

**GUIDE FOR GOVERNORS  
OF NORTHERN IRELAND  
FURTHER EDUCATION COLLEGES**

**April 2019**

## FOREWORD

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

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

The Department is focused on a range of actions to support and grow our economy and develop a highly skilled workforce. To support this work we have set out a clear vision for our FE sector in the strategy, [Further Education Means Success](#).

Our goal is for FE colleges to be recognised locally, nationally and internationally as providers of high quality economically relevant skills delivery. We want colleges to focus on achieving excellence in delivering the right skills for economic success, and be ambitious for both our learners and the contribution colleges can make to improving our economic competitiveness. Consequently, our FE system has two key functions:

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

Our colleges are at the forefront of providing Northern Ireland with a highly skilled workforce which can compete with the rest of the world. To fully address our economic skills needs, we must engage with and support our businesses to compete and take advantage of new technologies and opportunities.

In your role as a governor, I know that you will work collaboratively and constructively with governing body colleagues and the College Executive Team to ensure that your college delivers a curriculum which meets the needs of the sub-region and community, our businesses and your college learners.

If the governing body is to be effective, you must make a strong contribution by bringing your own skills and experience to every meeting and every issue. Robust governance is

essential, adds real value and supports better decision making within the college. Working in partnership with the Department and in support of its aims, governing bodies can ensure the focus on excellence in skills provision for the benefit of the learners and businesses it supports.

As the Department's Senior Sponsor for the FE sector, I greatly appreciate the continuing commitment and time given by all governing body members. Without your unique perspective, individual experience, professional skills and dedication, the sector would not be able to perform its vital role and achieve the necessary outcomes which support enterprise, develop learners and help to alleviate social exclusion.

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

**Beverley Harrison**  
**Director of Further Education**  
**Department for the Economy**

## CONTENTS

<b>FOREWORD</b>	<b>1</b>
<b>1. INTRODUCTION</b>	<b>5</b>
1.1 About This Guide	6
1.2 Further Education in Northern Ireland	7
<b>2. WHAT IS A GOVERNING BODY AND WHAT DOES IT DO?</b>	<b>9</b>
2.1 Introduction	9
2.2 How does a Governing Body work?	9
2.3 Role of a governing body	11
2.4 Role of the Department	13
2.5 Strategic Planning and Funding	14
2.6 Audit and risk	15
2.7 Monitoring performance	15
2.8 Committees	15
2.9 Relationship between the Principal and Chief Executive and the governing body	17
2.10 External relationships	19
2.11 Student discipline, suspension and appeals	19
2.12 Staffing Issues	20
2.13 Estates	21
<b>3. WHAT IS A GOVERNOR AND WHAT DO THEY DO?</b>	<b>22</b>
3.1 Introduction	22
3.2 Your membership of the governing body	22
3.3 Performance assessment, training and development	24
3.3.1 Performance assessment	24
3.3.2 Training and development	26
3.4 Roles on the governing body	26
3.4.1 The Chair	26
3.4.2 The Principal and Chief Executive	27

<b>3.4.3 The student member</b>	<b>29</b>
<b>3.4.4 The staff members</b>	<b>29</b>
<b>3.4.5 Chairs of committees</b>	<b>29</b>
<b>3.4.6 The Secretary</b>	<b>29</b>
<b>3.5 Asking questions and making decisions</b>	<b>30</b>
<b>3.6 Probity and Standards in Public Life</b>	<b>31</b>
<b>3.7 Your liabilities as a governor</b>	<b>32</b>
<b>APPENDIX 1 WHAT ELSE DO I NEED TO KNOW AND READ</b>	<b>33</b>
<b>APPENDIX 2 COMPETENCE FRAMEWORK FOR FURTHER EDUCATION GOVERNING BODIES</b>	<b>37</b>
<b>APPENDIX 3 USEFUL ABBREVIATIONS AND ACRONYMS</b>	<b>39</b>
<b>APPENDIX 4 FACT SHEETS</b>	<b>42</b>
<b>FACT SHEET 1: STANDARDS OF BEHAVIOUR - SEVEN PRINCIPLES OF PUBLIC LIFE</b>	<b>42</b>
<b>FACT SHEET 2: MAXIMUM STUDENT NUMBERS</b>	<b>43</b>
<b>FACT SHEET 3: MEMBERSHIP OF THE GOVERNING BODY</b>	<b>44</b>
<b>FACT SHEET 4: LINE OF ACCOUNTABILITY</b>	<b>45</b>
<b>FACT SHEET 5: ANNUAL STRATEGIC PLANNING PROCESS</b>	<b>46</b>

## 1. INTRODUCTION

Being a member of a college governing body carries a public profile and brings a number of responsibilities. Along with your fellow governors, you share the responsibility of addressing the skills needs of our business community and supporting the development of thousands of people, in order to help sustain and grow our economy.

Northern Ireland has six FE colleges:

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

The high level strategic context which directs the work of the Department and colleges is set out in several key documents. These are the Executive's draft Programme for Government; the NICS Outcomes Delivery Plan; the draft Industrial Strategy; the Investment Strategy; Social Inclusion initiatives; and the Department's Business Plan. The NICS Outcomes Delivery Plan sets out the actions departments, including their arm's length bodies (e.g. FE colleges), will implement to give effect to the previous Executive's stated objective of Improving wellbeing for all – by tackling disadvantage and driving economic growth. Brief details on all these strategic frameworks are contained in [Appendix 1](#).

The Minister for the Economy sets the strategic direction for the FE sector. A college governing body is responsible for ensuring the effective management of the college's education and training provision, planning the college's future development and fulfilling key governance functions regarding college resources, including the senior management team and college staff. Working with the college Principal and Chief Executive, the governing body is the highest level of decision making and has ultimate responsibility for all of the affairs of the college.

This guide provides information and advice for governing bodies and individual governors. It is only intended to be an introductory resource. [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 can be referred to when reading it.

## 1.1 About This Guide

### Overview of the Guide

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

This guide aims to provide a useful reference tool for new and experienced governors. It seeks to explain the key roles of the:

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

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

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

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

Feedback on this guide is welcome. Please send comments to the Department's Further Education Corporate Governance and Accountability Team, 3<sup>rd</sup> floor, Adelaide House, 39-49 Adelaide Street, Belfast, BT2 8FD, or e-mail [fegovernance@economy-ni.gov.uk](mailto:fegovernance@economy-ni.gov.uk)

## 1.2 Further Education in Northern Ireland

### Further Education is defined by 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 FE colleges have a vital role in helping to achieve this.

The programmes offered by colleges can be broadly split into two categories: regulated<sup>1</sup> and non-regulated<sup>2</sup> enrolments. Courses are offered from entry level to degree level.<sup>3</sup> With a strong focus on professional and technical qualifications, colleges tend to be more influenced by the demands of the economy and requirements of their local communities than most other educational institutions.

Colleges cater for a wide range of learners, from school pupils, via the entitlement framework, through to adults up to and beyond retirement age. Participation is encouraged through flexibility of provision at all levels including full-time and part-time (day and/or evening) attendance, face to face and e-learning methodologies and incorporation of work-based learning.

#### In 2017/18, there were:

**155,510** enrolments in the six NI FE colleges. Of these, **25,145** were full-time and **130,165** were part-time.

**129,054** were regulated enrolments and **26,456** non-regulated

Of the regulated enrolments, **96,605** were for further education; **11,848** for higher education and **20,601** for essential skills.

**58.7%** of total enrolments were by people aged 19 years and under.

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

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

<sup>1</sup> Regulated enrolments are on courses at 'level 3' or below that appear on Register of Regulated Qualifications (RRQ). This 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 and Higher Education qualifications ('level 4 and above').

<sup>2</sup> Non-regulated enrolments are those which either potentially lead to a formal qualification at 'level 3' or below, but do not appear on the RRQ or do not lead to a formal qualification - typically hobby and leisure, or recreational courses.

<sup>3</sup> NI qualifications are grouped into nine levels, from entry level to level 8. The level refers to difficulty of each qualification e.g. entry level recognises basic knowledge or skills, whilst level 8 recognises leading experts or practitioners in a particular field or profession.



The vision articulated by the Strategy is that FE colleges will be recognised locally, nationally and internationally for high quality and economically relevant education and training provision. Colleges will be focused on achieving excellence in delivering the skills needed for the economy of today and tomorrow, and will be ambitious for their learners and for the contribution they make towards improving the competitiveness of the economy of Northern Ireland.

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

It is further underpinned by annual college business plans referred to as College Development Plans (CDPs). Each college CDP sets the scene of how the college fits into the wider DfE delivery aims and objectives in relation to the draft Programme for Government, NICS 2019/20 Outcomes Delivery Plan (main driver), draft Industrial Strategy, Skills Barometer and FE Means Success. Further details on the CDP process are provided at section 2.5.

## 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 and Funding](#)
- [2.6 Audit and risk](#)
- [2.7 Monitoring performance](#)
- [2.8 Committees](#)
- [2.9 Relationship between the Principal and Chief Executive 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 an FE 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 standards of propriety.

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

### 2.2 How does a Governing Body work?

Governing bodies are legal entities established in accordance with the [Further Education \(Northern Ireland\) Order 1997](#) and are appointed under the authority of and are accountable to the Minister for the Economy. The governing body has to ensure the college is managed efficiently and effectively in line with statutory obligations and relevant guidance from the Department for Economy and the Department of Finance.

The principles applying to the conduct of meetings of the governing body are the same as those applying to a well-conducted meeting of any similar body. Most items of business

#### Article 13 of the 1997 Order

A governing body has the following responsibilities:

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

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

Staff and students of the college and members of the general public should have access to information about proceedings of the governing body. Agendas and minutes of meetings should be made available as soon as possible, by publication on the website 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 2000 and Data Protection Act 2018 (which encompasses General Data Protection Regulation (GDPR)).

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

- are robust processes and systems in place and that these are complemented by an appropriate culture on the governing body that encourages trust among members,
- is a willingness to challenge assumptions and beliefs, and
- is ongoing analysis and, where appropriate, critical assessment of individual and collective performance to achieve better results.

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

The constitution and procedures of the governing body are covered by Articles 11, 12 and [Schedule 3 of the 1997 Order](#). Each governing body has Articles and an Instrument of Government which set out its conduct and constitution respectively. Rules of procedure for the conduct of the governing body and committee meetings can be found in the [Articles](#). A governing body may also have standing orders; these are subservient to the Articles and Instrument. In addition, a governing body must abide by the terms of the [Management Statement/Financial Memorandum](#) and the [Audit Code](#) which are agreed between the

#### Articles 14, 15 and 16 of the 1997 Order

The main powers of a governing body are:

- 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 and services in connection with their provision of education, including making available their facilities and the expertise of their staff.

college and the Department, setting out the terms and conditions under which funding is made available. It is important that you are familiar with these documents as they are critical to the successful operation of the college and all elements must be adhered to.

You should note that powers within Schedule 3 of the 1997 Order allow the Department to intervene in the running of a college if any individual member/members of, or the governing body itself, are considered to be in breach of any of the respective responsibilities.

In addition to your individual college Articles and Instrument, which your Secretary will provide you with, the model Instrument and Articles are available on the Department's website [Model Instrument and Articles of Government](#). The Secretary should advise the Chair if, at any time, it appears that your governing body is in breach of the rules and procedures.

The FE [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](#) define the roles and responsibilities of the governing body and its committees and of the Principal and Chief Executive. The governing body is responsible for ensuring the college, for which it is responsible, is managed efficiently and effectively and the vocational and academic programmes of the college reflect the college's educational character and mission, and meet the strategic priorities which the Department has set for further education. It is responsible for the financial and academic performance of the college and the quality of its teaching, learning and assessment.

The composition of a governing body is set out within [Schedule 3 of the 1997 Order](#). This is summarised in [Fact Sheet 3](#) of this Guide.

The governing body must guide the strategy of the college in line with the priorities set by the Department and the NI Executive. In doing so it is critical the governing body provides and exercises both a support and a challenge function in respect of the Principal and Chief Executive and the executive team. Individual governing body members should bring independence, objectivity, impartiality and expertise to both college decision making and challenge processes.

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 they are discharging their duties with due regard for the proper conduct of public business.

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

#### A governing body has 12 to 18 members:

- One is the Chair
- Not less than half who appear to the Department to be, or have been, engaged or employed in business, industry or any profession
- one is the college Principal and Chief Executive
- not less than one, nor more than two, are elected by persons employed at the college from among such persons
- one is elected by students of the college from among such students and
- 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 and Chief Executive. The governing body has an oversight role, however, and should hold the Principal and Chief Executive to account for these responsibilities.

## 2.4 Role of the Department

The six colleges are classified as Non-Departmental Public Bodies (NDPBs) and carry out their functions at arm's length from the Department. As NDPBs, they carry out functions on behalf of the Department; are legally incorporated with their own legal identity and their own legislation (the 1997 Order); employ their own staff; are allocated their own budgets; and publish their own business plans, annual reports and accounts.

Details of the Department's legislative powers in relation to FE 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 FE sector, including the policies, priorities and targets, which are implemented through the annual CDP process.

The Department is responsible for ensuring 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 Department's Minister is ultimately responsible to the Assembly for each college's performance. The Department's Permanent Secretary is accountable for the funds allocated and designates the Principal and Chief Executive of each college as the college Accounting Officer. In this way there is a line of authority from each college to the Assembly.

In practice most of the responsibilities of the Minister and Departmental Accounting Officer are delegated to the **Senior Sponsor, the Director of FE**, to discharge.

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

The Department administers an annual assessment process for governors and Chairs. This process is detailed in section 3.3.

## 2.5 Strategic Planning and Funding

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](#) 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 the Department and college management, particularly the Principal and Chief Executive, 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 and Chief Executive, a framework within which the college is to operate and ensure this direction is right for both the economy and the community.

The educational character of the college is its 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 (at full cost recovery).

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. From 2018/19 a draft corporate plan has been developed by the sector which is underpinned by six CDPs. The CDP process is an annual, cyclical exercise commissioned by the Department. [Article 20 of the 1997 Order](#) requires each college to submit a CDP to the Department on an annual basis.

Along with financial reports, the annual CDP assists the governing body to make informed strategic decisions and oversee resources in accordance with its strategic priorities. The Department issues annual guidance for its completion. This guidance also provides 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 resource



consumption requirements of colleges are funded via monthly grant-in-aid payments. Colleges are required to adopt an 'Outcomes Based Accountability' (OBA) planning approach which applies to all NICS Departments and each of its NDPBs. This approach focuses on societal outcomes and is built around the concept of report cards which set out 'how much did we do?', 'how well did we do it?' and 'is anyone better off?'. FE colleges must ensure their annual CDPs clearly articulate how proposed funding and college activity will directly support Departmental strategic priorities to give effect to the direction set by the Executive.

## 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 committee to oversee the internal audit function and make recommendations to the full governing body based on audit findings. The audit 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

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 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 and Chief Executive. A key element of this process will include the consideration and review of CDP progress reports which are submitted to the Department on a four monthly basis to monitor and track progress against targets / outcome deliverables.

## 2.8 Committees

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



The governing body can make decisions on the membership and the terms of reference of any committees. For the four standard committees, table 2.1 below gives details of membership and the restrictions on membership. The model [Articles](#) provide further detail. Specific detail regarding the audit committee can be found in the [Audit Code](#). Where, outside of the required statutory committees, your governing body has agreed a variation to its committee structure this will normally be reflected in your college's Articles.

**Table 2.1 Governing body committees**

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

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;"><b>Audit Committee</b></p> <ul style="list-style-type: none"> <li>• Authorised to investigate any activity within its terms of reference - all staff and Governing Body members are required to co-operate with it.</li> <li>• Provide a channel of communication from the college's auditors, not controlled by College management.</li> <li>• Ensure that internal control systems, including audit activities, of the college are monitored actively, independently and objectively.</li> </ul>	<p style="text-align: center;"><b>Finance and General Purposes Committee</b></p> <ul style="list-style-type: none"> <li>• Determine or advise the governing body on matters relating to the estimates, budget and presentation of the accounts of the college.</li> </ul>
<p style="text-align: center;"><b>Education Committee</b></p> <ul style="list-style-type: none"> <li>• Oversee college curricular provision, especially nature, quality and performance of the provision and the extent to which it meets the needs of the community the college seeks to serve.</li> </ul>	<p style="text-align: center;"><b>Staffing Committee</b></p> <ul style="list-style-type: none"> <li>• Oversee college staffing framework/ issues</li> </ul>

The minutes of committee meetings should be circulated to all members of the governing body within ten days of a 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.

### **2.9 Relationship between the Principal and Chief Executive and the governing body**

The Principal and Chief Executive is the main liaison between the day-to-day running of the college, for which they have responsibility, and the governing body. They will make proposals to the governing body about the educational nature and mission of the college. The Principal and Chief Executive 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 and Chief Executive. Governors should establish, in collaboration with the Principal and Chief Executive, a broad framework within

which the college is to operate and develop and ensure that it is the right one for the sub-region served by the college.

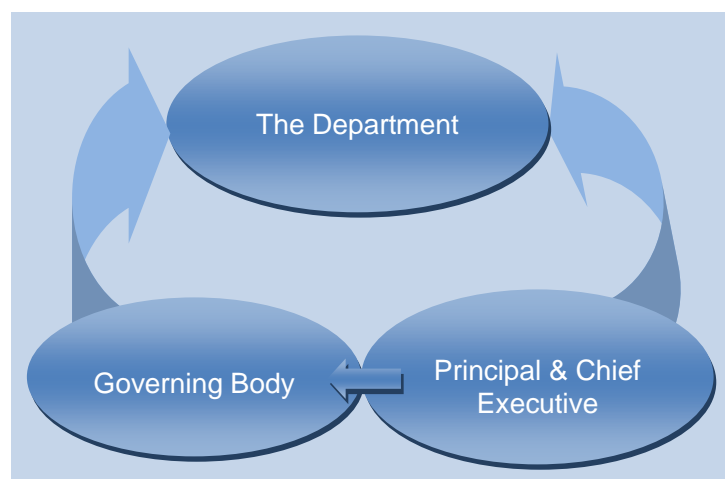
The relationship between the Principal and Chief Executive and the governing body is complex. On the one hand, the Principal and Chief Executive is a member of the governing body with an equal say in discussions and decisions. On the other, they are appointed by the governing body, are accountable to the governing body, and have their performance assessed by the governing body.

At the same time, the Department's Permanent Secretary (as the Departmental Accounting Officer) appoints the Principal and Chief Executive as the Accounting Officer for the college. The college Accounting Officer is personally responsible for safeguarding the public funds for which they have 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 of an Accounting Officer are set out in detail in the [Management Statement/Financial Memorandum](#). Further details on the Principal and Chief Executive's role as a governing body member are set out in [Section 3.4.2](#).

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

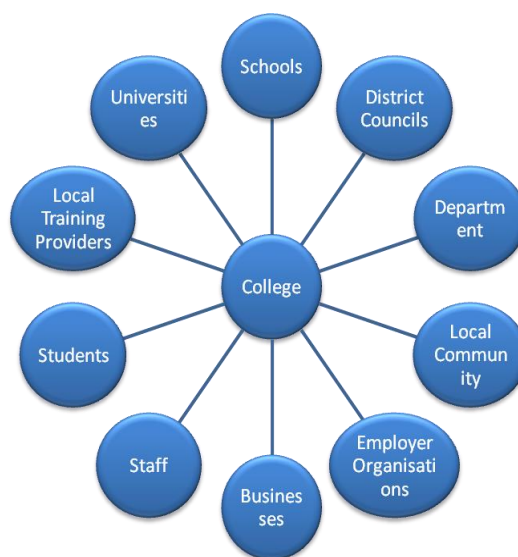
The relationships depicted at Figure 2.1 below are designed to ensure there are adequate checks and balances in the system. Each component of the system has to give recognition to the responsibilities of the others while ensuring that they fulfil their own responsibilities. Section C4 of the [Code of Governance](#) also deals with this issue.

**Figure 2.1**



## 2.10 External relationships

A governing body should have an understanding of the college's role in its sub-region and 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 the Principal and Chief Executive 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 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 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 college 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 college may suspend a student pending further consideration as to the possibility of the student's expulsion.

Any student suspended or expelled is entitled to receive written notification of the suspension or expulsion. They are also entitled to appeal a suspension or expulsion, which includes a right to make oral representations for which purposes a student may be accompanied or represented by a friend.

The [Northern Ireland Public Service Ombudsman](#) is responsible for the investigation of complaints relating to further education where a complainant, such as a student, remains dissatisfied after the college's internal complaints process has been exhausted.

## 2.12 Staffing Issues

The governing body is the employer of all staff in their 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](#). For example, a governing body has direct responsibility for the performance appraisal of the Principal and Chief Executive, but can delegate responsibility for the appraisal of all other staff to the Principal and Chief Executive, within an approved framework.

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.

The Colleges Employers' Forum (CEF) is a collaborative network of the six colleges which develops good practice in relation to the employers' relationship with staff. CEF's major task is to arrange for the negotiation of pay, conditions of service and related issues through regional negotiation committees and agreed procedures. CEF has the authority to sign off collective agreements reached by the relevant negotiating committees.

### Article 14(1)(i) of 1997 Order:

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

### Paragraph 10(3) 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 7(d) of model Articles of Government:

the governing body shall not delegate responsibility for "approving a framework for the pay and conditions of service of staff and arranging for the negotiation of such with the recognised representatives of such staff".

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

- Principal and Chief Executives 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 FE sector are subject to approval by the Department and/or the Department of Finance, under the Executive's Public Sector Pay Policy and the DFP Pay Guidance Circular.

It is likely that you will be involved in some 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 Chief Executive and these responsibilities are detailed in the [Articles](#). It is also important that you are familiar with the framework established by the negotiating committees as these govern many issues.

### 2.13 Estates

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

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

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

#### Overview of section

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

#### 3.1 Introduction

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

As a governor you are required, by the Instrument 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 minute of appointment (or for one year if you are a student member). Your membership will end on the specified date, but you may be eligible for reappointment for a further term provided your performance has been deemed satisfactory during your first term; it is a Ministerial decision to reappoint members.

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

#### Expenses, Allowances and Remuneration

Governing body Chairs and members are remunerated in line with the provisions of DfE circular [FE\\_07/17 - Remuneration of Governing Body Chairs and Members](#).

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



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. Governing body members cannot be bound in their speaking or voting by mandates given to them by other bodies or persons.

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

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

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

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

- most recent College Development Plan,
- most recent annual report and accounts,
- most recent financial forecast and current budget,
- key HR policies and procedures,
- college equality scheme,
- student disciplinary procedures, and
- college freedom of information and data protection policy documents

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



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

During your period of governing body membership, you may resign at any time by giving notice in writing to the **Secretary to the governing body** (not the Principal and Chief Executive or the Chair). 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 notice of resignation. The membership of a governor who is the Principal and Chief Executive of the college or a staff or student member lapses when they cease to be the Principal and Chief Executive, a member of staff or a student at the college respectively, or at the date specified on their 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](#). You should familiarise yourself with this list and, if your circumstances change in a way that might render you ineligible to serve on the governing body, you must immediately inform the Secretary. [The Instrument](#) also defines the circumstances in which a governing body must inform the Department that a governor should be removed from office, for example, for poor attendance or a breach of the code of conduct. If the Department receives such a notification, it will inform the governor and they will have an opportunity to respond before any decision is reached.

### 3.3 Performance assessment, training and development

#### 3.3.1 Performance assessment

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

between you and the Chair, and you will both sign the assessment. The Department will receive a copy of your completed assessment.

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

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

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 your governing body's overall performance, which takes the form of a questionnaire individual members are asked to complete on a non-attributable basis. The Department administers the process, and each governing body will be provided with an analysis summarising both its own 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 mechanism to assess the operation of each 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 and Chief Executive 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 governance training arranged by the Department. You will also receive induction and other necessary training and development support at your specific college. This should include a briefing on the college, its structure, and its allocation of managerial roles and responsibilities. For those of you who become members of your college audit committee, the Department will provide a dedicated training session.

Beyond this, governors themselves and the governing body as a whole are responsible for ensuring that other training and development needs are met.

## **3.4 Roles on the governing body**

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

### **3.4.1 The Chair**

The Chair is the most important role on the governing body. They are 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, ensuring that individual governors work as a cohesive team;
- enabling all governors to make a full contribution to the affairs of the governing body, including advising new members on their role and responsibilities;
- leading in determining the mission of the college, the establishment and maintenance of its general character and its strategic direction, aligned with Executive/Ministerial strategic priorities, in particular the Programme for Government, Industrial Strategy, the FE Means Success Strategy and the FE sector's corporate plan;
- ensuring that the governing body has sufficient support and information to discharge its functions;
- ensuring that the governing body takes due account of all statutory regulations, code of practice and other requirements and that the college delivers against the strategy and policy for FE in Northern Ireland;
- representing the interests of the college at meetings with the Minister, senior officials and the general public;
- ensuring effective oversight of college's management of performance, financial controls and staff, and encouraging high standards of propriety and promoting efficient and effective use of staff and other resources throughout the college;
- working collaboratively with all other colleges to develop a cohesive FE sector.

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 they believe raises important issues relating to their 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 and Chief Executive on matters delegated by the governing body.

### 3.4.2 The Principal and Chief Executive

The Principal and Chief Executive is also the Accounting Officer of the college. They are accountable to the governing body and are also accountable, through the Senior Sponsor, to the Permanent Secretary of the Department for all aspects of the college's expenditure of public funds. Their responsibilities include the day-to-day organisation, direction and management 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](#), with responsibilities of the Principal and Chief

Executive as college Accounting Officer detailed within the [Management Statement/Financial Memorandum](#).

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

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

### Principal and Chief Executive – Summary of Responsibilities

These are:

- making proposals to the governing body about the educational nature and mission of the college and for ensuring the decisions of the governing body in this and all other regards are implemented;
- providing the governing body with adequate information on all of the college's affairs to enable it to comply fully with requirements of its role;
- the day-to-day organisation, direction and management of the college and leadership of the staff;
- the preparation of proposed annual estimates of income and expenditure, for consideration and approval by the governing body, and for the overall management of the budget and other resources within the estimates approved by the governing body;
- the maintenance of proper accounts and records in line with the requirement of statutory authorities and the Order, and the provision of such data as may be required to the governing body, the Department or other appropriate statutory body;
- the quality of teaching and performance of the functions 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 implementation of the policies for the appointment, development, promotion, appraisal, discipline, conduct and grievances of staff;
- the maintenance of student discipline and the suspension and/or expulsion of students within the framework set by the governing body; and
- such other duties as may be delegated by the governing body, subject to certain exclusions.

Along with the Chair, the Principal and Chief Executive 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 and Chief Executive 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

positive 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 is elected by the student population of the college however they are not on the governing body to represent the views of the student body. Their role is to bring the learner perspective to the decision making process in the college. Like any other governor, they must make decisions based on the best interests of the college.

### **3.4.4 The staff members**

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

### **3.4.5 Chairs of committees**

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

### **3.4.6 The Secretary**

The Secretary to the governing body is responsible for organising the proper conduct of the business of the governing body. The Secretary is an employee of the college but works directly for the governing body and shall not hold any other position in the college. They are 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 and Chief Executive).

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

### 3.6 Probity and Standards in Public Life

As a governor, you have a responsibility to observe the highest standards of integrity, at both a corporate and personal level, as is appropriate to a publicly funded position. You should refer to the terms and conditions of appointment provided with your minute of appointment and be familiar with these requirements. Supplementary to this, everyone in public life must adhere to the principles established by the Committee on Standards in Public Life. The committee was set up in 1994 and has its own website [Committee on Standards in Public Life](#). The committee made important recommendations relevant to the governance of FE 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](#) and in [Fact Sheet 1](#) of this guide.

Every college is required by the [Instrument](#) to maintain a register of members' interests that records any material interests 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,

#### Gifts and Hospitality

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

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

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

#### Standards of Public Life

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



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

### **3.7 Your liabilities as a governor**

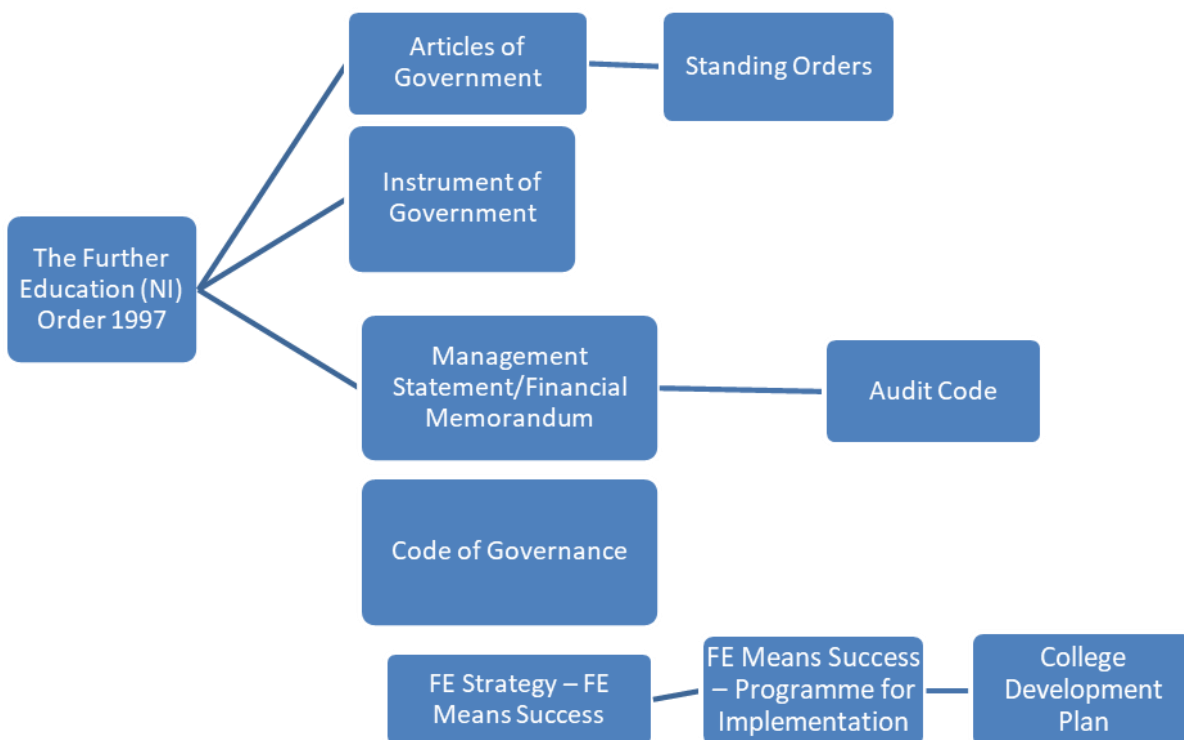
The law relating to the personal liability of board members is complex and its interpretation is ultimately a matter for the courts.

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.

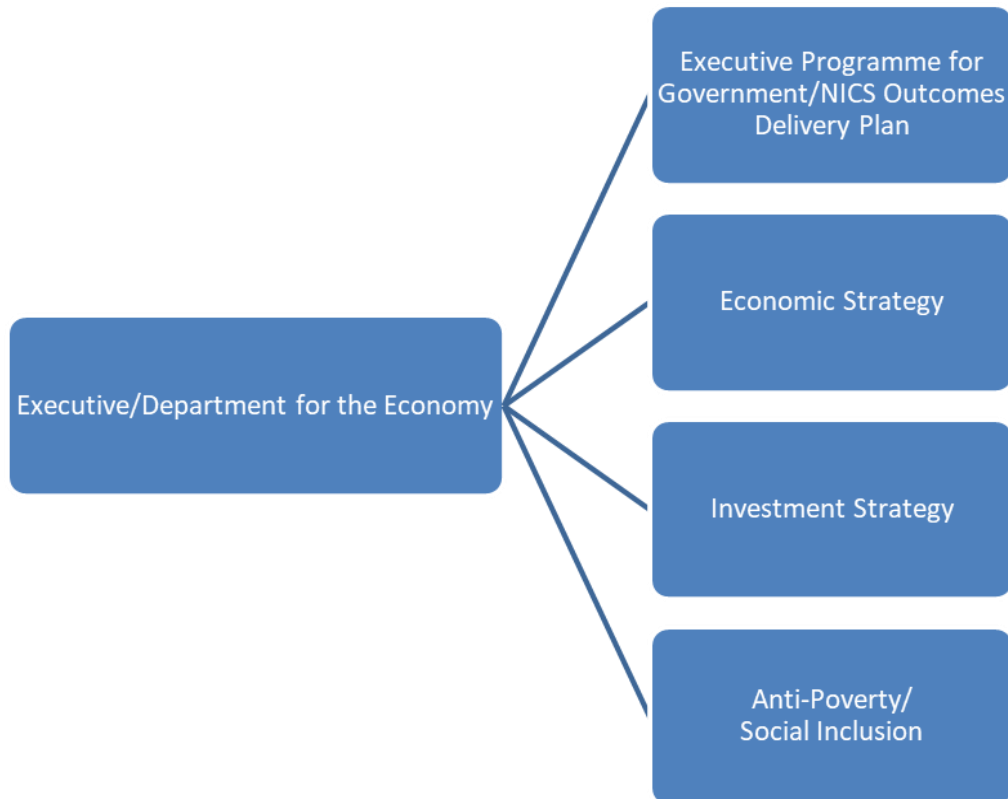
## APPENDIX 1 What else do I need to know and read

This appendix provides details of documents that you should obtain copies of and be familiar with – this guide should be viewed as complementing them, not as 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 1997 Order the most important.



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



**The Further Education (Northern Ireland) Order 1997** – this provides the statutory basis for further education in Northern Ireland. It establishes the role and powers of the Department and the governing body. In terms of governance, all other documents are subordinate to the Order and subject to its provisions.

**Instrument of Government** - made under the powers of the 1997 Order, the Instrument sets out the composition of the governing body and arrangements for the appointment of its members.

**Management Statement/ Financial Memorandum** – this sets out the terms and conditions under which the Department makes funding available to colleges. It defines the framework which helps to ensure that the funds made available for further education are used effectively and efficiently and only used for the purpose for which they have been allocated. It also sets 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*.

**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 circular introduces the framework for recruitment and selection of members of governing bodies. It sets out the knowledge, skills and competences required of individual members and governing bodies collectively.

**Articles of Government** - made under the powers of the 1997 Order, 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 and Chief Executive.

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

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

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

**College Development Plan (CDP)** – this is the annual strategic plan of the college. It is a requirement of the 1997 Order 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.

### **Assessment of Chairs and Members of Governing Bodies (FE06/12)**

- this circular 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)

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

**NICS Outcomes Delivery Plan (2019/20)** – this sets out the actions that departments and their arm's length bodies (e.g. FE colleges) will implement to give effect to the previous Executive's stated objective of Improving wellbeing for all – by tackling disadvantage and driving economic growth and anti-poverty initiatives. The Plan is an interim measure which has a focus on implementing the previous Executive's aims.

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

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

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

**Investment Strategy (2011-2021)** - this sets out the programme for investment for public infrastructure in Northern Ireland and assists government, and private sector partners, to plan ahead. Delivering the skills agenda has been significantly enhanced by the high level of capital investment within the FE sector in recent years. This has provided colleges with industry standard facilities and equipment. Continued investment in the FE estate will help to ensure that the infrastructure exists to deliver high quality courses to create a skill pool and the research capabilities that are essential to support the expansion of home-grown businesses and also to attract inward investment.

## APPENDIX 2 COMPETENCE FRAMEWORK FOR FURTHER EDUCATION GOVERNING BODIES

### Competence Framework for Further Education Governing Bodies

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

## 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, DoF 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

ALB Arm's Length Body  
 AO Accounting Officer  
 ASF Additional Support Fund

BC Business Case  
 BIP Business, Industry & Professional (Board of Governors)  
 BMC Belfast Metropolitan College  
 BTEC Business and Technology Education Council

CAG/  
 C&AG Comptroller and Auditor General  
 CAL Centre for Applied Learning  
 CAU Central Appointments Unit (Executive Office)  
 CBI Confederation of British Industry  
 CCEA (NI) Council for the Curriculum, Examination and Assessment  
 CDP College Development Plan  
 CEF College Employers' Forum  
 CIP College Improvement Plan  
 CIPFA Chartered Institute of Public Finance and Accountancy  
 CITB Construction Industry Training Board  
 COO Chief Operating Officer  
 COPE Centre of Procurement Excellence  
 CPANI/ (Office of) Commissioner for Public OCPANI Appointments for Northern Ireland  
 CPC Crescent Purchasing Consortium  
 CPD Construction and Procurement Delivery  
 CR Cost Recovery  
 CSR Comprehensive Spending Review  
 CWAP Conversation with a purpose

DAC Direct Award Contract  
 DAO Dear Accounting Officer  
 DEL Departmental Expenditure Limit  
 DoF Department of Finance  
 DfC Department for Communities  
 DfE Department for the Economy  
 DNC Directors' Negotiating Committee  
 DSO Departmental Solicitors Office

EA Economic Appraisal  
 EA Education Authority  
 EC European Commission  
 EF Entitlement Framework  
 EIAG (Careers) Education, Information, Advice and Guidance (Strategy)  
 EMA Education Maintenance Allowance  
 EO Executive Office  
 EQIA Equality Impact Assessment  
 ES Essential Skills  
 ESA Employment and Support Allowance  
 ESF European Social Fund  
 ESP Employer Support Programme  
 ETI Education and Training Inspectorate

FAST Financial Audit and Support Team  
 FCR Full Cost Recovery  
 FDI Foreign Direct Investment  
 FE Further Education  
 FECGA Further Education Corporate Governance and Accountability  
 FELS Further Education Leavers Survey  
 FEMS Further Education Means Success (Publication)  
 FfA Framework for Achievement  
 FHEQ Framework for Higher Education Qualifications  
 FM Financial Memorandum  
 FReM Financial Reporting Memorandum  
 FRS Financial Reporting Standard  
 FUI Follow Up Inspection

GAAP Generally Accepted Accounting Principles  
 GANI Government Accounting NI  
 GB Governing Body  
 GCSE General Certificate of Secondary Education  
 GDPR General Data Protection Regulation  
 GIAS Government Internal Audit Standards  
 GQs General Qualifications



GT & EP Government Training & Employment Programmes  
 GTCNI General Teaching Council in Northern Ireland

HCA Historical Cost Adjustment  
 HE Higher Education  
 HIA Heads of Internal Audit  
 HSENI Health and Safety Executive NI

IA Independent Assessor (allocated by CPANI)  
 IAS Internal Audit Services  
 I & E Income and Expenditure  
 IT/ICT Information Technology/Information and Communications Technology  
 ICTU Irish Congress of Trade Unions  
 IFRS International Financial Reporting Standards  
 ILP Individual Learning Plan  
 ILT Information and Learning Technology  
 IQRS Improving Quality: Raising Standards  
 ISLA Individualised Student Learning Agreement

JANET Joint Academic Network  
 JISC Joint Information Systems Committee

KS Key Skills  
 KT Knowledge Transfer

LAE Learner Access and Agreement  
 LoO/LOO Letter of Offer  
 LNC Lecturers' Negotiating Committee  
 LPS Land and Property Services  
 LRA Labour Relations Agency  
 LRS Learning Records Service

MaSN Maximum Student Number  
 MIS Management Information Systems  
 MOA Mode of Attendance  
 MoU/MOU Memorandum of Understanding  
 MPMNI Managing Public Money NI  
 MSFM Management Statement/Financial Memorandum

NAO National Audit Office  
 NDAQ National Database of Accredited Qualifications  
 NDPB Non-Departmental Public Body  
 NEETs Not in Employment, Education or Training

NGO Non-governmental Organisation  
 NIA Northern Ireland Assembly  
 NIAO Northern Ireland Audit Office  
 NICIS Northern Ireland College Information System  
 NICS Northern Ireland Civil Service  
 NIFON Northern Ireland Finance Officers' Network  
 NIGEAE Northern Ireland Guide to Expenditure Appraisal and Evaluation  
 NIMDM Northern Ireland Multiple Deprivation Measure  
 NIO Northern Ireland Office  
 NIPON Northern Ireland Procurement Officers' Network  
 NI PPP NI Public Procurement Policy  
 NISRA Northern Ireland Statistics and Research Agency  
 NPISH Non-profit Institutions Serving Households  
 NQF National Qualifications Framework  
 NRC Northern Regional College  
 NUS-USI National Union of Students-Union of Students in Ireland  
 NVQs National Vocational Qualifications  
 NWRC North West Regional College

OBC Outline Business Case  
 OECD Organisation for Economic Co-operation and Development  
 OFSTED Office for Standards in Education, Children's Services and Skills  
 ONS Office of National Statistics

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

PSIAS Public Sector Internal Audit Standards	STEM Science, Technology, Engineering and Maths
QCA Qualifications Curriculum Authority	STEAM Science, Technology, Engineering, Arts and Maths
QCF Qualifications and Credit Framework	StS Systems Technology Services
QIP Quality Improvement Plan	StW Steps to Work
QPA Quality and Performance Adjustment	SuperJANET Super Joint Academic Network
QUB Queen's University, Belfast	SUSE Step up to Sustainable Employment
RRQ Register of Regulated Qualifications	SWC South West College
RTTCWG Report to Those Charged With Governance (Annual Report/Accounts)	TfS Training for Success
SENDO Special Educational Needs and Disability (NI) Order 2005	TLD Technology in Learning Delivery
SERC South Eastern Regional College	TQS Training Quality Standard
SFC Scottish Funding Council	UCU University and College Union
SJ4 SuperJANET4	UKCES UK Commission for Employment and Skills
SLA Service Level Agreement	ULN/ULR Unique Learner Number/Record
SLDD Special Learning Difficulties and/or Disabilities	USEL Ulster Supported Employment Limited
SME(s) Small and Medium-Sized Enterprises	UU Ulster University
SMT Senior Management Team	UUC Ulster University at Coleraine
SOA Schedule of Accommodation	UUJ Ulster University at Jordanstown
SORP Statement of Recommended Practice	UUM Ulster University Magee
SPICE Specialist Provision for Industry using College Expertise	VEP Vocational Enhancement Programme
SPUR Student Powered Unit of Resource	VET Vocational Education and Training
SR Spending Review	VLE Virtual Learning Environment
SRC Southern Regional College	VQs Vocational Qualifications
SSAP Statement of Standard Accounting Practice	VQRP Vocational Qualifications Reform Programme
SSC Sector Skills Council	VRQs Vocationally-Related Qualifications
SSWG Shared Services Working Group	WBL Work based learning
STA Single Tender Action	WIP Work in Progress
STATA Statistical Software Package	WP Widening Participation

## APPENDIX 4 FACT SHEETS

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

**Selflessness:**

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

**Integrity:**

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

**Objectivity:**

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

**Accountability:**

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

**Openness:**

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

**Honesty:**

Holders of public office should be truthful.

**Leadership:**

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

## FACT SHEET 2: 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.

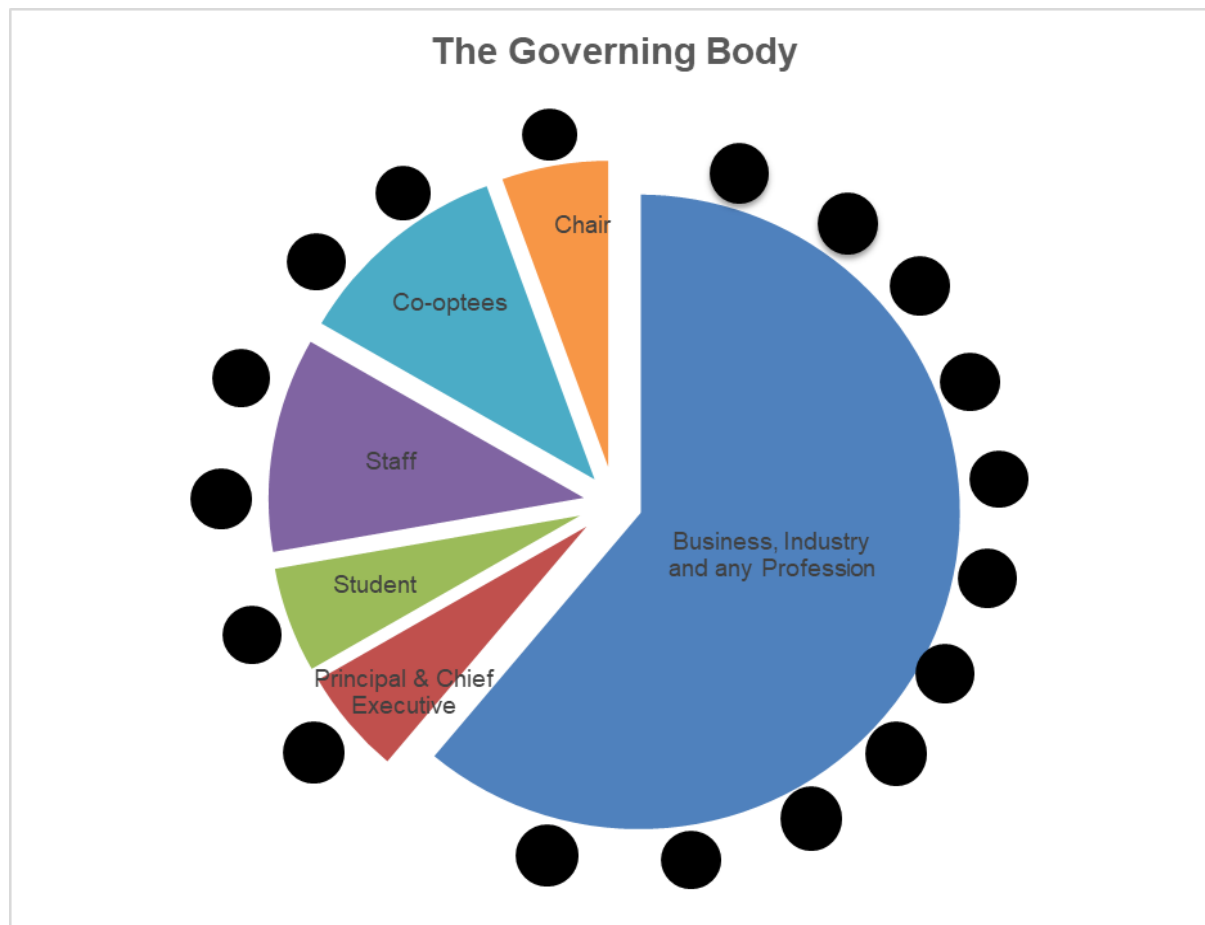
The MaSN does not apply to part-time undergraduates, postgraduates (with the exception of a Post Graduate Certificate in Education and some social work places) or to students from outside the European Union - nor does it now apply to students from the rest of Great Britain.

Over the last few years the Department has conducted a phased reallocation of MaSN places across the higher education in the FE 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.

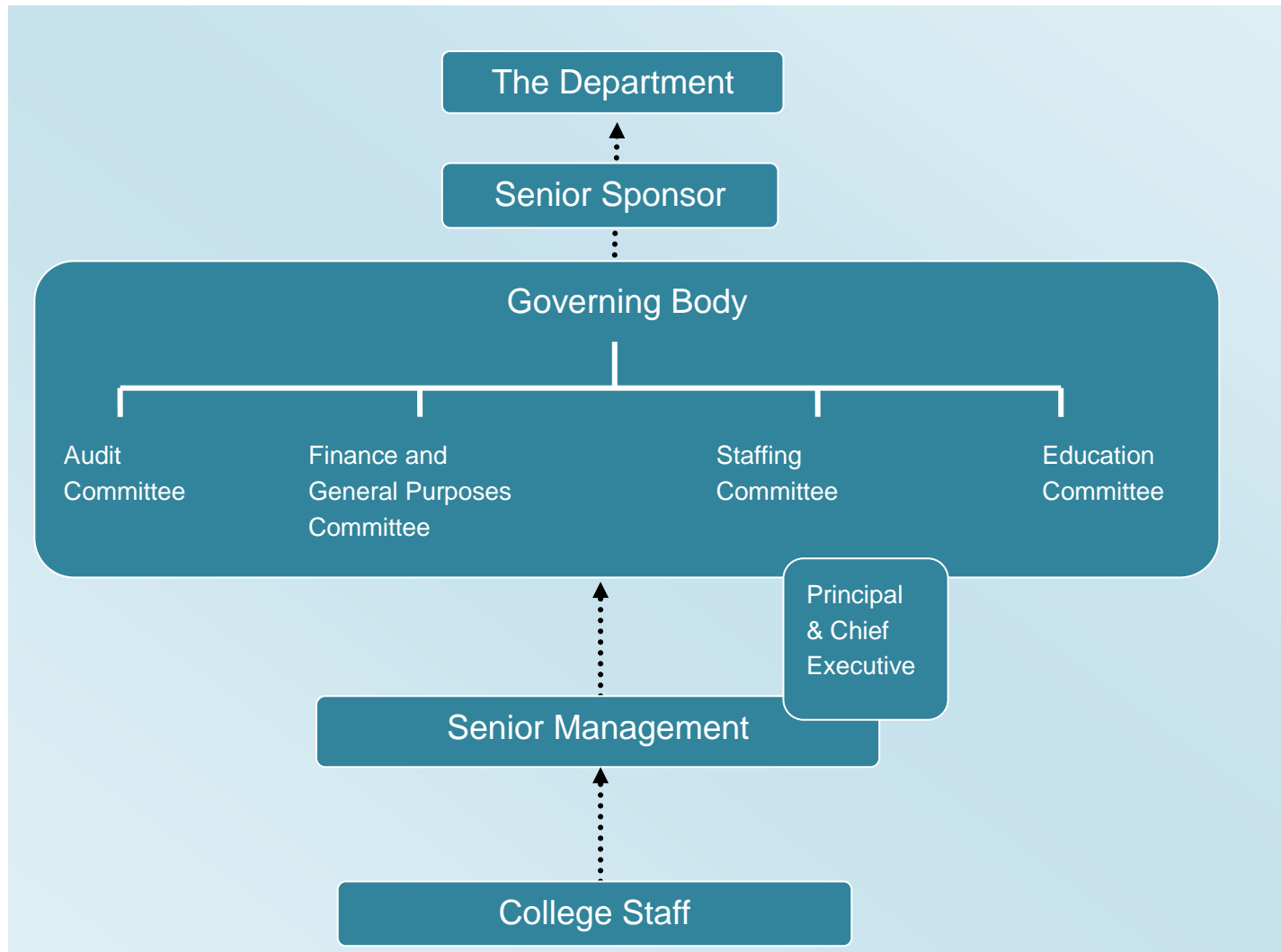
The reallocations also aimed to achieve a number of key Departmental objectives including the promotion of Priority Skills, Science Technology Engineering and Mathematics, the introduction of Foundation Degrees and widening participation in higher education across Northern Ireland.

### FACT SHEET 3: MEMBERSHIP OF THE GOVERNING BODY



● One member

### FACT SHEET 4: LINE OF ACCOUNTABILITY



## FACT SHEET 5: ANNUAL STRATEGIC PLANNING PROCESS

