

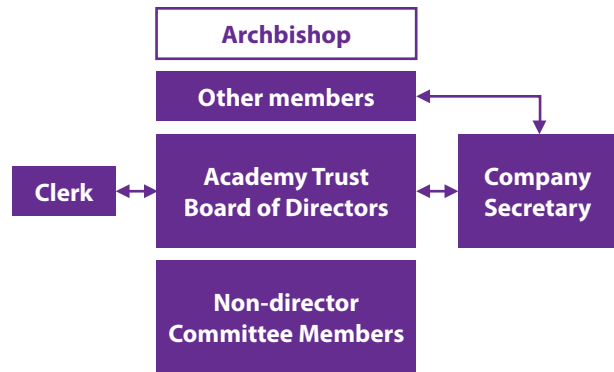
- The CAT will review its policies and practices on a regular basis, having regard to recommendations made by the Vicariate of Education in order to ensure that the governance of the Trust and academies are best able to adapt to the changing legal and political environment.
- The CAT will consider on 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

will be appointed by the Archbishop and will be expected to act as guardians of the Catholic life of the Trust and its academies and to uphold the values and aspirations of the diocese for its schools in accordance with the teachings, practices and tenets of the Catholic Church. It is recommended that at least one priest is appointed as a Director on each CAT Board of Directors.

The Academy Trust Directors must also ensure that they are complying with charity law requirements as Academy Trusts are charitable companies; they are also obliged to comply with company law requirements. This may sound daunting, but, in reality, the duties are largely the same as those of a school governor and include regularly attending meetings, managing conflicts of interest, seeking advice from its leadership team and ensuring the Academy Trust has appropriate procedures in place for reporting financial information.

The Board of Directors will comprise Foundation Directors appointed by the Archbishop (always in the majority of at least two). Where there is a Catholic Executive Officer (CEO) or an Executive Director in place, they may (or may not) be appointed as an ex-officio Director and this will be determined in the Articles of Association. It is essential to ensure that a mix of suitably-skilled people are appointed to the Board of Directors of the CAT in order that the company can be led and managed well. Useful skills could include, for example, educational, business, legal, financial, religious, social welfare, and so on. A rigorous and thorough application process for the role of Director will enable the Archbishop to be suitably informed and advised as to whom to appoint as Directors for each Academy Trust Board. A skills audit³ should be completed as part of the recruitment and appointment process.

Committees and Committee Members

Subject to the Articles, the Directors may appoint committees for the purposes of carrying out some of the functions for which they are responsible. This will include establishing Local Academy Councils for individual academies or for two or three academies where, for example, schools are already federated or operating with an executive headteacher or where such an arrangement is deemed by the Directors to be beneficial. Where there is a Local Academy Council in place a Scheme of Delegation⁴ will be put in place so that roles and responsibilities are clearly defined. A system for appointing committee members would need to be developed.

The Local Academy Council would have oversight over the academy at local level focusing on standards, Catholic life and pupil welfare. They are accountable to the Board of Directors.

Company Secretary

The Company Secretary ensures that the governance procedures of the Trust are implemented, monitored and reviewed in a timely fashion and that the Trust is compliant with all relevant legislation and guidance, e.g., *Academies Financial Handbook*. The Company Secretary supports and implements the creation of board committees and prepares their terms of reference. Each Academy Trust Company will be registered with Companies House and the Company Secretary will create, formalise and maintain the statutory registers. This role may include clerking; however, it is recommended that the clerking role is undertaken by a different person.

Clerk to the Directors

The Directors will appoint a suitably qualified Clerk to minute meetings of the Board of Directors and to provide administrative support. For continuity and ease of communication, it is useful if the same person also clerks any CAT committees; in larger Trusts a small team of clerks may be needed to service the Local Academy Councils. High quality clerking is an imperative and discussion how best to recruit and develop clerks will follow.

Employees

The Catholic Academy Trust is the employer of all the staff in the individual academies within its partnership. The Directors will have a strategic vision for the CAT and will need to ensure that the correct staffing structure is in place to meet the needs of the CAT as a whole and of the academies within it. The Directors may appoint some staff to work across all, or a number of, academies within the CAT. Directors may appoint some staff to lead and manage the CAT from a central office, for example, Executive Leader (similar to a Chief Executive Officer), Finance Officer and/or Business Manager, Educational Standards or School Improvement Officer, Administrative Officers, or other such staff as they deem necessary to carry out the duties and responsibilities of the CAT effectively. The Directors may appoint executive headteachers/principals whose role is to lead more than one academy. They are also free to appoint specialist staff at any level to work across the CAT academies, e.g., special educational needs, language teachers, educational welfare, chaplaincy, and so on.

Finances

The Directors are responsible for the prudent management of all resources including financial. All companies are required under company law to produce accounts that give a true and fair view and follow UK accounting standards. The *Academies Financial Handbook* is a guide for use by Trust Boards and includes these requirements. All academies within the CAT will be

³ The CES governor working party has produced guidance and model documents for skills audits, which can be found on page 63.

⁴ A model Scheme of Delegation has been provided by the CES. Among others, the Directors MAY NOT delegate the following functions: the preservation and development of the educational character and mission of the Company and its academies; the approval of accounts; appointment to or dismissal from any senior Catholic post or any appeal in relation to such.

expected to contribute financially between **2.5% and 3% of their budget** to a central CAT fund in order that it can operate effectively and can pay any staff employed centrally for the benefit of the academies within the CAT as a whole. The academies and/or the CAT will also be expected to make a contribution to the diocese for the work of the Diocesan Education Service; this will also apply to Voluntary-Aided schools⁵. The Service costs need to match service delivery. There needs to be clarity about what schools are paying for.

Finance

- The CAT Directors shall ensure that all policies and procedures required within the *ESFA Financial Handbook* are adopted and implemented as required and that any recommendations or guidance within the handbook are incorporated into the practice and procedures of the CAT and all its academies.
- The CAT shall ensure that suitable governance arrangements, by means of Trust Board, Local Academy Councils, committees and working parties are in place in order to ensure compliance with the articles, schemes of delegation, diocesan guidance, *EFA Financial Handbook* and all appropriate legislation.

Buildings Maintenance and Capital Expenditure

- The Directors and governors will ensure that at all times any land used by the CAT or the academy will not be used for purposes which would not be consistent with the teachings and practices of the Catholic Church and that any lettings of CAT premises shall be in accordance with any policy issued from time to time by the diocese;
- The CAT will consult with the Education Service, share information about any planned significant maintenance and replacement of buildings and facilities used by the CAT or academy and will not undertake any capital works to the buildings or any part of the academy site without first obtaining the written consent of the diocese;
- Any grants or otherwise received by the CAT or academy for capital expenditure, if not specifically identified, will be distributed by a fair process in accordance with diocesan protocol and advice from the diocesan Property Department.
- The CAT shall develop in conjunction with the diocesan Property Department, a five-year estate management strategy that will identify the suitability of facilities in light of long term curriculum needs and the need for and availability of capital investment to meet the CAT's and academy's responsibility to the diocesan Trustees to ensure the buildings are maintained to a good standard.

⁵ The diocesan contribution scheme should be applied to any type of Catholic school within the diocese that benefits from the work of the Education Service or becomes part of a CAT.

⁶ The minimum number of Directors would therefore be eight: a parent, [possibly] one Executive/Managing Director and so, six Foundation Directors.

Services provided

- Each academy shall contribute a portion of its funding, agreed from time to time with the Trustees, to assist the Education Service to carry out its functions.

Insurance

- The diocese shall obtain primary insurance to cover, at the least, all capital matters, from the Catholic Church Insurance Association.

GOVERNANCE STRUCTURES

This section outlines the role of those involved in the governance of a CAT once it has been founded by the members.

Appointment of Directors

The Archbishop appoints Foundation Directors. It is necessary to appoint enough Directors to ensure a range of skills are available to the CAT and to ensure that enough people are available to carry out the duties and functions required by the Board of Directors. In Catholic Academy Trusts, it is always necessary to maintain the required majority of Catholic Foundation Directors⁶. It is recommended that a Board of Directors of 12 to 14 is appointed as there need to be enough Directors in place to ensure a range of skills are offered, and in order to have the ability to appoint/dismiss those in senior leadership positions at the academies with enough Directors remaining uninvolved in order to form an appeal panel should it become necessary.

Recruiting Enough Directors

The key to recruiting the right Foundation Director is to be clear first about the type of person and skills being sought. Positioning the role to attract the right people to serve Catholic education in the future remains a challenge. Appointing the number of Foundation Directors required in any future agreed model will require planning with key actions being identified as:

- Determining the appointment process and agreeing associated paperwork and procedures for appointment to the role of Foundation Director; the CES governance working group has developed detailed guidance and models for this purpose, of which good use can be made;
- Determining the skills audit we will adopt; the CES governance working group has developed detailed guidance, toolkits and models for this purpose of which good use can be made; DOWAT has also developed a skills audit;

- Seeking to make active links with organisations such as Inspiring the Future, Academy Ambassadors and NGA (National Governors' Association), NCOGS (National Co-ordinators of Governor Services) and SGOSS (Governors for Schools and Colleges) to support the diocesan recruitment strategy;
- Planning to provide strategic training and development for new Directors on the effective management of Academy Trusts and the roles and responsibilities associated with the post, specifically relating to monitoring academic standards, financial management and providing challenge to senior leaders of the CAT and the academies within it.

CAT Board & Committees

The CAT Board will set the strategic direction for the Trust as a whole and will set the policies that will enable it to fulfil its vision. In accordance with this, CATs may adopt various governance structures to suit their circumstances and size. As yet, most multi-academy trusts around the country have not made the most of the opportunity to streamline governance (as opposed to creating additional layers on an existing system). The CAT Board of Directors will sit at the top with ultimate responsibility for governance; they need to be properly informed about the situation in each of the partner academies.

As the responsible and accountable body, the CAT will be held to account by its members, the diocese, the DfE, the Education Standards Funding Agency (ESFA) and OfSTED for the state of its academies.

The introduction of Local Academy Councils will need very clear responsibilities and lines of accountability. In turn, Councils will report back to the CAT Board so that it has the information it needs in order to ensure that everything is in order, best practice is being shared widely, and any poor performance is being identified, challenged and corrected in a timely manner.

The National Governors Association recommends that persons appointed to Local Academy Councils (or Local Governing Bodies) are not referred to as 'governors' as this is potentially confusing and gives mixed messages about the role.⁷

A Recommended CAT Governance Structure

To be effective, a CAT would need a committee structure⁸ of some kind to support the work of the Board of Directors. In considering the different layers of governance, it would be important to make sure that there is no unnecessary duplication of work and to

‘The principal benefits of becoming a MAT have been for us: autonomy, collaboration and economics of scale. In particular, becoming a MAT has enabled us to improve our transition arrangements across all Key Stages (1-5), thereby allowing us to be confident, that we can offer a first class all-through Catholic education for children and young people aged 3-18 in the Kenton area.’

*Andrew Prindiville, Headteacher
St Gregory's Catholic Science College*

remember that whilst 'functions' may be delegated by the CAT Board of Directors to its various committees, responsibility cannot.

Strategic Development Committee

The Strategic Development Committee would be responsible, among other things, for developing strategy, action planning, and monitoring and evaluating the work of the CAT as a whole, including monitoring impact and effectiveness of any interventions in each of the member academies. It would report to the main Board of Directors.

Finance, Staffing and Property Committee

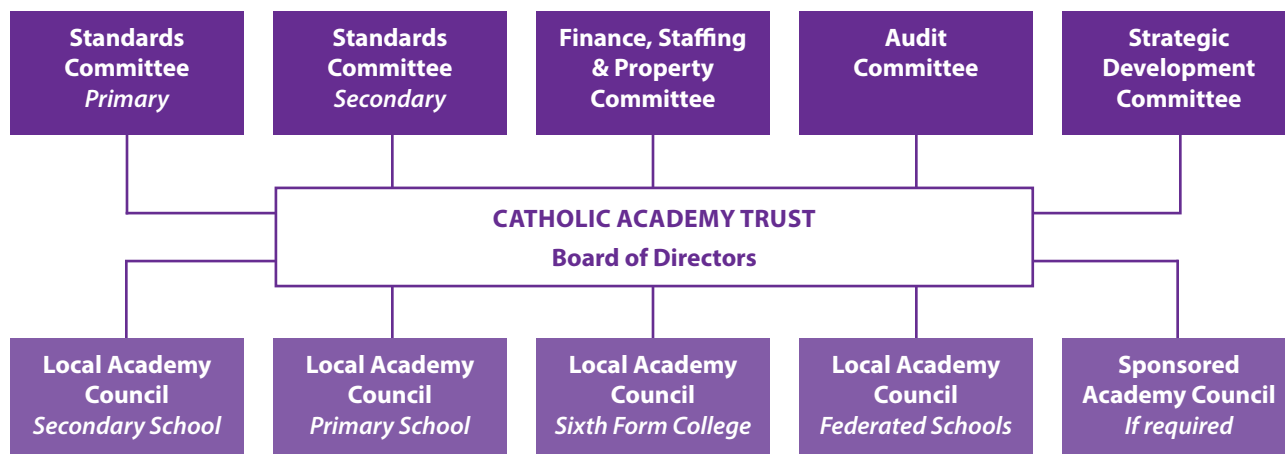
The Finance, Staffing and Property Committee would be responsible, among other things, for strategic management and monitoring of all financial and human resources matters for the CAT as a whole and for the individual academies which it contains. It would ensure that performance management of all staff takes place in accordance with relevant legislation currently in place. It would ensure compliance with health and safety legislation and would have due regard for its responsibilities as steward of diocesan owned property. It would report to the main Board of Directors.

Audit Committee

All trusts must have a dedicated audit committee; this is a requirement outlined in the *Academies Financial Handbook* which makes clear the expected role. It would report to the main Board of Directors.

⁷ Written evidence submitted by the National Governors Association MAT0044.

⁸ Canon 806 §2 Those who are in charge of Catholic schools are to ensure, under the supervision of the local Ordinary, that the instruction given in them is, in its academic standards, at least as outstanding as that in other schools in the area.



This diagram illustrates a possible governance structure for a Catholic Academy Trust operating under the trusteeship of the diocese.

Standards Committee

The Standards Committee(s), primary and/or secondary, would be responsible, among other things, for evaluating standards within the relevant member academies and ensuring that accurate data are available to the Board of Directors in order that it could be fully informed as to the academic standards of the member schools, therefore giving it the ability to plan strategically for the sharing of good practice or putting in place interventions to prevent any school going into an Ofsted category. It would report to the main Board of Directors.

Local Academy Councils

A number of Local Academy Councils (LAC) would be needed in order to carry out effectively some duties and functions of the CAT on its behalf, for example, undertaking the monitoring of standards, managing complaints from parents, pupil disciplinary meetings, admissions and appeals for school places, and other matters that can best be resolved locally. The LAC may also monitor the Catholic Life of the school, undertake local health and safety checks, support any parent forum group and such. They would report to the main Board of Directors. The role of the clergy is an important and long-standing element of governance, and they could have a key role to play in the development of the LAC.

Sponsored Academy Committee

The Sponsored Academy Committee would be a specific committee of Directors, possibly diocesan staff and other co-opted persons with relevant skills, put in place as necessary, to support the rapid improvement of an academy until such time as it gained an Ofsted 'good' or better rating. It would report to the main Board of Directors.

Core Team of Staffing for the CAT

It is recommended that each CAT appoint a core team of senior staff to lead and manage the development of the CAT

and to ensure that the academies within the partnership are properly supported and challenged to be the best that they can be and to provide leadership.⁹ The member academies will need to pay into a central fund in order to fund this central core team. It is unlikely that any Academy Trust, with more than a few schools in it, would be able to function effectively if it did not commit to this. A formula for the contribution needed for this would need to be agreed,

‘As a member of DOWAT, we have worked closely with other schools within the Trust to share best practice, moderate judgements and collaborate on approaches to teaching and learning, all resulting in improved outcomes for our pupils. Additionally, the children have benefitted from the freedom afforded to academies to be flexible in their approach to the curriculum: our staff are empowered to think creatively and be innovative. The economies of scale involved in groups of schools negotiating contracts has also resulted in savings on our electricity and insurance costs.’

*Nicola Kane, Headteacher
St Catherine of Siena
Catholic Primary School, Watford*

‘As an academy the governors and leadership team have benefitted from opportunity to work in partnership and identify key strategic decisions and opportunities relating to finance, curriculum development and school-to-school support at a local level that has enabled the governors and headteacher to secure the continued success of St Joan of Arc.’

**Peter Sweeney, Headteacher
St Joan of Arc, Rickmansworth**

the principle for making the contribution being written into the Memorandum of Understanding or other relevant documents. There will be other central costs that will need to be met from this fund.

The core team (through the Catholic Executive Officer (CEO)) would also be responsible for keeping the Board of Directors, and any other Academy Committees there may be, fully and properly informed.

For example, the core team may consist of the following personnel who need not be full-time and may be drawn from existing, suitably-qualified staff members (with appropriate backfill being put in place):

- Catholic Executive Officer (CEO)
- Finance Officer and/or Business Manager
- Educational Standards/School Improvement Officer
- Human Resources Officer
- Company Secretary (*this role could be combined with Finance Director*)

Catholic Executive Officer (CEO)

The Catholic Executive Officer (CEO) would be the most senior employee of the CAT accountable to the CAT Board of Directors. This person would be the main professional adviser to the Board of Directors and would be involved in line management and appraisal of the headteachers of the individual academies among other key functions. A model job description for this role is currently being prepared by the CES.

Finance Officer

The post-holder would be responsible for overseeing all matters in relation to finance and property for the CAT and for the individual academies within it and would be accountable to the Catholic Executive Officer (CEO). They would direct, and be involved in line management of, the work of the other senior finance staff employed by the CAT in the academies. A model job description for this role would need to be developed.

Educational Standards/School Improvement Officer

The post-holder(s) would be responsible for overseeing all matters in relation to educational and academic standards in the member academies, especially any sponsored academies. They would offer challenge and support to the Headteachers of the academies and would be accountable to the Catholic Executive Officer (CEO). Monitoring and evaluation reports on standards would be provided by the post-holder to the Board of Directors. Depending on the number of academies within the CAT more than one post may be required as the need for support and challenge will be different in primary and secondary academies. The role may be part-time and could be filled on a secondment basis; the role is suitable for an experienced headteacher from a good or outstanding school. In the early stages of setting up the CAT, it may be preferable to buy in the services of a suitable school improvement consultant to fill this role. A model job description for this role would need to be developed.

Human Resources Officer

The post-holder would be responsible for overseeing all matters in relation to human resources in the individual academies and the core team and would be accountable to the Catholic Executive Officer (CEO). The post-holder would ensure that the guidance documents of the CES and any policies adopted by the CAT Board of Directors in relation to staffing are fully implemented. They would manage appointment processes for senior staff and would be able to advise academy headteachers on appointment processes for all other staff as needed. They would manage and advise on any matters in relation to staff discipline, complaints from staff and appeals, etc.

Company Secretary

This is a key role. In isolation, it would not need to be full-time. However, it may be combined with another role, for example, Director of Finance.

Headteacher/Principal Meetings

The CAT Board of Directors will wish to ensure that the headteachers/principals of their member academies meet regularly to discuss educational standards, Catholic

Life and other matters relating to the effectiveness of the academies. These meetings will be chaired by the Catholic Executive Officer (CEO) of the CAT. In some CATs there may be a need for separate meetings for headteachers/principals of secondary academies together with Sixth Form Colleges (where applicable).

Finance and Administration Meetings

The CAT Board of Directors will wish to ensure that the lead finance and administration staff for the CAT meet regularly. These meetings will be chaired by the Finance Officer of the CAT.

Other CAT Staff Network Meetings

The Catholic Executive Officer (CEO) and headteachers will want to support staff development at all levels and may organize various opportunities for professional development and networking, as deemed appropriate for the particular CAT. This might include NQT training and mentoring, subject leader meetings, middle leader meetings, and key stage networks. The work of any training schools in the diocese will support this.

Being an academy has enabled us to have greater control over our curriculum and finances. It has provided us with autonomy, flexibility and choice that we didn't previously have.

Our Lady Catholic Primary School, Hitchin

Headteachers/Principals

It needs to be made very clear to all headteachers that, in any adopted model, they run their school. However, a headteacher or principal may be employed to lead one or more academies within an Academy Trust. As with all staff, the CAT is the employer. The Board of Directors will be directly responsible for appointing headteachers for academies within the CAT; it will be supported in this by the Diocesan Education Service.

It will need to be determined whether a headteacher is accountable to the Catholic Executive Officer (CEO) or directly to the CAT Board of Directors.

The salary scale of any Catholic Executive Officer (CEO) would need to be determined in relation to role and responsibility; the CAT Board of Directors would need to undertake a financial assessment to be sure it could maintain the salary at the agreed level. This Catholic Executive Officer (CEO) role may be undertaken by an effective headteacher from within the Academy Trust on a part-time basis (with suitable back-fill), i.e., he or she could be seconded for two to three days a week and their substantive post could be back-filled thus giving headship experience to a deputy.

POLICY OVERSIGHT

The policy of the diocese is to support schools to become academies within a local cluster of families of schools. The Archbishop has set out certain requirements that must be accepted before permission is given for a Voluntary Aided school to become an academy. They are:

- The Academy, with the Archbishop's approval is designated as a Catholic school;
- The Academy has a Catholic ethos and identity according to the requirements of canon law and provides Catholic Religious Education and collective worship;
- The posts of headteacher/principal, deputy headteacher/vice-principal, and head of Religious Education Department and coordinators of Religious Education are reserved for practising Catholic teachers;
- The Archbishop appoints the majority of governors;
- Arrangement for admissions comply with diocesan guidance;
- The Archbishop commissions inspectors to carry out inspections of denominational education, the content of collective worship and the Catholic Life of the school.

The Education Commission will work with the CATs to encourage, facilitate and support Catholic VA schools in becoming Catholic academies with their local CAT, in line with the Archbishop's stated wish for all VA schools in the Diocese of Westminster to join a designated CAT.

In providing this support the Education Commission will ensure that schools carry out a due diligence exercise. This is to ascertain the readiness of the school to become an academy and to reassure the diocesan Trustees that there are no obstacles or impediments that could prejudice their responsibilities to Catholic schools in the diocese.

The 2010 Academies Act, Subsection 3(4), requires that Catholic schools must have the written approval of the Archbishop and the diocesan Trustees before they can become academies:

- The Project Board will support the Trustees to help achieve the timetable for Catholic schools in the Diocese of Westminster to become academies;
- The Project Board will ensure Catholic schools follow a due diligence exercise before becoming an academy;
- The Project Board will notify the designated CAT immediately if, during the due diligence exercise, an obstacle or impediment preventing the school from becoming an academy comes to light;

- The Project Board will ensure each school is compliant and academy-ready;
- The Project Board will work closely with the DfE to ensure that the pre- and post-conversion costs are managed effectively.

The Catholic Academy Trust Board is the Admissions Authority for all Catholic academies in its trusteeship. It has a statutory duty to determine the admissions arrangements for each school and does this in accordance with the principle of subsidiarity by delegating this duty, via its Scheme of Delegation, to the local governing body of each member academy.

The CAT and therefore all its academies are subject to the *Schools Admissions Code and School Admissions Appeals Code*. The Code requires schools with a religious character to have regard to guidance produced by the religious authority, the Archbishop.

The Archbishop requires all Catholic schools and academies in the diocese to follow the *Guidance for Admissions to Catholic Schools* in the diocese which is produced by the Education Commission and reviewed regularly.

- The CAT as the Admissions Authority for Catholic academies will carry out its statutory duty in consulting on and determining the admissions arrangement for those academies. The CAT will ensure that all member academies meet the requirements both of the Admissions Code and the Archbishop's Guidance provided and amended by the Education Commission.

“This is an exciting time for Catholic education in the Diocese of Westminster. Through working collaboratively, we are able to shape the future of outstanding Catholic education and continue to protect the Catholic identity of all our schools. Going forward, it is important for us to take the best practice from schools across the diocese and use it as a platform to help us all build on our previous best.”

***Ciara Nicholson, Headteacher
Our Lady Catholic Primary School, Hitchin***

- The Education Service provides advice, support and guidance in relation to school admissions to each partner academy's local governing body, and, where necessary, the CAT.

The Archbishop has a duty to ensure that all those who are appointed by him to govern Catholic schools in the diocese have the personal commitment and skills to preserve and develop the Catholic character of each school.

As the CAT Board is the de facto governing body for all Catholic schools within its trusteeship the Archbishop has the right to appoint the majority of Board Directors.

The governing bodies for schools within the CAT are local governing bodies with committee status. To this end the Archbishop has a right to appoint the majority of governors in each Catholic school in the diocese.

The Education Service is responsible, on behalf of the Archbishop, for the appointment process for all foundation governors in Catholic schools in the diocese (with the exception of Catholic schools within the trusteeship of religious institutions who appoint their own foundation governors).

The CAT is a Catholic organisation, and therefore, under the requirements of the Catholic Bishops of England and Wales, it must use the CES appointment and HR procedures.

The CAT uses the employment procedures published by the Catholic Education Service in relation to:

- Disciplinary matters
- Capability
- Grievance
- Sickness absence
- Teacher appraisal
- Non-teaching staff appraisal

The Education Service is not party to the Contract of Employment between the Trust and its employees. The Education Service has an advisory role to support all Catholic schools in the diocese on the application of procedures and, if applicable, advising governor panels. The Education Service is not party to any decision made. It is important to inform the Education Service if a headteacher, deputy headteacher, chaplain or a teacher of Religious Education is subject to procedures which could lead to their dismissal.

- The Education Service must be informed, at the earliest point, of any processes for the recruitment of the positions of headteacher, deputy headteacher, chaplain and head or coordinator of Religious Education. A representative of the Education Service will work alongside the recruitment panel through the stages of the recruitment process and attend

the final day of any recruitment process for the aforementioned posts as it has an advisory role on behalf of the Archbishop. Dates and times for recruitment, therefore, need to be agreed between the CAT, the school and the Education Service.

- The Education Service's officers will support the provision of quality leadership recruitment, training and development in all schools in the diocese.

The Catholic Bishops of England and Wales have produced a *Memorandum on the Appointment of Teachers in Catholic Schools (2014)*. The Memorandum has been accepted by the Archbishop and therefore it is a requirement that governing bodies of all Catholic schools in the diocese follow it. The Memorandum states that those appointed to the post of headteacher/principal, deputy headteacher/vice-principal, head of Religious Education and coordinator of Religious Education must be baptised and practising Catholics.

There are exceptional occasions where a temporary appointment to a headship or deputy headship may be offered to a person who is not a Catholic. This will only be considered where a governing body has failed to appoint a practising Catholic after more than two attempts at recruiting to the post. Requests for these appointments to be considered must come to the Director of Education.

- The CAT is the employer of all staff appointed and paid to work in schools within its trusteeship and is responsible for ensuring that there are suitable recruitment, selection and appointment procedures in place which comply with the CES requirements;
- The CAT is responsible for ensuring that those appointed to the position of headteacher/principal, deputy headteacher/vice-principal, head or coordinator of Religious Education meet the criteria set out in the *Catholic Bishops of England and Wales Memorandum on the Appointment of Teachers in Catholic Schools (2014)*;
- The CAT will not appoint persons who are not practising Catholic to the posts mentioned above, on a temporary basis, without prior written permission of the Director of Education.
- The CAT will ensure that the Archbishop is invited to be represented at the appointment of a headteacher. This is carried out by persons appointed by the Education Commission;
- The CAT will follow the guidance produced by the Education Commission, *Guidance on the Appointment of the Headteacher or Principal to Catholic Voluntary Aided Schools and Catholic Academies in the diocese*;
- The CAT, as the employer, has the duty of care for its staff. The Education Commission offers pastoral care for individuals in transparent circumstances when a senior member of staff or headteacher or chaplain

or head or coordinator of Religious Education is suspended under disciplinary procedures. This pastoral care duty does not impinge in any way on the statutory responsibilities of the Trust as an employer and the person providing the pastoral care does not represent or advise the member of staff in any way.

Admissions

Admissions criteria are set by the governing body and published in its admissions policy. In deciding on the admissions arrangements for the school the governing body must comply with the law, including having regard to this diocesan guidance. In Catholic voluntary academies the admissions authority is the Academy Trust Company. In a Multi-Academy Trust Company or CAT, the CAT is the admissions authority for its member schools. This means that the CAT is responsible for determining the admissions policies for all its schools and taking decision on applications. The CAT may, however, delegate responsibility for determining the admissions policies for an individual school within the CAT, and/or taking decisions on applications, to the local governing body or local committee of the individual schools.

Governing bodies are required by law to comply with the Trust Deed and constitutional documents in discharging their functions, including when determining admissions arrangements. For schools the constitutional document is their Instrument of Government and for academies is their Articles of Association. The constitutional documents include the school's duty to serve as a witness to the Catholic faith, and to comply with the requirements of canon law.

Catholic school governing bodies have an overriding duty to offer places to Catholics first. This is a requirement of the Trust Deed and therefore a legal requirement on governing bodies. Catholic schools must not operate any policies if the consequence is to offer a place to a non-Catholic and deny that place to a Catholic.

Complaints Procedure

The Trust has a statutory duty, *Independent School Standards (England) Regulations 2010*, sch. 1 Pt 7 (as amended), for implementing a complaints procedure for all schools within its trusteeship and does this in accordance with the principle of subsidiarity by delegating this duty, via its Scheme of Delegation, to the local governing body of each member academy.

The Education Service has no authority to be party to any investigation or decision relating to a complaint made at school level or at Trust level about a school, with the following exceptions where complaints are made about:

- Religious Education
- Collective worship
- Sex and Relationship Education

- Catholic ethos and mission
- Diocesan inspection has a separate complaints procedure which is under the authority of the Education Commission and delegated to the Inspection Committee

The CAT is a public company and so is publically accountable as to how it conducts its business. It has a published complaints procedure. The Secretary of State has powers in regards to complaints about academies and Academy Trusts.

- The CAT is responsible for determining and implementing a complaints procedure for each school in its trusteeship.
- The CAT will inform the Commission if a complaint is received at school level regarding Religious Education, collective worship, Sex and Relationship Education and Catholic ethos and mission.
- In the event of a complaint being received regarding one of the four areas above the Education Service will allocate an officer or appointed person to assist the CAT at the investigation stage or to advise at the panel stage. The Education Service recognises that the CAT maintains ownership of the process at all stages.

Performance Management of Teachers

The CAT is responsible for setting up procedures to manage the performance of all staff in schools within the Trust. The Education Service advises that the *Catholic Education Service Policy and Procedures (2013)* are used for the appraisal and performance management of teaching and non-teaching staff in its schools.

The Catholic Education Service procedures are robust and also contain sections that are relevant to Catholic schools. They acknowledge the contribution all staff make to schools, whether they are Catholic, of another faith or of no faith.

The Catholic Education Service procedures ensure that performance management objectives reflect the Catholic identity and mission of the school and the values it proclaims.

