

## 1. Introduction

### 1.1. Purpose

The purpose of this document is to set out the Terms of Reference for Employ My Ability's (EMA) Trustee Advisory Board.

These Terms of Reference provide guidance to Trustee Advisors and Senior Management Team (SMT) on expectations and responsibilities of the role of a Trustee Advisor.

### 1.2. Legal and/or regulatory framework

These Terms of Reference fulfil the requirements of:

- a) Keeping Children Safe in Education- 2021 (as amended).
- b) OFSTED Further education and skills handbook (as amended).
- c) Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.
- d) Care Quality Commission (Registration) Regulations 2009.

## 2. Scope

This policy applies to appointed Trustee Advisors and EMA SMT.

## 3. Terms of Reference

### 3.1. Trustee Advisory Board purpose

To ensure that there is input from key stakeholders and that an independent assessment of the effectiveness of EMA's overall service provision is undertaken and new opportunities are identified.

### 3.2. Trustee Advisor purpose

The purpose of a Trustee Advisor is to support the EMA SMT in the continual development of quality provision for Education across all settings in which this is delivered.

### 3.3. Trustee Advisor identification, invitation, and term

EMA SMT will identify skills and knowledge that is required to enable EMA to continue to deliver sustained quality service to its students, service users and staff, coupled with a view on a continued growth of the overall service.

Potential appointees will be sought from existing and past students, service users, staff, parents and other external individuals, who in the opinion of EMA SMT, are able to provide a meaningful contribution to the overall vision and delivery of the activities provided by EMA.

The normal length of appointment for a Trustee Advisor is that of three academic years. Trustee Advisors wishing to terminate their appointment early should provide at least one full academic term's notice whenever possible to allow EMA sufficient time to identify a suitable replacement.

The appointment and retention of Trustee Advisors is solely at the discretion of EMA SMT; Trustee Advisors may by mutual agreement serve two consecutive terms of three years.

### 3.4. Trustee Advisor responsibilities

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Specific responsibilities are listed below:

- a) Declare any conflicts of interest as and when they arise.
- b) Provide input the development of the Strategic Development Plan.
- c) Annually review and evaluate the success of the Quality Improvement Plan.
- d) Understand EMA’s strengths and weaknesses.
- e) Assist EMA to meet its statutory responsibilities.
- f) Provide challenge and hold the SMT to account for improving the quality of education & social care, as well as systems used to manage this performance. In doing so, consider the review of data analysis for on a termly basis.
- g) Contribute to setting annual targets for student achievement.
- h) Trustee Advisors do not have voting rights, but a vote may be taken during a meeting to provide an indicative opinion to EMA SMT on any particular matter.

Individual Trustee Advisors will be assigned to lead on a specific area of responsibility, which they will be called upon during the year to provide input to; these areas are listed below. The assignment of these areas will be reviewed on an annual basis:

- a) Leadership and management.
- b) Quality of education and social care.
- c) Safeguarding.

### **3.5. Trustee Advisor expectations**

Trustees Advisors are expected to:

- a) Be mindful of the spirit of cooperation and collegiality upon which EMA is built, the success of the college being paramount.
- b) Be expected to attend all meeting during an academic year whenever possible.
- c) Contribute to meetings in a manner that exemplifies clear communications within the Board and to share their specific expertise to benefit and improve the provision at EMA.
- d) Undertake of agreed responsibilities on an ad-hoc basis.
- e) Provide specialist knowledge and expertise (such as employment, regulatory, financial, operational, safeguarding etc.).
- f) Contribute to the role of vocational and adult education and equipping EMA’s young people to prepare for adulthood.
- g) Respect confidentiality and attend training to develop in the role.

### **3.6. Board quorum**

The Group Managing Director and Group Operations Director have sole responsibility for governance across EMA.

To be supported in this duty there shall be at least four independent “Trustee Advisors”, who will provide support, counsel and guidance as detailed above. These individuals will include parental and student representatives.

Other staff members of EMA may participate in meetings to present reports and information, these staff shall be recorded as ‘in attendance’ at meetings but will not have voting rights.

### **3.7. Trustee Advisor Board Meetings**

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The agenda and any paperwork for a meeting will be circulated to attendees at least five working days in advance of the meeting; by exception, urgent documents can be presented at the meeting.

An annual agenda cycle with proposed meeting dates will normally be agreed upon during the autumn meeting; this will be kept under review throughout the year and can be amended, as necessary. It is expected that there will be a meeting at least once per term.

Over the course of an academic year the meetings will cover all aspects of EMA's educational provision; with the exception of detailed financial analysis.

At each meeting attendees will receive a Termly Report, detailing salient matters such as OFSTED compliance; yearly safeguarding; health and safety; enrolment, curriculum planning, staffing, and updates on the Quality Improvement Plan and Self-Assessment Report.

EMA will provide a member of staff to take minutes of the meeting and circulate these within 7 working days of the meeting.

Trustee Advisors may submit reasonable travel expenses to EMA for reimbursement of attendance to meetings.

### **3.8. Trustee Advisor action plan**

At the first meeting of the year (usually September), the SMT will discuss and agree with the Trustee Advisors an action plan for the Trustee Advisors to work through during an academic year. It is expected that an update from this is presented by a nominated Trustee Advisor at each subsequent meeting, detailing progress made on issues identified.

### **3.9. Board reports**

Various reports are to be received by the Board throughout the year, these should focus on roles and targets. The purpose of report analysis is to review how planning is completed, and audit how progress is measured and assessed. It is also a mechanism to reflect on lessons learned and shared best practice.

## **4. Roles & responsibilities**

The majority shareholders of EMA, namely the Managing Director and Operations Director have sole judgment on both strategic and operational issues raised during the meetings.

Trustee Advisors, or other EMA staff, invited to meetings do not have voting rights, but are encouraged to provide reasonable counsel to both strategic and operational issues raised during the meetings.

## **5. Implementation**

The majority shareholders at EMA have overall responsibility for the implementation of this policy; however, all attendees to any Trustee advisory Board Meeting are required to adhere to and support its implementation.

All members of EMA SMT are to be made aware of any changes to this policy.

## **6. Support, advice and communications**

Requests for further advice, support or implementation guidance on this policy can be obtained from the Managing Director, Operations Director or Group Compliance & Risk Manager.

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## 7. Review

These Terms of Reference will be reviewed annually, following which the revision number and date will be updated to ensure that all concerned always know that they are referencing the document.

Should there be a need to change the content of the policy before its annual review date then please send a notification to [compliance@employmyability.org.uk](mailto:compliance@employmyability.org.uk)

## 8. Associated documents

Trustee Advisory Board Meeting Timings and Agenda.

Trustee Advisory Board Minutes.

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