

Subject:

REMUNERATION OF GOVERNING BODY CHAIRS AND MEMBERS

Circular Number:

FE 13/15

**Date of Issue:
18th December 2015**

Target Audience:

- Chairs of Governing Bodies
- Secretaries of Governing Bodies
- Principals of Further Education Colleges
- FE College Finance Officers

Summary of Contents:

This circular sets out the arrangements for the payment of governing body Chairs and Members from 1st January 2016.

Enquiries:

Any enquiries about the contents of this circular should be addressed to:

Further Education Corporate Governance
& Accountability Branch
Department for Employment & Learning
Adelaide House
39 – 49 Adelaide Street
BELFAST
BT2 8FD

Status of Contents:
Guidance

Related Documents:

None

Superseded Documents:

None

Expiry Date: N/A

DEL Website:

www.delni.gov.uk

Email:

fegovernance@delni.gov.uk

Introduction

1. Paragraph 5 (2) of Schedule 3 of the Further Education (Northern Ireland) Order 1997 (*the Order*), makes provision for the Articles of Government to provide for the governing body to pay remuneration to the members of the governing body of such amounts or at rates not exceeding such amounts or rates and on such conditions as the Department, with the approval of the Department of Finance and Personnel, may determine.
2. Remuneration of governing body Chairs and governors will commence from 1st January 2016, and will not be backdated prior to this date.

Rate of Remuneration

3. For governing body Chairs, remuneration will be paid at a rate of £20,000 per year. Where a governing body member is appointed by the Minister to the position of Temporary Chair, this member will be remunerated at the Chair rate for the period they hold this position
4. All governing body members (with the exception of college staff members and the Principal) will receive remuneration at the following rate:
 - £250 for a Governing Body meeting;
 - £150 for a committee meeting or event sanctioned by the Chair.

Eligible meetings and events qualifying for remuneration are listed in Annex A.

5. Should individual members not wish to receive remuneration, they should confirm this in writing to their college and the Department.

Eligibility for Payment

6. College staff members and the Principal are not eligible for payment, under the terms of [DAO \(DFP\) 02/11](#), issued by the Department of Finance and Personnel. This is to adhere to the policy of avoiding 'double payment' from the public purse. Where meetings take place outside the normal working hours for staff members, colleges may wish to consider the potential for payment of overtime, if appropriate.

7. Where governors are employed as civil or public servants they may be entitled to receive payment if their duties as a governor are undertaken outside of their normal working hours, for example at night, at weekends or during periods for which they are not paid if they work part time. A civil or public servant may or may not be entitled to any remuneration payable if their duties as a public appointee are carried inside their normal working hours – it will depend on individual circumstances and each case will need to be considered on its own merits and with the agreement of the individual's employer. Using, for example, annual leave or flexi leave to cover absences from their job may amount to double paying if the applicant is paid for these periods. The use of unpaid leave or unpaid special leave for example, to undertake public appointment duties may not amount to double paying. Each case may be different and the individual's personal circumstances may need to be considered in some detail.

Payment

8. A meeting must be quorate and must last for a minimum of one hour for payment to be applicable. Payment will be dependent on an individual governor attending for one hour or two thirds of the duration of the meeting, whichever is the greater. Attendance should be taken as including either physical presence or participation in meetings by electronic means such as video conferencing.
9. The governing body secretary will be responsible for maintaining comprehensive records of governor attendance at all meetings and events as set out in Annex A. The accuracy of these records will be paramount as they will form the basis for payment to be made to individual governors.
10. In line with [DAO \(DFP\) 09/2013](#), Chairs and governors as Ministerial appointees are not considered to be employees of the Department. They are considered by Her Majesty's Revenue and Customs to be 'part time office holders'. The term office holder has been judicially defined as an individual who occupies a permanent substantive position which has an existence independent of the person who fills it and to which certain duties are attached.
11. As part time office holders, Chairs and governors should be paid through the payroll of the college and are subject to tax and national insurance. This will require the college paying employer national insurance contributions where remuneration costs in a particular month are above the lower earnings limit. They may also be required to be auto enrolled into a pension scheme.

Travel and Subsistence

12. Governors and Chairs will continue to be eligible to claim travelling and subsistence expenses in respect of any activities carried out while fulfilling their duties. These expenses are payable at Northern Ireland Civil Service rates.

Audit

13. The principal of each FE College, in their capacity as Accounting Officer, shall comply with any audit/inspection arrangements.

Terms and Conditions

14. An addendum to the terms and conditions of each Chair and each governor will be issued in due course to reflect the contents of this circular.

Review

15. The implementation of remuneration of governing body Chairs and members will be subject to review after one year of operation.

ELIGIBLE MEETINGS

A meeting must be quorate and must last for a minimum of one hour for payment to be applicable. Governors will be paid for the following meetings, as set out in the Articles of Government:

Part III - £250	Governing Body Meetings Special Governing Body Meetings
Part IV - £150	Committees of the Governing Body (Staffing; Education; Audit; Finance and General Purposes; [where the Chair deems it required] a Committee of Chairs; and Temporary Committees (For example committees created to oversee estates projects or other activities approved by the Governing Body).
Part V - £150	Academic Board
Part VI - £150	Appointment and promotion of senior staff
Part VII - £150	Conduct, discipline, grievance and dismissal of staff, including meetings relating to employment or industrial tribunals resulting from involvement in such procedures

Payment will be dependent on an individual governor attending for one hour or two thirds of the duration of the meeting, whichever is the greater.

EVENTS SANCTIONED BY THE GOVERNING BODY CHAIR

Governors will be remunerated at a rate of £150 for attendance at the following events, which have been sanctioned by the Governing Body chair:

- Involvement in the appointment/recruitment of governors where delegated by the GB chair;
- Governor induction / training events (maximum of 3 payments to any one Governor in any academic year); and
- Departmental events, where governor attendance has been sanctioned by the Chair (For example, Ministerial meetings, accountability meetings, etc).

LIMITS TO REMUNERATION

The maximum average payment per governing body should be no more than £3,500 per governor in any one academic year.

EXCEPTIONAL CIRCUMSTANCES

Where governors are asked to participate in meetings relating to the appointment and promotion of senior staff / governors, or matters relating to conduct, discipline, grievance and dismissal of staff (including participation in employment or industrial tribunals), remuneration can be granted to governors, notwithstanding any limit set.