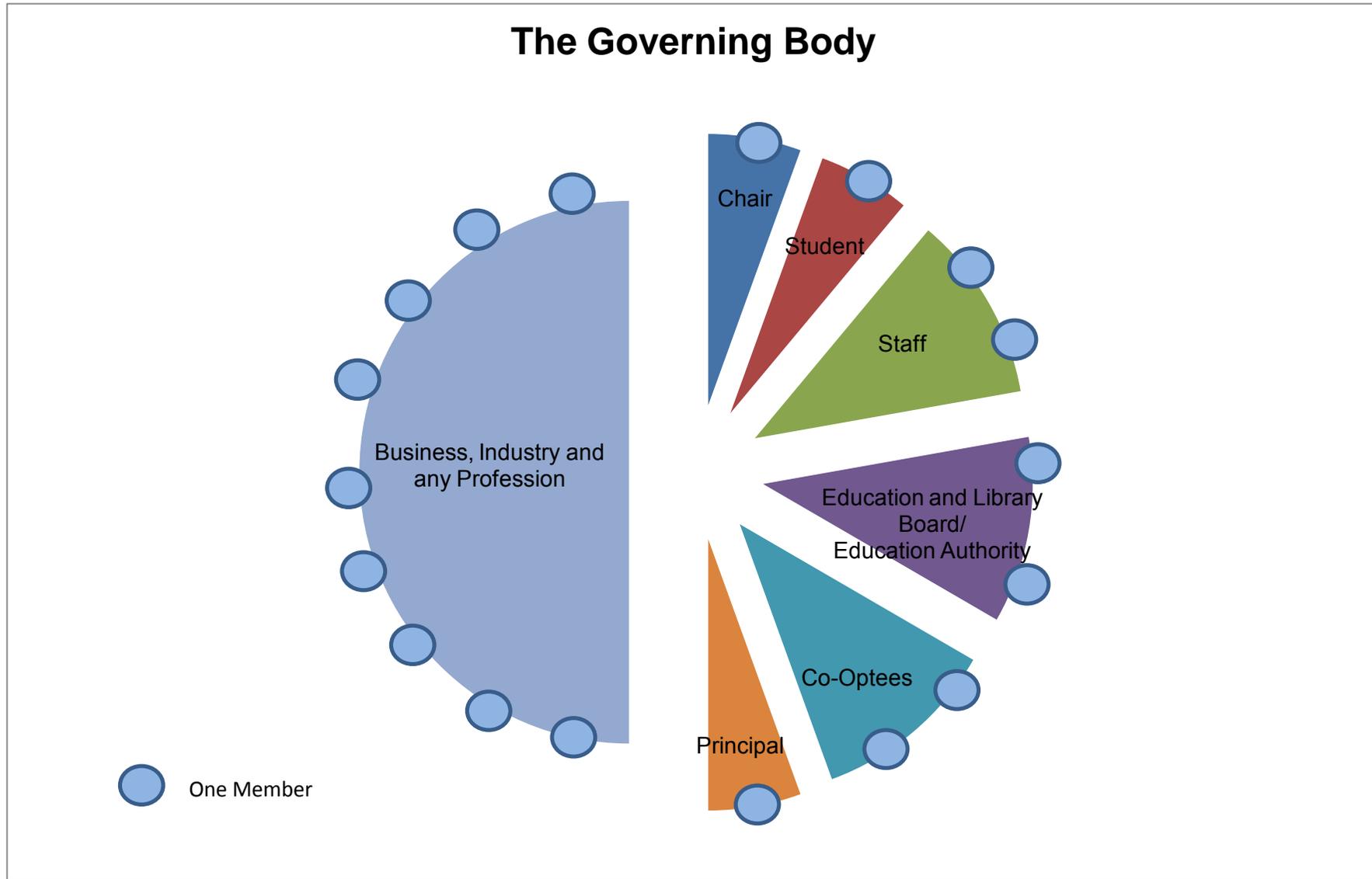
The MaSN does not apply to part-time undergraduates, postgraduates (with the exception of a Post Graduate Certificate in Education and some social work places) to students from outside the European Union - nor does it now apply to students from the rest of Great Britain.

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:

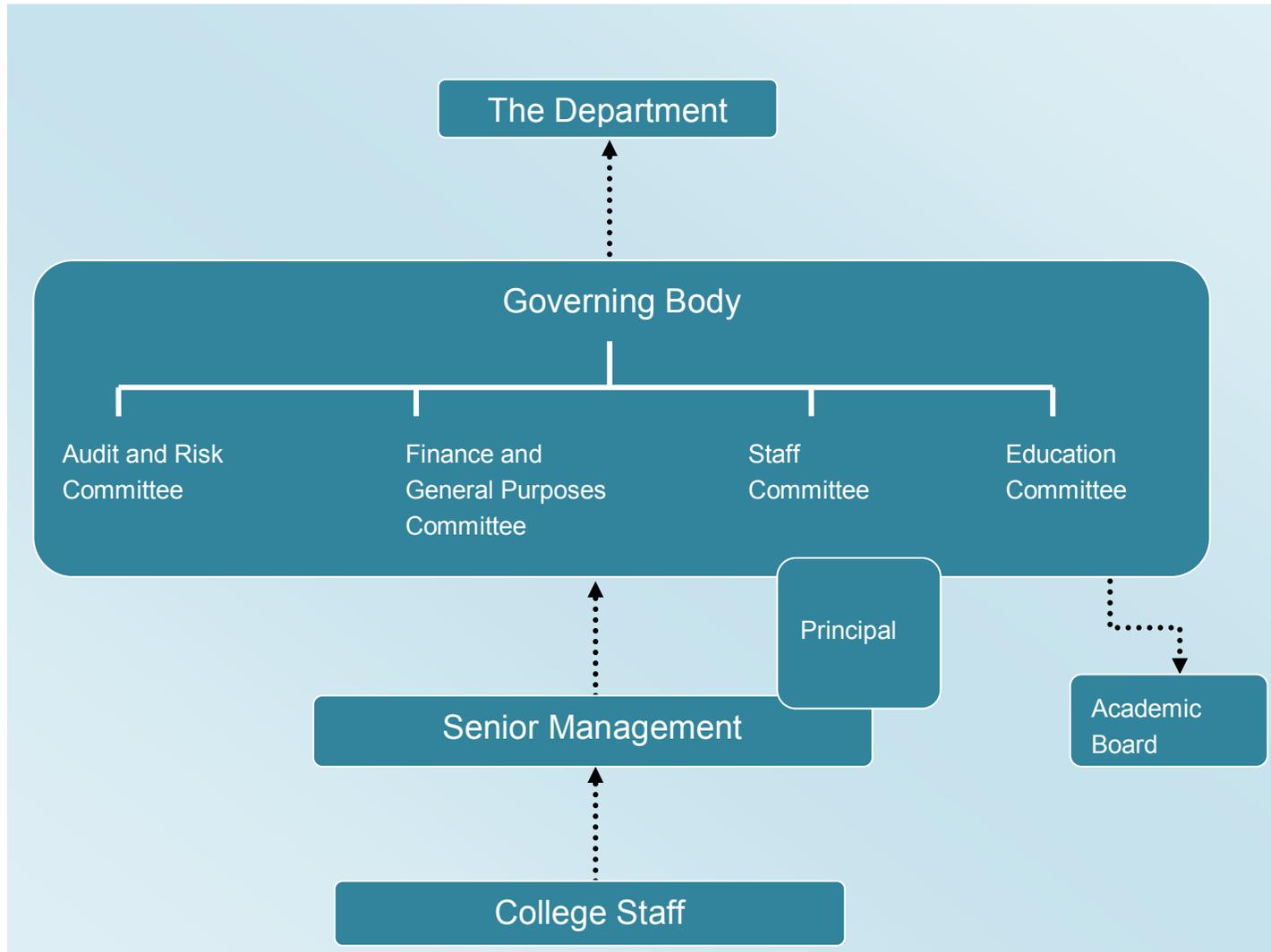
- the MaSN allocations represented an equitable and rational distribution of places to secure maximum recruitment and uptake of available places, and
- the allocations reflected available evidence of existing demand and potential future demand.

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



FACT SHEET 5: LINE OF ACCOUNTABILITY



FACT SHEET 6: Annual Strategic Planning Process

