

However, the current DfE legislation on Sixth Form Academies will need to change in order for this to have both CES and diocesan approval.

It has been proposed that whilst both institutions would be stand-alone, each college would be affiliated to the local Catholic Academy Trust and be permitted to sit within that partnership of neighbouring secondary and primary schools. Each college could and should benefit from the economies of scale that the local CAT establishes but would not sit within the financial arrangements of the local Academy Trust. This would ensure that every Catholic school and college is an equally-valued member of the family of schools.

We believe that collaboration could include, but would not be limited to:

- Developing the spiritual lives of children and young people in Catholic education;
- Sharing of specialist and other excellent teaching expertise, resources and practice between the college and partner schools to improve standards and educational outcomes across the partnership as a whole;
- Better financial resilience, lower costs and better value for money within the partnership, for instance through economies of scale, sharing or pooling of administrative services and other costs and facilities;
- Development of Continuing and Professional Development (CPD) by sharing good practice in areas such as management and leadership across the partnership.

10. Duty to be academy-ready

All schools have a duty to work within the Family of Schools structure whether they convert to Academies or not. No school is to be forced into becoming an academy but rather enabled to see the opportunities and benefits of local collaboration and the establishment of CATs.

RELIGIOUS EDUCATION

The CAT is responsible for agreeing the curriculum for each school and academy within its trusteeship. In particular, through its Scheme of Delegation, it will ensure all member academies conform to the *Catholic Bishops' Religious Education Directory (2013)* and work with the Education Service accordingly.

Religious Education is a core subject in Catholic schools and an academic discipline with rigour comparable to other subjects. The Funding Agreement for each Catholic academy requires it to provide Religious Education in accordance with the teachings, doctrines, discipline, and general and particular norms of the Catholic Church. This is sometimes referred to as denominational Religious Education.

Schools are responsible for drawing up their own syllabus to deliver denominational Religious Education, but they must conform to the *Catholic Bishops' Religious Education Curriculum Directory (2013)*.

The Catholic Bishops of England and Wales also require that all Catholic schools give 10% of taught curriculum time to Religious Education in Key Stages 1-4 and 5% for non-examination Religious Education for 16-19 year old students.

Denominational Religious Education is one of the areas which contribute to the distinctive nature of the Catholic school. Canon law gives authority to the Archbishop to ensure that the Religious Education conforms to Catholic doctrine. The Education Service monitors this, on his behalf, in all Catholic schools in the diocese. The Archbishop has the duty to ensure that those who advise schools on all matters relating to Religious Education are competent to do so. The Education Service has the responsibility to appoint and train those persons who meet the Archbishop's requirements in relation to competency to monitor and advise on denominational Religious Education in Catholic schools in the diocese. The Education Service also appoints other persons who have that competency to advise schools and to conduct training in Religious Education.

Inspections of denominational education, the content of collective worship and the Catholic Life of the school

The Funding Agreement for Catholic academies requires them to arrange for the Inspection of denominational Religious Education and the content of collective worship under Section 48 of the 2005 Education Act. The Archbishop has a right under canon law to inspect any Catholic school in the diocese. This is known as a canonical inspection and will be carried out at the same time as the Section 48 inspections.

The Catholic Bishops of England and Wales through the office of the National Board of Religious Inspectors and Advisers (NBRIA) require that Catholic schools are inspected by inspectors appointed by the local Ordinary who have the competency to inspect denominational Religious Education, the content of collective worship and can report to the Ordinary on the Catholic Life of the school.

The Archbishop has delegated this duty to the Education Commission to oversee the Education Service who train and appoint inspectors to carry out these inspections.

The inspection process is rigorous and provides a clear independent evaluation of a school's strengths, of its Catholic Life and Religious Education and the area in which it can improve. The report following the inspection will contain action which the schools need to address to make improvements and it is the responsibility of the Trust to support schools to ensure that the actions are addressed.

Collective Worship

The CAT is responsible for ensuring that schools within its trusteeship meet the statutory requirements regarding collective worship in schools, and will do this by requiring all its schools to work with and be advised by the Education Service.

The Funding Agreement for each academy will state that religious worship is in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church.

Collective worship in Catholic schools can take many forms including class prayer, assemblies for part or whole school, Mass, reconciliation services, and other liturgical and seasonal celebrations.

The Education Service has a duty to monitor the content of collective worship, on behalf of the Archbishop, and will appointment persons who have the competency to monitor and advise on this area.

Schools in challenging circumstances

The CAT is responsible for standards in the schools within its trusteeship and for putting in place appropriate remedial and support strategies to enable schools in challenging circumstances to become at least 'good' according to the OfSTED criteria.

The Education Service has a duty to report to the Archbishop on the progress of Catholic schools in the diocese which are in challenging circumstances and are being supported. The CAT will keep the Education

Commission informed of the progress of schools within its trusteeship in challenging circumstances.

EDUCATION SERVICE ROLE

The roles and responsibilities of the Education Service remain the canonical duty to inspect and support all schools in regard to Religious Education and Catholic Life.

- The Education Service will continue to support regular meetings of representatives of the Catholic academies and schools in the diocese to encourage the dissemination of knowledge and the sharing of best practice. Headteachers or their representatives are expected to attend such meetings as appropriate. The Head of RE/RE coordinator is expected to attend diocesan heads of RE meetings/ area RE coordinator meetings;
- The Archbishop will seek to ensure that high-quality committed, skilled individuals are put forward as Foundation Directors and governors to the Trust and academy and will conscientiously monitor the contribution made by such appointees and will remove foundation governors in the event of misconduct and/or a failure to support the high ideals of the academy and the Archbishop together;

- Where the Education Service becomes aware of any matter of significant concern, including any matter which might lead to the Secretary of State exercising his intervention powers, the Education Service will discuss the matter with the Directors and governors honestly and in good faith with the aim of formulating a plan to address such concern;
- The CAT Directors and any local governing bodies shall comply with any guidelines and/or policies issued by the Diocesan Education Service in respect of, but not limited to the appointment, responsibilities and conduct of Directors and governors. The Trust Directors and any local governing body shall also comply with any guidelines and/or policies issued by the Catholic Education Service.
- The Foundation governors and Directors of the Trust and academy shall be formally appointed by the diocese following recommendations from the Diocesan Education Service on behalf of the diocesan Bishop.
- All Foundation governors and Directors:
 - I. shall be practising Roman Catholic;
 - II. shall not be an employee of the Trust or related to an employee;
 - III. may serve a maximum of three consecutive terms of office (one term being four years) and after serving the maximum number of terms of office, shall be eligible for recommendation again after a period of four years; and
 - IV. shall not be automatically eligible for re-election after the expiry of any term of office.

Any Parish Priest shall not be subject to the restriction in (iii) and shall be able to serve such terms as are required.

- Unless the Archbishop agrees in writing otherwise, the Chair of the CAT Board must be a Foundation Director. Any vice-chair should also be a Foundation governor/Director;
- The Local Academy Council shall govern the school in accordance with any advice, guidelines or policies relating to education published by the diocesan Bishop from time to time, and in accordance with the teachings, doctrines, discipline and norms of the Catholic Church;
- All Directors and governors undertake to fulfil and observe the objects and purposes for which the CAT has been established;
- All Directors and governors undertake to sign the *Governors' Code of Conduct*, or any protocol for conduct as produced by the diocese from time to time;

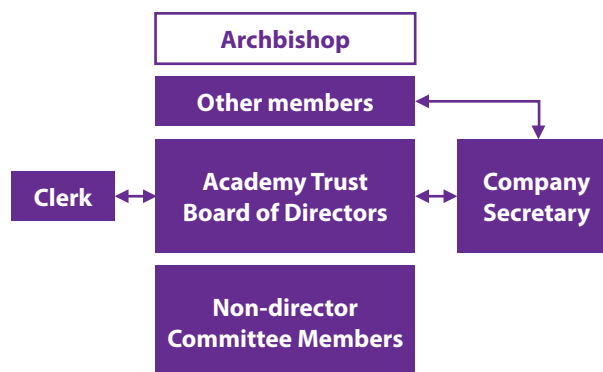
- The CAT will review its policies and practices on a regular basis, having regard to recommendations made by the Vicariate of Education in order to ensure that the governance of the Trust and academies are best able to adapt to the changing legal and political environment.
- The CAT will consider on an ongoing basis the need for training and skills development of governors as well as considering succession planning to ensure robust practices are maintained and supervised, particularly in light of the increasing autonomy of academies, making recommendations to the Archbishop with regard to the nomination of foundation governors for his appointment. Only practising Catholics will be appointed as foundation governors.
- The CAT will not implement any proposals for a change in status or for the expansion or contraction of the CAT without the written consent of the Archbishop.

PROPOSED GOVERNANCE

On behalf of the Bishops' Conference of England and Wales, the Catholic Education Service has developed and approved a set of model Articles of Association (and other legal documents) for use in the Catholic school sector; these Articles have clearly defined objects² and they have also been agreed by the DfE. The Articles have been designed to protect the legal rights of dioceses in relation to their schools and the rights of the schools to operate as Catholic schools in the same way as Voluntary-Aided schools have done. Once approved by the Archbishop and diocesan Trustees for use by converting schools in the diocese, the Articles of Association may not be altered or changed in any way without the written permission and approval of the Archbishop.

Model of Governance

A CAT has members, Foundation and other Directors, local committee members and some staff who facilitate its operation such as a Clerk and Company Secretary.



Members of the CAT

The members are akin to the shareholders of a company; they have ultimate control over the Academy Trust. The Archbishop, who will be a member, has the right to appoint the majority of Foundation Directors, and the Trust's Articles of Association can only be amended with his written consent. It is the members who found the Company; thereafter, the function of the members is to hold the Directors to account if the objects of the Company are not being observed. In general, the members are not hands-on in terms of governance. The members may call general meetings in accordance with the Companies Act and they will receive the Annual Report from each CAT. The diocesan Archbishop [and Religious Superior] is always a member of each Academy Trust as are any of the following: any person to be appointed by the Archbishop [and Religious Superior]; an Auxiliary Bishop and/or Vicar General; a diocesan Trustee; the Director of Education and Financial Secretary of the diocese. There must be at least five members. Additional members can be appointed in accordance with the Articles, if necessary.

Directors of the CAT

Directors are appointed to govern the Catholic Academy Trust. The Board of Directors has legal responsibility for the individual academies within the CAT and it is the Directors who are responsible for: setting the strategic direction for the CAT itself and for the individual academies; holding the headteachers to account, ensuring financial probity and policy development. There will always be a majority of practising Catholic Foundation Directors in any Catholic Academy Trust. This is a requirement of the Bishops' Conference of England and Wales. Foundation Directors

² The Company's objects are specifically restricted to the advancement of the Catholic religion in the diocese by such means as the diocesan Bishop may think fit and proper by, but without prejudice to the generality of the foregoing:

- (i) the establishing, maintaining, carrying on, managing and developing of Catholic schools in the United Kingdom conducted in accordance with the principles, and subject to the regulations and discipline of the Catholic Church; and
- (ii) subject to the approval of the diocesan Bishop [and Religious Superior], and as purely ancillary to (a) (i) above, the establishing, maintaining, carrying on, managing and developing of other schools in the United Kingdom.

b. [refers] to community use

Source: [CES model] Academy Articles of Association for use by Catholic Schools