

EXETER ROYAL ACADEMY FOR DEAF EDUCATION

SCHEME OF DELEGATIONS

NOTE

Exeter Royal Academy for Deaf Education (ERADE) is a registered charity.

The School and College and Rolle House are part of the Exeter Royal Academy for Deaf Education charity but managed as separate 'operating divisions'. They share a range of services run centrally by the charity such as Fundraising, Human Resources, Finance, Information Technology, Facilities Management and Marketing.

The School and College is a non-maintained residential special school for Deaf children and young people between the ages of 4 – 19 and a specialist post -16 college for Deaf young people aged 16 – 25.

Rolle House is a registered Children's Home specialising in caring for children and young people aged between 5 and 17 years who are Deaf or hearing impaired.

Governance responsibilities of the Academy Governing Body (School and College) and the Children's Home Management Committee are independent of each other and both report directly to the Board of Trustees.

The Designated Safeguarding Lead covers all aspects of the charity's work.

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1. INTRODUCTION

- 1.1 Exeter Royal Academy for Deaf Education ("the Academy") is a company limited by guarantee which is registered with the Charity Commission. The Academy's charitable objects are set out in Article 4 of its Articles of Association ("the Articles") as being: -
- to provide education, training, care, accommodation, leisure opportunities, welfare and other support services to deaf people and people who are not deaf but who, due to some other disability, would benefit from the same (principally though not exclusively from the counties of Devon, Cornwall, Somerset and Dorset) with the object of developing their personal, mental, physical and spiritual capacities so that they may realise their full potential as individuals and members of their communities and society as a whole and so that their condition of life may be improved; and
 - to educate the general public in the needs and capabilities of deaf people with a view to achieving greater integration between deaf and hearing communities.
- 1.2 It is the duty of the Academy's board of trustees ("the Board of Trustees") to direct the Academy's affairs in such a way as to promote its charitable objects. In accordance with the definition in Section 177 Charities Act 2011 the directors are also the Academy's charity trustees ("the Trustees"), being those, "having the general control and management of the administration" of the Academy.
- 1.3 Article 26.1 of the Articles sets out the primary functions of the Board of Trustees. These functions include a responsibility to delegate its powers to committees in accordance with Article 31 and Article 32 of the Articles as appropriate with the aim that informed decisions be taken effectively and swiftly. The purpose of this document is to set out this framework of delegations and to clarify the basis on which the committees established by the Board of Trustees are to operate.

THE NOLAN PRINCIPLES

In undertaking their duties, the Trustees and Governors of Exeter Royal Academy for Deaf Education will uphold the Nolan Principles, the Seven Principles of Public Life (as defined by the Committee for Standards in Public Life):

- **Selflessness** Holders of public office should act solely in terms of the public interest.
- **Integrity** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.
- **Honesty** Holders of public office should be truthful.
- **Leadership** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

2. GOVERNING BODY – INSTRUMENT OF GOVERNANCE

2.1 The responsibility for governing the school and college must be shared by the whole Governing Body. Every Governor has a role in promoting good governance, and in supporting students, staff and parents and the role of the school and college in the community and with regulatory bodies.

2.2 The role and purpose of the Governing Body is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for education safeguarding and financial performance.

2.3 The three core functions of the governing board are:

- (i) Ensuring clarity of vision, ethos and strategic direction
- (ii) Holding executive leaders to account for the education and safeguarding performance of the organisation and its students, and the performance management of staff
- (iii) Overseeing the financial performance of the organisation and making sure its money is well spent.

2.4 To deliver these responsibilities effectively the Governing Body must:

- (i) Set and model the culture, values and ethos of the school and college.
- (ii) Establish the right balance between supporting school and college leaders and providing constructive challenge,
- (iii) Hold school leaders to account for the quality of the school and college's provision and its impact on outcomes for students,
- (iv) Focus on the question "What difference is this going to make for the students and how will we know the impact?"

2.5 Terms of Reference

- (a) Pursuant to Articles 31 and 32 of the Articles the Governing Body has delegated authority from the Board of Trustees to oversee the management and conduct of both the school which the Academy operates for the education of deaf students aged 16 or under ("the School") and the college which the Academy operates for the education of deaf students aged 19 or over ("the College") in accordance with the Articles of Government (Annex 1).
- (b) The Board of Trustees has delegated powers necessary to manage and conduct the School and the College to the Governing Body to include financial management of the School & College except that the Board of Trustees retains the following: -
 - power to amend any of the provisions in relation to the Governing Body in this Scheme of Delegations and to amend the Articles of Government;
 - power to revoke at any time the delegation of its powers to the Governing Body;
 - full powers in relation to any of the Academy's property; and
 - powers of investment conferred upon the Board of Trustees in Article 5 of the Academy's Articles.

3. Membership

3.1 The Chair of Governors, or a nominated person acting on the Chair's behalf, is responsible for the process of identification of potential Governors. A Governor skills audit will be used to identify any gaps in the skills required for the Governing Body to operate effectively. The agreed selection process will be followed and the Chair will make a formal recommendation for appointment to the Governing Body. Safeguarding checks will be completed prior to an appointment being confirmed.

Subject to Clause 3.2, membership of the Governing Body shall be up to a maximum number of 17 and shall comprise: -

- (a) up to 4 Trustees nominated by the Board of Trustees from time to time;
- (b) one teacher from either the School or the College who is elected by the teaching staff of the School and the College, and one member of the non-teaching staff from either the School or the College who is elected by the non-teaching staff of the School and the College ("Staff Governors"), to serve for a period of four years from the date of his/her election. A Staff Governor must not be the parent of a student at either the School or the College nor an elected member or employee of the local authority which has appointed a Local Authority Governor under clause (3.1(c));
- (c) one individual who is appointed by a local authority which is responsible for placing students at either the School or the College and who has a special interest in the educational needs of the students. Such individual is to be appointed by the local authority in question to serve for a period of four years from the date of his/her appointment subject to clause 3.2 and shall be eligible for re-appointment for a further consecutive period of office of four years ("Local Authority Governor"). A Local Authority Governor must not be a member of staff of either the School or the College nor a parent of a student at either the School or the College;
- (d) the Principal of the Academy or nominated deputy(s). Nomination of a deputy(s) must be agreed with the Chair of Governors;
- (e) two persons elected by, or appointed to represent, parents of children at the School and College, taking account as far as is reasonable, the results of elections held at which all parents of students of the School and College are given the opportunity to vote, to serve for a period of four years from the date of his or her election; and
- (f) any other individuals co-opted to membership of the Governing Body in accordance with Clause 3.5 (each a "Co-Opted Governor").
- (g) Any individuals co-opted to membership may hold office for a period of up to four years from the date of their appointment and shall be eligible for re-appointment for a further consecutive period of office of up to four years. An initial term of office will be determined by the Governing Body on the advice of the Clerk to ensure Governor succession planning is secure and provides appropriate continuity of support and knowledge for the Governing Body to fulfil its responsibilities.
- (h) In exceptional circumstances co-opted members who have served eight consecutive years of office may have the term of office extended on an annual basis subject to regular review.

3.2 An individual may not be a Governor: -

- (a) unless s/he has signed a written declaration of his/her willingness to act in conformity with this Scheme of Delegations and the Academy's Articles;

- (b) unless s/he is aged 18 or over at the date of his/her election or appointment;
- (c) if it would mean that the number of Governors who are Trustees would comprise a majority of the total membership of the Governing Body; or
- (d) if s/he fails to maintain a satisfactory Disclosure and Barring Service (Enhanced) report.

3.3 A technical defect in the appointment of a Governor shall not invalidate any of Governing Body acts or decisions taken in good faith.

3.4 Election of Staff Governors

- (a) An Election for a Staff Governor shall ordinarily be organised by the Clerk during the two months preceding the date on which the term of office for an existing Staff Governor is due to expire. Nominations forms shall be issued to all permanent teaching and/or non-teaching staff of the School and College (as appropriate). Completed nomination forms shall be sent to the Clerk by a date which s/he specifies, and such nominations shall indicate the consent of the candidate.
- (b) All permanent teaching and/or non-teaching staff of the School and College (as appropriate) shall be issued with an appropriate voting form indicating the candidates for which they can vote, and these are to be returned to the Clerk by a date which s/he specifies. The results of the election shall be published within five working days thereafter.
- (c) In the event that there are insufficient candidates to fill the vacancies that exist for Staff Governors, the Governing Body may, following consultation with the teaching and / or non-teaching permanent staff (as appropriate) co-opt a member of staff as appropriate to serve for a period of one year from the date of his/her co-option subject clause 3.2.

3.5 Co-option

- (a) In the event of a casual vacancy for a Staff Governor or Local Authority Governor, the Governing Body shall have the ability, subject to Clause 3.2, to co-opt an individual to membership from the relevant category of person to fill the casual vacancy only for the unexpired term of office of the Governor in whose place s/he has been appointed.
- (b) Subject to Clauses 3.1 and 3.2, the Governing Body may also co-opt individuals to serve as Governors for a period of up to four years from the date of their appointment. Any individual co-opted in accordance with this clause must not be a member of staff of either the School or the College, nor a parent of a student at either the School or the College nor an elected member or employee of the Local Authority which has appointed a Local Authority Governor under clause 3.1(c).

3.6 Chair and Vice-Chair

The Chair and Vice-Chair of the Governing Body shall each be appointed by the Board of Trustees for such periods as the Board of Trustees shall determine from time to time. The Chair of the Governing Body shall normally be a Trustee. In exceptional circumstances the Trustees may appoint a Chair of the Governing Body who is not also a Trustee.

3.7 Termination of Membership

A Governor shall cease to hold office if:-

- (a) in the case of a Governor who is not a Trustee: -

- (i) s/he resigns by written notice to the Clerk
 - (ii) s/he is absent from three consecutive meetings of the Governing Body without good reason and the Governing Body resolves (by a 75% majority of those present and voting) that s/he should be removed;
 - (iii) s/he is a Staff Governor or the Local Authority Governor or a Co-opted Governor and s/he comes to the end of his/her term of office;
 - (iv) s/he is a Staff Governor and s/he ceases to be employed by either the School or the College as a permanent member of staff or s/he becomes a parent of a student at either the School or the College or an elected member or employee of the Local Authority which has appointed a Local Authority Governor under clause 3.1(c);
 - (v) s/he is the Local Authority Governor and s/he is removed by the Local Authority which appointed him/her, or s/he becomes a member of staff at either the School or the College or the parent of a student at either the School or the College;
 - (vi) s/he is the Principal of the Academy and s/he ceases to hold office as such;
 - (vii) in the view of the Chair of Trustees and Chair of Governors, the behaviour or conduct of a Governor has the potential to bring the reputation of the Academy into disrepute. This includes, but not exclusively, conduct that would undermine the confidence of parents, local authority funders and/or potential charitable donors;
 - (viii) s/he fails to maintain a satisfactory Disclosure and Barring Service (Enhanced) report.
- (b) In the case of a Governor who is a Trustee, s/he ceases to hold office as a Trustee, unless they are willing to continue to serve as a Governor and they are appointed as a Co-Opted Governor pursuant to clause 2.6.

3.8 Meetings

- (a) The Governing Body shall meet whenever necessary but no less than six times a year. The Clerk shall give written notice of the meeting date and agenda at least seven days in advance of the meeting unless, in the opinion of the Chair, exceptional and urgent circumstances exist.
- (b) If the Chair of the Governing Body is absent, or unwilling to take the chair, then the Vice-Chair of the Governing Body shall preside at the meeting.
- (c) A Governor may be part of the quorum at a meeting of the Governing Body if he or she can understand, comment and vote on the proceedings through telephone, video conferencing or other communications equipment.
- (d) The quorum for meetings of the Governing Body is six Governors.
- (e) Matters arising at a meeting of the Governing Body are to be decided by a simple majority of votes, each Governor is to have one vote.
- (f) If there is an equality of votes the Chair is entitled to a second or casting vote.
- (g) If a meeting of the Governing Body remains inquorate for 15 minutes after its starting time or becomes inquorate for more than 15 minutes the Governors present may act only to adjourn the meeting to such other time and place as they decide.

- (h) If at the adjourned meeting there are again insufficient Governors present within 15 minutes from the time of the adjourned meeting to constitute a quorum then those Governors who are present (provided that they number at least two) shall constitute a quorum for the purpose of allowing any business of the adjourned meeting to be conducted.
- (i) A written resolution signed by a majority of the Governors will be as valid as if the decision had been passed at a meeting.
- (j) Minutes of all meetings of the Governing Body must be made and signed as an accurate record by the governor who chaired the meeting at the time at which they were approved. A copy of all minutes must be sent to the Clerk for distribution to all the Trustees.

3.9 The Clerk to the Board of Trustees shall act as clerk to the Governing Body unless a decision is taken by the Governing Body to appoint somebody else to act as clerk.

3.10. Conflict of Interests

- (a) A Register of Interests declared will be available for inspection at every meeting. Declaration of Interests will be a standing agenda item. Governors must declare any interest in any agenda item before commencement of the consideration.
- (b) Governors shall deal with any conflicts of interest in accordance with Article 25 of the Academy's Articles of Association.

Sub Committees of the Governing Body

4.1 The Governing Body will establish three Board sub committees:

- (a) Finance and Resources Committee (FRC)
- (b) Education Standards Committee (ESC)
- (c) Care and Safeguarding Standards Committee (CSSC)

4.2 All sub committees should agree a vice chair from amongst their number to provide for support to the chair, succession planning and continuity (organisational memory). The purpose and terms of reference for each committee is set out below, each sub committee will report to the full Governing Body at every meeting unless otherwise agreed by the Chair in consultation with the sub committee Chair.

4.3 Representation to the Governing Body – all sub committees will confirm to the Governing Body that it is compliant with its Terms of Reference, receives reports from all relevant senior leaders and/or sub committees and has reported to the Governing Body all matters, where in the opinion of the Committee, a key risk or action has not, or is unlikely to be appropriately controlled or executed.

4.4 Safeguarding is not a single action, it is a way of working. It cuts across many different policies and procedures, including child and vulnerable adult protection, behaviour and physical intervention, relevant medical policies, health and safety, recruitment, anti-bullying strategies and liaison with external agencies. All parts of the Exeter Royal Academy for Deaf Education will embed this approach in their way of working and comply with all policies and procedures in place to safeguard students.

5. FINANCE AND RESOURCES COMMITTEE (FRC)

5.1 Terms of Reference

- (a) The purpose of the Finance and Resources Committee is to oversee the finance and resources performance of the School and College and making sure its money is well spent, resources are effectively deployed, and health and safety responsibilities are appropriately discharged.
- (b) The Finance and Resources Committee has delegated authority from the Governing Body to oversee the financial administration and resourcing of the School & College.
- (c) **Representation to the Governing Body** - the Finance and Resources Committee will confirm to the Governing Body that it is compliant with its Terms of Reference, receives reports from all relevant senior leaders and/or sub committees and has reported to the Governing Body all matters, where in the opinion of the Committee, a key risk or action has not, or is unlikely to be appropriately controlled or executed.
- (d) The Committee will review the Terms of Reference no less than annually and where necessary make recommendations to the Governing Body for amendment.
- (e) The main duties of the Finance and Resources Committee are: -

Finance

- (i) to oversee and provide assurance to the Governing Body on the performance and delivery and setting of key objectives for the Finance service provided to the School and College.
- (ii) to ensure that the School and College operates within the approved budget and financial parameters set by the Governing Body;
- (ii) to advise the Governing Body on the financial implications arising from its decisions;
- (iii) to review longer term forecasts of capital resources and of income and expenditure, and to review and monitor financial trends within the School and College: to advise on, scrutinise and evaluate a draft annual budget for the approval of the Governing Body, ensuring that it is compatible with, and supports, the Academy's objects and the strategic, business and annual plans;
- (iv) to work with the Principal and other senior executive staff to ensure that financial information is both accurate and presented in such a way that it facilitates good governance and management;
- (v) to contribute to the development of non-financial information and a set of KPIs;
- (vi) to consider the School and College's monthly management accounts and monitor performance against the approved budget;
- (vii) to approve, within the criteria specified by the Governing Body, expenditure of a significant nature on new initiatives;
- (viii) to ensure that effective and appropriate student recruitment arrangements are in place and to monitor and evaluate the impact of student recruitment on the School and College's financial position.

Human Resources

- (i) to oversee and provide assurance to the Governing Body on the performance and delivery and setting of key objectives for the HR service provided to the School and College.
- (ii) in consultation with senior staff to recommend to the Governing Body the staffing structure of the School and College;
- (iii) to review and recommend to the Governing Body, a Performance Management Policy for the School and College and monitor compliance;
- (iv) to recommend the performance management process for senior staff in the School and College to the Governing Body. The performance process for the Principal once accepted by the Governing Body will be recommended to the Board of Trustees for approval.
- (iv) for the School and College, to recommend pay awards on the advice of senior staff to review HR policies, including performance management, remuneration, training and development, discipline, pension provision or any other HR matter relating to the School and College to the Governing Body;
- (v) to ensure effective information governance practices are in place;
- (vi) to receive regular report on performance against agreed HR KPIs, including appraisal completion rates, and findings of periodic audits of compliance with HR policies;
- (vii) the Committee will seek assurance of compliance with employment practices linked to safeguarding risk management no less than 3 times per year. The results of the safeguarding audit will be discussed with the Care and Safeguarding Standards Committee and a joint assurance statement issued to the Governing Body at least annually;
- (viii) to contribute to the development of an HR strategy for the School and College;
- (ix) to ensure Governor involvement in contributing to the specification and selection of senior management appointments within the School and College.
- (x) To monitor working levels of BSL/Alternative Communication to ensure students have appropriate access to the Academy in their preferred language.
- (xi) To review the annual complaints report

Information Technology

- (i) to provide advice and act as a sounding board to the Senior Leadership Team on IT matters relating to the School and College;
- (ii) to ensure effective information governance practices are in place and all legal responsibilities are adequately discharged;
- (iii) to contribute to an IT Strategy for the School and College;
- (iv) to ensure School and College policies for email/internet usage, network and applications security and remote working are appropriate and comprehensive;

- (v) to ensure that the purchasing of School and College IT conforms to good procurement practice;
- (vi) to review the content of the School and College website and ensure it is accurate and promotes the correct image for the School and College;
- (vii) to ensure that data backup and recovery plans are in place for the School and College and are regularly tested;
- (viii) to ensure that where significant IT purchase/upgrades are proposed for the School and College there is a well thought-through business case, a fit with the IT Strategy and measurable criteria to assess their eventual success;
- (ix) for projects of any size within the School and College, to ensure that there is a project manager, a detailed project plan and that key staff are not overloaded;
- (x) to ensure that IT helps the School and College to comply with legislation and statutory reporting operational effectiveness;
- (xi) to receive regular report on performance against agreed IT KPIs and findings of periodic audits of compliance with IT policies;
- (xii) to ensure that the School and College is compliant with the General Data Protection Regulation (GDPR);
- (xiii) the Committee will seek assurance of compliance with email/internet policies linked to safeguarding risk management no less than 3 times per year. The results of the IT safeguarding audit will be discussed with the Care and Safeguarding Standards Committee and a joint assurance statement issued to the Governing Body at least annually.

Facilities Management

- (i) to oversee and provide assurance to the Governing Body on the performance and delivery of key objectives for the facilities management and service provided to the School and College;
- (ii) to ensure advice is available to the Director of Finance and Resources and that appropriate action on Health and Safety matters is taken with the School and College;
- (iii) to obtain any necessary external professional advice to enable the Finance and Resources Committee to carry out its responsibilities more effectively, including arranging for such external adviser(s) to attend meetings and give advice as appropriate.

A summary of actions and points of note of all meetings, including new policy approval or policy amendment, of the Finance and Resources Committee will be sent to the Board of Trustees via the Governing Body.

5.2 Membership

Membership of the Finance and Resources and Committee shall comprise:

- (i) the Chair of the Finance and Resources Committee shall be appointed by the Board of Trustees for such period as the Board of Trustees shall determine from time to time;

- (ii) not less than 3 members of the Governing Body (“Governor Members”) who shall be appointed by the Governing Body for such periods as the Governing Body shall determine from time to time, at least one of whom shall be a Trustee;
- (iii) the Academy's-Principal;
- (iv) the Director of Finance and Resources; and
- (v) the Assistant Principal for Education

When the committee is dealing with matters of remuneration for Senior Leadership Team staff the Senior Leadership Team members of the Committee will absent themselves from the meeting. Remuneration for very senior leaders will be a matter reserved for Governing Body approval of a recommendation from a sub group of the Committee.

5.3 Chair

The Chair of the Finance and Resources Committee shall be appointed by the Board of Trustees following a recommendation from the Governing Body appointed for such period as the Board of Trustees shall determine from time to time. Should the Chair not be a Trustee Governor, a Trustee Governor shall be a member of the Committee.

5.4 Termination of Membership

A member of the Finance and Resources Committee shall cease to hold office if: -

- (a) s/he resigns by written notice to the Clerk;
- (b) the Governing Body resolves (by a 75% majority of those present and voting) to recommend to the Board of Trustees that s/he should be removed;
- (c) s/he is a Governor and ceases to be a Governor;
- (d) s/he is a Trustee and s/he ceases to hold office as a Trustee of the Academy and is not continuing to hold office as a Governor;
- (e) membership of the Committee will automatically terminate on the resignation or termination of employment for staff members.

5.5 Meetings

- (a) The Finance and Resources Committee shall meet whenever necessary but **not** less than six times per year. The Clerk shall give written notice of the meeting date and agenda at least seven days in advance of the meeting unless, in the opinion of the Chair, exceptional and urgent circumstances exist.
- (b) If the Chair of the Finance and Resources Committee is absent from or unwilling to take the chair at any meeting then the members shall, before any other business is transacted, choose one of the Governor Members who is present to preside at the meeting.
- (c) The quorum for meetings of the Finance and Resources Committee is three members of whom at least two must be Governors.
- (d) A member may be part of the quorum at a meeting of the Finance and Resources Committee if s/he can understand, comment and vote on the proceedings through telephone, video conferencing or other communications equipment.
- (e) Matters arising at a meeting of the Finance and Resources Committee are to be decided by a simple majority of votes.

- (f) If there is an equality of votes the Chair is entitled to a second or casting vote.
- (g) If a meeting of the Finance and Resources Committee remains inquorate for 15 minutes after its starting time or becomes inquorate for more than 15 minutes the members present may act only to adjourn the meeting to such other time and place as they decide.
- (h) If at the adjourned meeting there are again insufficient members present within 15 minutes from the time of the adjourned meeting to constitute a quorum then those members who are present (provided that they number at least two) shall constitute a quorum for the purpose of allowing any business of the adjourned meeting to be conducted.
- (i) The Chair of the Finance and Resources Committee may invite any other individual to attend one of its meetings as s/he deems necessary.
- (j) Minutes of all meetings of the Finance and Resources Committee must be made and signed as an accurate record by the Governor who chaired the meeting at which they were approved. A copy of all minutes must be distributed to all Governors. Any confidential issues will be recorded in "Part Two" minutes and these will only be distributed to the members of the Finance and Resources Committee.

5.6 Conflict of Interests

Members of the Finance and Resources Committee shall deal with any conflicts of interest in accordance with the Academy's Articles of Association.

6. EDUCATION STANDARDS COMMITTEE (ESC)

6.1 Purpose and Responsibilities of the ESC are:

- (a) to oversee and provide assurance to the Governing Body on the performance and delivery and setting of key objectives for the Education service provided by the School and College.
- (b) to have oversight of and monitor performance against the teaching and learning elements of the school and college improvement plan to address the failures identified in Ofsted inspections.
- (c) to receive regular report on performance on agreed Education KPIs and findings of periodic audits of compliance with Education policies. In particular, the committee will seek assurance of compliance with Ofsted regulations and progress and ensure an assurance statement issued to the Governing Body at least annually.

6.2 Terms of Reference

- (a) The ESC has delegated authority from the Governing Body to monitor and evaluate the teaching and learning in the School and College. The purpose of the ESC is to oversee the teaching and learning performance in the School and College. It has responsibility for ensuring that all students achieve their full potential. Its remit includes monitoring and evaluating teacher performance, the curriculum, student achievement, inclusive practice, the impact of the pupil premium and other government funding streams, and parental and community links.
- (b) The Governing Body has delegated the powers necessary to oversee teaching and learning in the School & College to the ESC. The ESC must report back to the Governing Body on the exercise of its powers.
- (c) Representation to the Governing Body – the ESC will confirm to the Governing Body that it is compliant with its Terms of Reference, continues to receive reports from all relevant senior leaders and/or sub committees and has reported to the Governing Body all matters, where in the opinion of the Committee, a key risk or action has not, or is unlikely to be appropriately controlled or executed.
- (d) The Committee will review the Terms of Reference no less than annually and where necessary make recommendations to the Governing Body for amendment.
- (e) The main duties of the ESC are:

Curriculum

- (i) To agree and recommend to the Governing Body the School and College's curriculum policy and to monitor implementation of changes to the Academy's curriculum in line with national and local guidelines and requirements;
- (ii) To receive information from the Principal and the staff about how the curriculum is taught, evaluated and resourced;
- (iii) To agree the policies for collective worship, religious education, safeguarding education and sex education for the Academy;
- (iv) To agree the arrangements for educational visits and ensure that they are in line with current guidance (link to Health and Safety);

- (v) To agree any specific involvement by individual Governors in curriculum areas (link to School and College Improvement Plan);
- (vi) To agree and recommend to the Governing Body policy, protocol and timetable for Governor visits to the School and College.

Inclusion

- (i) To ensure the needs of looked after children are met through the agreements and review of the relevant policy.
- (ii) To ensure that the Academy meets the statutory requirements relating to equality legislation.
- (iii) To monitor student attendance and set targets as necessary.

Academy Improvement

- (i) To contribute to strategic planning within the Academy and to the creation of the Improvement Plan for education specifically, and to recommend this to the Governing Body.
- (ii) To review and evaluate at least annually with the Principal progress against the key milestones and deliverables of the Improvement Plan and report to the Governing Body.
- (iii) To agree with the Governing Body formal monitoring arrangements in respect of the Improvement Plan and report progress to the Governing Body at least termly.
- (iv) To monitor, review and make changes to the Academy Self Evaluation Process.
- (v) To review the data in the autumn term and report key messages on Academy performance, including benchmarking information, to the Governing Body.
- (vi) To recommend the annual statutory targets for student achievement to the Governing Body.

Community & Parent links

- (i) To assist the Principal in promoting good relationships and communication with parents and the community.
- (ii) To regularly receive updates on publicity and any related issues as required.
- (iii) To review the Academy prospectus and website.
- (iv) To ensure a complaints procedure is in place and monitored (link to safeguarding).
- (v) To ensure the Governing Body duties on student record keeping, disclosure of student information and student reports are fulfilled.
- (vi) To encourage wider networking with other schools and colleges both locally and nationally.

6.3 A summary of actions points and of note of all meetings including new policy approval or policy amendment, of the Education Standards Committee will be sent to the Board of Trustees via the Governing Body.

6.4 Membership

Membership of the Education Standards Committee (ESC) shall comprise: -

- (a) the Chair, appointed by, the Board of Trustees on the recommendation of the Governing Body;
- (b) no more than five members of the Governing Body, who shall be appointed by the Governing Body for such periods as the Governing Body shall determine from time to time;
- (c) the Local Authority Governor;
- (d) the Principal;
- (e) a member of the senior education staff nominated by the Principal.

An individual may not be a member of the ESC: -

- (a) unless s/he has signed a written declaration of his/her willingness to act in conformity with this Scheme of Delegations and the Academy's Articles of Association;
- (b) unless s/he is aged 18 or over at the date of his/her election or appointment.
- (c) A technical defect in the appointment of a member of the ESC shall not invalidate any of the committees acts or decisions taken in good faith.

6.5 Chair

The Chair of the ESC shall be appointed by the Board of Trustees on the recommendation of the Governing Body.

6.6 Termination of Membership

A member of the ESC shall cease to hold office if:-

- (a) s/he resigns by written notice to the Clerk;
- (b) the Governing Body resolves (by a 75% majority of those present and voting) that s/he should be removed;
- (c) s/he is a Trustee and s/he ceases to hold office as a Trustee and is not continuing to hold office as a Governor;
- (d) s/he is a Governor and ceases to be a Governor;
- (f) membership of the Committee will automatically terminate on the resignation or termination of employment for staff members.

6.7 Meetings

- (a) The ESC shall meet whenever necessary but at least no less than once every half-term. The Clerk shall give written notice of the meeting date and agenda at least

seven days in advance of the meeting unless, in the opinion of the Chair, exceptional and urgent circumstances exist.

- (b) If the Chair of the ESC is absent from or unwilling to take the chair at any meeting then the members shall, before any other business is transacted, choose one of the Governor Members who is present to preside at the meeting.
- (c) The quorum for meetings of the ESC is three members of whom at least two must be Governor Members who are not members of staff.
- (d) A member may be part of the quorum at a meeting of the ESC if he or she can understand, comment and vote on the proceedings through telephone, video conferencing or another communications equipment.
- (e) Matters arising at a meeting of the ESC are to be decided by a simple majority of votes.
- (f) If there is an equality of votes the Chair is entitled to a second or casting vote.
- (g) If a meeting of the ESC remains inquorate for 15 minutes after its starting time or becomes inquorate for more than 15 minutes the members present may act only to adjourn the meeting to such other time and place as they decide.
- (h) If at the adjourned meeting there are again insufficient members present within 15 minutes from the time of the adjourned meeting to constitute a quorum then those members who are present (provided that they number at least two) shall constitute a quorum for the purpose of allowing any business of the adjourned meeting to be conducted.
- (i) The Chair of the ESC may invite any other individual to attend one of its meetings as s/he deems necessary.
- (j) Minutes of all meetings of the ESC must be made and signed as an accurate record by the member who chaired the meeting at the time of approval. A copy of all minutes must be sent to the Clerk for distribution to all the Trustees and Governors. Any confidential issues will be recorded in "Part Two" minutes and these will only be distributed to the members of the ESC.

6.8 Conflict of Interests

Members of the ESC shall deal with any conflicts of interest in accordance with Article 25 of the Academy's Articles.

7. CARE AND SAFEGUARDING STANDARDS COMMITTEE (CSSC)

7.1 Purpose and Responsibilities of the CSSC:

- (a) The CSSC is to be responsible on behalf of the Governing Body for debating and discussing the safeguarding work of the School and College and making recommendations to the Governing Body on any significant changes in safeguarding practice and policy.
- (b) Safeguarding is not a specific action but more a way of working. It cuts across many different policies and procedures, includes child and vulnerable adult protection, behaviour and physical intervention, relevant medical policies, health and safety, recruitment, anti-bullying strategies and liaison with external agencies. The CSSC is responsible for ensuring all cross-cutting themes within safeguarding are monitored and cross referenced.
- (c) **Representation to the Governing Body** - the Care and Safeguarding Committee will confirm to the Governing Body that it is compliant with its Terms of Reference, receives reports from all relevant senior leaders and/or sub committees and has reported to the Governing Body all matters, where in the opinion of the Committee, a key risk or action has not, or is unlikely to be appropriately controlled or executed.
- (d) As part of its remit the CSSC has authority to review the effectiveness of the School and College's behaviour management strategies, to monitor incidents, to review trends, and to recommend changes in practice to improve outcomes for students to the Governing Body.
- (e) To receive regular report on performance on agreed Education KPIs and findings of periodic audits of compliance with Education policies. In particular the committee will seek assurance of compliance with Ofsted regulations and progress and ensure an assurance statement issued to the Governing Body at least annually.

Terms of Reference

- (a) To ensure arrangements for the creation, monitoring and review of safeguarding policies including the Child & Vulnerable Adults Protection and Protect policy, Behaviour policy and Physical Intervention policy are in place and operate effectively.
- (b) To systematically review the different aspects to safeguarding and behaviour management and their implementation within the School & College and make recommendations for change to the Governing Body.
- (c) To review the effectiveness of the training that is given to Staff and Governors in child and vulnerable adult protection.
- (d) To receive regular report on performance on agreed Safeguarding and Behaviour Management KPIs and finding of periodic audits of compliance with Safeguarding and Behaviour Management policies and cross cutting themes.
- (e) The committee will discuss assurance of compliance with employment practices linked to Safeguarding risk management no less than 3 times per year. The results of Safeguarding audits produced will be discussed with the

Finance and Resources Committee and a joint assurance statement issued to the Governing Body at least annually.

- (f) To be aware of the changing expectations of parents, Ofsted, central government, local government and others regarding safeguarding and behaviour management and to ensure the School & College's practice always meets these expectations.
- (g) To have a responsibility for co-ordinating the safeguarding aspects to the self-evaluation process.
- (h) To seek assurance from Finance and Resources Committee on effective audit of compliance with recruitment procedures and other HR policies to ensure they comply fully with safeguarding requirements. To review the procedures taken when liaising with external agencies over child and vulnerable adult protection concerns.
- (i) To review the current campus, identifying areas that may present risks to students and recommending actions to alleviate these risks.
- (j) To input directly into the decision-making process over the design and use of the new School and College from a safeguarding and behaviour management perspective.
- (k) To review students' access to advocacy and ensure they know how they can raise concerns in BSL without needing to communicate with Academy staff.
- (l) To review the annual complaints report.
- (m) To consider the external agencies based on the Exmouth campus, and its implications on safeguarding.
- (n) To explore research proposals for developing our safeguarding practice.
- (o) To discuss anticipated changes in legislation and ensure plans are established to ensure the School and College fully complies with legislation.
- (p) To look at the safeguarding aspects to our assessment, recruitment and induction of new students and make recommendations to improve practice.
- (q) To identify areas of good practice and discuss means of spreading good practice throughout the Academy.
- (r) To review our links with our education and care providers and ensure that there is a synergy and synchronicity between the safeguarding practices, procedures and policies.
- (s) To review behaviour management incidents, identify any underlying causes and examples of good practice, and make recommendations to the Governing Body on any changes in current practice.
- (t) To regularly monitor the Single Central Record and make any recommendations to the Governing Body on any changes in current practice.
- (u) The Committee will review the Terms of Reference no less than annually and where necessary make recommendations to the Governing Body for amendment.

7.2 Other

- (a) To ensure advice is available to the Senior Leadership Team and Designated Safeguarding Lead and that appropriate action on safeguarding and behaviour management matters is taken with the School and College;
- (b) To obtain any necessary external professional advice to enable the CSSC to carry out its responsibilities more effectively, including arranging for such external adviser(s) to attend meetings and give advice as appropriate;
- (c) To provide actions / points of note of all CSSC meetings for review at meetings of the Board of Trustees Governors.

7.3 A summary of actions point and of note of all meetings, including new policy approval or policy amendment, of the Care and Safeguarding Standards Committee will be sent to the Board of Trustees via the Governing Body.

7.4 Membership

Membership of the Care and Safeguarding Committee (CSSC) shall comprise: -

- (a) the Chair, appointed by the Board of Trustees on the recommendation of the Board of Governors;
- (b) no more than five members of the Governing Body, who shall be appointed by the Governing Body for such periods as the Governing Body shall determine from time to time;
- (c) the Principal;
- (d) the Assistant Principal for Care
- (e) the Senior Safeguarding Caseworker

An individual may not be a member of the CSSC: -

- (a) unless s/he has signed a written declaration of his/her willingness to act in conformity with this Scheme of Delegations and the Academy's Articles of Association; or
- (b) unless s/he is aged 18 or over at the date of his/her election or appointment.

A technical defect in the appointment of a member of the CSSC shall not invalidate any of its acts or decisions taken in good faith.

7.5 Chair

The Chair of the CSSC shall be appointed by the Board of Trustees on the recommendation of the Governing Body.

7.6 Termination of Membership

A member of the CSSC shall cease to hold office if: -

- (a) s/he resigns by written notice to the Clerk;
- (b) the Governing Body resolves (by a 75% majority of those present and voting) that s/he should be removed;

- (c) s/he is a Trustee and s/he ceases to hold office as a Trustee and is not continuing to hold office as a Governor;
- (d) s/he is a Governor and ceases to be a Governor;
- (e) membership of the Committee will automatically terminate on the resignation or termination of employment for staff members.

7.7 Meetings

- (a) The CSSC shall meet whenever necessary but no less than once every half- term. The Clerk shall give written notice of the meeting date and agenda at least seven days in advance of the meeting unless, in the opinion of the Chair, exceptional and urgent circumstances exist.
- (b) If the Chair of the CSSC is absent from or unwilling to take the chair at any meeting then the members shall, before any other business is transacted, choose one of the Governor Members who is present to preside at the meeting.
- (c) The quorum for meetings of the CSSC is three members of whom at least two must be Governor Members.
- (d) A member may be part of the quorum at a meeting of the CSSC if he or she can understand, comment and vote on the proceedings through telephone, video conferencing or other communications equipment.
- (e) Matters arising at a meeting of the CSSC are to be decided by a simple majority of votes.
- (f) If there is an equality of votes the Chair is entitled to a second or casting vote.
- (g) If a meeting of the CSSC remains inquorate for 15 minutes after its starting time or becomes inquorate for more than 15 minutes the members present may act only to adjourn the meeting to such other time and place as they decide.
- (h) If at the adjourned meeting there are again insufficient members present within 15 minutes from the time of the adjourned meeting to constitute a quorum then those members who are present (provided that they number at least two) shall constitute a quorum for the purpose of allowing any business of the adjourned meeting to be conducted.
- (i) The Chair of the CSSC may invite any other individual to attend one of its meetings as s/he deems necessary.
- (j) Minutes of all meetings of the CSSC must be made and signed as an accurate record by the member who chaired the meeting. A copy of all minutes must be sent to the Clerk for distribution to all the Trustees and Governors. Any confidential issues will be recorded in "Part Two" minutes and these will only be distributed to the members of the CSSC.

7.8 Conflict of Interests

Members of the CSSC shall deal with any conflicts of interest in accordance with Article 25 of the Academy's Articles of Association.

8 ROLLE HOUSE – INSTRUMENT OF GOVERNANCE

8.1 Terms of Reference Children’s Home Management Committee

8.2 Purpose:

To provide strategic oversight and accountability to the Board of Trustees for the operation of children’s homes within the Exeter Royal Academy for Deaf Education.

8.3 Membership:

Principal

Trustee

Assistant Principal for Care/Responsible Individual

Director of Finance and Resources

Registered Manager – Rolle House

8.4 Organisation of meetings:

Meetings to be chaired a Trustee appointed by the Board of Trustees and organised by the Principal. Agenda and minutes to be prepared by the Executive Personal Assistant.

8.5 Frequency of Meetings:

3 x Annually

8.6 Accountability:

The committee will be accountable to the Board of Trustees.

8.7 Responsibilities:

- (a) The review and approval of policies and procedures specific to the operation of the children’s home not otherwise given oversight by the Board of Trustees, ensuring that these are consistent with overarching Academy policies and aims and that regulatory and statutory requirements are satisfied.
- (b) To ensure that appropriate arrangements are in place in respect of safeguarding, child protection and welfare.
- (c) To review the programme of activities for children resident in the home, to ensure that these will promote their educational, social and emotional development and wellbeing.
- (d) To ensure that appropriate strategies are developed to promote stakeholder engagement and to review the ways in which the children’s home invites and acts on feedback, including complaints.
- (e) To approve and monitor quality assurance measures in relation to statutory duties, good practice and internal and external review.
- (f) To review the Service Development Plan for the children’s home: to set appropriate performance indicators and to monitor progress in achieving Plan targets on at least an annual basis.

- (g) To monitor the suitability and safety of the physical equipment.
- (h) To ensure appropriate mechanisms for the reporting and investigation (or referral for investigation) of incidents, accidents/near misses, suspected cases of child abuse or neglect, possible breaches of health and safety legislation within the children's home, and statutory reporting (e.g. of notifiable diseases).
- (i) To approve and to monitor the service budget, ensuring that the budget enables high quality outcomes for the resident children and is used efficiently.
- (j) **Agenda to include** the following standing items:
 - (i) Report from Registered Manager
 - (ii) Consideration of any external monitoring
 - (iii) Safeguarding – referrals made to LADO, OFSTED, MASH
 - (iv) Health and Safety – accidents
 - (v) Compliments and complaints
 - (vi) Service development and placement planning

9. **AMENDMENT**

The terms of this Scheme of Delegations and the Articles of Governance may be amended from time to time in writing by the Board of Trustees.