



Northern Ireland  
Assembly

Committee for Employment and Learning

# OFFICIAL REPORT (Hansard)

North West Regional College Action Plan:  
Department for Employment and Learning  
and North West Regional College

18 June 2014

# NORTHERN IRELAND ASSEMBLY

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North West Regional College Action Plan: Department for Employment and Learning  
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**Members present for all or part of the proceedings:**

Mr Robin Swann (Chairperson)  
Mr Thomas Buchanan (Deputy Chairperson)  
Mr Sammy Douglas  
Mr Phil Flanagan  
Mr David Hilditch  
Mr Chris Lyttle  
Mr Fra McCann  
Ms Bronwyn McGahan  
Mr Alastair Ross  
Ms Claire Sugden

**Witnesses:**

Mr Andy Cole	Department for Employment and Learning
Dr Mary Mclvor	Department for Employment and Learning
Mr William Laverty	North West Regional College

**The Chairperson:** I welcome Dr Mary Mclvor, the Department's director of further education; Mr Andy Cole, the Department's head of corporate governance and accountability; and Mr William Laverty, change manager at the North West Regional College.

**Dr Mary Mclvor (Department for Employment and Learning):** Thank you. I will just start off —

**The Chairperson:** Mary, you have about 10 minutes in which to make a presentation.

**Dr Mclvor:** OK. We will be happy to pick up any detailed questions that you have on the action plan. You have the progress on the action plan in front of you. As you can see, the action plan is virtually complete. There are still a small number of outstanding issues, but the majority will be completed over the next couple of weeks, and by the end of June. As a result, the Department regards this phase of the changes in the college as complete, so we no longer require the college to specifically report on implementing McConnell. We will not walk through all of the detail. However, we want to flag up some of the issues and the major positive developments that have happened over the past few months.

First, there was the human resources strategy. We have been at the Committee a number of times and talked about the McConnell actions. The human resources strategy is one of the big issues that the college was asked to sort out. It is a strategy that is inclusive of the opinions of staff in the college

and is out for consultation. The governing body will consider it at its meeting in June. That is good progress.

Secondly, the governing body has received some of the outstanding training that we talked about last time. That training will be completed by June.

Thirdly, the joint consultative committee, formerly the liaison forum, continues to meet. The University and College Union (UCU) is not formally involved, and we will discuss that in a moment.

Fourthly, the staff survey was issued by the college at the beginning of the week. That survey focuses on the detail of staff attitudes. It has been undertaken independently by a company that does staff surveys for colleges and universities. We are confident that it will be an independent look at what is happening in the college.

Finally, the college improvement team, which is the team that is looking at taking the college forward, has been meeting on a monthly basis. It has established three working groups that are looking at leadership and management, performance and communication. Those groups will build on the foundations laid by McConnell. A very large number of staff volunteered to be part of the groups. There was no issue about getting people across campuses, unions, non-union and all grades. They are represented on the college improvement team.

I will say a little bit about the engagement of UCU. Members will note from the action plan that two items relating to UCU remain outstanding. They are coloured red; they are the only two items that are red. UCU is not attending the joint consultative committee currently, although that committee, with its terms of reference, was formed in agreement with UCU. So, the structure of it has been agreed. It is important that the work that the college has in place is taken forward. The main way to do that now is through the college improvement process, which is an important initiative for the college.

Throughout this process on McConnell, the governing body and the college have faced tough questions from us and from the Committee. Certainly, my view is that they have been committed to change. They have gone about implementing the change recommended by McConnell wholeheartedly and in an open and transparent way. There has been a real improvement at the college in the openness of communication, which I can see from where I sit.

The level of scrutiny that the college has been placed under by the media has been significant. That created its own pressures. To have delivered this action plan virtually fully by this stage is an achievement. I want to recognise that, and the college deserves credit for that.

In this process, we recognise that a lot of the motivation for change came from UCU and that is to its credit. It was in dispute with the college for a number of years about a particular redundancy and redeployment issue. The redundancy decision was reviewed. We understand that some people in the college still disagree with that decision. However, it is a decision that the college was entitled to make. PricewaterhouseCoopers (PwC) reviewed that decision, and it was verified that it was carried out as it should have been in accordance with agreed processes. There was an industrial tribunal on that compulsory redundancy and the result was that the redundancy was made in accordance with employment law.

Whilst I appreciate that the rationale for redundancies may be still contested by some individuals in the college, there is no further course to appeal or overturn the result of that process. The college has to move on. It has to be serving its students, community and employers. I am keen that we allow it to do so. McConnell was the first step in that process of moving on. The college improvement process is the second step. A further step will be taken when the results of the lessons learned exercise, which is being carried out by the governing body, are put in place.

Each party is responsible for delivering its own obligations under McConnell. We have given you our assessment that the college has met its obligations under McConnell. Throughout the process, we knew that if UCU chose not to participate fully, the best that the college could do was to create an environment where it could participate, and the door and all channels of communication are still open. Indeed, discussions are happening with UCU, although it is not formally part of the college improvement team.

The college created the improvement team and the joint consultative committee. The change manager and chair have been involved in discussions with those associated with UCU to try to move

things on. So, UCU, whilst remaining formally disengaged, is in dialogue with the chair and vice-chair in particular.

I want Andy to say a little about assessment and then how the college is moving on.

**Mr Andy Cole (Department for Employment and Learning):** We briefed you in February about the difficulties that the college had been experiencing in getting UCU to engage with the process in general and change manager in particular. At that stage, the then temporary chair had spent much of his initial period of office trying to find a way to enable UCU to engage fully with the process. Those discussions were — and remain — delicate, therefore we were not in a position at that time to be as open as we would have perhaps liked.

The chairperson, in consultation with his vice-chair and the Department, recently made a decision on a number of key issues, which were presented by the local UCU branch as conditions for it engaging fully in the change process. The chairperson asked us not to provide detail of those issues today at such a public forum, and we agree with that approach in the interests of keeping that dialogue going.

We would like to assure the Committee that we are aware of the issues, we are aware of the college's response to those issues and we are entirely happy with the approach being taken. We are satisfied that the chair is working actively to bring everyone with him as he leads the college through its improvement process. The governing body is committed to working constructively with all stakeholders in the college. UCU and the other trade unions in the college will always be encouraged to participate. The college has created the forums and structures that will allow that to happen.

The college has managed to maintain momentum on the action plan in spite of the lack of engagement by UCU. UCU is not accountable to the Department for its actions. From the outside, however, we wish to make comment that the approach that the local UCU branch has taken is not conducive to developing good working relationships on a day-to-day basis in the North West Regional College or in any college.

The Department has looked at what the college is doing and how it is dealing with the issues and problems. Over the last year, the governing body, particularly the current chair, has taken a very hands-on role on those matters. That required a high level of commitment to create the conditions for a change in the college. It is important to record formally the commitment of the college to make those changes and the leadership that the governing body has provided. Over the last number of years, it has faced a significant challenge, and it has gone above and beyond the requirements of their role in terms of time commitment to deal with that challenge.

It is also appropriate to record the commitment of the senior management team and the staff group in general through that change process. Over the past year, the Department has challenged the college to change how it works and to change the relationships between key groups in the college. That challenge has been met, and we no longer require formal monitoring of the McConnell process. However, the college still has departmental challenges to address on science, technology, engineering and maths (STEM) subjects, on apprenticeships, on youth training and on improving quality. In order to meet those challenges, the governing body needs to be allowed to change its focus from that of the past year. Collectively, the Department, the Committee and the college need a governing body that is focused on the strategic leadership of the college and the sector in order to meet those challenges.

By the end of the summer, the college will have a new leadership team in place. The new chairperson is leading an ambitious college improvement programme that the governing body wishes to implement in the college. The new principal will also bring his own leadership style and priorities to the post. The Minister has just announced the appointment of two high-profile and very experienced business people to the governing body of the college: Brian Burns, vice president of Seagate Technology, and Pdraig Canavan, founder and former chief executive of Singularity. That is an enormous vote of confidence in the direction the college is taking from the business community in the north-west. The governing body is very much the sum of its individual skills and experience. Together with the existing governors, we have confidence that it will drive the college's improvement process forward, help the college meet its challenges and make real progress in how the college services its learners, its employers and its community.

Thank you for your time.

**The Chairperson:** There are only two actions still outstanding from the report, and Mary and you, Andy, referred to them both, which were the engagement of UCU. Mary, you commented about the

door still being open for UCU engagement. Andy, I found your comments about them quite disparaging.

**Mr Cole:** About the —

**The Chairperson:** With regard to UCU's input into the north-west. Indeed, I think that your exact words were "any college". I will reflect on them when I read them in Hansard, but I thought that was almost a disparaging comment on UCU. If it were listening and reflecting on that, it would seem that the Department's view was that it was not being seen as a constructive part of the process, even though it was still outside the formal structures. I will review Hansard when I get it.

**Mr Cole:** Certainly, Chair, that was not the intention. This is certainly not a case of goodies or baddies, and I do not want to overplay that. With regard to UCU, we are saying that the channels are open and the structures are there; it is currently not engaging, and we welcome it to engage. Discussion and dialogue are ongoing in the background, and we very much welcome that, but we all want to see it as part of this change process. The best way to do that is to engage formally with those structures in taking it forward. It was certainly not meant to be disparaging, and I want to make that clear.

**The Chairperson:** I thought that it was in contrast to what Mary was trying to portray.

Mary, you mentioned three working groups. Who are they composed of or what size is the input?

**Dr McIvor:** I will ask William to take that, because he has been involved in bringing those together.

**Mr William Lavery (North West Regional College):** There are three working groups that go under the titles of leadership and management, performance and targets, and communication. Each of those has 12 members drawn from right across every aspect of the college and every campus. It is a very broad brush. There are technical people, lecturers, senior management and governors — everyone right across is involved.

**The Chairperson:** What stage are they at? Are they up and running?

**Mr Lavery:** To date, we have had one general meeting where everyone gathered in one room then broke into working groups. Since then, the communication has consisted of setting small tasks to run over the summer, because everything is breaking up for the summer period. So, we will come back in September with a good agenda.

**Mr Buchanan:** I have a couple of issues with this. What changes have you seen among the staff in the college since McConnell's work commenced? Do you see much of a change?

**Dr McIvor:** The fact that there were a lot of volunteers to join the college improvement team reflects that staff want things to improve and to move on. At the beginning, I outlined some of the major things that have happened. The HR department is no longer a workforce development department. Many new processes and procedures have been put in place. There is much more communication on those. We have discussed with the Committee the course review team because it was a bone of contention that McConnell raised. It has been completely redone, with the agreement of UCU, and that process is now different and much more constructive. There was a feeling that it was difficult for staff to go in and be challenged about their performance. That is now a much more constructive process. All of that adds to an improvement in culture. I hope that the evidence of that will come from the staff attitudes survey that is out for consultation.

**Mr Buchanan:** Yes. You have that out, but are staff more at ease now? Do they feel that their voice will be heard and that they can raise their concerns? We want to try to build staff confidence, which was at an all-time low — it was taken completely away. Do we see that happening in the college? Do staff feel free to come forward to make their views and concerns known or whatever?

**Dr McIvor:** I will ask William to come in on that because he is there every day, but I think that the college environment is much more open and transparent. The new chair has set what I think is quite a challenging but a good vision: this college wants to be the best in the UK and Ireland. I am happy with any college wanting to step into that role, because that is where I would like to see all of our

colleges. I think that that has freed staff to make suggestions about change and improvement. None of those ideas is turned away. So, I see an improvement and a change.

William, would you like to comment on the everyday detail of your work with staff?

**Mr Laverty:** It is a good point, because it is key to the matter. Obviously, I can speak only about changes made since I arrived just over a year ago. There was certainly one body of people who were open from the word go and another body of people who may have been more reserved, for reasons relating to McConnell or whatever. There are issues. There are always going to be with a college of that size and with so many people, all with their own problems. However, over the course of the year, I have noticed progressively — right up to last week — I have had people come to me to ask if I would look at something and even give them guidance on it, which is not, strictly speaking, my role. They are prepared to do that and to allow me to take their name to management and ask the questions.

I cannot prove it, because I was not there two years or one year ago, but that might not have happened then. There is a willingness now for individuals to talk, to ask questions and expect to get a hearing.

**Mr Cole:** There is evidence of that, as well, in the working groups that flowed from the college improvement team (CIT). Those working groups have drawn staff from every campus and seniority within the organisation. I am not sure whether that would have happened a couple of years ago. I understand that there is a buzz around those groups and that a pace is developing. That is encouraging. So, there are signs that trust is starting to build. You are right; this will set only the foundation for it, but there are signs of recovery.

**Mr Buchanan:** So it seems that the three of you are telling us that the voice of staff is now being listened to, whereas before it was not, but now they are being listened to and their concerns taken on board. Why do you feel that the UCU representatives are still outside the door? What is the reason? What is the problem?

**Dr McIvor:** As Andy said, there are a number of issues that UCU would like to see discussed and resolved before it joins in. The chair and the vice-chair are discussing those things with the union at the moment. What I will say is that it is easier to be out of the tent than in it. The other unions are involved, as are the staff. I would like to see UCU involved, because it has a voice and something to contribute, but while it is not in those groups, it cannot contribute. My concern is that that voice needs to be better heard, so I certainly encourage it to join in. Yes, there are issues that need to be resolved, but those should not be stumbling blocks to joining in, speaking, discussing, putting its point of view across and debating. That is the only way that you will really get change and improvement — through genuine, difficult conversations. I certainly encourage it to do that in those groups rather than stay outside and not have its voice heard.

**Mr Buchanan:** I have one other issue. Andy, you mentioned that the board of governors or the governing body needs to look at other issues such as STEM, apprenticeships and that type of thing. Will the staff involved in those areas have an input into that as well?

**Mr Cole:** Yes, that is what the CIT is taking forward. McConnell set the foundations for change in the college and addressed the issues of transparency and trust in the organisation. CIT will take on that wider change programme. So, it will take on the big agenda, the big policy issues and the Minister's priorities of STEM, apprenticeships and youth training. The working groups are feeding into that and are engaged in how the college is taken forward in that wider change programme. That is the purpose of CIT. That is the second stage of the change programme.

**Mr Buchanan:** Fair enough.

**Mr Flanagan:** Thanks for the presentation. Following on from Tom's line of questioning, have things moved on in the college?

**Dr McIvor:** Yes, we would say that things have moved on. I think that William has given you detail on how we see that happening.

**Mr Flanagan:** Is everything sorted out now? Are we happy with where the college is at?

**Dr McIvor:** Everything is not sorted out, because UCU is not involved in some of the groups. Everything is not sorted out in that the college has an ambition, and it is not there yet. Therefore, it needs to take steps to get there. I would never say that everything is sorted out in any college, because all our colleges are always on the improvement track. Therefore, there are always things to be done and to improve.

**Mr Flanagan:** You answered that one well; I will give you that. Is there an anti-trade union mentality in the governing body historically or currently?

**Mr Cole:** I do not believe so. The amount of engagement going on outside the formal structures demonstrates a commitment to engage with all stakeholders, no matter how difficult those discussions are. The discussions are difficult for UCU and some of the other partners. I think that we have seen the commitment of the governing body and, particularly, the chair and the vice-chair to have discussions on the side to bring change forward and continue with progress.

**Mr Flanagan:** You referred to the difficulties with discussions with UCU. Are there regular discussions with the Association of Teachers and Lecturers (ATL) and the unions representing the senior management team?

**Mr Cole:** William may be able to comment on the detail of that. I know that those groups are involved in the formal structures: the joint consultative committee (JCC) and CIT. So, they are engaging through those mechanisms, but I am not sure whether there is any other engagement outside that.

**Mr Lavery:** The primary engagement, apart from where a bilateral approach is needed, is through those fora. There certainly have been individual situations where an individual union had an issue that was pertinent to it, and meetings and engagement have taken place. I do not want to overplay the negativity about UCU. UCU is engaging. It is talking to people and is listening, and, progressively, it is in a better place than it was maybe a year ago.

**Mr Flanagan:** Is the culture of fear that existed gone, or is that still there?

**Mr Lavery:** How do you measure that? I have met people who have said that they had grave reservations. I have met other people who said that they love working here. It is very difficult to quantify. What I can say is that, if you measure it based on the atmosphere, you do not feel that there is an atmosphere of nervousness and fear around the college. You detect that in things like quietness, lack of willingness to speak and reservedness, and that just is not there in everyday life, I perceive.

**Mr Flanagan:** Are individuals or groups saying that to you?

**Mr Lavery:** Individuals certainly are, and I have had cause to take individuals' issues to senior management and be there when they were discussed. It has been forthright sometimes, and it has been open, but it has not been intimidating.

**Mr Cole:** From our perspective, Phil, we have seen the Department's assessment of how the governing body and the senior management have dealt with those discussions; it has been more open and transparent. We see a change. We do not see it from the ground, from the staff side, but we are certainly seeing new modes of working and understanding developing from this side. Things like engagement in the CIT and the JCC and the staff survey are our first benchmark of how that is progressing.

**Mr Flanagan:** In terms of your submission here, do all stakeholders at the college, including the trade unions, agree with your evaluation of the progress on each action?

**Mr Cole:** In the action plan?

**Mr Flanagan:** Yes.

**Dr McIvor:** The action plan had actions, and they are completed. It is difficult for anyone to disagree when something is being done. The training has been done, as have the reviews and the HR

strategy, and the staff survey is out. Those things have been done; the only two that are outstanding and are not done are those that we have already talked about.

**Mr Flanagan:** So, if some members of the trade unions chose to disagree, how would they feed that in? Would they go through you to say that, Andy?

**Mr Cole:** As the change manager, William would be the first point of contact, and then it would be fed through into the structures to be resolved through discussion.

**Mr Flanagan:** But the action plan is updated by the change manager and not necessarily agreed with the unions or anybody else?

**Mr Lavery:** No, but it is visible to them, and I do supply copies on request. They do look at them. There is always some discussion about whether an ongoing action should be described as complete. I define it in this way: if the actions are in place to allow the ongoing process to happen, then it has to be looked at as being complete in that regard.

**Mr Flanagan:** Is that the only type of concern that you have had from the trade unions, about whether things are marked as ongoing or marked as complete?

**Mr Lavery:** No, there are others. For example, there is a concern around the consultation on the HR strategy as to whether it should have been a college-wide consultation or a consultation with each union individually. The consultation was sent out to every single person and responses were received from every angle bar one. It is about what you do in those circumstances; you consult as widely as possible.

**Mr Flanagan:** If you go through the submission you have made and look at the progress, can you tell us where the unions agree with your assessment and where they disagree? Can you provide that to the Committee?

**Mr Lavery:** I certainly can, yes.

**Mr Flanagan:** OK. I had a number of questions for Gerard, but maybe one of you will be able to answer this question. He has been appointed to lead one of the subgroups of the quality improvement team; am I right in that?

**Mr Lavery:** Are you talking about the chair?

**Mr Flanagan:** Yes.

**Mr Cole:** Do you mean the college improvement team?

**Mr Lavery:** I am one of the leaders; a head of school is another one, along with a senior union official.

**Mr Flanagan:** OK. I will come back to that some other time. My final question is about what you are monitoring here. Is it the college's devised action plan or the recommendations of the McConnell report or is it the issues raised in that report?

**Mr Cole:** It is all those. The McConnell report led to the 79 actions in the action plan. The concept is that the action plan will deliver those recommendations. I do not want to give the impression that, because all the actions may be delivered, we draw a line under that and it is hands-off. That is just phase 1 of underpinning the wider change programme in the college that we referred to. We will continue to monitor — but not monthly — on the delivery of the action plan; we see that as largely complete.

**Mr Flanagan:** Are you measuring progress against issues raised in the college as well as the recommendations?

**Mr Cole:** Yes. We have those structures in the forum to do that on an ongoing basis through the JCC and CIT. There are issues that came out of the staff survey. The Department and the Committee will



be interested in the readout of that; we will engage with the governing body on how that is taken forward.

**Mr Flanagan:** Can we get a progress report on how you are dealing with the issues raised in the McConnell report and not just the recommendations? I will give you a couple of examples. The McConnell report highlighted the principal sitting on interview panels for low-level posts with a number of other staff. The report said that this could come across as a failure to delegate. There was no recommendation that action should be taken to remove the principal from interview panels, but it certainly was referenced. It is my understanding that that continues, and the principal continues to sit on interview panels for lower-level posts.

There was also a discussion around senior staff standing down:

*"from their high-profile commitments at regional level ... until the problems evident at NWRC are sorted out, senior staff must be where they are contractually needed, ie at the college."*

Some of the staff have stood down —

**Dr McIvor:** That has happened.

**Mr Flanagan:** Some of them have stood down from office-bearing roles, but it is my understanding that they continue to attend regional meetings even though the report states that they should remain at the college. Have the principal and the HR manager stood down from their respective roles with the lecturers' negotiating committee (LNC)? It is my understanding that they attended the last meeting.

**Dr McIvor:** They are not representative. Obviously, a principal of a college is going to go to forums whenever all colleges need to input into those. We will come back to you to clarify the detail on that. They have stood down from their office-holder responsibilities.

**Mr Flanagan:** The report said that they needed to be in the college, but LNC meetings do not take place in the college. If you want to come back on that, that is fine.

**Dr McIvor:** That is fair enough, although there have probably been only one or two LNC meetings. I will come back to you on that.

**The Chairperson:** Mary, Andy and William, thank you very much.