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# Contextualising further education governance in Northern Ireland: history, policy and practice

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## ABSTRACT

This paper examines how governance in the further education (FE) sector in Northern Ireland (NI) has been shaped by policy frameworks implemented at local, regional, national and UK levels. Despite the unique ways in which FE policy has developed alongside the other devolved nations, very little research has considered the NI context and its complexity. In this paper we first examine the history of FE provision in NI, and the development of FE in NI in relation to the rest of the United Kingdom (UK). Following this, we examine the impact of recent FE policy on governance structures and governing practices across the six regionalised colleges operating in NI today by presenting some insights gained from ethnographic observations of governing boards in action and interviews with key policy actors. Our analysis of the empirical data reveals key challenges facing FE governing bodies in NI in relation to financial and budgetary concerns, the multiple relationships between colleges and the various government departments, and the uncertainty presented by the suspension and subsequent reinstatement of Stormont and the EU Exit (Brexit). We conclude by offering reflection on these analyses in relation to FE governance in NI going forward.

## ARTICLE HISTORY

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## KEYWORDS

Governance; further education; Northern Ireland; education policy; boards; leadership

## Introduction

This paper examines how governance in the further education (FE) sector in Northern Ireland (NI) is influenced by national and devolved policy frameworks by exploring the unique ways in which boards are positioned within these contexts. Despite the distinctive ways in which FE policy has developed alongside the other devolved nations, very little research has considered the NI context and its complexity. Here we consider the policy frameworks in NI to explore how the governance of colleges of FE has been shaped by policies that are implemented at local, regional, national and UK levels.

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The paper is presented in two sections. First, we examine the history of FE provision in NI, and the development of FE in NI in relation to the rest of the United Kingdom (UK). By exploring the divergent policy landscape, we set out the nuanced and specific development of the FE sector in NI, influenced uniquely and heavily by the religiocultural context, and accentuated by the distinct way in which the more recent devolution of NI governance has evolved. Second, we examine the impact of recent FE policy on governance structures and governing practices across the six regionalised colleges operating in NI today by presenting some insights gained from observations of governing boards in action and interviews with key policy actors.

### Materials and methods

The empirical data are taken from an ESRC-funded study carried out by researchers from the University of Stirling, University of Birmingham, and Cardiff University between 2018 and 2021 to explore the processes and practices of governing boards in eight FE colleges across the four nations of the UK.<sup>1</sup> In this paper, we consider the research carried out in NI, where we performed ethnographic observations of a total of 10 board meetings in two colleges in 2019, and carried out six individual interviews with key policy actors and governors.

At the time this study took place, there were a total of six colleges of further and higher education in NI, each of which report to the Department for the Economy (DfE), overseen by the Skills and Education Group, and led by the Director of Further Education. Although many aspects of government are devolved in the NI, FE provision is legislated by the Further Education Northern Ireland Order 1997 and The Education (Northern Ireland) Order 2006. Each college is governed by a Governing Body, whose members are appointed by the DfE and are remunerated for their contribution. Each Governing Body is supported by the Secretary to the Governing Body. The governors are bound by the Articles of Government, Code of Conduct for Governing Body Members, Instruments of Government, Standing Orders, and the Management Statement and Financial Memorandum between the DfE and the colleges, embodied in various DfE Circulars. In addition, the *Guide for Governors of Northern Ireland Further Education Colleges* (DfE 2019) and the *Audit Code for the Governing Bodies (and Audit and Risk Committees) of FE Colleges* (DfE 2018a) direct each Governing Body's accountability practices. Throughout the duration of the study, the Northern Ireland Assembly was suspended, and thus the Permanent Secretary for the Northern Ireland Office was responsible for the NI government. The Assembly has since been reinstated.

Ethics approval for the study was granted by an independent review board at the University of Stirling. The research adheres to the highest expected standards of rigour and ethical consideration.

## History of the FE sector in Northern Ireland

The devolution from centralised Westminster control of education to the individual governments of each nation has led to a significant divergence in policy, leading to different approaches to the structuring and operation of the four separate education systems across the UK. As complex as the policy landscape has become, it is not evenly so across all four nations. At the time of writing, Wales had 15 colleges, Scotland 27, England 248, and Northern Ireland 7,<sup>2</sup> demonstrating not only the difference in size of each sector, but also the relative geographic densities of colleges within each country. The relative sizes of the sectors within each separate country (ignoring unity for the purposes of educational policy) influence how colleges as organisations exist in relation to one another and, importantly, in relation to the policy that influences their constitution. While each country has had to face challenges in navigating these shifting structures, the policy landscape in NI is unique, in that it has been altered in ways which differ greatly from those that have influenced the others, particularly in relation to the implications of the UK leaving the European Union (colloquially known as Brexit) and of the collapse (and subsequent re-establishment) of the Northern Ireland Assembly.

In contrast to Scotland and Wales, the devolution of parliamentary powers in NI has a much longer history. From 1801 to the early twentieth century, the whole of Ireland was part of the United Kingdom. In 1920, the legitimacy of the Westminster government in Ireland was contested by the Assembly of the 'Irish Republic', which prompted The Government of Ireland Act (1920). This legislation provided for the establishment of two parliaments, Southern and Northern Ireland, effectively bringing about the partition of Ireland in 1921 and creating the Irish Free State as a Dominion of the British Commonwealth of Nations in the Irish Free State (Agreement Act (1922), or Treaty (O'Reilly 1998).

Apprenticeship in Ireland has its origins in a medieval guild system of training which, towards the end of the 19<sup>th</sup> century, gradually lost its ability to meet the rapidly shifting economic and social demands (McCarthy 1976). Prior to the partition of Ireland, vocational and technical education was formally introduced into the Irish education system by the Agriculture and Technical Instruction Act 1899 (Clarke 2016), which aimed to establish a more cohesive policy to align Ireland's educational system with the country's industrial potential (Byrne 1983). However, the training continued to be delivered on the job and lacked cohesion with the teaching of the

practice of any trade in industry or employment, and the training provided was considered to be unsatisfactory (McCarthy 1976). Recognising the need to regulate the acquisition of skills in the workshops of Ireland, the government established a Commission on Technical Training in 1926, which resulted in the passing of two acts: The Vocational Education Act 1930; and The Apprenticeship Act (1931).

Another legislative movement in early 20<sup>th</sup> century Ireland is said to have been strongly influential in the history of FE in Northern Ireland. The controversial (MacPherson) Education (Ireland) Bill (1919) was introduced to Parliament by the then Chief Secretary for Ireland, Sir James MacPherson. The Bill proposed to incorporate the existing National and Intermediate Education Boards as well as the Technical Instruction Board of the Department of Agriculture and Technical Instruction, with the aim of establishing a Department for Education for Ireland (O'Reilly 1998). However, having as its model a series of British administration initiatives, and strongly influenced by MacPherson's hostility towards Sinn Féin, the proposed changes were seen to be in conflict with the position of the Irish Catholic Church, which was reluctant to relinquish its *de facto* denominational system of education management, and which was concerned with the question of church and state authority in education (O'Reilly 1998). The Bill was largely supported by the Protestant Church and the Unionist press, and, although supported by some prominent nationalists, the dominant discourse was that it was 'at once anti-Catholic and anti-Irish' (O'Reilly 1998, 250). Despite the Bill being withdrawn in December 1919, the controversy surrounding the introduction of this Bill has even been attributed to the 'political partitioning of the country' (Farren 1995, 33) that continues to contribute to political unrest to this day.

After the passing of The Government of Ireland 1920 Act and the legal establishment of the Parliament of Northern Ireland in 1921, control of educational services was assumed by the Northern Ireland Ministry of Education. This established a 'territorial' department of the UK within NI, with an approach to the governing of education that was separate to, but not independent from, central Westminster control, creating a context where education policy developed in isolation from, but at the same time linked to, the rest of the UK (Raffe et al. 1999). Crucially, Section 5 of The Government of Ireland Act (1920) stipulated that the state could not finance any religious body to provide education, which meant that schools had to be non-denominational. This was in direct contrast to the policies introduced in the Irish Free State, which considered religious instruction to be a fundamental element of all schools, including those providing vocational education (O'Reilly 1998). This move created a multi-tiered system of funding in NI, where schools that were traditionally affiliated with either the Roman Catholic or Protestant Church had to find independent funding

if they wished to include religious instruction, in centralising the governance of educational provision (Irvine 2008). Shortly after partition, the Minister appointed a Departmental Committee of Inquiry, chaired by R. J. Lynn, MP for West Belfast, to review the existing system in NI and to take advantage of the opportunity to improve the administration and governance of these services, recommending that the newly established local authorities would be directly responsible for the technical instruction institutions, historically situated in urban centres, but governed by regional committees, overseen by the Ministry of Education (Beale 2006).

The Lynn Committee published two reports that formed the basis of the first Education Act specifically for NI in 1923. However, the Catholic Church perceived that the Lynn Committee Report was the pretext for an attack on their well-established school system, which promoted a hostile attitude towards the Northern Irish State. Equally, the Protestant Church was suspicious of the non-denomination status of the education system, as it believed that it was the function of schools to provide a moral education (Irvine 2008). This removal of the right to provide religious education and the resistance of the churches to surrender their power to the state in education policy-making contributed to greater division between them, creating unrest that escalated and continues to influence the NI political landscape. It has also been argued that the ongoing resistance to adhering to non-denominational formative years education and the subsequent provision of separate religious schooling contributed directly to the violence that affected NI in the 1970s, also known as 'The Troubles' (O'Reilly 1998, 296).

The subsequent dispute in relation to the 1922 Anglo-Irish Treaty, and the decision by NI to decline to join the Irish Free State, created a division between the two regions which ultimately led to civil war and a lasting period of conflict that continues to feature prominently. However, vocational training in NI continued to be influenced by its cultural and historical ties with provision in the Irish Free State through the Irish Technical Instruction Association (IATA), which continued to bridge the ways in which training was delivered in the two nations until 1934 (O'Reilly 1998). It was not until the Education Act of 1947 that education became compulsory up to the age of 15, which also saw the introduction of the first grants for tertiary level education.

In the following years, vocational education and training in NI continued under the central remit of Westminster administration, with overall responsibility for the finance and operation resting with the Secretary of State for NI (Twining 1999). In 1964, following the enactment of the Industrial Training Act (1964) (NI), individual FE colleges were governed by eight Industrial Training Boards (ITB), operating under the Northern Ireland Training Authority (NITA), subject to similar legislation to that of the rest of the UK. Following the Bloody Sunday killings (30 January 1972), a rise in

support for the Provisional IRA led to the suspension of the Northern Ireland government and the imposition of direct rule from Westminster by the 1974 Northern Ireland Act. The Ministry of Education then became the Department of Education (which had a wide remit including cultural and sport policy and Further and Higher Education), in the charge of one of the Secretary of State's junior ministers (Sutherland 1982). Based on the recommendations of the Macrory Report (1970), the existing County Education Authorities were replaced with five regional Education and Library Boards (ELBs). In 1989, the Education Reform Order introduced a common curriculum, transforming significant sections of the education system. In 1990, an executive agency, the Training and Employment Agency (T&EA), was established to oversee the activities of the ITB and the NITA, as part of the newly established Department of Economic Development (DED) (Twining 1999). This created a complex series of links between FE education provision and government of the economy that added to the complexity of the FE policy context.

The following decade saw times of cessation of The Troubles and times of extreme unrest. In 1994, IRA and loyalist groups announced a ceasefire, which saw the commencement of formal talks between Sinn Féin and the British Government. In 1997, vexed talks between both sides of the political and sectarian divide continued. Despite the political uncertainty and ongoing negotiations, education was still being reviewed and reformed with significant changes to how colleges were constructed and defined in relation to policy and the broader education sectors. In 1998 and 1999, some financial powers and functions of academic management were delegated from the Education and Library Boards (ELBs) to the colleges, giving them greater autonomy (McKeown 1998). The financial governance and responsibility for fiscal security was in part delegated to leadership and governance representatives of the existing colleges. The 10 April 1998 saw the signing of the Belfast (Good Friday) Agreement (later approved through a referendum held on 23 May of the same year). The peace process included the restoration of a devolved Assembly at Stormont following elections in 1998, and the transfer of responsibility for certain government functions, including education and training, and the legislation for its governance, implementation, funding and strategy (Twining 1999).

Following royal assent granted through The Northern Ireland Act (1998), the new Northern Ireland Assembly was created. Direct rule of NI was finally ceased in 1999 and, following the publication of The Northern Ireland Order (1999), the Department for Education has its remit in NI removed. Shortly thereafter, the Department for Higher and Further Education and Training and Employment (DHFETE) was established and took control of FE in NI.



The following years between 2000 and 2006 saw periods of political turmoil, as the NI Government was suspended repeatedly. The devolved government finally sat again in 2006. The Education NI order was published on 1 August 2006 and set out key stages and courses available in both compulsory and post-16 education. Again, between 2007 and 2012, periods of relative peace and stability were punctuated with acts of violence. The NI Executive was formed in 2007, leading to power sharing and the publication of several key policy documents. In 2012, the First Minister and Deputy announced their intention to abolish the Department for Employment and Learning with its functions to be ‘divided principally’ between the Department of Education and the Department of Enterprise Trade and Investment. This was not fully implemented until 2016, when the plans were ratified after the 2014 Education Act Northern Ireland. Still operating under the Department for Employment and Learning (DELNI), a public consultation on *The New Further Education Strategy Northern Ireland* (DELNI 2015a) took place in 2015, which highlighted that FE colleges should ‘focus provision on those areas that contribute to rebalancing and rebuilding the economy’ and identified colleges as ‘specialists in key areas of the economy’ (DELNI 2015b, 3). In addition, the report highlighted the importance of continual professional development as well as establishing links with the community. Also emphasised was the need to give social inclusion more prominence in the strategy, and that too much priority was placed at Level 3 provision and above, at the detriment of Levels 1 and 2.

In May 2016, The Departments Act (Northern Ireland) 2016 came into operation. This brought about a radical restructure of the Executive, the renaming of the Department of Enterprise, Trade and Investment as the Department for the Economy (DfE), and finalised the dissolution of the Department for Employment and Learning. This reframing and new structure sent a political and educational message that FE was fundamental to the economy in NI and firmly placed the sector within the work and skills market. At the same time, amendments to the Further Education (Northern Ireland) Order (1997) were made by the enactment of The Further Education (Governing Body of Institution of Further Education) Order (Northern Ireland) (2016), which came into effect that November. These Regulations amended the Further Education (Northern Ireland) Order (1997) to remove the requirement on the DfE to appoint two persons nominated by the Education Authority (formerly the Education and Library Boards) to each of the Governing Bodies of the Northern Ireland Further Education Institutions (DfE, 2019). In addition, they allowed for existing Education Authority appointments to continue within the confines of their terms of appointment.



### *Reinstatement of the Northern Ireland Assembly*

Despite significant developments in policy and departmental restructure, in the following years, Stormont was again suspended following resignations and a failure to reach an accord on continuity of power sharing. Talks had stalled, but, in April 2019, Lyra McKee, a prominent young journalist, was killed during a night of rioting in Londonderry, in what police in NI described as a ‘terrorist incident’. The shooting was thought to be accidental, as McKee was not thought to be the intended target. The statements made by all sides of the political debate following the killing led to the general public to call for stalled negotiations related to the suspension to restart. The political and public will for unity seemed to be reignited and, after five rounds of negotiations, the *New Decade, New Approach* agreement was signed in January 2020, establishing a new Executive.

### *Localised policy history and context*

In the previous section we highlighted key significant stages in the development of the Northern Irish Assembly with particular reference to educational policy. It is important to highlight that our intention here was to draw attention to how the development of education (and particularly FE) as a sector in NI is inextricably linked to the somewhat turbulent intricacies of the political landscape. Although it can be argued that this is indeed the case for most countries, few settings demonstrate the intensity and sustained impact of political, cultural and religious differences on government in the twentieth and twenty-first centuries. However, these events did not happen in isolation and, in order to understand the current policy landscape in NI, it is necessary to recognise the interconnected nature of policy creation across the UK.

The years leading up to devolution saw a consistently different approach in the creation and implementation of policy in English FE, but one which continued to influence FE policy in NI and the other devolved nations. Although much of the policy developed at this time was directly focused on and instrumental in bringing about changes to qualifications, funding, organisational structure, accountability, curriculum and inspection, each publication and related review had significant influence on the governance of colleges (see, for example, Tomlinson 1997; Dearing 1996). Each review and policy publication required a college response, in either direct action, policy creation, restructuring or accountability measures, and in turn engaged boards with the requirement to respond, strategise and implement change. Taking a retrospective view, nearly three decades beyond incorporation, it is nigh on impossible to ascertain how individual colleges and their respective boards responded and acted in relation to the creation and implementation of strategies and related policy. However, much of the

policy to which they had to respond failed to address directly the accountable body within the organisation; the policies themselves were instrumental in the structuring and requirements of the boards who, in turn, had to act upon them.

Colleges in NI are still controlled directly by the NI government; indeed, this is why a contextualising history is critical in gaining an understanding of the sector. Although Scotland and Wales also operate under the auspices of governments that are partially devolved from central Westminster control, neither has seen the same turbulent political conditions and violent conflict in recent times. Furthermore, as a direct result of these complex cultural and religious issues, detailed explorations of FE governance and policy-making processes in NI are scarce when compared to the other Home Countries (Cavender 2015), revealing how this context has been marginalised in previous governance policy research.

Critically, and similarly to Scotland and Wales, NI does not exist or operate in isolation; again, in this particular matter, we are offered a further complication to consider. In 2016, the devolved assembly government, operating in an agreed power share between Sinn Féin and the Democratic Unionist Party, dissolved after a series of disagreements between the politically and ideologically opposed parties. In such an event, the safety net was a return to governance of NI to Westminster, which is what had been in place through much of our period of data collection. However, the devolved assembly in NI was once again operational in January 2020, after extensive talks and negotiation. Critically, this ongoing instability and the ever-present expectations of a return to Westminster governance adds to the complexities of a century of conflict and, latterly, finely balanced peace. As Irwin (2019) writes, the lack of published material focusing on FE in NI leads to an assumption that the policy context mirrors that of England and Wales, where in fact it does not. However, when Stormont is suspended, influence from Westminster becomes more evident within decision-making processes and policy decisions and, in any analysis of policy, this must be acknowledged.

Interestingly, and to conclude this section, it is worthy of note that in recent years there has been a shift back towards partnership working in relation to the review of the sector and policy development in FE across all four nations of the UK. The Independent Commission on the College of the Future (2020) has worked towards the development of coherent reviews of FE and HE provision across all four nations of the UK and produced a series of reports that were aimed at establishing a whole-UK approach to development, but also ensured that the specific contexts of each nation were not only taken into account but were given individual reports (see as example the Northern Ireland report from The Independent Commission on the College of the Future 2021). Whilst over successive years, space for policy

development specific to each nation has been utilised by devolved powers to shape the FE sectors of each nation, this forward-looking collaboration offers potential for a more conjoined approach to policy development but maintaining the important space for specific identity and contextual nuance.

A great deal of attention has been given to the policy contexts of all four nations of the UK in the final report associated with this research. The report outlines in detail the inter-related policy contexts and how they impact one another across the four nations of the UK (Watson et al. 2021).

### Devolution of FE provision

In the years leading up to devolution, the publication of the 1992 Further and Higher Education Act is arguably one of the most influential pieces of legislation, bringing about wholesale structural change to the post-compulsory education sector in the UK. Not only were colleges removed from the control of local education authorities and given full financial independence, but many were also afforded the opportunity to change their status completely. Polytechnics, which offered higher education qualifications, were given the opportunity to apply to become universities. Not all post-1992 ‘new’ universities have their roots in polytechnic institutes, but, following the 1992 Act, 38 polytechnics were awarded university status and became part of the HE sector.

At the same time, in England, a new structure for the distribution of funding to post-compulsory educational institutions was established, including The Higher Education Funding Council for England and the Further Education Funding Council. This marked a further demarcation and separation of funding to colleges and universities as they became part of different sectors with increasingly different functions and aims (Osborne et al. 2000). In NI, The Further Education (Northern Ireland) Order (1997) set out specific regulations for the constitution and conduct of governing bodies in the FE sector, including the instruments and articles of governance, which continue to regulate FE college governance to date. Although each devolved country worked to establish their own unique FE policy landscape, each was invariably influenced and informed by major developments in Westminster, as outlined below.

### Skills agenda

In 1999, *Learning to Succeed: A new framework for post-16 learning* (Department for Education and Employment (1999) was published. This white paper proposed the formation of a Learning and Skills Council (with regional offices) to fund FE in England. In NI, following the Harland, Moor, and Ashworth (2002) study, extensive review of the school curriculum had

already repositioned the emphasis of education on skills development, with strong links to contributing to society and the economy (McGuinness 2012). The broader remit brought about by the new framework included passing the inspection of FE colleges, previously carried out by the Further Education Funding Council for England (FEFC), onto the Office for Standards in Education, Children's Services and Skills (commonly referred to as Ofsted). In NI, the inspection of FE colleges had fallen under the remit of the Education and Training Inspectorate (ETI) since 1989, as set out in The Education and Libraries (Northern Ireland) Order (1986) (Article 102 and 102A), as 'a "unitary" inspectorate and part of the Department of Education (DE), providing independent inspection services and policy advice' (ETI 2020, n.p.). Interestingly, in NI, the ETI, established in 1989, is able to trace its work directly to that of the Inspectorate established in 1832 by The Commissioners of National Education in Ireland. Although the *Learning to Succeed* framework only applied to FE colleges in England, the DfEE in Westminster acknowledged recent developments in NI, including a review of its economic strategy (Department of Economic Development 1999) and proposals for Lifelong Learning policy in NI. Subsequently, a Skills Task Force was set up to develop a regional framework for employment and skills, tailored to the priority identified in each regional area (DELNI 2004a).

In 2003, the Department for Education and Skills (DfES), the Department for Trade and Industry and the Department for Work and Pensions jointly published the white paper, *21<sup>st</sup> Century Skills: Realising our Potential* (DfES 2003). This document marked a significant shift in the focus of the skills agenda and singled out colleges for a significant role in the development of industry and skills in England (with ambitions for the economy of the whole UK). This trend broadened the remit of governors once again and had the potential to shift the governors and governing space towards a more nationally aware and strategic stance.

In 2006, a broad review of the curriculum offer in FE in England was published. The report titled: *Prosperity for all in the global economy: World class skills* – commonly known as The Leitch Report (Leitch 2006) – consolidated the view that post-compulsory education in general should concentrate on the skills components of its qualifications, and identified the urgent need to double the skills attainment of the workforce. This continued the government-driven agenda that FE should be a prop to the economy of the whole of the UK and should focus on industrialisation and skills for work.

Whilst the focus of policy shifted towards constructing FE as vehicle for economic development, the policy shift was not implemented without critique and warning. Hyland (2003) had warned that the concept of economic capital always took pride of place and there was a real danger

that the social capital objectives of contemporary UK vocational education and training (VET) may become neglected in the obsession with economic competitiveness. This was to become a central theme for governors and leaders of colleges across the UK, as the policy shift continued and they struggled to maintain a balance between the expectations to support both industry and community. The narrowing of focus was particularly problematic as, traditionally, FE provided opportunities for those seen to be less 'academic' to continue with education (a problematic notion in itself). Wheelahan (2007, 2015) argues that, by taking this position in relation to available theoretical knowledge and social capital by the narrowing of the purpose of FE, colleges may be in danger of perpetuating social inequality by limiting access to those in FE to knowledge that would increase social capital.

### **Review and reform of FE governance**

2005 saw the publication of *Realising the Potential, a review of the future role of further education colleges* (Foster 2005). The report was carried out with the expressed aim of taking an evidence-based approach to identifying the contribution of colleges to the economy and to social inclusion; however, it only pertained to FE colleges in England. Although initially questioning whether correct governance procedures were in place across colleges in England, Foster concluded in the report that no significant changes to governance structures and practice would be made. However, a series of recommendations building on the accountabilities laid out in the white paper, *21<sup>st</sup> Century Skills: Realising our Potential* (DfES 2003), were identified. Foster (2005) criticised the evident lack of diversity in leadership and governance that failed to reflect the increasingly diverse communities accessing FE colleges. Clarification of the role of governors, with specific focus on developing a person specification and training for Chairs, was linked to the proposed development of a good governance framework. Finally, the report recommended that the accountability of governance procedures and of the actions of those who govern colleges as members of boards should be linked to the inspection framework that was devised and managed by Ofsted. Although, structurally, boards would remain the same, the accountability and audit protocols would receive significant scrutiny in coming years. In contrast, the structure of the governance and accountability of FE in NI, defined largely by The Further Education (Northern Ireland) Order (1997), was already well established, and the selection of members of the governing bodies was, as it continues to be, controlled by the Department for Education.

In 2004, the Department for Employment and Learning (DELNI 2004a) in NI published the findings of a review of FE in NI, which highlighted the role of FE in lifelong learning and its aim being to strengthen economic development, enhance social cohesion and advance the individual's skills and learning. This review prompted the design and implementation of a new strategy, 'Further Education Means Business' (DELNI 2004b), which set out to restructure FE provision in NI by focusing on economic and workforce needs by raising skills and qualification levels, providing support to employers, and aligning college curricula with international standards. In addition, the strategy included a reform of vocational qualifications by replacing the existing National Qualifications Framework with a simplified Framework for Achievement (FfA) within a UK-wide context. A further project aimed to ensure improved collaboration between FE colleges and schools by implementing the Vocational Enhancement Programme (VEP) as part of the Entitlement Framework, which set out the minimum number and range of courses a school should offer at Key Stage 4 and post-16 education provision. The implementation of the policy in 2007 created a particular challenge for governance, as it placed a requirement on FE colleges to offer greater number of pathway options to learners and to work more closely with schools and commerce to enact an economically-focused curriculum. With the merging of the 16 colleges to form six larger area-based colleges, the governance of FE underwent a complete reform, as new Chairs of Governing Bodies were appointed in 2006, and new members appointed in 2007. This restructuring also included close collaboration between the DfEL and the Association of Northern Ireland Colleges (ANIC), and, importantly, new governance regulations, including the introduction of training for governors, new instruments of governance, as well as new procedures for preparing College Development Plans to manage the 'business change' (DELNI 2004b, 17) that the new policy would effect.

### *Economic downturn and the effects of austerity measures on FE policy in Northern Ireland*

During the last ten years, much like the rest of the UK, the NI FE sector has undergone significant changes in structure, leadership and governance procedure. The FE sector in NI is much smaller than that in England (as an example) and currently (2020) has 6 regional colleges. The colleges themselves each have a board of governors who, uniquely for the UK, are all remunerated (the only other example of remunerated FE governors in the UK are the ministerially appointed Regional Chairs in Scotland). The DfE holds the remit for FE and controls both the financial and policy affairs of the sector. This in itself provides an incredibly challenging governance environment, as any



decisions, moves or policy enactments could be rescinded at the reinstatement of the devolved assembly. Additionally, during our research, the vexed issue of EU Exit (Brexit) continued to confound both the European Union and all government bodies in the UK, and has most recently even incited further violence in NI. Although the UK formally left the EU on 31 January 2020, the imperative to find a solution to the challenges faced around dissolving a union upon which The Belfast Agreement (1998) is so dependent has quite rightly added to the ascendancy of this as an important concept for the whole of Europe, and not just the relatively small population of NI.

In 2016, the devolved government in NI published their vision for the future of FE. The *Further Education Means Success* report (DELNI 2016) detailed several key issues that the department wished to address. Interestingly, governance was given its own section in the document and a focus was drawn towards developments post 2010 where the 6 merged colleges had become non-departmental public bodies. However, the two pages that make up the governance section in this document draw on a somewhat narrow view of the priorities of governance and fail to acknowledge the broad and developing scope of the role of governors and the increasing requirements placed on them. Interestingly, a far more detailed and substantive review of the role of governors, chair of the board and principals (listed as CEOs) is given in the DfE's (2018b) *Management Statement and Financial Memorandum* made with all 6 colleges. This document in many ways recognises the gravitas of the roles and is one of the few documents that sets out in some detail the responsibilities of the roles of those governing the colleges in NI, and interestingly, is focused on finance.

Since the reinstatement of the Northern Ireland Assembly, FE policy is still guided by the 2016 strategy, *Further Education Means Success* (DELNI 2016), with strong links to the *draft Programme for Government (dPFG) Framework 2016–21* (Northern Ireland Executive 2016), the *draft Industrial Strategy for Northern Ireland, Economy 2030*, and *The Innovation Strategy for Northern Ireland 2014–2025* (Northern Ireland Executive 2014). Despite being presented with additional ways in which colleges can expand financially by developing new programmes, they are still bound by strict regulations on which funding stream can finance certain programme delivery. This presents a great challenge to colleges and governing bodies alike, as was revealed in our observations of governing body meetings and interviews with key policy actors in NI. The next section will explore some of the key challenges for governance in FE colleges in NI, as revealed in our analyses.



## Key challenges

### *Financial and budgetary tensions*

The shift to colleges being reclassified as Non-Departmental Public Bodies (NDPBs) in 2010 was particularly challenging, as from 2012, full accountability processes for college budgets were implemented. This led to a loss of autonomy for college executives and placed restrictions on their ability to develop their own curricula and generate income. Historically, there was less competition between colleges, as each specialised more in meeting the demands of the local economy. The centralised positioning of the DfE created a greater degree of competition between colleges as the Department policy focus shifted to growing the NI economy to meet EU and international trade. In addition, the non-departmental public body status created tension – centralisation made regional development difficult, as the NDPB status of college executives precluded the lobbying of politicians by colleges to meet regional demands. Increasing budget cuts placed even more pressure on colleges to reduce programme provision, and college executives struggled to meet the demands of operating within a set budget while seeking to respond to their obligation to adhere to other policy directives linked to FE provision, such as *Securing our Success* (DELNI 2015c) and *Generating our Success* (DELNI 2015d). However, in our observations, a more collaborative approach to resolving these budgetary tensions has recently emerged; with better communication between colleges, their Chairs and Principals are able to unite to lobby the various departments, and their influence in the DfE has been strengthened. The initial amalgamation of colleges is now seen to be a positive outcome in terms of providing a unique service that is tailored to the local economy with a bigger budget, bigger profile, and more leverage with the DfE. However, during our year of observation, we observed great resistance to suggestions of further centralisation of colleges into ‘one college’ by the DfE, suggesting that this might again reduce this power to influence policy and budget decisions.

### *Uncertainty during suspension of the NI Assembly*

The policy actors reflected that, prior to the collapse of the NI Assembly, the cycle of governance was enacted on a more timely basis to keep ministers informed and to produce forward-looking strategic plans, as one participant illustrated:

When the assembly collapsed and, I suppose, the whole structure around government changed, budgets moved to a one-year basis, which really impacts, you know, what you can do in terms of strategy.

During the suspension of the Assembly, there was a sense that these plans were in limbo, however, the college executive capitalised on this hiatus, using this opportunity to perform in-depth college reviews to present robust

plans to the Governing Body in readiness for the restored Assembly. In addition, college executives experienced a sense that new, less or differently experienced officials in the Department were still learning the complex context of FE provision in NI. A hint of frustration was present in several interviews, related to this constantly changing field for the executive and the governors alike. It would be indiscreet to include direct quotations, given the sensitivity of the subject matter, but, in paraphrasing, the sense was that a retention of identity as individual colleges was important and of concern, and whatever was to emerge in terms of a national strategy of leadership, FE was an important sector, and nationally critical in terms of both education and economics.

It was noted that communications were sometimes lacking in specific details or offered ambiguous or obtuse directives from the Department. The lack of clarity led to a reported, and on occasion, observable extended debates in governing body meetings. This seemed to create concurrence between governors and the college executive members, as the external Governing Body members were experiencing the same uncertainties in their own sectors with the suspension, so their relationships with college executive was strengthened.

The uncertainty of the process for the EU Exit (Brexit) also featured prominently in interviews with policy actors, as well as in the meetings we observed. There was a sense that the mechanisms set in place to encourage colleges to prioritise the generation of international income seemed to be intensified by the looming impact of leaving the ECU, and this creates a further climate of uncertainty for boards as they considered the financial and procedural implications for FE colleges. Again, direct quotations are too sensitive to include, but, from the several interviews conducted with college leaders, policy-makers and Governors, an almost united voice of apprehension in relation to concerns about international students was consistently heard. Cross-border study (between the Republic of Ireland and Northern Ireland), provision for families that had moved into the region from the EU (in support of various businesses), and broader access to courses such as English for Speakers of Other Languages (ESOL), were all of serious concern. There was (and presumably still is) serious concern about the potential for significant losses in terms of finances, provision and students.

Despite these uncertainties, however, the key policy actors perceived that the Department's emphasis on high-level apprenticeships and skills academies will be a key driver for the economy in the coming years, which places the FE sector in a better position than universities in preparing the workforce to navigate a global economy. It is worth noting that all of the interviews we conducted took place prior to 31 December 2020, the date the UK ceased to be a member of the EU. While there are UK-wide policy

developments (e.g., *The College of the Future*, Independent Commission on the College of the Future 2020) it is as yet too early to predict or comment on specific impacts on the FE sector in NI.

### Governance

Uniquely, for NI, the Department for the Economy is more intimately involved in the regulation of the FE Governing Bodies, which creates tension in college governance. The positioning of the DfE as a ‘senior sponsor’, one whose purpose is to ‘feed into’ policy-making, creates an ambiguous space in which those responsible for informing the FE policies are not directly involved in their development. This seems to present a great deal of uncertainty for the role of the DfE in guiding college governance, which, in turn, creates ambiguity for the colleges. Added to this complexity is that the Education and Skills Group is not solely responsible for the sponsorship of the FE colleges; for example, other sponsors, such as the Apprenticeship, Careers and Vocational Education Group, and the Skills Strategy and Policy Group, overlap with the Further Education Group. In addition, the Department for Communities also provides support for certain FE activities, such as community outreach and social inclusion provision. This is a source of much concern for FE colleges as they struggle to meet the demands of these complex links, and thereby for governors, as they monitor and mediate the interconnections between sponsors, multiple levels of government, representatives of trade, industry and commerce, and the other education sectors.

Currently (2020), skills development is still a key policy driver for the DfE in NI, however, as well as a focus on the provision of skills aligned with a global market, there is evidence that the Department is adopting a more varied approach, by extending the InnovateUS programme to third-sector businesses, such as social enterprises (DfE 2020).

### Conclusion

The historic cultural and political ties that bind Ireland together continue to influence the policy landscape of a devolved Northern Ireland. In addition, the original shaping of the all-Ireland development of vocational education played a significant role in mapping the economic development legislation that ultimately undermined support for British home rule. This places the FE colleges of NI in a unique position – because the FE sector has its roots in the vocational traditions of an all-Ireland education system, a system which continues to influence political unrest between the two states, the governing bodies face challenges that are not experienced in the other three UK nations. Moreover, the unique structure of the relationship between FE colleges and the DfE, and the way in which the Department runs the sector, is unique in the UK. At the end of our data collection period, the Northern Ireland Assembly

had just been re-instated. In January 2020 it was proposed that a customs border be created between NI and the rest of the UK, thus securing the land border between the UK and the EU as the UK leaves the European Customs Union. Although this has yet to be put in place formally, the uncertainty that this presents has created further unrest in NI. It is also uncertain how this will affect the NI economy, and its closely aligned FE sector.

Despite the historical influences of the divisive nature of the partition of Ireland, in our observations and interviews, these seem, on the surface, to either be largely ignored or lack influence in FE governance, at least in our participating colleges. Governing debate and discussion is not centred on the tensions that are created by foregrounding difficulties in navigating a policy landscape that is in constant uncertain turmoil. Instead, and refreshingly, this contentious historical context does not seem to dominate policy development in the FE sector in NI. Rather, it is the threat of economic instability, brought about by further division of political ties with the Republic of Ireland, and the now unfolding uncertainties associated with the UK EU Exit (Brexit). These issues (in part, beyond the standard governance issues such as audit and accountability, etc.) seem to dominate the narrative, as the FE sector in NI struggles to operate under the UK system of skills provision, while navigating a precarious historical alignment with its cultural and historical neighbour.

While the reinstatement of the NI government in 2020 did not directly address how FE provision would operate, the election of the Democratic Unionist party (DUP) leader, Arlene Foster, as first minister, and Sinn Féin's deputy leader, Michelle O'Neill, as deputy first minister created a promising foundation for moving forward. The endorsement of *The New Decade, New Approach Deal* (2020, 6) set out to tackle 'urgently needed local political oversight and decision-making' by enabling the restoration to full operation of all the institutions of the Belfast (Good Friday) Agreement, with 'commitments by the Irish Government in the context of an agreement being reached in support of greater cooperation, connectivity and opportunity North/South on the island, working in partnership with the Northern Ireland Executive and the UK Government' (*New Decade, New Approach Deal* 2020, 58). *The Deal* highlights the 'urgent task of strengthening public services', including the need for a radical transformation in education and justice, which will undoubtedly continue to further shape and influence the governance of FE colleges in NI, while maintaining its unique relationship with the Department for the Economy in the Northern Ireland Assembly.

## Notes

1. See <https://fe-governing.stir.ac.uk/>.
2. This includes colleges identified as 6<sup>th</sup> form, arts-based, specialist and land-based.

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