Ways of Working Protocol: ensuring the implementation of the Memorandum of Understanding between the Catholic Church and the Department for Education.

Last updated: 22 September 2021.

Background

1. The Memorandum of Understanding (MoU) between the Catholic Church and the DfE was agreed in April 2016. It sets out key principles to inform the working arrangements between the DfE, the Catholic Education Service (CES) and Catholic Dioceses with regard, inter alia, to Catholic schools becoming academies, and any action to support, challenge or intervene in any underperforming Catholic school.

2. This note is intended to set out the agreed expectations in relation to key ways of working to support Regional Schools Commissioner (RSC) teams and Education and Skills Funding Agency (ESFA) teams to understand how the MoU relates to their work with Catholic Dioceses, Diocesan Schools Commissioners (DSC), Directors of Schools and Colleges, Catholic Academy Trusts (sometimes referred to as Academy Companies) and individual Catholic schools.

3. These ways of working have been identified during dialogue between the DfE and the CES, with input from Diocesan Colleagues. The content of this document has been agreed between the DfE and the CES.

Summary

4. This note represents a commitment on the part of the DfE to adopt the ways of working set out below covering three broad areas: communication, decision-making and consistency. In response to the DfE adopting these ways of working, the CES, Catholic Dioceses, Catholic Academy Trusts and individual Catholic schools commit to working in cooperative partnership with the DfE in pursuit of the shared goals of the MoU. In addition, the DfE will procure that RSC teams and ESFA teams work in the ways set out below. The CES will also work with Catholic Dioceses and schools to assist them in working constructively and co-operatively with the DfE and its RSCs.

Communication

5. The DfE will identify a lead RSC for each Catholic Diocese, including those where the Diocese operates across more than one RSC region. The identified lead RSC for each Diocese is appended.

6. The DfE will identify a senior lead contact from within the lead RSC's team for each Catholic Diocese. Every effort will be made to ensure continuity in order to limit the duplication of effort in Dioceses building relationships with RSC team members and providing them with contextual information.

7. Nothing in paragraphs 5 and 6 above precludes relevant RSCs and members of relevant RSC teams from meeting and holding discussions with DSCs when requested. Requests for meetings and information will not be refused on the basis that an RSC is not the lead RSC or the senior lead contact from the lead RSC team.

8. The lead RSC for each Catholic Diocese will hold a face-to-face meeting with the DSC at least annually, with additional meetings or conversations taking place at other times during each school year as necessary; it is likely that taken together, these will ensure termly dialogue between the lead RSC team and each Diocese. RSCs and Dioceses will expect to have more regular contact where issues arise and this will often be through the senior lead contact mentioned in paragraph 6.

9. The annual face to face meeting set out above will cover a range of issues, including a review of the relationship between the RSC and the Diocese, Catholic academy and voluntary schools' performance, development plans for MATs and converting voluntary schools to academies. The DfE will involve other key parties, such as the ESFA, where necessary.

10. The RSC teams and ESFA teams will ensure that, for all non-routine communications between the DfE and a Catholic Academy Trust or an individual Catholic school, the relevant Catholic Diocese will be copied into such communication (unless to do so would constitute a breach of other requirements or regulations).

11. The National Schools Commissioner will work with other RSCs and the DfE faith team to ensure that a shared induction for new RSC staff reflects the MoU and key issues relating to working with Catholic Dioceses, Catholic Academy Trusts and schools. The CES agrees to provide input and support to these induction events. The DfE and RSCs will also offer reciprocal training for staff new to Dioceses or the CES on working with the Department.

12. The RSC teams and ESFA teams will ensure that a representative of the DSC is invited to all meetings relating to Catholic Academy Trusts and schools including all meetings with representatives of Catholic Academy Trusts and/or schools. Where DSCs have been offered the opportunity to attend but are unable to do so, they will be provided with any reports and/or meeting notes generated in relation to the discussions that have taken place as soon as possible.

13. The RSC team will ensure that appropriate officials are invited to all meetings between RSC teams and Dioceses and this will include representatives from the ESFA.

Decision-making

14. In circumstances where decisions having a Diocese-wide implication are to be considered by an RSC, with advice from the relevant Advisory Board (AB), the RSC will ensure that an opportunity is given for AB members to receive guidance directly from a Diocesan representative so that the AB is clear about the implications for Catholic education generally and the view of the Diocese in relation to the relevant decision.

15. As with all decisions, where an RSC considers a proposal to be novel or contentious the decision may be referred to the National Schools Commissioner or the Minister and, in this case, the National Schools Commissioner and/or the Minister (as appropriate) may seek appropriate advice and insight from the CES. Where novel or contentious decisions are referred to the National Schools Commissioner or the Minister, the Diocese will be notified that this has happened.

16. The CES, informed by its role working across all Dioceses, may from time to time identify areas of concern in individual Dioceses, and raise these with the National Schools Commissioner for further consideration. This will include the CES working with Dioceses and the relevant RSC to help resolve issues where there are delays in putting in place a Catholic sponsor for Catholic schools who have received a directive Academy Order. Similarly, the National Schools Commissioner will seek input and support from the CES in relation to issues of difficulty which RSCs/the DfE are encountering in relation to Catholic Schools, MATs and Dioceses.

17. Where issues relating to academy conversions arise in relation to the local authority, for example where the LA is imposing significant costs or phasing constraints, Dioceses will ensure that the RSC is aware. Where there is an impasse between the LA and the Diocese relating to academy conversions, the RSC will work with the Diocese and LA, including, where necessary, involving the CES to resolve the issue.

Consistency

18. The DfE will use its best endeavors to ensure that all databases (public or internal) record the relevant Diocese (or Dioceses, where appropriate).

19. The DfE and the Dioceses will ensure that staff performing relevant functions, including new starters, are made aware of the MoU and these ways of working, particularly regarding communication.

20. The DfE will ensure that this document is reviewed and updated on a regular basis, and agreed with the CES.

Appendix – Lead RSC Region for each Diocese

Diocese	Region covered	RSC Region (s) – Lead in **Bold**
Arundel and Brighton	Sussex and parts of Surrey	SESL
Birmingham	Birmingham, Berkshire (North of the Thames), Coventry, Dudley, Oxfordshire (North of the Thames), Sandwell, Solihull, Staffordshire, Stoke-on-Trent, Warwickshire, Walsall, Wolverhampton and Worcestershire.	WM
Brentford	Essex and East London	EENEL
Clifton	West of England and includes the City and County of Bristol, the counties of Gloucestershire, Somerset, Wiltshire, North Somerset, South Gloucestershire and Bath and North East Somerset.	SW
East Anglia	Norfolk, Suffolk, Cambridgeshire and the Unitary Authority of Peterborough.	EENEL
Hallam	County of South Yorkshire, parts of the High Peak and Chesterfield Districts of Derbyshire, and the District of Bassetlaw	EMH
Hexham & Newcastle	Northumberland, Tyne and Wear, Durham and the part of Cleveland north of the River Tees	NORTH
Lancaster	Lancashire and Cumbria	**LWY**, NORTH
Leeds	West Yorkshire - with the exception of the parish of Todmorden - together with parishes in the East Riding, North Yorkshire, Greater Manchester and Lancashire	**LWY** EMH NORTH
Liverpool	Halton, Knowsley, Lancashire, Liverpool, Wigan, St Helens, Sefton, Warrington and Wigan.	LWY
Middlesbrough	Middlesbrough, Redcar and Cleveland, Stockton on Tees (south of the river), the cities of Kingston upon Hull and York, East Yorkshire and most of North Yorkshire.	**NORTH** EMH
Northampton	Bedford, Buckinghamshire, Milton Keynes, Luton, Northamptonshire and Slough	NWLSC
Nottingham	Nottinghamshire, Derbyshire, Leicestershire and Rutland, and Lincolnshire.	EMH
Plymouth	South-west England, Devon, Dorset and Cornwall - including the Isles of Scilly.	SW
Portsmouth	Hampshire, the Isle of Wight, the Channel Isles and parts of Berkshire, Dorset and Oxfordshire.	**SESL** NWLSC SW
Salford	North-west of England Salford, Manchester. Lancashire, Liverpool, northern Cheshire, and east towards the Pennines.	**LWY**

Shrewsbury	North West of England and parts of the West Midlands. Shropshire and Cheshire, Manchester south of the River Mersey Birkenhead, Stockport and Ellesmere Port.	**LWY** WM
Southwark	London boroughs south of the Thames, the County of Kent and the Medway Unitary Authority	SESL
Westminster	West, Central and North London, the Borough of Spelthorne and Hertfordshire	**NWLSC** EENEL