



*DIOCESE OF NORTHAMPTON*

*NORES - OFFICE FOR RELIGIOUS EDUCATION,  
EVANGELISATION, CATECHESIS AND SCHOOLS*

**MEMORANDUM OF UNDERSTANDING**

Dated: October 2019



# **CONTENTS**

1. Introduction
2. Diocesan Policy on Academies and Significant Changes to Academies
3. Specific Commitments made by the Bishop and Diocesan Trustee
4. Role and Responsibilities of Executive Officers for the Bishop, NORES
5. Principles and specifics of the relationship between the Diocese and the MAT Trust Board
6. Specific Commitments made by the MAT Trust Board
7. Specific Commitments Made by Schools

## **APPENDICES**

1. Diocesan Policy on Intervention and Conditions of Sponsorship

## Introduction

The task of the Catholic school or academy *“is fundamentally a synthesis of culture and faith, and a synthesis of faith and life: the first is reached by integrating all different aspects of human knowledge through the subjects taught, in the light of the Gospel; the second in the growth of the virtues characteristic of the Christian.”*

*(The Catholic School, Rome, 1977)*

Within this context Catholic education is structured around three core principles:

1. The education of the whole child as a unique individual created in the image of God
2. The search for excellence as an integral part of the spiritual quest
3. The education of all with the particular duty to care for the poor and disadvantaged.

In light of the significant changes affecting Catholic schools in the Diocese and nationally brought about by the Academies Act 2010, the Bishop of Northampton and the Diocesan Trustees together with the schools have set out in this Memorandum of Understanding their commitments to each other to ensure that the schools continue (irrespective of any change in status from voluntary aided to academy) to be conducted as Catholic schools in accordance with the Code of Canon Law of the Latin Church from time to time and the doctrinal, social and moral teachings of the Catholic Church from time to time and following the directives and policies issued by the Diocesan Bishop to ensure that the formation, governance and education of the Academy and the Academy Trusts which have responsibility for them are based on the principles of Catholic doctrine, and at all times serving as a witness to the Catholic faith in Our Lord Jesus Christ.

This Memorandum of Understanding serves as a restatement of the purpose of the Diocesan Trust and the schools' Catholic distinctiveness, acknowledging that:

- A. The schools shall be conducted in accordance with the terms of the trust of the Diocese of Northampton.
- B. Each school's admission policy must be subject to any and all statutory requirements and common law (as the same are in force from time to time) and comply with the Diocesan Policy on Admissions from time to time giving priority to baptised Catholic children above others and only using the criterion of practice of the Catholic faith in cases of oversubscription by Catholics.
- C. The provision of Religious Education and Collective Worship will be undertaken in accordance with the teachings, rites and liturgical norms of the Catholic Church and will be

subject to the authority and direction of the Diocesan Bishop as articulated from time to time by the Northampton Office for Religious Education, Evangelisation, Catechesis and Schools (NORES).

- D. Land held by the Diocesan Trustees is used by the schools at the discretion of the Diocesan Bishop and must be used for purposes which are consistent with the objects of the Diocesan Trust.

Changes to this Memorandum of Understanding will be made by the Bishop at any time and at his discretion. It is issued as a directive of the Bishop and as such it is binding on the schools and the regional multi academy trusts (Regional MATs) established by the Bishop and must be complied with.

This Memorandum of Understanding is intended to be consistent with and to reinforce the protocols issued by the Catholic Education Service for Catholic schools and Dioceses, which have been adopted and issued by the Diocese as the [Northampton Diocesan Protocols](#).

## **DIOCESAN POLICY ON ACADEMIES AND MATS AND SIGNIFICANT CHANGES TO ACADEMIES**

The approval of the Bishop and the Diocesan Trustees is needed before any voluntary aided school can convert to become an academy. In the absence of any contrary statutory provision, the decision to become an academy is that of the governing body of the school. Diocesan approval will only be given for schools to join one of the two Regional MATs that have been established to reinforce the collaborative working that has existed amongst the voluntary aided schools. The advantages of working through the MAT are as follows, namely that it should:

- a. enable more targeted support to be provided to weaker schools through the transfer of skills and the sharing of capacity with stronger schools as well as through working with a strategic school improvement partner;
- b. encourage the pooling of resources and a focus on the shared procurement of goods and services will lead to efficiencies and cost savings;
- c. allow the schools to communicate through one voice, strengthening the negotiating position whether that be with suppliers, Unions or with the Department for Education;
- d. promote consistency and the development of good practice through the appropriate setting of policy and through common training;
- e. provide greater opportunities for working together, enabling more emphasis to be placed

on career development and progression;

- f. strengthen the focus on Catholic education and the needs of Catholic families;
- g. help schools to focus on the transition from one stage of education to another and by providing an accessible platform for the sharing of information, enable more targeted support to be provided to individual pupils;
- h. reduce corporate and administrative costs as there will be a need to prepare only one set of accounts;
- i. help to avoid unnecessary bureaucracy by ensuring that the academy company adopts the principle of “subsidiarity”, namely that decisions are to be taken at the level nearest to those affected by those decisions;
- j. help to reduce the risk of failure by ensuring there is clear accountability at the company management level and develop robustness through having clear risk management, appropriate challenge and necessary provision for contingencies.

Due diligence will be undertaken by the Regional MAT and shared with NORES before any approval is given and schools are asked to bear in the mind the following when considering the decision to convert:

1. How will conversion benefit the school in terms of teaching and learning? Will it enable the school to fulfil its mission as a provider of Catholic Education more fully?
2. Does the school have the resources with which to support the conversion process? The conversion process is likely to take up to three months and maybe longer. It is expected that the MAT will lead this process.
3. Has the governing body given consideration to the costs, benefits and potential risks (particularly financial risks) that it will face as an academy? The school and the MAT should expect to be able to articulate any future funding risks and to identify strategies for managing these.
4. Have the governors considered the impact of the changes that will be made to the governance of the school and how their roles will change? The governing body will dissolve on conversion and be reformed as a “Local Academy Committee”. Each Regional MAT has adopted the Diocesan Template Scheme of Delegation which prescribes how appointments are made to the Local Academy Committee and the role it will fulfil.
5. Has the school consulted with relevant stakeholders and taken all views into consideration?

The governing body must be satisfied that a balanced review of the benefits and risks has been undertaken and that on balance there is a positive response to the proposal. Relevant stakeholders include the following:

Other schools, including where relevant, those already part of the Regional MAT;

Parents;

Students;

Local Authorities;

Director for School Development;

Episcopal Vicar for Education and Formation;

Any Foundation or Religious Trust; and

The Parish Priest.

6. Has the school given thought to specific issues that might affect the process for conversion? These might include; ongoing capital projects (including expansion funded by the Local Authority), BSF, PFI, loans and deficits, known land issues, any planned leadership changes or staff restructuring (it is not expected that there will be any staffing changes as a consequence of conversion) and the impact on existing contracts and supplier relationships which might be affected by joint working through the Regional MAT.

Diocesan templates have been developed, based on the nationally agreed models developed by the Catholic Education Service, for the Articles of Association and Church Supplemental Agreement. These will be adopted in all cases with such amendments as the members of the Trust may agree or require. A template Scheme of Delegation setting out the responsibilities of the directors and those tasked with the day to day responsibility for the governance of the school has also been developed. The directors and the schools will be expected to adopt the Scheme of Delegation in substantially this format, with any significant changes being first approved by NORES. Copies of the Articles, Church Supplemental Agreement and Scheme of Delegation are available from NORES.

All directors and governors must act in accordance with the Code of Conduct issued by the Regional MATs adopting the template approved by NORES. This provides for the undertaking to be given by all directors and governors to the Bishop to uphold the Catholic ethos of the schools and to comply with the terms of this Memorandum of Understanding. All directors and governors must complete the Diocesan Nomination Form when seeking appointment or re-appointment.

Academies or the directors of the Regional MATs may be considering making changes to the existing arrangements. The following table sets out a range of typical changes and the consents required. Certain significant changes will require the consent of the Secretary of

State (for more details see the DfE's [Significant Changes](#) guidance) as well as Diocesan consent. The table below sets out a range of typical changes and the consents required.

|    | <b>Significant Change</b>   | <b>Approval of the Bishop and the Diocesan Trustees (via NORES)</b> | <b>Approval of the ESFA</b> |
|----|---|---|-----------------------------|
| 1  | Changes to age range of pupils, e.g. adding or removing a nursery or sixth form   | ✓   | ✓                           |
| 2  | Change of gender composition, e.g. single sex to co-educational   | ✓   | ✓                           |
| 3  | Changes to the PAN (without enlargement of the physical capacity of the school premises)  | ✓   | ✗                           |
| 4  | Change in admissions criteria   | ✓   | ✗                           |
| 5  | Minor enlargement of the premises involving capital expenditure (meaning an increase in capacity which is not significant - see below)  | ✓   | ✗                           |
| 6  | Significant enlargement of the premises involving capital expenditure (meaning an increase in physical capacity of more than 30 places <b>and</b> which is at least 25% of existing capacity or more than 200 places) | ✓   | ✓                           |
| 7  | The carrying out of any capital works   | ✓   | ✗                           |
| 8  | Amalgamation of two academies   | ✓   | ✓                           |
| 9  | An Academy Trust converting into a multi academy trust  | ✓   | ✓                           |
| 10 | An Academy leaving one Academy Trust to join another Academy Trust  | ✓   | ✓                           |
| 11 | Acquisitions and disposals of property (other than temporary lettings)  | ✓   | ✓                           |
| 12 | Changes to the Articles of Association which are not "regulated alterations" (see below) (and assuming the Trust has already adopted the 2019 DfE/CES template model Articles of Association)                         | ✓   | ✗                           |
| 13 | Changes to the Articles of Association which are "regulated alterations" i.e.   | ✓   | ✓                           |

|    | <b>Significant Change</b>   | <b>Approval of the Bishop and the Diocesan Trustees (via NORES)</b> | <b>Approval of the ESFA</b> |
|----|---|---|-----------------------------|
|    | <ul style="list-style-type: none"> <li>• changes to the objects clause</li> <li>• changes which affect what happens to the charity's property on dissolution</li> <li>• changes which authorise the charity's funds to be used to benefit the directors/members or persons or organisations connected to them (including paying directors)</li> </ul> |   |                             |
| 14 | Changes to the religious designation or the Catholic character of the Academy   | ✓   | ✓                           |
| 15 | Change to the status of the School. i.e. a change from academy status to VA or any other status of school (theoretically possible but extremely unlikely)   | ✓   | ✓                           |
| 16 | Proposal to enter into a transaction which is considered either unusual or is likely to incur significant expenditure.  | ✓   | ✓                           |
| 18 | Change of insurers for property and buildings insurance   | ✓   | ✗                           |
| 19 | Borrowing and the provision of indemnities and guarantees   | ✓   | ✓                           |

Where both the consent of the Diocese and the ESFA is required, the consent of the Diocese must be obtained first before any approach to the ESFA/DfE. In some cases, such as changes to the Articles, changes can only be effected by the Diocese.

## **Specific Commitments made by the Bishop and Diocesan Trustee**

### **Catholic Character**

1. The Bishop with the Corporate Diocesan Trustee, acting through the Diocesan Department for Education (NORES), will continue to support the development of a strong Catholic ethos within schools which are part of the MAT and in the community of Catholic schools, supporting a collective voice on national issues affecting the schools and helping to communicate the schools' concerns and needs to those with the responsibility for the funding and regulation of schools.

2. The Bishop will provide guidance on the teachings of the Catholic Church in order to support the teaching of others.

### **Governance and Management Support**

3. The Bishop will ensure that any directive issued by him will be in writing and be clearly communicated to the Chair of the MAT.
4. Recognising that education is about the formation of young people and creating an environment that enables the development of character and an approach to life in the Catholic faith, the Diocese will continue to provide support to the MAT and the schools in the pursuit of excellence and high quality education.
5. NORES will hold regular meetings of representatives of the Catholic schools in the Diocese to encourage the transfer of knowledge and the sharing of best practice. It is expected that every effort will be made to ensure representatives of the MAT and the schools attend.
6. The Bishop will seek in so far as he is able to ensure that high quality committed, skilled individuals are put forward as foundation directors of the MAT and governors of the local governing committees established for each of the academies in the MAT. He will monitor the contribution made by such appointees and will remove individuals in the event of misconduct and/or a failure to support the high ideals of the MAT and the Bishop together.
7. NORES may ask the MAT board for information in respect of the governance and management of the MAT and the schools for which the MAT is responsible. Where NORES becomes aware of any matter of significant concern, including any matter which might lead to the Secretary of State exercising his intervention powers, the Diocesan Director for Schools Development will discuss the matter with the MAT board and if appropriate the governors of the school honestly and in good faith with the aim of formulating a plan to address such concern.

### **Land, Buildings and Capital Expenditure**

8. The land on which the schools that form part of the MAT operate is owned by the Northampton Roman Catholic Diocese Trustee and as such neither the land nor the buildings constructed thereon are formally assets of the MAT. The Church Supplemental Agreement, which is put in place when each school joins the MAT, recognises the occupation and use of the school site by the MAT for the particular Catholic **school as a bare licensee and that** the right of the Diocese to terminate the

MAT's use of the site is subject only to the giving by the Diocese of 2 years' notice. Both the Diocese and the MAT will have regard to any guidance issued by the Catholic Education Service as to the question of whether the land and buildings should be recognised as an asset on the balance sheet of the MAT.

9. The Diocesan Trustee will not unreasonably withhold permission for the MAT/school to improve or maintain the school site.
10. In so far as NORES feels is prudent given competing requests from other schools in the Diocese, NORES will support the MAT/School in any grant application to the Secretary of State and will provide advice and support in the procurement of capital works. For the avoidance of doubt the Diocese cannot be relied on to provide any form of financial guarantees or assume any financial responsibilities in respect of such works.

### **Role and Responsibilities of NORES**

4. The Bishop has given responsibility to NORES to provide support and challenge to the MATs. This is in recognition of the role of the Bishop as the appropriate diocesan authority in overseeing the Catholic schools in the Diocese reflected in canon law and recognised both in the Education Acts and the Church Supplemental Agreement. This role is wider than the role of the Bishop as the principal and founding Member of the MAT and is crucial to the preservation of the religious character of the schools and the fulfilment of the objects of the MAT. NORES may be assisted by Duns Scotus Trust in overseeing the MATs and in developing and sharing of best practice.
5. NORES and executive officers in the Diocesan Finance and property team shall assist the Bishop and the Diocesan Trustee in monitoring the educational and business management performance of all MATs in the Diocese, advising the Bishop and the Diocesan Trustee of any concerns regarding the performance of any MAT and in particular the effectiveness of the MAT's Board of Directors.
6. Specifically, the Director of School Development has the authority to seek from the MAT Trust Board any information or assurance it believes necessary and appropriate (about the MAT and/or the schools for which the MAT is responsible) to undertake its role whether on a regular or random basis. The MAT Trust Board will provide to the Dun Scotus Trust board regular, high-level reports regarding the educational and financial performance of the schools and any risks likely to affect the schools or the MAT as a whole to enable the Diocese to:
  - a. measure the performance of the Catholic schools across the Diocese;

- b. identify when additional support is needed by a MAT;
  - c. facilitate the provision of support to a MAT or any of its schools whether from another MAT, another Catholic school in the Diocese or any third party agencies;
  - d. identify and share best practice across the Diocese, both in terms of school performance and the efficient and proper running of the MAT itself;
  - e. ensure that when the MAT is established the Directors of the MAT fully understand their responsibilities and together have the full range of skills and experience needed;
  - f. review on a periodic basis the skills and experience of the MAT Directors, advising the Bishop and making recommendations as may be necessary as to the appointment and in some cases replacement of those serving as foundation directors;
  - g. develop and deliver a programme of training for those who serve as foundation Directors where it has been identified that this might best be done on a diocesan wide basis rather than within an individual MAT.
7. Where the Dun Scotus Trust Board or the Director for Schools Development believes educational or business management standards within a MAT are below those that have been identified as consistent with the standards and aspirations identified by the Bishop and the Diocesan Trustee, including as a minimum in circumstances when the Secretary of State for Education has identified serious weakness and an intention to serve a warning notice on the MAT or when a complaint has been received by the Bishop, NORES will make recommendations to the Bishop as to any action that should be taken including:
- a. whether any matter needs further investigation or follow up;
  - b. whether any independent review is required;
  - c. whether the Bishop is advised to take direct action in relation to the MAT or any school; and
  - d. whether any approach needs to be made to the Secretary of State under the terms of the Church Supplemental Agreement.

## **Principles and specifics of the relationship between the Diocese and the MAT Trust Board**

8. Notwithstanding the high level oversight role undertaken by NORES, the relationship between the Diocese and the MAT Trust Board should be based on one of mutual respect and appropriate question and challenge in an open and transparent manner consistent with the Catholic nature of the organisations. It is expected that both organisations will subscribe to the Seven Principles of Public Life.
9. Information provided to NORES by the MAT Trust Board will be acknowledged and the Director for Schools Development will share any advice he or she provides to the Bishop regarding any specific matter involving the MAT with the relevant MAT Trust Board except in so far as the Director considers any such advice should be kept confidential.
10. NORES should be willing and able to provide advice and guidance to the MAT Trust Board outside of any formal reporting regime.
11. The Chief Executive Officer (Strategic Executive Leader), Chief Financial Officer and Chair of the Trust will meet at least once annually with Dun Scotus Trust to review the evaluation documentation supplied to the board in relation to the quality of Catholic life, performance and outcomes and financial management of the MAT and a risk assessment of individual schools within them.
12. The Chief Executive Officer (Strategic Executive Leader) and Chair of the Trust of each MAT will meet together with the Dun Scotus Trust Board at least once annually to ensure there is both dialogue and data exchanged between the MATs.
13. Any costs properly incurred by the Bishop in the exercise of his role overseeing the MAT and the schools (whether or not at NORES' request and whether recovered on a pooled basis or as an individual contribution) will be met as an expense by the MAT, which will not be unreasonable and wherever possible will be agreed in advance.

## **Specific Commitments made by the MAT Trust Board**

### **Catholic Character**

1. The MAT Trust Board will make sure both it and the local academy committees maintain and develop the religious character of the schools as Catholic schools and no alteration shall be made to the religious character or conduct of the school without the consent of the Diocesan Trustee and the Bishop.

2. The MAT Trust Board and the schools for which it is responsible will submit to the canonical inspections and visitations of the Diocese and any person appointed by the Bishop for the purpose of monitoring both the Catholic life of the MAT and its schools and the way they operate, ensuring this is in accordance with canon law and following the practices and teachings of the Catholic Church. The MAT Trust Board and the local academy committees are expected to observe good governance and promote a high quality education, particularly in the light of the additional responsibilities and freedoms afforded to academy trusts and the schools within their control by the State.

## **Governance and Management**

3. The MAT Trust Board must comply with, and must ensure processes are in place to ensure all governors and employees of the MAT comply with, all directives issued by the Bishop including this Memorandum of Understanding, giving effect to the matters addressed within it.
4. The MAT Trust Board will adopt, in so far as they are legally able to, all policies and practices as communicated by NORES on behalf of the Bishop from time to time. Any exception to this must be agreed in writing with the Diocesan Director for Schools Development.
5. The MAT Trust Board should be open about decisions affecting the schools for which it is responsible and be prepared to justify those decisions except in so far as the Trust Board considers that such matter should be kept confidential. In the unlikely event of a conflict of loyalty, given the fundamental purpose for which the MAT has been established, guidance will be sought by the Bishop from the Archbishop of Westminster as head of the Catholic Church in England and Wales, with the support of the Catholic Education Service.
6. The MAT Trust Board will, along with any local academy committees, consider on an ongoing basis the need for training and skills development as well as considering succession planning. They shall work with NORES and consider any advice or opinions provided by NORES with regard to leadership, governance and the standards of teaching and learning in particular. The MAT Trust Board acknowledges the Bishop's right to appoint Foundation Directors to the MAT Trust Board and Foundation Governors to any local academy committees. In so doing the Bishop will consider any recommendations made by NORES, particularly where there is a need to secure specific skills on to those bodies.
7. The MAT Trust Board will not implement any proposals that affect the status or size of the MAT or its constituent schools without the written consent of the Bishop.

8. The MAT Trust Board will be expected to adopt the Diocesan Model Scheme of Delegation developed and updated from time to time dealing with the governance regime within the MAT. The MAT Trust Board must have the express authority of the Bishop in writing to create a local academy committee for any school joining the MAT consistent with the Scheme of Delegation. Any material changes which the MAT Trust Board wish to make to the Scheme of Delegation shall first be discussed with NORES, whose approval must be obtained where any changes impact materially on the principles of delegation, the nature of the relationship between the MAT Trust Board and the local academy committees, the composition of the local academy committees (and the appointment of Foundation Governors by the Bishop) and the key responsibilities delegated to the local academy committees. NORES will have regard to any views of any local academy committee that is affected by a change.
9. The MAT Trust Board and any local academy committees shall provide NORES with copies of all board/committee meetings should they be requested.
10. The MAT Trust Board shall provide NORES with copies of any returns provided to the Education & Skills Funding Agency (or any other body set up by the Secretary of State to oversee the finances of schools).
11. The MAT Trust Board shall provide the Diocesan Department for Education with copies of any Annual Report and the audited Annual Accounts for the MAT should they be requested.
12. The MAT Trust Board shall ensure that it has systems in place for the proper conduct and oversight of the management of the Trust and the leadership of the schools, having regard in particular to the Trust's legal responsibilities as a public and corporate body which is regulated by the Secretary of State for Education. The MAT is obliged under the Academies Financial Handbook to appoint persons who will fulfil the roles of "Accounting Officer" i.e. the "Chief Executive Officer" and "Chief Financial Officer" (as defined within the Academies Financial Handbook) and the MAT Trust Board will consider carefully who is to fulfil these roles, ensuring that all legal requirements are satisfied and following any advice offered generally or specifically by NORES. The Chief Executive Officer is expected to have experience of leadership of a Catholic school and the Chief Financial Officer must have an appropriate financial qualification (or be working towards one). The MAT Trust Board is also encouraged to appoint an appropriately qualified Company Secretary or Clerk who can advise them on corporate governance and compliance.

## **Financial Management**

13. The MAT Trust Board has full responsibility for managing the financial affairs of the MAT including all the constituent schools. Whilst they may delegate day to day financial authority to the school's Headteacher and governance oversight to the local academy committee, ultimate responsibility remains with the MAT Trust Board. In exercising this responsibility, they are expected to fully comply with any instructions, guidance and best practice identified from time to time by the Education & Skills Funding Agency and the professional standards identified by the Accounting Standards bodies relevant to the MAT. No guarantees or assurances in respect of the financial affairs of the MAT will be provided by the Bishop or the Diocesan Trustee.
14. Whilst the overall strategic report of the MAT's activities to the Bishop (to be provided to the Diocesan Director for Schools Development) will address financial risks, should the MAT Trust Board identify through its own regular monitoring of the work of the local academy committees that there is likely to be the need to address financial issues not previously identified in the schools' and MAT's annual budget and/or plan then it is expected to bring these matters to NORES' attention with the view to discussing with the MAT Trust Board what action will be taken to avoid any long term threat to the MAT and the schools for which it is responsible.

## **Land, Buildings and Capital Expenditure**

15. In addition to the responsibilities that the MAT has to the Bishop and the Diocesan Trustee in respect of the land and buildings used by the schools outlined in this Memorandum of Understanding, the MAT Trust Board and the local academy committees will ensure that at all times any land and buildings used or occupied by the MAT (or its schools) is not used for purposes which would not be consistent with the teachings and practices of the Catholic Church and any lettings of land or buildings shall be in accordance with any policy issued from time to time by the Bishop.
16. The MAT Trust Board will develop an estate strategy in conjunction with the local governing bodies and in consultation with NORES that will identify the suitability of facilities on a school by school basis in the light of long term curriculum needs, estate condition and any other demands. This strategy should be appropriately reflected in the MAT business and financial plans and budgets.
17. The MAT Trust Board will comply with and will ensure compliance by its constituent schools with the obligations of the Church Supplemental Agreement and where insurance is not in fact put in place by the Diocesan Trustee, the MAT Trust Board will insure the school sites only with insurers approved by the Diocesan Financial Secretary

on behalf of the Bishop, which may include the ESFA's "Risk Protection Arrangements" scheme. The MAT Trust Board will obtain professional advice on the reinstatement value when such insurance is being renewed and will ensure that any insurance is taken out or risk protection cover arranged (in joint names with the Diocesan Trustee or ensuring that full cover is extended to the Diocesan Trustee) in the full reinstatement value and will make up any shortfall from its own funds.

## **Admissions**

18. The MAT Trust Board will not determine any changes to the admissions criteria of any of its schools without the written consent of the Bishop, through NORES..

## **Employment of Senior Staff and Key Teaching Staff**

19. The MAT Trust Board (in conjunction with the local academy committees) will ensure that the Chief Executive Officer for the MAT, the head teachers and deputy head teachers for all schools, as well as any key teaching staff responsible for co-ordinating religious education and any chaplain or reserved post, shall be practising Catholics. Any departure from this must be approved in writing in advance by the Bishop and is to be reviewed on any future appointments.
20. The MAT Trust Board will make sure that the employment of all staff by the MAT shall be consistent with the policies from time to time notified to Catholic schools by the Bishop or the Catholic Education Service. These policies will address matters such as; pay and performance management of senior leaders, carrying out a restructure and advising generally on appropriate staffing structures and the recruitment and appointment of staff particularly senior leaders (acknowledging the Diocese's rights to be involved in and to offer advice in connection with the recruitment of the Chief Executive Officer, the Head teachers and any Deputy Head teachers). The MAT is required to adopt the CES model contracts and policies and to follow appropriate national and local agreements such as the "Burgundy Book" for teaching staff and the "Green Book" for associate staff.
21. The MAT will provide opportunities for staff training and formation, both at school level and at and across the MAT.

## **Specific Commitments Made by Schools**

### **Catholic Character**

1. The School will maintain and develop the religious character of the School as a Catholic School and no alteration shall be made to the Religious character of the School or

conduct as a Catholic School without the consent of the Diocesan Trustee and the Bishop.

2. The School will provide Religious Education in accordance with the teachings of the Catholic Church.
3. Relationships and Sex education is to be in accordance with the social and moral teachings of the Catholic Church from time to time and in consultation with parents of pupils of each School from time to time.
4. The School will provide opportunity for regular Collective Worship in accordance with the rites and tenets of the Catholic Church.
5. The inspection and reporting of Religious Education, Catholic Life and the Collective Worship at each School is to be undertaken by persons appointed by the Diocesan Authority.
6. The School will promote an authentic culture of vocation, encouraging pupils and staff to interpret their existence in the light of God's plan, with pupils developing and staff modelling an understanding of communal obligations, personal aspirations and their role as citizens in society.
7. The School will assist parents, who are the primary educators of their children, in the education and Religious formation of their children.
8. The School will work in relationship with other Catholic schools and local schools based on the call of the Gospel to serve those in need.
9. The School at all times will serve as a witness to the Catholic faith in Our Lord Jesus Christ.
10. The School will provide opportunities for staff training and formation and will ensure that staff well-being is central to what it does.

## **Governance**

11. The School will comply with all directives issued by the Bishop and this Memorandum of Understanding has the status of directive issued by the Bishop. The School acknowledges that its authority to act is derived from the MAT's Scheme of Delegation and the School will comply with its terms.
12. The School will adopt and will comply with all school policies of the Diocese and the Bishop communicated to the School from time to time.

13. All governors of the School undertake to fulfil and observe the objects and purposes for which the School has been established.
14. All governors have a duty to act independently and not as agents of those who may have appointed them and will act with integrity, objectivity and honesty in the best interests of the School and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential.
15. The School will review its policies and practices on a regular basis, having regard to recommendations made by NORES and the CES, in order to ensure that the governance of the School is best able to adapt to the changing political and legal environment.
16. The School will consider on an ongoing basis the need for training and skills development and formation of governors as well as considering succession planning to ensure robust practices are maintained and supervised, making recommendations to the Bishop with regard to the nomination of foundation governors for his appointment. Only practising Catholics will be appointed as foundation governors.
17. The School will not implement any proposals for a change in status or for the expansion or contraction of the School without the written consent of the Bishop.
18. Unless the Bishop agrees in writing otherwise, governors will appoint the chair and vice chair from amongst the foundation governors.

### **Financial Management**

19. The School acknowledges that the Bishop and Diocesan Trustee have no financial responsibility for the School in any situation.
20. The School will inform and keep NORES informed of any matter which is likely to be a cause for concern to the Diocesan Trustee and/or the Bishop (generally but not exclusively this will involve matters affecting the Catholic life of the School, matters affecting personnel, financial matters, matters affecting buildings and the School's development plan).

### **Buildings Maintenance and Capital Expenditure**

21. The governors will ensure that at all times any land used by the School 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 School premises shall be in accordance with any policy issued from time to time by the Diocese.

22. The School will consult with NORES and share information about any planned significant maintenance and replacement of buildings and facilities used by the School and will not undertake any capital works to the buildings or any part of the School site without first obtaining the written consent of the Diocesan Trustee.

### **Admissions**

23. The school will not change its admissions criteria without the consent of the Trust and NORES

### **Employment of the Head teacher and Key Teaching staff**

24. The Head teacher as well as the Deputy head teacher, Head of Religious Education and school chaplain shall be practising Catholics who meet the requirements of the Diocesan Briefing Note on Practising Catholic.
25. The school acknowledges the overarching responsibility of the MAT for staff and Governors will ensure that the school complies with the MAT's policies and practices.

### **Support for other Schools**

26. The School is part of a family of Catholic schools both within the MAT and within the Diocese and the governors acknowledge that this means they have a responsibility which extends beyond the School.
27. The School will work collaboratively with the other Catholic schools in the Diocese sharing resources and know how as may be appropriate with the following objectives in mind, to support each other to:
- achieve consistently high standards of learning and teaching;
  - develop cost effective curriculum design and collaboration which optimises opportunities for students and provides added value progress for them;
  - provide support building upon individual specialisms and/or areas of identified strength between the schools to improve key aspects of performance;
  - achieve best value in service delivery especially where partnership working can add value.