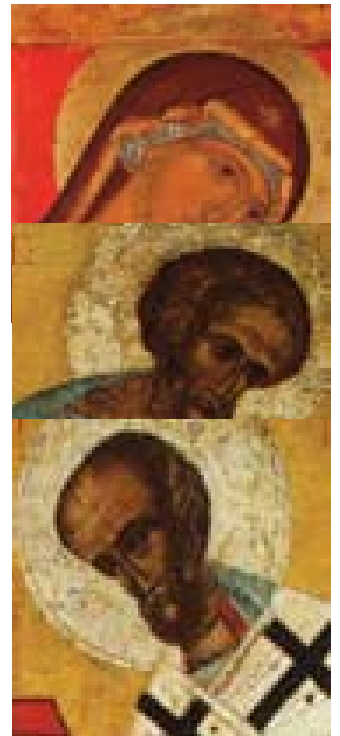


## **A Guide for Foundation Governors**

March 2021



**A FUTURE  
FULL OF HOPE**  
CLIFTON DIOCESE

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## Forward by Bishop Declan

Catholic schools are an important part of our ministry and mission to young people. The mission of the School is the same as that of the Church - the proclamation, the celebration and the living of the Gospel which enables people to walk in the truth of their lives. Our belief is that Jesus Christ is the Way, the Truth, and the Life. Catholic schools are about the pursuit of truth which is more than intellectual knowledge - it is that drawing out from the individual their unique truth which is enriching not only for the person but also for others. As the Vatican Document "The Catholic School on the threshold of the new millennium" says "The person is at the heart of Christ's teaching. That is why the promotion of the human person is the goal of the Catholic School".

Schools reflect the society of which we are all part – a society that is often restless, lost and hurt, living without hope. A society that believes if I increase my income or have a good job the inner truth of "Who I am" will be made clear. We know that is not true.

The challenge for governors is to ensure that the school is far more than this. If our schools are only places of good discipline, good academic results, enabling people to get good jobs, then they may be successful in an understanding of life based on individualism and consumerism, but they have failed in their mission to proclaim the Gospel which enables people to live in communion with self, others and earth.

Thank you for your willingness to give generously of your time and dedication by agreeing to serve as a governor of one of our diocesan schools/colleges or the independent schools within our diocese.

I would ask that you:

- become familiar with, and supportive of, the policies and procedures of the diocese;
- represent those policies to the governing body;
- consider not only the interests of the individual school or college, but the interests of other schools and colleges and of Catholic education as a whole throughout the Diocese.

This booklet attempts to explain what your responsibilities are and to offer suggestions as to how they might be carried out. It does not aim to cover every detail but to lay particular emphasis on the strategic role of the governing body within the context of a Catholic school. The other agencies involved in education will provide further detailed guidance and support.

Further advice on the role of a governor in a Catholic school is available from the Diocesan Schools and Colleges Department, who will be happy to support you in this important role. I would strongly urge you to attend the courses provided by the Diocese. Once again may I thank you for your commitment to serve the needs of our Catholic schools and the futures of our young people.

A handwritten signature in black ink that reads "Declan". The signature is written in a cursive style with a cross at the beginning of the first letter.

Bishop of Clifton

## Introduction

***“To be a governor of a Catholic School is to be involved in the mission of the Church because our Catholic schools are a very important part of our work for young people in the Church. I believe profoundly in our Catholic Schools and the Governors are there to make quite certain that the Catholic character of the School is maintained and forwarded. That is, in terms of teaching the Catholic faith and ensuring that the whole atmosphere is, in fact, Catholic; a good Catholic community.***

***But it is also very important our Catholic schools should be first class schools, giving an excellent education. This means the realising of the potential of every pupil, high academic standards, good vocational training and the development of the whole of the young person; preparing them for adult life.”***

***“In all of this, the governors play a key role, a very important role”.***

***Cardinal Basil Hulme***

This booklet is a way of offering you some help in making sure that from the outset you understand the special responsibilities you, as a foundation governor of a Catholic school have, and that you can make a significant contribution to the effectiveness of your governing body and that of the school.

For this document, when we use the term ‘Governors’, this is taken to mean Governors of VA and independent schools and Directors of academies. See also a diagram showing the academy relationship structure within the appendix.

Foundation Governors are self-nominated and appointed by Bishop Declan following receipt of 3 references. They are therefore the Bishop’s representative. They are appointed specifically to ensure that:

- the distinctive nature of the school is promoted, developed and evaluated;
- all aspects of school life are conducted in accordance with the trust deed of the diocese and Canon Law;
- the Religious Education Curriculum and the Curriculum for Relationships and Sex Education are in accordance with the Bishop's policy for his diocese;
- religious worship is in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church;
- all Bishops’ Conference directives are fulfilled.

We are called to be a people of prayer; therefore, all meetings of Governing Bodies should begin with prayer. This act of dedication is one you might like to use:

## Act of Dedication

God, our Father,  
in your goodness,  
strengthen us who have offered ourselves  
as school governors for your Church.

Renew us with your gifts of wisdom, understanding and patience,  
so that we may govern by word and example  
and live the truth that comes from you.

In Christ, God has revealed his love and truth.  
May he make us witnesses to the Gospel  
and to his love for all people,  
especially for those in our community in greatest need.

May the Holy Spirit be with us,  
so that we may help the school we have been called to serve  
in a spirit of generous love for one another.

In the name of the Father, and of the Son,  
and of the Holy Spirit.  
Amen



## The Clifton Diocese Schools & Colleges Department

The Schools and Colleges Department is responsible for offering training as well as support to all of our schools regardless of status or phase. The Department liaises with the Local Authorities (LA) across the diocese, the Regional Schools Commissioner Ofsted and the Catholic Education Service (CES) based in London.

The Department is based in:

**Alexander House, 160 Pennywell Road, Bristol, BS5 0TX Tel: 0117 9025599**

and is made up of the following members:

Director of Schools and Colleges: <b>Colleen Collett</b>	colleen.collett@cliftondiocese.com
Religious Education Lead: <b>Louise White</b>	louise.white@cliftondiocese.com
Schools Partnership Officer: <b>Paul Kehoe</b>	paul.kehoe@cliftondiocese.com
Department Officer: <b>Jenny Fitzgerald</b>	jenny.fitzgerald@cliftondiocese.com
Office Administrator: <b>Graham Tiley</b>	graham.tiley@cliftondiocese.com
Governance Officer: <b>Bill McEntee</b>	bill.mcentee@cliftondiocese.com

## The Diocesan Trustees

Clifton Diocese is the Catholic diocese covering the West of England and includes the Local Authority areas of Bath and North East Somerset, Bristol, Gloucestershire, North Somerset, Somerset, Swindon, South Gloucestershire and Wiltshire.

There are 107 parishes within 13 deaneries serving a Catholic population of around 180,000. Around 28,000 people attend Mass around the Diocese every weekend. There are 68 Catholic schools and colleges within the Diocese.

The Diocese was legally established as a charity trust on 6 May 1934 under the title Clifton Catholic Diocesan Trustees Registered. On 1 January 2018 the assets and operations of the Diocese transferred to a Charitable Company Limited by Guarantee, called Clifton Diocese. The Company number is 10462076 and the Charity number is 1170168. The Directors of the Charitable Company are the Trustees and the purpose of the charitable company is the advancement of the Catholic Faith. The Board of Trustees comprises of the Bishop, Clergy and Lay people. The Diocesan Trustees are entrusted with the good stewardship of the Diocese.

The Diocesan Trustees operate as the Board of Directors and they, in turn, receive advice and information from the different departments of the Diocese which have specific interest or expertise in the issue being considered. The Trustees advise the Bishop to enable him to reach informed decisions about the many and complex issues that he faces. The Diocesan Trustees also have a responsibility to protect the estate of the Diocese along with assisting the Bishop in ensuring that his Catholic schools provide a quality Catholic

education. Whilst this is largely undertaken by the Schools and Colleges Department, the Trustees have formed two separate structures to assist the department in fulfilling this.

**a) Clifton Catholic Diocesan Education Foundation (CCDEF) also known as The Diocesan Academy Project Board**

CCDEF is a company established by the diocesan trustees in response to the establishment of single academies in 2011 and protect the Bishop's canonical rights. It has now also become known as the Diocesan Academy Project Board. Its prime responsibility is to oversee the establishment of the diocesan strategy to now establish Multi-Academy Trusts (MATs) and to hold academies, either as single academies or MATs, to account. All applications to move towards academisation, must be submitted to and approved by this board. The Board is chaired by the Bishop and its membership comprises of:

- Lyn Murray - Chief Operating Officer
- Michael Thompson - Educational Trustee
- Michelle Morgan - Educational Trustee
- Margaret Young - Legal Trustee
- Colleen Collett - Director of Schools and Colleges
- Paul Kehoe – School Partnership Officer
- Fr. Adrian Porter – Independent panel member (Director of Jesuit Institute).

**b) Schools & Colleges Committee**

This is a committee that has been set up to assist the Schools and Colleges Department in fulfilling its role. It enables its stakeholders – schools & colleges, to contribute to and critique the Department. The Committee is chaired by the Bishop. It has a representative from all partnership groups along with a Bishops' representative for education, finance and mission, 6<sup>th</sup> form, special schools and independent schools. The Chief Operating Officer, Director of Schools and Colleges and Schools Partnership Officer also sit on the Committee.

Sitting beneath this are three working groups: Mission and Ethos, Standards and Quality and Resources. Each has partnership representation. Feedback from these committees should be a standing item on a governing body's agenda.

The schools and colleges in the Diocese are divided into seven School Partnership Groups. These partnership groups work collaboratively and provide support for each other. Details of the seven partnership groups and the schools within them are included in the appendix below.

The three sector groups, Mission and Ethos, Standards and Quality and Resources are responsible for monitoring the work of the partnership and act as a conduit between the partnerships and the Diocese. The partnership groups represent all the different geographical areas of the Diocese. They include heads and governor representatives, (normally the chair) and all phases of schools from all the Catholic Schools and Colleges (of whatever type) within the designated group.



## **Types of Schools/Colleges within the Diocese**

As at September 2020, there are 53 primary schools, 7 secondary schools, 1 Sixth Form College, 2 special schools and 5 independent schools across the Diocese. 16 of the schools have single academy status but there are currently no Multi Academy Trusts. Two schools have established a formal federation with one governing body, covering both schools. Two of the schools were founded by a religious or charitable Order.

### **Independent Schools**

These schools are not formally diocesan schools although they are considered part of the diocesan family. They are normally independent of government funding, not bound by the National Curriculum and owned by a specific foundation with trustees who then appoint the Governing Body. They have their own trust deeds which are separate to the Diocesan Trust Deed. However, as Catholic Schools, in Canon Law it is the responsibility of the Diocesan Bishop to ensure that they deliver a Catholic Education. Governors need therefore to ensure that the school fulfils its requirements in Canon law and those requested by the Bishop.

### **Special Agreement Schools**

We have two such schools: St Rose's School in Stroud and St Edward's School at Melchet Court, Romsey. They are both non-maintained schools (with a boarding element) which have approval from the Department for Education and are registered with the Care Quality Commission (CQC). They are subject to inspection through CQC as well as Ofsted. Pupils are referred to these schools because of diagnosed difficulties. Referrals are made by Local Authorities and are typically accompanied by an Education, Health and Care Plan. The Trust Deed of each school is determined by their own individual trustees.

### **Voluntary Aided (VA) Schools**

These schools came into being after the 1944 Education act. The Diocese is responsible for 10% of capital costs. The governors are the employers and foundation governors (who are appointed by the Bishop) are in a majority of two on the governing body. The governing body is responsible for managing the school, by setting its strategic direction, employing staff and deciding the school's admission arrangements, subject to rules imposed by central government. Pupils follow the National Curriculum. Funding is received from the Local Authority. Schools are free to allocate all funds received and buy services on a traded services basis from an appropriate body. This is usually the Local Authority.

The Local Authority will take the lead in monitoring the overall performance of the school with a view to intervening if the school is deemed to be failing or in difficulty. It does however have to consult with the Diocese at all stages of intervention.

## Academies

Academies are described by the Department for Education (DfE) as 'publicly funded independent schools, free from local authority and national government control'. The present system of academies came into being after the 2010 Education Act. They are a legal company registered under Company House. Funding comes directly from the DfE via a funding agreement with the Secretary of State. The school can allocate its central funding as it deems fit.

The organisational structure of an Academy is different from a VA school. Academies have:

- a) **Members** of the Academy Trust, (they are the owners of the company, rather like shareholders). For Catholic Schools within the diocese of Clifton the members of the Academy Trust are currently the Bishop, the chair of governors and CCDEF represented by the Director of Schools and Colleges. They all sign a Members Agreement which ensures the school acts in accordance with the Diocesan Trust Deed and Canon Law. However, the Department for Education has issued new model documentation that includes a revised membership list, that will replace the existing agreements. It is intended that our academies will be converted to the new documentation in due course.
- b) **Directors** (in academies, directors or trustees are often referred to as governors and make up the governing body). They have the responsibilities delegated to them by the Academy Trust. The constitution of an Academy Trust is set out in its Articles of Association which are agreed with the Secretary of State. Because the Academy Trust is both a company and a charity, governors are both directors and charitable trustees and they therefore need to comply with obligations under company and charitable law. The Academy Trust, as a company, enters the funding agreement with the Secretary of State and is then legally responsible to the Secretary of State and parents and pupils for the running of the academy. However, the governing body, in practice, has the operational powers and carries out the duties on behalf of the Academy Trust. Most governance decisions are made collectively through a board of directors typically referred to as the governing body.

The key responsibilities in law of the governing body are to:

- ensure the quality of educational provision
- challenge and monitor the performance of the school
- manage the finances and property
- manage the head teacher/principal
- exercise reasonable skill and care in carrying out their duties
- ensure that the Academy Trust complies with charity and company law
- operate the academy in accordance with the Funding Agreement that has been signed with the Secretary of State.

## Sixth Form College

In addition to these four types of schools, the diocese also currently has one Sixth Form College, St Brendan's in Bristol. The foundation governors are appointed by the Bishop and have the same responsibilities as other schools with regard to the diocesan trust deed and canon law.

## **The Role and Duties of Governors**

The governing body is a corporate entity and acts as a group. Each governor has a right to participate in all aspects of school governance (except for where there is a conflict of interest) and express their views. Although governors are appointed or elected by different groups they are not there to speak on behalf of that group, except for **foundation governors who have specific responsibilities to the Bishop** in terms of maintaining and developing the Catholic ethos of their school and fulfilling the Bishop's directives. The Instrument of Government for VA Schools contain a very important clause which specifies how the school must be run. It reads as follows:

*'The school was founded by and is part of the Catholic Church. The school is to be conducted as a Catholic school in accordance with Canon Law (see appendices) and teachings of the Catholic Church and in accordance with the Articles of Association of Clifton Diocese, including any rules made by the Diocese from time to time and in particular:*

- a) religious education is to be in accordance with the teachings, doctrines, discipline and general and particular norms of the Catholic Church:*
  - b) religious worship is to be in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church:*
- and at all times the school is to serve as a witness to the Catholic faith of Our Lord Jesus Christ'.*

***NB The Instrument of Government for schools founded by a Religious or Charitable Order may contain slightly different text.***

Canon 806 requires that Catholic Schools:

*"are to ensure, under the supervision of the local Ordinary, that the formation given in them is, in its academic standards, at least as outstanding as that in other schools in the area"*

It is therefore important for governors to:

- know and implement the Bishop's policies on education;
- understand the distinctive nature of Catholic education;
- act for the good of Catholic education as a whole within the diocese;
- secure the long-term future of Catholic education;
- ensure that they act as a 'critical friend' knowing, understanding and evaluating the data connected with the school's performance and financial status.

All members of the governing body share the same generic responsibilities and have a legal responsibility to ensure that the school is conducted according to Christian values and the teachings of the church. However, it is the foundation governors who, when appointed, have specific legal responsibilities they must fulfil as a condition of their appointment. The full details can be found in the Catholic Education Service (CES) booklet 'Governance of a Catholic School' <http://catholiceducation.org.uk/guidance-for-schools/governance/item/1003612-governance-of-a-catholic-school> with particular reference to the role and responsibilities of Foundation Governors.

Once decisions are made by the governing body all governors are bound by them and should uphold them whatever their own personal opinions. If individual governors feel unable to accept the overall decision and support the majority view, then they need to consider whether they should remain as a member of the governing body.

### 1. **The Diocesan Articles of Association**

The Articles and the Trust Deed for Schools and Colleges are documents that inform the role and purpose of the Catholic School. They guarantee the Catholic character of the school and make clear that Catholic schools are conducted in conformity with canon law and the teachings of the Catholic Church. A copy of the Trust Deed, together with the relevant sections of Canon law, can be found in the appendix of this document. This is a very clear statement to governors about the way in which they must conduct their school. A Catholic School is not one that merely follows the secular National Curriculum with Catholic religious education and liturgical worship bolted on, but rather a community where Gospel values and the Catholic Faith are at the heart of everything and permeate every facet of its work. As governors, the maxim, '*is it in the best interest of the children?*' should always remain at the heart of all that they do. The organisation and functioning of all their work and committees should play their part in promoting a positive atmosphere within the school where the rich quality of its curriculum gives every pupil the opportunity to grow and realise their full potential. The Diocese and your LA will provide training opportunities on a wide range of topics for governors during their term of office. Governors are strongly advised to make use of these opportunities to help ensure the governing body is effective in carrying out its responsibilities.

### 2. **Governors and Head Teacher - respective roles and boundaries**

Although they work in partnership for the good of the school, governors and head teachers have different roles. The **governing body** is responsible for overall strategy and thus determines school policy (in consultation with the head teacher), and acts as a critical friend to the head teacher, asking questions and seeking evidence that the agreed strategy is in place and evaluating its impact. The **Head Teacher's** role is to determine how the strategy and policy will be implemented (in the light of governors' guidelines) daily and does so on behalf of the governors.

### 3. **Visits to the school**

Whilst every governor should get to know the school through visits, they should remember that school governors **do not** have an automatic right to enter the school. Therefore, these visits should always be purposeful and planned with the head

teacher in order to avoid unnecessary disruption. They should only visit by invitation or by a governing body decision. When visiting the school, governors should always adhere to the Governor Visits Policy. The purpose of visits should be to explore the impact and effectiveness of the schools' policies and procedures. Visits should have a clear focus, linked to a school policy, a curriculum area or an aspect of the school development plan. Governors should understand that their visits do not replace professional inspections or the monitoring role of the head teacher. Governors should not make judgements about the effectiveness of the teaching that they see. They should dress appropriately for visits and not do anything to imply that their visit is an inspection. They should report back to the Governing Body following any visit made to the school.

#### 4. **Safeguarding**

All governors have a duty to ensure that safeguarding practices and procedures are in line with statutory requirements. However, each governing body must have a nominated safeguarding governor whose responsibility it is to ensure that the single central record is in place and kept up to date. They must also ensure that training for staff is appropriate and up to date and that safer recruitment requirements are followed. All governing bodies **must** undertake a safeguarding audit on an annual basis.

All our governors are required to undergo an enhanced criminal record check from the Disclosure Barring Service (DBS) every four years. Once clearance is received, we recommend that all our schools subscribe to the free online DBS Update Service. This will allow the governor to keep their criminal record certificate up to date, save the need to reapply if seeking to be reappointed for another term of office and allows it to be portable if they transfer from one governing body to another. Foundation governors are not able to commence their duties until a satisfactory DBS clearance has been obtained.

#### 5. **Monitoring Parental Complaints**

There will from time to time be parents who, for whatever reason, have concerns regarding the way the school's head, staff, pupils or governors act. In order for schools and governors to be aware of parental perceptions of the school and to minimise the risk of them being accused of failing in their duty of not being aware of complaints or unrest until it is too late, it is beneficial for governors to ask the head teacher at least on an annual basis, but better still termly, for an overview of the number of complaints received, and what they have been related to. This enables governors to raise questions and be supportive of the school but be aware of any underlying issues. The DfE provide guidance <https://www.gov.uk/government/publications/school-complaints-procedures> to support schools in drawing up policies and dealing with complaints.

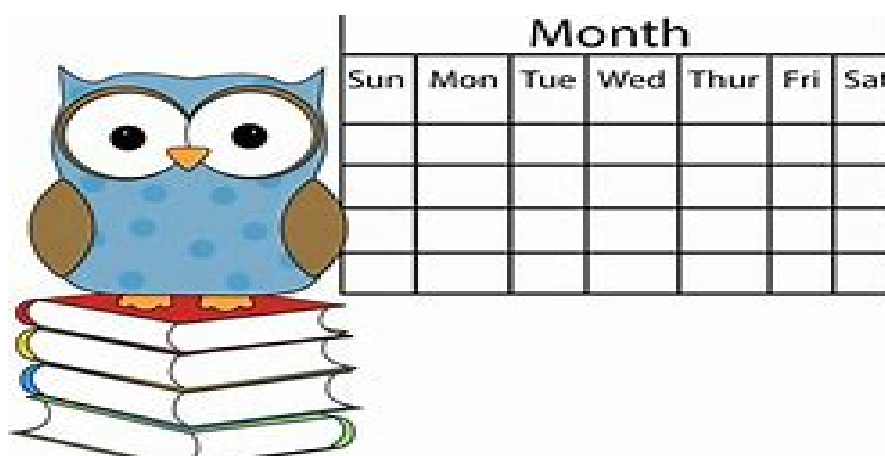
#### 6. **Training Opportunities.**

It is expected that Governors regularly receive training, including diocesan, and provide opportunities to staff to develop their understanding of the Catholic Church and the ethos of the school. Our Continuing Professional Development Booklet of Courses detailing all the courses on offer is produced in advance of each academic year and is available on our website: <https://schools.cliftondiocese.com/courses>

In addition, the booklet contains the key dates for all the major events of the year ahead.

## 7. Term/Holiday Dates

The law allows academies and school governing bodies to set their own term and holiday dates for their school. Therefore, governors can deviate from the Local Authority (LA) term dates calendar for religious purposes, e.g. it may wish to remain open during Holy Week when other schools are closed. The Diocese, however, would advise that a governing body thinks carefully before departing significantly from the dates set by the LA. A decision to depart from the local arrangement can make life difficult where siblings attend different schools with different holiday patterns.



## 8. School Website

The law **requires** governors to ensure that the school maintains an up-to-date website that includes policies and information on governance structure, admission arrangements, Ofsted inspections, exam results, curriculum content, Pupil Premium funding, SEN and many others that governors **must** ensure is published.

The governing body is responsible for:

- ensuring that the information above is published on the school website;
- providing a paper copy of the information, without charge, to parents on request;
- making sure that the information is updated as soon as reasonably practical following a change to that information.

The Department for Education gives full details of what is required to be published by:

- maintained schools

<https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>

- academies

<https://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online>

## The Curriculum and its Distinctive Nature of Catholic School

The governors of Catholic schools are responsible for policy relating to the whole curriculum with specific responsibility for Religious Education (RE) and Relationship and Sex Education.) Guidance for teaching Relationship & Sex Education is on our website <https://schools.cliftondiocese.com/governance> under the 'Diocesan Guidance' tab.

The whole curriculum of the school, including all subjects of the National Curriculum, should be taught in the light of Gospel values, which are not at odds with British Values, and actively promotes the spiritual and moral development of the pupils.

It is very important to realise that the Catholic identity of our schools is not exclusively related to Religious Education or *that (specifically in Secondary schools/colleges)* the responsibility of the RE Department. The Catholic school has a single Christian vision, an integrated concept of what makes a fully authentic and mature human being.

The educational process is not confined to the curriculum, nor to the academic, technical, artistic and sporting achievements of the school. The Catholic school should be seen as offering the possibility not only of exploring the mystery which God is, but also of demonstrating the Gospel in action. It must be consistent throughout and, in every aspect, reflect the Christian faith, which is its soul, its inspiration and its justification.<sup>1</sup>

The curriculum, in all its aspects, must reflect the fact that the person of Christ, and the message, which the Church has received from Him, is the foundation of the whole educational enterprise in a Catholic school. Although it may be convenient to speak of the 'religious' curriculum and the 'secular' curriculum in the Catholic School, as though these were separate and distinct, in reality the curriculum as a whole, and every part of it, is religious, since there is nothing which does not ultimately relate to God. For the school to be truly Catholic, this vision must be shared by all connected with its work<sup>2</sup>

Religious Education and Relationship and Sex education must be taught in line with the Bishop's policy and all policies and schemes related to them must be ratified **by the full governing body**. It is strongly suggested that Governors periodically review the school's curriculum with the aid of the document "**The Distinctive Curriculum of The Catholic School-Guidelines for School Review**" <https://schools.cliftondiocese.com/wp-content/uploads/2019/09/Catholic-Curriculum-Guidelines-Apr2012.pdf>

### 1. Monitoring the Catholic Ethos

Foundation Governors have a specific responsibility to monitor the Catholic ethos of the school. This can be carried out in a variety of ways:

- Learning Walks. How does the physical environment reflect and enhance our ethos? Does the pupils' work on display show an understanding of the distinctiveness of the school? What behaviour and engagement do you see modelled around the school? Is this in keeping with our core values?

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<sup>1</sup> 'The Future for Catholic Schools.' Address by Cardinal Hume to Catholic Head teachers at London Colney, 19 September 1988. (FCS).

<sup>2</sup> 'Evaluating the Distinctive Nature of the Catholic School.' Bishops' Conference of England and Wales, 1999.

- Discussions or surveys with staff? Do all staff understand the distinctive nature of the school? Can they apply it to all subject areas?
- Discussions or surveys of pupils/parents. Do they know how the school is distinctive? Do pupils enjoy and learn from RE? Do parents feel as though they are partners with the school?
- Inset records. Are Bishops' Conference requirements being fulfilled? Is the school providing adequate training for staff to enable them to fulfil their roles?
- Capitation records. Does RE and Chaplaincy receive adequate capitation?
- The school's timetable. Does RE receive 10% of curriculum time? (5% key stage five for general RE)
- Attendance at prayer and worship, mass etc.

## 2. Diocesan Inspections

**All** Catholic schools are subject to a full diocesan inspection, every 5 years. The three areas inspected are:

- Catholic life
- Religious Education
- Collective Worship.

Schools which are rated as 'Outstanding' or 'good', will receive a monitoring visit approximately half-way through the inspection cycle. The purpose of this visit is to help the school review its practice, to ensure it is either maintaining or improving its previous grade. A school which received a judgement of 'Requires Improvement' in their previous inspection, will be re-inspected after three years.

The Bishop does have the right to inspect at any time and has the right to revoke the Catholic status, should he deem the school not to be operating in accordance with Canon law.

All documentation referring to inspection is available on our website <https://schools.cliftondiocese.com/r-e-inspections>





## Key Areas of Governance, Bishops' Conference and Diocesan Requirements

The Bishops of the 22 Dioceses in England and Wales form the Bishops' Conference. The Catholic Education Service (CES) is the Bishops agency for education in England and Wales. The Conference issues directives, via the CES, that apply nationally, for example concerning the appointment of teaching staff. Other directives are made by an individual Bishop that will only apply to his own Diocese, for example concerning how Catholicity should be confirmed for admissions purposes. All Bishops directives, whether national or individual, must be followed by schools and colleges.

There are certain areas of governance that are key aspects of the governing body's legal duty in a Catholic School relating to their religious character. These are; the curriculum; and appointment of staff; admissions, school inspection and issues relating to the control of school premises.

### 1. Recruitment and Appointment of Staff

Governors of Catholic schools appoint and employ their own staff, i.e. teaching and non-teaching. Employment Law gives governors the right to discriminate in favour of Catholics when making teacher appointments as set out in section 60 (5) of the Schools Standards and Framework Act 1998. Governors may also discriminate on religious grounds with regard to non-teaching staff where appropriate, e.g. where religion is a genuine occupational requirement (Education and Inspections Act 2006).

#### a) Reserved Posts

Whilst the Bishops of England and Wales recognise the difficulties of recruiting Catholic teachers and do not stipulate that all teachers must be Catholic, they have directed that the **posts of Executive Head, Head Teacher/Principal, Deputy Head Teacher, Assistant Head Teacher, Head of School, Head of Department or Co-ordinator of Religious Education and Chaplain, must all be reserved for practising Catholics.** When recruiting and making an appointment for any reserved post, governors **must** inform the Department for Schools and Colleges and involve the Department in the drafting of an advert, person specification, the shortlisting and the interview process. The Department **must** also be involved in any interim arrangements for these posts. This applies to both VA schools and academies. Academies should consult their separate documentation to see which posts are identified as reserved posts if the titles are different from those listed above.

Should in exceptional circumstances governors not feel able to appoint a practising Catholic to any of these posts then they **must** immediately consult with the Department for Schools and Colleges. Exceptions to the 'reserve posts' directive can only be made with the prior approval of the Bishop.

Failure to adhere to the reserved post directive could result in the Bishop removing foundation governors from the governing body.

See our 'Guidance on Recruitment for Headship' booklet: <https://schools.cliftondiocese.com/wp-content/uploads/2018/09/Headship-recruitment-guidance-2018.pdf> to support the recruitment of a headteacher.

For the post of **RE Coordinator**, the teacher must have at least completed the three-day Cross Phase Modular Course. This is a requirement by the Bishop that all RE Coordinators in post will have acquired this qualification within two years of their appointment.

See our Continuing Professional Development Booklet of Courses <https://schools.cliftondiocese.com/wp-content/uploads/2020/07/Booklet-of-Courses-2020-21.pdf> for details.

### **b) Other Teaching posts**

**Wherever possible, governors should seek to appoint Catholic teachers to support the RE curriculum and maintain and promote the Catholic ethos of the school.**

It should be emphasised that when appointing teaching staff who are not Catholic, the **governors must satisfy themselves that the person will uphold and support the Catholic ethos of the school and would be prepared to participate in all that the school provides including reflections, retreats, masses and services, when appropriate. This must be made clear during the interview process through questioning.** In the event of an appointment for a teaching post in a primary school it could also be explored through the delivery of a RE lesson. When governors employ non-Catholic staff, they also have a duty to ensure that they provide adequate and appropriate training to enable them to fulfil their role and responsibilities.

### **c) General**

Governors must use the Catholic Education Service (CES) <http://catholiceducation.org.uk/recruitment-process> application forms and contracts of employment for all appointments. Governors should make themselves aware of what the contract states in relation to the appointment of those in reserved leadership posts. Though the law allows heads to appoint a significant number of staff, without any governor involvement, the diocese very strongly recommends that the delegation of this responsibility, and for which posts, is made clear. A clear scheme of delegation should be drawn up.

## **2. Admissions**

### **a) Policy**

- **The key document for all those involved in the process of admissions to know and refer to is the "School Admissions Code" issued by the DFE.** Academies are required by their funding agreements to comply with the Code and the law relating to admissions. This code does not apply to independent schools. All schools **must** have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places available at the school. Admission arrangements are determined by admission authorities but after consultation with the appropriate

stakeholders. For VA schools and academies, the Governors are the admissions authority

- Admission authorities **must** set ('determine') admission arrangements annually. They must consider each year if they wish to make any changes to their current arrangements. Where changes are proposed to admission arrangements, the admission authority **must** first publicly consult on those arrangements. If no changes are made to admission arrangements, they **must still** be consulted on at least every 7 years. Consultation **must** be for a minimum of 6 weeks and **must** take place between **1 October** and **31 January** of the year before those arrangements are to apply. If no changes are made on an annual basis the governing body still must officially determine the policy, notify all other persons/bodies as required by the Code and must send a copy to the Local Authority and Diocese.
- Governors must include in the policy how In-Year admissions will be handled and how appeals may be made.
- CCDEF, which is chaired by the Bishop has agreed a common admissions policy, with standardised over-subscription criteria, for use by all primary schools within the Diocese, with effect from the 2021-22 school year. Governing bodies must not deviate from the common policy without the express permission of the Diocese.

## **b) Considering admission applications**

- It's a legal requirement that all applications are not dealt with by just one person but are considered by a committee or the FGB. Failure to do this and provide evidence of such could be deemed to be maladministration and effect an appeal outcome.
- The governors are the admissions authority and **must not** delegate the decision to offer or refuse places and/or the task of ranking applications to a member of staff and/or the LA although, for new intake applications the LA will inform the parents in writing on behalf of the governors of their decision.
- If there are vacancies, a place must be offered. If the year group is full, the application must be considered by governors. Being full in a year group is not a valid legal reason for refusing admission. Admission may only be refused if the child's admission would "*cause prejudice to the provision of efficient education or the efficient use of resources*". Governors must therefore consider the individual circumstances of each application before deciding if such 'prejudice' would exist, were the child to be admitted.
- If the child's admission would not cause 'prejudice' then a place must be offered, even if the year group is full.
- When deciding if 'prejudice' exists, the number of children already in the year group, is a factor that must be taken into account – but an application should never be automatically refused just because a year group is full – the application and reasons provided by the parent/carer must still be considered.
- If governors feel that a child's admission would cause 'prejudice', but because of circumstances of the case, they would like to offer a place, then they may do so on the basis that the circumstances of the case were exceptional and that they outweighed the 'prejudice' that the admission would cause.

- The reasons for offering or refusing admission must always be recorded in the minutes of the meeting. The minutes may be required by an appeals panel.
- In the event of a refusal of a place, parents, and in some circumstances, children, have the right to appeal against the governor's decision. When informing the applicant of the refusal, the governing body **must** set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The governing body **must** establish an independent appeals panel to hear the appeal. The school will need to provide a presenting officer for the appeal. This person should be fully aware of all the facts that relate to the refusal of the place and understand the impact it will have on the school and other pupils should the pupil/student be admitted. The panel will decide whether to uphold or dismiss the appeal. Where a panel upholds the appeal, the school is required to admit the child.
- The DfE guide the 'School Admissions Appeal Code' details what is required of schools relating to appeals.
- For copies of the DfE 'School Admissions Code', the DfE 'School Admissions Appeals Code' and the Department's own guidance go to <https://schools.cliftondiocese.com/governance> and see under the 'Admissions' tab.

### **3. Religious Education**

Religious Education must be undertaken in accordance with the teachings of the Catholic Church. It also requires the school to be conducted in accordance with the Diocesan Articles of Association and Trust Deed. Schools in our diocese are expected to devote 10% of total teaching time to RE in key stages one to four and 5% of total teaching time in key stage 5. They are also required to follow syllabi in line with the Curriculum Directory for Religious Education and Diocesan Guidelines.

### **4. Collective Worship**

Legislation states that all schools must hold a daily act of collective worship. In our Catholic schools, the worship must be in accordance with the rites and liturgies of the Catholic Church. This does not count as "teaching time" and is in addition to the 10% of teaching time devoted to RE.

### **5. Relationship and Sex Education**

Governors must decide how Relationship and Sex Relationship Education should be addressed within their school, considering any legal requirements made in this area. The content and approach however must always be in accordance with Canon Law and the teachings of the Catholic Church and must follow the guidance set out in the Diocesan booklet 'Guidance for Teaching Relationships and Sex Education in Schools' available on our website <https://schools.cliftondiocese.com/governance> under the 'Diocesan Guidance' tab. Please note the DfE has updated its legal guidance on this topic to come into force from September 2020. Governors should ensure that they are aware of the new requirement.

## 6. Inset Provision

All Catholic schools and colleges are required to hold **at least one inset day per year for all staff about the Catholic Life of the school**. In addition, RE coordinators or heads of department and chaplains should attend the diocesan specific training days which normally occur three times each academic year.

## 7. Chaplaincy

All schools must have a Chaplaincy team in place and a designated adult coordinator. Chaplaincy teams should undergo training and their development plan should be connected to the diocesan pastoral plan.

## 8. Insurance

- **VA schools**

Buildings and liability insurances for the school and staff is to be sought by the school. Many schools buy this service from their Local authority. Governors should also purchase Governors' indemnity insurance. This may be available through the Local Authority or you may have to purchase it separately through another service provider.

- **Academies**

The Diocese has arranged for the Catholic Church Insurance Association (CCIA) as an option to provide buildings insurance for all diocesan academies. Academies **must** take out building's insurance, preferably through the CCIA and the insurance should be in the joint names of the Academy and the Clifton Diocese. Please contact CCIA for further information, including information regarding the procurement position in relation to buildings insurance for diocesan academies.

Academies can purchase liability insurances from Zurich, who provide the buildings insurance through CCIA, meaning that all the academy's insurances can be placed with the same insurer. Alternatively, academies can purchase their liability insurances elsewhere. Purchasing as a package ensures that there are no "gaps" in insurance or disputes between insurance companies as to which is the relevant policy. Academies can also arrange their liability policies through the Government Scheme, by opting into the Risk Protection Arrangement (RPA). The payment for this will be deducted from the GAG funding monthly.

In purchasing the liability insurances, academies are responsible for ensuring that they comply with the relevant procurement requirements. Funding for academy insurance will form part of the general annual grant (GAG).

## 9. Land, Property and Control of Premises

In the vast majority of cases the land upon which schools are built and the hard-surfaced areas are owned by the diocese. Typically, the buildings will have been provided by the state with some diocesan funding, although there are exceptions. In most, but not all cases, school fields fall within the ownership of the Local Authority although in some cases these are also within the ownership of the diocese or a religious/charitable order.

### **i) School Premises:**

you should be aware that:

- Maintenance, upkeep and insurance of the site including the buildings are the responsibility of the governors.
- Governors must ensure that the premises (including the site) are safe and secure and without risk to the health of staff, pupils, visitors (or governors).
- To help discharge these responsibilities governors must:
  - a) keep the condition of the school buildings under review; ensure the school development plan includes forward planning for repairs, maintenance and any capital building projects.
  - b) ensure that appropriate regulations and requirement are complied with. This is a broad subject but, in respect of land and buildings this will include such things as compliance with the Control of Asbestos Regulations 2012 and compliance with the Construction Design Management Regulations 2015. It also includes ensuring compliance with the school's Health and Safety Policy (see 10 below).
- Governors should not permit unauthorised access to or use to school premises including school fields.

The diocese does not become involved in the maintenance and repair of buildings but capital building projects (including such things as the provision of biomass boilers and photovoltaic cells) will require diocesan approval.

### **ii) Capital Building Projects:**

- Governors must seek approval for capital building projects from the diocese which is generally done by contact with the Diocesan Property Services Department.

### **iii) Charging:**

- The Diocesan Trustees have adopted a policy not to allow Diocesan land to be "charged by way of an entry upon title." Charging occurs when a grant making or funding body e.g. Sports England, requires an entry to be placed on the diocesan title deeds to the land held at the Land Registry. In that way, if the grant or loan requires repayment, then the grantor or funder could require the land to be sold taking value from a diocesan asset. Such arrangements are attached to a variety of grant making or funding organisations – so seek diocesan advice and approval.

### **iv) Use by external groups or organisations:**

- Ad-hoc use should be dealt with by way of being properly documented via the Diocesan 'Hire Agreement' (please consult the Diocesan Property Services

Department). Governors should be satisfied that the user has adequate indemnity insurance.

- The Diocese does not generally permit leasing of school premises (this typically also applies to the DfE). Short term ad-hoc use may be permitted by way of licence, (this might include use by a local group which meets at the school on a periodic basis). Where a school wishes to let space to a pre-school group on a short-term lease this must be first agreed with the Property Services Department of the Diocese.
- Governors should ensure that the purpose for the use of the premises is not contrary to the teachings and ethos of the Catholic Church.

## **10. Health and Safety in School**

- In Section 6.8.11 of the Governance Handbook it states that the main legislation covering health and safety is the Health and Safety at Work etc. Act 1974 (“the Act”).
- As employers, Governors are responsible for ensuring compliance with the Act.
- To ensure your school is legally compliant you should consult the DfE guidance document: Health and Safety: Advice for Schools <https://www.gov.uk/government/publications/health-and-safety-advice-for-schools>
- Health and safety measures should enable pupils to enjoy a wide range of activities safely and help pupils understand and manage risk. Governors also have a duty to see that those they employ and people visiting are safe as well. This applies to off-site activities as well as those on the school premise.

### **Governors are required to:**

- i. Assess the risks to staff and others to identify the health and safety measures that are necessary and keep a record of the significant findings of that assessment
- ii. Introduce measures to manage those risks (risk management)
- iii. Inform employees and others, such as volunteers, about the risks and measures to be taken to manage the risks
- iv. Ensure that adequate training is given to employees and others, such as volunteers, on health and safety matters
- v. Produce a written Health and Safety Policy which will set out health and safety arrangements and ensure compliance with it.
- vi. Ensure that there is a nominated responsible person for health and safety within the school and that they are clearly identified within the policy documentation.
- vii. Regularly review the Health and Safety Policy and arrangements
- viii. Ensure that any contractor working within the school complies with the school's Health and Safety Policy, has produced adequate risk assessments and method statements for the work in hand, has appropriate insurances and, in all other respects, complies with the Construction Design Management Regulations 2015.

- Tasks can be delegated to the appropriate people, so for example, the approval of health and safety documents for an off-site trip can be delegated to the Headteacher.
- There is no legal requirement for schools to have a nominated governor responsible for health and safety, but it is good practice (see the requirements of the Act and vi above).
- Governors are required to act in a professional manner, so it is good practice to ensure that the governing body receives adequate training in this area.
- The legal status of the governing body is that of a corporation: it is a corporate body, separate from its individual members. The Governing Body therefore collectively owns responsibility for Health and safety. It would be very rare for liability to fall on an individual governor
- Be aware of all current legislation and any updates.

### **11. Governors Liability**

The governing body holds corporate responsibility for all its decisions and there is therefore no liability for individual governors. Individual governors cannot act without delegation from the governing body. A governing body must make its decisions in the best interests of the pupils of the school. They must seek appropriate advice, particularly in personnel issues, and act upon that advice. Governors who act without authority from the governing body are subject to the usual rule of law.

### **12. Grievance Procedure**

All governing bodies are legally required to have an agreed policy that specifies the procedure that will be followed whenever a grievance is made by a member of staff or a governor. The procedure must clearly detail who and how it will be dealt with when the grievance is made against a member of staff, including the Head Teacher and who and how it will be dealt with when the complaint is against a member of the governing body, including the Chair of Governors.





## New Foundation Governors

Newly appointed governors need to have an enhanced Disclosure Barring Service Certificate before they can take-up their duties. They are required to attend an induction training session with the diocese (and renewing governors must attend a refresher course). The dates of these sessions are published in the Continuing Professional Development Booklet of Courses <https://schools.cliftdiocese.com/courses>

### 1. Code of Conduct

Much of the information governors have access to, is of a confidential nature and all governors should therefore operate in a manner that is professional and upholds confidentiality. Governing bodies should have a clear code of conduct and should use the model code

<http://catholiceducation.org.uk/guidance-for-schools/governance/item/1003629-codes-of-conduct-for-governors-and-directors> provided by the Catholic Education Service that is signed at the start of a year and any breach of this could provide grounds for the removal of a governor. Most schools also have clear policies and protocols for when a governor visits a school.

### 2. Induction

It is recommended that when any new governor is appointed, they are provided with an induction that involves meeting with the Chair of Governors prior to the first governing body meeting, a meeting with the head and staff of the school, a tour of the school and be provided with appropriate documentation about the school and the diocese. If the Clerk to Governors has not already prepared a “bumper bundle” for you, or you did not receive it on your appointment, then you should ask him/her for one. These usually include the following:

- a list of the staff, including areas of responsibility
- a copy of the current school prospectus
- the School Development Plan or equivalent
- a summary of the RE/OFSTED inspection reports and the Action Plans
- calendar of full governing body meetings and those of its committees
- a school events calendar
- a recent school newsletter
- a list of members of your governing body
- a plan of the school
- a list of policies adopted by the school
- a copy of the schools Instrument of Government (for schools only)
- a copy of the schools Articles of Association (for academies only)

It is highly likely there will be matters on which you need further explanation, so please do not hesitate to ask for further information. For the Governing Body, to be effective, it

needs all its members to be fully informed. The governing body may well use a mentoring system where a more experienced governor will support and guide you.

### 3. After the meeting

Governors want to use whatever skills and abilities they have for the benefit of the school and its community. Their own skills and abilities can best be used by membership of some of the various committees. Initially they may wish to sit on various committees and then decide where they are able to make an effective contribution. Because of the transfer to governing bodies of many of the responsibilities, which were previously the preserve of LAs, it may be sensible to delegate some of these areas of responsibility to small committees, which are composed of several governors and perhaps one or two members of staff.

These main areas may be identified as being under the following headings:

- Finance
- Staffing
- Premises
- Pupils
- Curriculum/Standards
- Ethos
- Admissions

Governing bodies may combine several areas into a single committee. There is no prescribed number of committees, though there are certain statutory committees that all governing bodies must have. Meetings of the various committees are scheduled according to the needs of the school but there would normally be at least one committee meeting each term, often more than one. It is normally in these meetings that the main work of supporting the school takes place.

The statutory committees, which all Governing Bodies are bound to constitute by law, are:

- Staff Discipline and Dismissal Committee
- Complaints/Appeals Committee
- Pupil Discipline Committee
- Admissions Committee
- Committee of Appointed Governors (Performance Management)

These committees normally meet as and when required. Members of the Complaints/Appeals Committee **must** review/or be independent of the matter under consideration. To ensure independence, governors from another school may occasionally be co-opted to join the Complaints/Appeals Committee to consider and/or investigate a particular case. Governing bodies should have reciprocal arrangements in place with the governing body of another school(s) to share governors to deal with such situations.

#### **4. Review/Removal of Foundation Governors**

Foundation Governors are appointed by Bishop Declan\* to represent the interests of Catholic education, to represent the views of the Bishop and to serve the needs of the individual school. In very rare cases, a governor or governors may fail to carry out the wishes of the Bishop or deliberately misrepresent those interests or not be considered to have the appropriate skills needed to ensure the school is providing adequate educational provision. In such cases the Bishop may direct a review of foundation governors to be undertaken, that may or may not lead to a request for resignation or removal.

\*At two of our primary schools some or all of the Foundation Governors are appointed by the Trustees of the Religious/Charitable Order associated with the school. They must ensure the schools provides education in accordance with Canon Law and the teachings of the Catholic Church.

### **Important Documents**

A number of other documents should be given to all new governors, usually by the Clerk to Governors but some documents will be obtained directly from the school. They all contain information that a new governor, or a governor commencing a new term of office, will find useful. These documents include:

#### **1. The Instrument of Government (for VA schools only)**

This document is important for two reasons: firstly it establishes the exact size and composition of the governing body; secondly because it contains the ethos statement of the school. This is a legal statement about the nature of the school that must accord with the requirements of the Diocesan Articles of Association. **The Instrument of Government cannot be amended or changed without the consent of the Bishop.** As a point of information the Instruments are 'made' i.e. made legal by the LA.

#### **2. The Articles of Association (for Academies only)**

Academies do not have an Instrument of Government. Their governance structure is set out in their own Articles of Association (not to be confused with the Diocesan Articles of Association) and also contains the ethos statement of the school. Again, this is a legal statement about the nature of the school that must accord with the requirements of the Diocesan Articles of Association. It cannot be amended or changed without the consent of the Members of the Academy Trust i.e. the Bishop, the Chair of Governors and CCDEF.

#### **3. Church Supplemental Agreement**

This is a legal agreement between the Secretary of State for Education, the Bishop, Diocesan Trustees and each academy and their academy trust and must be adhered to. It is a legal undertaking by all parties concerning payments in accordance with the Funding Agreement, conditions for the use of land, insurance requirements and other issues that academies must be aware of.

#### **4. Mission Statement**

The Diocesan Articles of Association, the school's Instrument of Government or own Articles of Association are the documents that underpin the governor's role in ensuring

that the school is organised according to the teachings of the Church; the Mission Statement is the school's public declaration of its Christian character. It is important that the school community is involved in the process of reviewing the statement regularly as it is the main spring for all the school's activities and is reflected in all the school's policy documents.

### **5. The School Prospectus**

The Mission Statement will occupy a prominent position in the school's prospectus; this is the document that will be the introduction to the school for many parents. Parents and all that receive copies of the prospectus should have no misunderstanding about the Catholic nature of the school and what that will mean in practice. Newly appointed Governors seeking to find out more about their school would find this document useful.

### **6. The School Development/Strategic Plan**

This normally runs for three years, either April to April (the financial year) or September to September (the school year). Reference to the plan should shape and inform all decisions the governing body make. The plan should be updated annually, usually as preparation for the budget process, with the priorities for subsequent years highlighted together with an assessment of the success of the previous year. This assessment of priorities allows the governing body to effectively provide an input into the School Budget Plan.

### **7. The School Budget**

This can be a very detailed document that is often best received by new governors as a summary with expenditure categorised under general headings rather than detailed expenditure codes. The original detailed document has to be approved annually by the governing body but is usually prepared as a delegated function by a committee in full consultation with the head teacher. The LA will issue 3 year indicative budgets to help governing bodies with future planning.

### **8. OFSTED and Diocesan Reports and Action Plans**

Schools are inspected regularly. However, the frequency of OFSTED inspections will vary according to the performance of the school. Outstanding schools will be exempt from inspection unless they 'hit a trigger' such as a dip in performance data, attendance statistics or parental complaints. Schools requiring improvement will be visited more frequently. When the inspection is completed a report and summary is issued which celebrates the school's achievements and provides details of those areas that are thought to need development. The governing body has to prepare an action plan that addresses the areas for development and this is usually assimilated into the schools action plan. The Clerk to the Governors should be able to provide you with a summary or, if requested, a full copy.

## Appendices

### 1. Canon Law

Can. 796 §1. Among the means to foster education, the Christian faithful are to hold schools in esteem; schools are the principal assistance to parents in fulfilling the function of education. §2.

Parents must cooperate closely with the teachers of the schools to which they entrust their children to be educated; moreover, teachers in fulfilling their duty are to collaborate very closely with parents, who are to be heard willingly and for whom associations or meetings are to be established and highly esteemed.

Can. 797 Parents must possess a true freedom in choosing schools; therefore, the Christian faithful must be concerned that civil society recognizes this freedom for parents and even supports it with subsidies; distributive justice is to be observed.

Can. 798 Parents are to entrust their children to those schools which provide a Catholic education. If they are unable to do this, they are obliged to take care that suitable Catholic education is provided for their children outside the schools.

Can. 799 The Christian faithful are to strive so that in civil society the laws which regulate the formation of youth also provide for their religious and moral education in the schools themselves, according to the conscience of the parents.

Can. 801 Religious institutes whose proper mission is education, retaining their mission faithfully, are also to strive to devote themselves to Catholic education through their schools, established with the consent of the diocesan bishop.

Can. 803 §1. A Catholic school is understood as one which a competent ecclesiastical authority or a public ecclesiastical juridic person directs or which ecclesiastical authority recognizes as such through a written document.

§2. The instruction and education in a Catholic school must be grounded in the principles of Catholic doctrine; teachers are to be outstanding in correct doctrine and integrity of life.

§3. Even if it is in fact Catholic, no school is to bear the name Catholic school without the consent of competent ecclesiastical authority.

Can. 804 §1. The Catholic religious instruction and education which are imparted in any schools whatsoever or are provided through the various instruments of social communication are subject to the authority of the Church. It is for the conference of bishops to issue general norms about this field of action and for the diocesan bishop to regulate and watch over it.

§2. The local ordinary is to be concerned that those who are designated teachers of religious instruction in schools, are outstanding in correct doctrine, the witness of a Christian life, and teaching skill.

Can. 805 For his own diocese, the local ordinary has the right to appoint or approve teachers of religion and even to remove them or demand that they be removed if a reason of religion or morals requires it.

Can. 806 §1. The diocesan bishop has the right to watch over and visit the Catholic schools in his territory, even those which members of religious institutes have founded or direct. He also issues prescripts which pertain to the general regulation of Catholic schools; these prescripts are valid also for schools which these religious direct, without prejudice, however, to their autonomy regarding the internal direction of their schools.

§2. Directors of Catholic schools are to take care under the watchfulness of the local ordinary that the instruction which is given in them is at least as academically distinguished as that in the other schools of the area.

## Appendices

### **2. Extract from Trust Deed for Schools and Colleges**

The following provisions apply to any school conducted under this trust deed.

1. The school shall at all times remain a Catholic school conducted in conformity with this schedule, with canon law and with the teachings of the Church.
2. The school is to be conducted by a governing body the majority of whom are foundation governors appointed by the Bishop and such governors may be removed at any time by the person appointing them and shall be removed if they cease to be in full communion with the Church.
3. The school is to conform to any directives issued lawfully by the Bishop concerning the general regulation of the school as provided by canon law. Such directives have force as if they formed part of this schedule.
4. No alteration to the character of the school may be made or proposed without the prior consent in writing of the Trustees and of the Bishop.
5. The school is provided for the education of persons who are baptised members or catechumens of the Church provided that the admittance of any other person as a pupil may be made in conformity with any direction made by the Bishop.
6. The head teacher, deputy head teachers and head or co-ordinator of religious education and those with pastoral responsibilities are to be practising Catholics in full communion with the Church.
7. All teachers of religious education or staff in positions of pastoral responsibility must be approved under arrangements including selection criteria made by the Bishop. The appointment of all teachers is to be under a contract of employment which obliges the teacher to support the ethos of a Catholic school.

oversight of the Bishop.

## Appendices

### 3. Some Characteristics of a Successful School Identified by DfE and OFSTED

For governors to carry out their duty under Section 21 (2) of the Education Act 2002 'to conduct the school with a view to promoting high standards of educational achievement at the school', they need to have an effective school'.

- What are the school's values? Are they reflected in our long-term development plans?
- How are we going to raise standards for all children, including the most and least able, those with special educational needs, boys and girls, any who are currently under achieving
- Have we got the right staff and right development and reward arrangements?
- Do we have a sound financial strategy, get value for money and have robust procurement and financial systems?
- Do we keep our buildings and other assets in good condition and are they well used?
- How well does the curriculum provide for and stretch all pupils?
- How well do we keep parents informed and take account of their views?
- Do we keep children safe and meet the statutory health and safety requirements?
- How good is pupil behaviour? Do we tackle the root causes of poor behaviour?
- Do we offer a wide range of extra-curricular activities which engage pupils?

The core purpose of a Catholic school is teaching and learning about the Faith. Everything that happens in a school must contribute to effective teaching and learning. Governors must keep this at the front of all their meetings. Do not allow yourselves to be diverted by other issues.

## Appendices

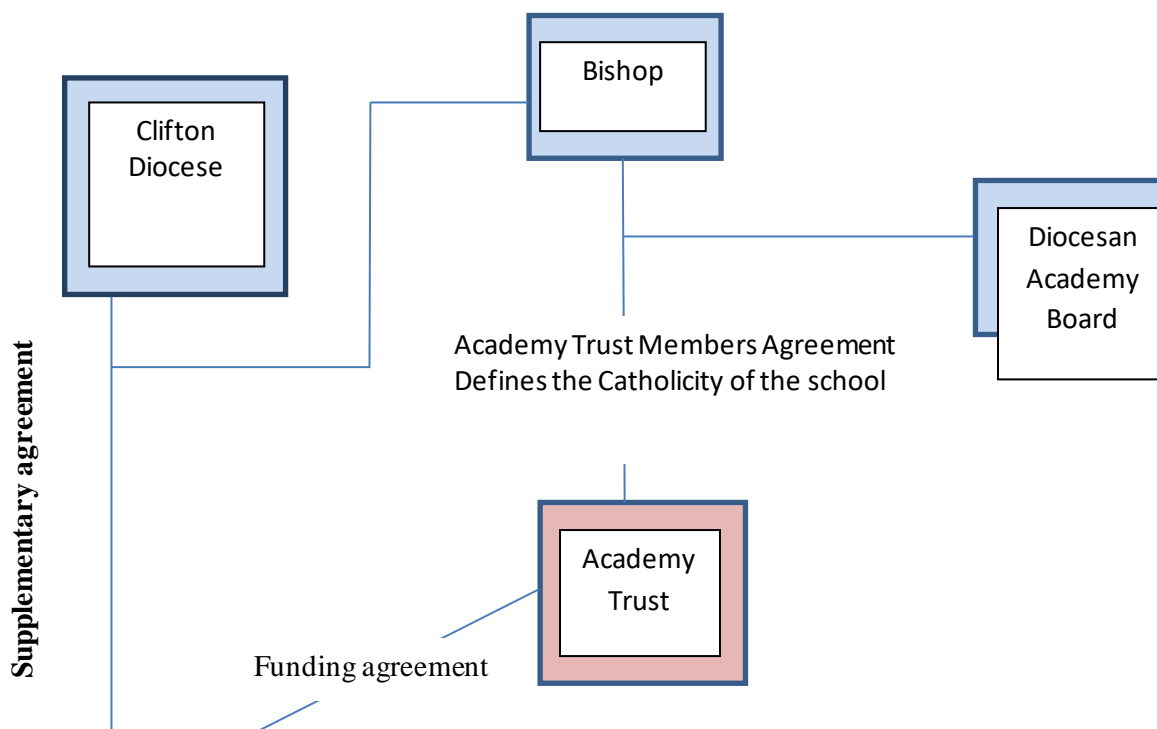
### 4. Expectations of Governors

Expectations	Estimated Time needed per year
To attend 1 meeting of the full governing body per term – around 2 hours 6 times per year (dates are published in September for the year)	2 hours x 6 meetings
To be an active member of at least one committee (not more than 3). Committees normally meet three times a year, unless pressing business demands more.	1.5 hours x 3 or 4 meetings
Agenda and papers for meetings will be distributed a week beforehand. If you have any items to be included on the agenda, please contact the Chair. (This is better than leaving it to AOB). To read paperwork, and come to meetings prepared.	
To send apologies (with reasons) if unable to attend full governors meetings and committee meetings. Apologies will be recorded, but can be declined.	
To fully support all agreed policies and monitor their implementation.	
To keep informed about policies which the school has devised in order to meet the statutory requirements as outlined in the Governor's Handbook. This involves some reading and 'homework' to keep up to date with requirements, and ensuring that policies are regularly updated.	
To take part in the visiting programme arranged for governors to come into school.	1 or 2 hours x 1 visit
To undertake governor training as appropriate, ideally once a year.	2 hours per training session
To maintain the confidentiality of governors meetings. Minutes are a public record of what is discussed, and these are available for anyone who wishes to read them. However, much of what is said in meetings is confidential, and it is not helpful if such matters become the basis of rumour and mis-interpretation.	



# Appendices

## 5. Structure of the Relationships of Academies to Diocese



**Diocesan Academy Board Members:**

- Lyn Murray
- Michael Thompson
- Michele Morgan
- Margaret Young
- Colleen Collett
- Paul Kehoe
- Fr. Adrian Porter

**Academy Trust Members:**  
 Bishop; CCDEF; Chair of Governors (Directors)

**Academy Trust Directors:**  
 Governing Body with Foundation Governors (Directors) who are appointed by the Bishop in the majority  
 Must govern in accordance with the Articles of Association

**Secretary of State**  
 Funding for the academy is signed in agreement with the Secretary of State  
 They sign the supplementary agreement with the Bishop and Clifton Diocese which defines the Academy Trust land usage and the religious character of the academy

## Appendices

### 6. Recommended Reading

- Evaluating the Distinctive Nature of the Catholic School. Bishops' Conference of England and Wales, 1999
- The Catholic School on the Threshold of the Third Millennium, available as a download from the Vatican website
- The Common Good and the Catholic Church's social teaching: A statement by the Catholic Bishops' Conference of England and Wales 1996
- Meeting God in Friend and Stranger - Bishop's Conference 2010 Available from <http://www.cbcew.org.uk/>
- Religious Education Curriculum Directory - Available from [www.nbria.org.uk](http://www.nbria.org.uk)
- Guidance on Section 48 Inspections <https://schools.cliftodiocese.com/r-e-inspections>
- Diocesan newsletters for Leadership and Governance <https://schools.cliftodiocese.com/communications> under the 'Directors Newsletter' tab and the Go-Governance newsletter <https://schools.cliftodiocese.com/governance> under the 'Go-Governance Newsletters' tab, which both give current advice
- School Admissions Code <https://schools.cliftodiocese.com/governance> under the 'Admissions' tab

### Resources

- <http://www.catholiceducation.org.uk/> The Catholic Education Service website for England and Wales
- <http://schools.cliftodiocese.com/> The Diocesan website for schools and colleges
- [www.cliftodiocese.com](http://www.cliftodiocese.com) The main Diocesan website
- [www.nga.org.uk](http://www.nga.org.uk) National Governors' Association website.

## Appendices

### **7. School Partnership Groups**

#### **Emmaus**

St Augustine's College, Trowbridge  
St Joseph's, Salisbury  
St Edmund's, Calne  
St John's, Trowbridge  
St Joseph's, Devizes  
St. Louis, Frome  
St. George's, Warminster  
St Osmund's, Salisbury  
Christ The King, Amesbury  
Wardour, Tisbury  
St Edward's, Romsey (Special)

#### **The Little Way**

St Peter's High, Gloucester  
St Peter's, Gloucester  
The Rosary, Stroud  
St Joseph's, Nympsfield  
St Gregory the Great, Cheltenham  
St Thomas More, Cheltenham  
St Marys, Churchdown  
St Catharine's, Chipping Camden  
St Rose's, Stroud (Special)  
St Edward's Preparatory, Cheltenham  
(Independent)  
St Edward's Senior, Cheltenham (Independent)

#### **Camino**

St Gregory's College, Bath  
St John's, Bath  
St Mary's, Bath  
St Benedict's, Midsomer Norton  
St Patrick's, Corsham  
St Mary's, Chippenham  
St Augustine's, Downend  
Our Lady of Lourdes, Kingswood  
St Paul's, Yate  
Downside, Stratton-on-the-Fosse (Independent)  
All Hallows, Shepton Mallett (Independent)  
Prior Park Senior, Bath (Independent)

#### **Aquinas**

St Brendan's Sixth Form College, Bristol  
St Bernadette's Secondary, Bristol  
St Bernadette's, Bristol  
Christ the King, Bristol  
St Pius X, Bristol  
Holy Cross, Bristol  
St Joseph's, Bristol  
St Patrick's, Bristol  
St Nicholas of Tolentine, Bristol

#### **Newman**

St Bede's College, Bristol  
St Bernard's, Bristol  
Our Lady of the Rosary, Bristol  
SS Peter and Paul, Bristol  
St Bonaventure's, Bristol  
St Teresa's, Bristol  
St Mary's, Bradley Stoke  
Holy Family, Patchway  
Christ the King, Thornbury  
St Francis, Nailsea  
St Joseph's, Portishead

#### **Dunstan**

Our Lady of Mount Carmel, Wincanton  
St Gildas, Yeovil  
St George's, Taunton  
St Joseph's, Bridgwater  
Corpus Christi, Weston-super-Mare  
St Joseph and St Teresa  
St Joseph's, Burnham-on-Sea

#### **Samuel**

St Joseph's College, Swindon  
Holy Cross, Swindon  
Holy Rood, Swindon  
Holy Family, Swindon  
St Mary's, Swindon  
St Catherine's, Swindon  
St Joseph's, Malmesbury