

**DIOCESE OF WESTMINSTER**

**EDUCATION SERVICE**

**FOUNDATION DIRECTORS APPLICATION FORM**

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| **Section A: Guidance** |
| **SECTION A1: DIOCESE GUIDANCE AND CHECKLISTS FOR FOUNDATION DIRECTORS** |
| The Board of Directors will consist of CAT Directors who have a good mix of knowledge, experience and skills. All CAT Directors must abide by the Seven Principles of Public Life enunciated by the Nolan Committee, which are:  **Selflessness**  Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.  **Integrity**  Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.  **Objectivity**  In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.  **Accountability**  Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.  **Openness**  Holders of public office should be as open as possible about all decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.  **Honesty**  Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects public interest.  **Leadership**  Holders of public office should promote and support these principles by leadership and example. |

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| **SECTION A2: DIRECTORS RESIGNATION AND REMOVAL UNDER THE MEMORANDUM AND ARTICLES OF THE TRUST** |
| 65.A Director shall cease to hold office if he/she resigns his/her office by notice to the Company (but only if at least three Directors will remain in office when the notice of resignation is to take effect).  66. A Director shall cease to hold office if he/she is removed by the person or persons who appointed him/her. This Article does not apply in respect of an Academy Director.  67. Where a Director resigns his/her office or is removed from office, the Director or, where he/she is removed from office, those removing him/her, shall give written notice thereof to the Secretary.  67A. Where an Additional or Further Director appointed pursuant to Articles 61, 61A or 62 ceases to hold office as a Director for any reason, other than being removed by the Secretary of State, the Secretary of State shall be entitled to appoint an Additional or Further Director in his/her place.  **DISQUALIFICATION OF DIRECTORS:**  68**.** No person shall be qualified to be a Director unless he/she is aged 18 or over at the date of his election or appointment. No current pupil of any of the Academies shall be a Director.  69. A Director shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs.  70. A Director shall cease to hold office if he/she is absent without the permission of the Directors from all their meetings held within a period of six months and the Directors resolve that his/her office be vacated.  71. A person shall be disqualified from holding or continuing to hold office as a Director if—  (a) his/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or  (b) he/she is the subject of a bankruptcy restrictions order or an interim order.  72. A person shall be disqualified from holding or continuing to hold office as a Director at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).  73. A Director shall cease to hold office if he/she ceases to be a Director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).  74. A person shall be disqualified from holding or continuing to hold office as a Director if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he/she was privy, or which he/she by his/her conduct contributed to or facilitated.  75. A person shall be disqualified from holding or from continuing to hold office as a Director at any time when he/she is:  (a) included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or  (b) disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or  (c) barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006) |
| 76. A person shall be disqualified from holding or continuing to hold office as a Director if he/she is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.  77. A person shall be disqualified from holding or continuing to hold office as a Director where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993.  78. After the first Academy has opened, a person shall be disqualified from holding or continuing to hold office as a Director if he/she has not provided to the Chair of the Board of Directors a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of the Chair confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.  79. Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Director; and he/she is, or is proposed, to become such a Director, he/she shall upon becoming so disqualified give written notice of that fact to the Secretary. |

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| **SECTION A3: DUTIES AS DIRECTOR OF A COMPANY UNDER THE COMPANIES ACT 2006** | |
| The Companies Act 2006 sets out certain duties that Directors/Governors of the Academy Trust Company must comply with:  **1. Duty to act within powers**  Directors must act in accordance with the Trust’s Articles and only exercise powers for the purposes for which they are conferred.  **2. Duty to promote the success of the company**  Directors must act in a way which s/he considers (in good faith) to be most likely to promote the success of the Trust and in doing so have regard to several matters, for example, the interests of staff and the impact of the Trust on the community and the environment.  **3. Duty to exercise independent judgment**  Directors must reflect on decisions taken and not merely follow the majority view unless convinced that it is correct.  **4. Duty to exercise reasonable care, skill and diligence**  Directors must exercise reasonable care, skill and diligence as appropriate to a reasonably diligent school governor, taking account of any particular expertise or experience they may have.  **5. Duty to avoid conflicts of interest**  Directors must avoid a situation in which s/he has, or can have, a direct or indirect interest that conflicts, or possibly may conflict with the interests of the Trust.  **6. Duty not to accept benefits from third parties**  Directors must not accept a benefit from a third party conferred by reason of being a Director or doing (or not doing) anything as a Director.  **7. Duty to declare interest in proposed transaction or arrangement with the company**  Directors must declare the nature and extent of any interest to the other Directors if s/he is in any way, directly or indirectly, interested in a proposed transaction or arrangement with the Trust. | |
| **Section B: Information** | |
| **SECTION B1: PERSONAL INFORMATION** | |
| Title |  |
| First Names |  |
| Surname |  |
| Previous names (including Maiden) |  |
| Home Address |  |
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|  |
| Home Telephone number |  |
| Mobile Telephone number |  |
| Email |  |
| Date of Birth |  |
| Place of Birth |  |
| Occupation |  |
| Name of the Catholic Academy Trust (CAT): |  |

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| Please answer the following questions and tick the appropriate column | | Yes | No |
| Are you a paid employee in the CAT or school within the Diocese? | |  |  |
| If ‘Yes’ please give details |  | | |
| Are you the parent of a pupil at any school within the CAT? | |  |  |
| If ‘Yes’ please give details |  | | |

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| **SECTION B2: BOARD SKILLS AUDIT FORM FOR POTENTIAL FOUNDATION DIRECTORS** | | | | |
| All candidates are asked to self-select against this guidance and submit this completed form by way of request to be appointed as a Foundation Director.  The Director of Education will oversee the process of appointment on behalf of the Diocese Project Board.  Please make your assessment by answering ‘Yes’ where applicable, to the questions below, making reference to the following key.  1 – Extensive Experience ; 2 – Some Experience ; 3 – Limited Experience ; 4 – No Experience | | | | |
| **Skills Audit Criteria** | **1** | **2** | **3** | **4** |
| Catholic nature of your appointment |  |  |  |  |
| School Governance in Catholic Schools |  |  |  |  |
| School Governance |  |  |  |  |
| Safeguarding |  |  |  |  |
| Education sector – Early Years |  |  |  |  |
| Education sector – Primary |  |  |  |  |
| Education sector – Secondary |  |  |  |  |
| Education sector – Post 16 |  |  |  |  |
| Education sector – Further Education |  |  |  |  |
| Education sector – High Education |  |  |  |  |
| Legislation applicable to the voluntary sector |  |  |  |  |
| Equal opportunities and diversity |  |  |  |  |

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| **Skills Audit Criteria (continued)** | | | | |
| Please make your assessment by answering ‘Yes’ where applicable, to the questions below, making reference to the following key.  1 – Extensive Experience ; 2 – Some Experience ; 3 – Limited Experience ; 4 – No Experience | | | | |
| **Operating environment:** | **1** | **2** | **3** | **4** |
| Voluntary sector |  |  |  |  |
| Public sector |  |  |  |  |
| Focus on social/political environment |  |  |  |  |
| Communication skills |  |  |  |  |
| **Management:** |  |  |  |  |
| Strategic planning |  |  |  |  |
| Project management |  |  |  |  |
| Risk management |  |  |  |  |
| Change management |  |  |  |  |
| Financial management and Budget setting |  |  |  |  |
| Data analysis |  |  |  |  |
| Funders, Bids or Procurement applications |  |  |  |  |
| Marketing and PR |  |  |  |  |
| ICT Strategy |  |  |  |  |
| Monitoring and evaluation |  |  |  |  |
| Quality assurance systems |  |  |  |  |
| Employment law and practice |  |  |  |  |
| Conflict resolution-mediation, arbitration |  |  |  |  |

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| **SECTION B3: THE PROTECTION OF CHILDREN AND YOUNG PERSONS** | | |
| This form should be completed by the person requiring clearance before the commencement of their engagement. This Declaration is intended for use in those cases where an individual wishes to work in a capacity that involves contact with children but does not require a Disclosure through the Disclosure Baring Service. This form should be used in conjunction with the other checks appropriate to the role involved as a Foundation Director. | | |
| **DECLARATION** | | |
| Please answer the following questions and tick the appropriate column | Yes | No |
| Have you ever been convicted of a criminal offence? |  |  |
| Have you ever been bound over or cautioned for a criminal offence? |  |  |
| Have you ever been convicted of a criminal offence? |  |  |
| Are there any cases pending against you for an alleged criminal offence? |  |  |
| Are you under report or investigation for an alleged criminal offence? |  |  |
| **If you have answered ‘yes’ to any of these questions you must provide further information in a sealed envelope attached to the form. Please return your form and any attachments** | | |

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| **SECTION B4: PERSONAL STATEMENT** |
| In your own words please explain why you want to serve as a Foundation Director and the contribution you can make to Catholic Education in a CAT.  Please include examples of your skills and experiences (in Section B2) from your professional and voluntary positions as well as your role in the Catholic community.  Please also attach a 1 page CV summarising the positions you have held with your key duties, skills and responsibilities.  **APPLICATIONS SUBMITTED WITHOUT A 1 PAGE CV WILL NOT BE ACCEPTED** |
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| **Section C: Declarations** | |
| **SECTION C1: PERSONAL DECLARATION** | |
| **I declare that I am willing and able to fulfil the duties of the office of Catholic Academy Trust Foundation Director (as set out in A1, A2 and A3 above) and represent the interests of the Cardinal.**  **I confirm that information provided in this form (in Section B above) is accurate** | |
| **UNDERTAKING TO THE ARCHBISHOP OF WESTMINSTER**  If I am appointed as a Foundation Director I undertake to:   * Read and understand the Scheme of Delegation, which is available on the Diocese website. * At all times comply with the Scheme of Delegation in carrying out my role. * As necessary, read and comply with the terms of all funding and other agreements between the Department for Education and the CAT, including the Articles of Association   I hereby recognise and confirm that:   * I am a practising Catholic in full communion with the See of Rome, and I am not the subject of any canonical censure or penalty. * My appointment places a legal duty upon me to ensure that the religious character of the schools within the CAT is preserved and developed and that the schools are conducted in accordance with the principles and subject to the regulations and discipline of the Catholic Church. * My appointment requires me to comply with the provisions of Canon Law, the teachings of the Catholic Church and such determinations made by the Archbishop of Westminster or the Director of Education, acting on his behalf. * I understand that I may be removed from office by the person or persons who have appointed me. * I understand that if this is my first appointment as a Foundation Director that I will be required to attend induction training. * I will attend training during my term of office as requested by the Board of Directors or the Director of Education. * For the good of the mission of the Catholic Church and of Catholic education in the Diocese of Westminster, I am willing to be called by his Eminence the Archbishop of Westminster to serve as a Foundation Director. | |
| Signature of Applicant |  |
| Date |  |

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| **SECTION C2: ENHANCED DBS CERTIFICATE** | |
| **DO NOT SUBMIT IN YOUR APPLICATION FORM UNTIL THIS SECTION HAS BEEN FULLY COMPLETED**  **FORMS SENT IN WITHOUT THIS SECTION COMPLETED WILL BE RETURNED TO THE APPLICANT**  **This section needs to be completed by the Chair of the Board of Directors or the Company Secretary of the CAT to which you are applying BEFORE submitting your application. If you do not currently hold an enhanced DBS certificate, please speak to one of the above individuals to make arrangements to apply for one prior to completing your application.** | |
| DATE OF DISCLOSURE |  |
| DISCLOSURE CERTIFICATE No. |  |
| **I confirm that I have seen the above DBS certificate, held in the name of the applicant, and that I am satisfied that a valid DBS certificate is in place for them and that their application can be considered for appointment.** | |
| Signature |  |
| Date |  |
| Position |  |

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| **SECTION C3: PRIEST REFERENCE**  (A Parish Priest/Priest in Charge applying to be a Foundation Director does not need to complete this section) | | | |
| Please provide below the **details of your parish priest or the priest where you attend Mass regularly** who can testify that you are able to fulfil the requirements for diocesan compliance and ask him to sign this section | | | |
|  | | | |
| Title | |  | |
| Surname | |  | |
| First Names | |  | |
| Name of Parish | |  | |
| Borough/County | |  | |
| Applicant’s role and function within your parish, if any | | |  |
| **CERTIFICATION BY THE PRIEST** | | | |
| **I certify that the applicant regularly attends Mass on Sundays and Holydays of Obligation and, to the best of my knowledge, is a practising Catholic.** | | | |
| Signature |  | | |
| Date |  | | |

This completed form should be sent to:

**Director of Education, Diocesan Education Service, Vaughan House, 46 Francis Street, London, SW1P 1QN**

**Or by email to** [**adrianleggett@rcdow.org.uk**](mailto:adrianleggett@rcdow.org.uk)

**Under NO circumstances should completed application forms be returned to any school or individual within the CAT**