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**MINUTES OF THE FORTY NINTH MEETING OF THE GOVERNING BODY OF THE NORTH WEST REGIONAL COLLEGE HELD IN THE BOARDROOM, NORTHLAND BUILDING, STRAND ROAD CAMPUS ON WEDNESDAY 09 MARCH 2016, COMMENCING 17:00**

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**PRESENT:**

Mr G Finnegan, Chair  
 Mr M Agnew  
 Mr S Atcheson  
 Mr P Canavan  
 Mr M Cooper (from 17:25)  
 Mr G Killeen (from 17:15)  
 Mr D Limb  
 Mr S Gillespie  
 Mr S McGregor  
 Mr L Murphy, Principal & Chief Executive  
 Mr B Quinn (from 17:05)

**IN ATTENDANCE:**

Mr P McKeown, Director of Finance & Economic Engagement  
 Mrs K Duffy, Director of HR & Learner Services  
 Mr D Kinnaird, Vice Principal  
 Mr W Lavery, Change Manager  
 Mr C Morrison, Director of International Development  
 (for presentation only)  
 Mrs E Doherty, Governance Secretary

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The Chair welcomed everyone to the meeting. He welcomed Mr Calum Morrison who was invited to speak on his new role as Director of International Development.

With the aid of a Power Presentation Mr Morrison provided an overview into the College's International Development. Mr Morrison highlighting the development of the College's International Development Strategy; possible development opportunities and challenges. He reported on a recent project where he and fellow staff members had visited TeamLease Skills University (TLSU), the first vocational education training university in India. Some staff from TeamLease Skills University were currently visiting the College. Mr Morrison drew members' attention to the tabled brochure 'NWRC International' and stated the College is also developing a new International website.

Mr Morrison took questions from members.

The Chair thanked Mr Morrison for his presentation which gave a helpful insight into the College's International Development. He commended the progress made during the short time he has been in post. He added it was important to ensure that FE Colleges were not overlooked as providers in delivering high quality vocational education and training internationally.

*Mr Morrison left the room at this juncture.*

**49.1 APOLOGIES**

Apologies were received from Dr B Burns, Mr P Laughlin, Mr M O'Kane and Mrs C McFarland.

**49.2 CONFLICT OF INTEREST DECLARATIONS/DECLARATION OF ANY OTHER BUSINESS/AMENDMENTS TO REGISTER OF INTERESTS GB 49.2/ REGISTER OF INTERESTS GB 49.2 (2) -Tabled**

The Chair declared an interest on behalf of the whole board in respect to item 49.9, Chair's Business in relation to the amendment to the Articles and Instrument of Government that required amending for the implementation of Governor Remuneration.

Declarations of Any Other Business – Mr Agnew indicated he would like to provide an update on the recent Governor Recruitment exercise.

Amendments to Register of Interests – an updated Register GB 49.2 was tabled to include recent updates. The Chair requested if members had amendments to contact the Secretary by Friday 11 March 2016.

#### **49.3 MINUTES OF THE SPECIAL GOVERNING BODY MEETING HELD ON 10 FEBRUARY 2016 (Ref Paper)**

Minutes were taken as read and agreed were an accurate record of the meeting.

**PROPOSED:** Mr B Quinn

**SECONDED:** Mr P Canavan

##### **49.3.1 MATTERS ARISING;**

###### **48.5 Change Management Framework**

**The Chair proposed to seek expert opinion to review the College's Equal Opportunities Policy in relation to the proposed action the College wishes to take.**

**Action taken:** – The Director of HR & Learner Services reported she had written to the Equality Commission and they had responded with recommendations to include two additional words into the Policy. The amended Policy will come through the next Staffing Committee meeting.

**The Chair to send out communication to all staff regarding the approval of the process.**

**Action:** -The Chair confirmed an email was sent to all staff on 15 March 2016.

#### **49.4 PRINCIPAL'S REPORT**

##### **Higher Education 2016-17 Course Guide - tabled**

The Principal highlighted items within his report including the 2015-16 FLU figures which were projecting a 95-97% delivery. He indicated this remains a challenge. The Health Check Summary 1, 2015/16 indicated significant differences across the sector and this will be subject of part of the upcoming BI-Lateral discussions with DEL. The College had the lowest absenteeism rates YTD in the Sector. In respect to Student Performance the College is in second position in the Sector for all FLU provision excluding Essential Skills.

A report will be presented at a subsequent meeting on the review of Higher Level Apprenticeships which was carried out by DEL on 4 February 2016. This has been a challenging space to develop to date due to the requirement of work placements.

Feedback from the NWRC Entrepreneurship Festival 2016 which took place from 22-26 February 2016 was excellent. The festival included 18 events across Derry and Strabane campuses. The College also welcomed Mr Martin O'Neill, OBE, international soccer Manager to deliver a master class, 'Getting to the top of your game- how business can learn from sport' as part of the Festival. The Principal wished to record his thanks to Claire McGee, Noribic for her support with the Festival.

**AGREED ACTION; Report on the review by DEL on HLA's to be presented at the next meeting.**

The Chair thanked the Principal for his report.

#### **49.5 AUDIT & RISK COMMITTEE**

There was no Audit & Risk Committee meeting to report on.

#### **49.6 EDUCATION COMMITTEE REPORT**

Mr P Canavan reported on the recent Education Committee meeting in the absence of the Chair, Mr M O'Kane,

##### **MINUTES OF THE EDUCATION COMMITTEE MEETING HELD ON 02 FEBRUARY 2016 (Ref Paper)**

Minutes were taken as read and agreed were an accurate record of the meeting. Members agreed to adopt the draft minutes of the Committee.

**PROPOSED:** Mr P Canavan

**SECONDED:** Mr S McGregor

Mr Canavan reported on the key business of the Committee which included; the final figure in respect to the Quality Performance Adjustment (QPA) was £56,739; the significant difference in FLU delivery across the Sector and the College had achieved STEM assured status, one of only 28 colleges across the UK to have this.

Mr Canavan continued his report on the agreed actions from the Committee meeting. The Chair stated he was pleased to see the Committee proposing to draw up KPI's in respect to 'the best College'.

The Chair thanked Mr Canavan for his report.

**49.7 FINANCE & GENERAL PURPOSES COMMITTEE  
MINUTES OF THE FINANCE & GENERAL PURPOSES COMMITTEE MEETING HELD ON 23 FEBRUARY 2016  
(Ref Paper)**

Minutes were taken as read and agreed were an accurate record of the meeting. Members agreed to adopt the draft minutes of the Committee.

**PROPOSED:** Mr M Agnew

**SECONDED:** Mr B Quinn

The Committee Chair referred to the Management Accounts to January 2016 reporting the year end position is likely to be favourable. Last year's budget showed a deficit by incorporating required repairs and upgrades, which may not now occur.

The Committee Chair highlighted that as Student fees had increased student bad debt may also increase.

**CONDITION SURVEY- Report 5**

The Committee Chair referred members to the Report 5, a Condition Survey completed by Burke Morrison, Consulting Engineers, of the College's existing buildings, services, plant and equipment which identified projects that required immediate attention. The overall cost is estimated at C £1.3m (incl. vat) It was reported that approximately £708K of this expenditure is included in a bid to DEL for capital budget cover.

The Committee Chair reported that the Committee was content to request Governing Body approval for the 3 items listed within his Report, (GB 49.7, Report 1) with an expected cost inc VAT of £558K. Following completion of the works the Estates Department will implement a robust maintenance programme for the M & E infrastructure across the College Estates.

**PROPOSED;** Mr M Agnew

**SECONDED;** Mr S McGregor

**REPORT 6 FEES & CHARGES POLICY 2016/17 - Report 6 Tabled**

Mr Agnew reported that following their recent Committee meeting it was agreed that amendments be made to the Policy, (page 8, under item 10, Staff Discount). Members were content with the amendment.

**PROPOSED;** Mr M Agnew

**SECONDED;** Mr S McGregor

The Chair thanked Mr Agnew and the Committee for their work.

**49.8 STAFFING COMMITTEE MEETING**

Mr M Agnew reported on the recent Staffing Committee meeting in the absence of the Chair, Mrs C McFarland.

Approvals were required for:-

**MINUTES OF THE STAFFING COMMITTEE MEETING HELD ON 10 FEBRUARY 2016 (Ref Paper)**

The Minutes were taken as read and agreed were an accurate record of the meeting. Members agreed to adopt the draft minutes of the Committee.

**PROPOSED:** Mr M Agnew

**SECONDED:** Mr S Atcheson

**DELEGATION OF AUTHORITY POLICY – Tabled**

By way of background to the Policy the Director of HR & Learner Services explained the purpose, circumstances and conditions of when the Policy will be required. Members discussed the policy and a suggestion was made that the specific circumstances of when the Policy would be required be stated within the Policy.

The Chair requested the Director of HR & Learner Services take some time out of the meeting to allow her to gather this data.

*The Director of HR & Learner Services left the meeting at this juncture.*

The Chair went to item 49.9 on the agenda.

*The Director of HR & Learner Services returned to the meeting during item 49.12 and when this item was complete the Chair then returned to the Staffing Committee items outstanding as follows:-*

**Continued: DELEGATION OF AUTHORITY POLICY -Tabled**

The Director of HR & Learner Services reported that the circumstances of when the Delegation of Authority Policy would be called upon would include; career breaks and phased /early retirements. Members discussed the matter and it was agreed it was beneficial to have the policy in place to avoid delays on decisions between meetings and to support staff with their requests.

Amendments were agreed to include the above items. All other circumstances to be considered as reserved matters. Any incidents of the Policy being used will be reported through the Staffing Committee

**PROPOSED:** Mr M Agnew

**SECONDED:** Mr S Atcheson

**CHANGE MANAGEMENT FRAMEWORK**

Arrangements under vacancy control for promoted posts to be advertised internally are extended until 31 May 2016.

**PROPOSED:** Mr M Agnew

**SECONDED:** Mr S Atcheson

The Chair thanked Mr Agnew for reporting on behalf of the Committee Chair.

#### **49.9 CHAIR'S BUSINESS**

A conflict of interest was already noted on this item. (49.2)

The Chair reported that it was necessary to amend the College's Articles and Instrument of Government to reflect the introduction of governor remuneration. The Departmental Solicitors Office (DSO) had agreed the appropriate amendments to the documents and the Governing Body must now consider these.

Members were content to approve the amendments.

**PROPOSED:** Mr G Finnegan

**SECONDED:** Mr B Quinn

*Mr Limb offered to leave the room before the next item was discussed. The Chair agreed.*

*The Chair wished that the Minute to follow be kept in the public section of the Minutes.*

The Chair reported there were still issues in relation to the remuneration of staff governors. The Sector Chairs support remuneration for staff governors and discussions were ongoing on how this could be managed without double payments.

The Chair proposed members consider delegating authority to the Secretary and himself in the circumstances where the Department may request further amendment/s to the Instrument and Articles in relation to the governor remuneration.

Members were content with the arrangement.

**PROPOSED:** Mr M Agnew

**SECONDED:** Mr G Killeen

*Mr D Limb returned to the meeting.*

#### **49.10 CHANGE MANAGER'S REPORT**

The Change manager reported that an update was included within the Principal Report (49.4).

#### **49.11 SECRETARY'S BUSINESS**

##### **LIST OF ACRONYMS**

The Secretary referred to the list of acronyms and indicated the Paper is available as a reference within the Document Library of MinutePad.

#### **49.12 CORRESPONDENCE**

The Chair noted recent correspondence received:

1. A second correspondence received from a former staff member regarding the VES – as previously noted the Chair did not wish to discuss the matter further as members may be called upon in a future process.

- 2. Procedure for the Election of Support Staff Governors for Appointment to the Governing Body – tabled**

The Chair reported that following the recent Support Staff Governor Election, Mr Alex Magee had been elected. The Chair had received correspondence dated 2 March 2016 from NIPSA. The Correspondence listed concerns in relation to the campaign statement of Mr Magee. The Chair reported that on this matter he will be corresponding with NIPSA and referring them to engage directly with Mr Magee on this matter.

The correspondence also stated the lack of consultation on the voting method chosen. The Chair reported that the College consulted with two other Colleges who had implemented the electronic mechanism and found they did not consult with Trade Unions regarding the mechanism to be used. The College determined this to be an appropriate route to follow because the College deemed the

change to an electronic mechanism not to be a change of election rules, rather than a change of the means of conducting the election under the rules.

The Correspondence also stated the use of Survey Monkey was not a fair or independent method for conducting elections. The Chair reported that the College carried out an initial review of Survey Monkey and this platform worked well however further investigation did uncover an error in a distribution list used in the process which resulted in 40 staff who were eligible to make nominations and to vote not getting the opportunity to do so. This error rendered the election null and void.

The Chair added he had spoken with Mr Magee on this matter and had also corresponded with DEL. The Minute of Appointment of Mr Magee will be set aside and a new election run. DEL is in agreement with this.

The Chair stated he will correspond with NIPSA tomorrow (3 March 2016).

*The Director of HR & Learner Services returned to the meeting.*

The Chair referred members to the tabled paper on the Procedure for the election of Support Staff Governors to the Governing Body and highlighted the amendments made to reduce the risk of similar errors occurring in the future. The College will be consulting on these rule changes with relevant trade unions and once this consultation is complete a new election will take place.

Members were content with the amendments;

**PROPOSED;** Mr S Atcheson

**SECONDED;** Mr G Killeen

Discussion followed and suggestions were made to consider staff that may not actively use their College e-mails and to publish the election results to all staff.

**AGREED ACTIONS;**

- The Chair will correspond with NIPSA.
- Consideration to be given to accommodate staff they may not actively use their College e-mail to ensure they are aware of the next election.
- Results from elections are communicated to all staff within one week of the election date.

The Chair wished to make members aware that the appointment process for the new governor may be deferred until after the forthcoming assembly elections are complete.

The Chair concluded this was very disappointing position to be in. He considered the course of action taken was appropriate and thanked the Members for their support. The changes approved to the rules would help considerably with the new process agreed.

3. The Chair reported on Correspondence received on 7 March 2016 from Mr McAnoy, Lecturer on Trade Union Studies on behalf of TU Studies Lecturers who were previously delivering Trade Union Studies programmes for the College. It contained their concerns regarding their current employment status.

The Director of HR & Learner Services brought members through the background to this matter. The Chair reported this was a difficult position for the staff concerned and the College will endeavour to bring the matter to a satisfactory conclusion.

**Agreed Actions**

- The Principal to correspond with the Principal of the other College involved.
- The Chair will correspond with Mr McAnoy.

The Chair indicated he would now return to item 49.8. Staffing Committee report (*see item 49.8 continued*)

**49.13 ANY OTHER BUSINESS**

**Governor Recruitment**

Mr Agnew reported that the College had received a very good response from the Governor Competition. Shortlisting will take place in the next few weeks and it was hoped a new Governor will be appointed shortly.

Mr McGregor welcomed the recent announcement for the redevelopment of Shackleton Barracks, Ballykelly. The Principal agreed that this was an exciting project.

Mr McGregor also wished to advise members that a previous minute of the Finance & General Purposes Committee (Nov 2015) had recorded the Magilligan/Greencastle Ferry service had ceased operating. He was happy to report that it was hopefully this service may be re-introduced.

A member noted that he found the presentation from Mr Morrison very useful and would like to see further presentations. The Principal confirmed a programme will be planned for this.

The Chair wished to thank everyone for their time and closed the meeting at 18:55.

**Date of next meeting:** Wednesday 11 May 2016

**Signed:** \_\_\_\_\_ **Chair**

**Date:** 11 May 2016