

# ACADEMIES POLICY

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## PART ONE: EXECUTIVE SUMMARY

### 1. Introduction

- 1.1 We believe that children and young people in our Catholic schools and colleges deserve the very best educational opportunities and life-fulfilling experiences, within communities which have the teaching of Christ and his Church at the centre.
- 1.2 To this end, in July 2015 the Bishop and Trustees of the Diocese of Arundel and Brighton approved the development of cross-phase Multi Academy Catholic Education Trusts (CETs) across the diocese, with schools from identified deaneries coming together to protect, secure and develop the Church's mission in education.
- 1.3 This important step forward for Catholic education in our diocese seeks to ensure that every school has the opportunity to sit within a network of collaboration such that each institution is able both to give and receive support.

### 2. The Mission of Catholic Education

- 2.1 The commitment to working together through CETs will help to realise further the aim of Catholic education as set out by the Church:

Education must pay regard to the formation of the whole person, so that all may attain their eternal destiny and at the same time promote the common good of society. Children and young people are therefore to be cared for in such a way that their physical, moral and intellectual talents may develop in a harmonious manner, so that they may attain a greater sense of responsibility and the right use of freedom, and be formed to take an active part in social life. Canon §795.

- 2.2 Every Catholic school is an equally valued member of the diocesan family of schools. The Bishop is, by virtue of the authority given to him in canon law, the head of that family:

The diocesan Bishop has the right to watch over and inspect the Catholic schools in his territory ... and has the right to issue directives concerning the general regulation of Catholic schools ... Those who are in charge of Catholic schools are to ensure, under the

supervision of the local Ordinary, that the instruction given in them, in its academic standards, are at least as outstanding as that in other schools in the area. Canon §806.

- 2.3 The Bishop, together with the Trustees of the Diocese, has set out a Memorandum of Understanding (MoU) that ensures each CET is conducted in accordance with Canon Law and the teaching of the Catholic Church, and in compliance with the Trust Deed of the Diocese of Arundel and Brighton. In this way every CET will be at the service of the Church's mission in education. At all stages we will collaborate with the statutory education mechanisms.

### **3. Why Academies?**

- 3.1 The diocesan position continues to be facilitative, with schools making their own decision about academy status. The diocese has been directive with regard to which CET a school would join, but it is for each school's Governing Body to discern if and when they may wish to become an academy. Whilst it is no longer government policy that all schools in England must become academies, all the legislative elements necessary are in place for schools to become academies. There are some divergent political voices, but it continues to be the case that a number of schools will move towards academy status. This is because:

- The direct funding of academies has reduced the capacity of local authorities to provide adequate resources to support schools. This may have implications in the future for Catholic schools if an Academy Order (mandating academisation) is issued to all maintained schools in any local authority;
- There are increased powers of Local Authority intervention in maintained schools "causing concern". These powers of intervention mean that schools need proactive, robust action that will bring change at a rapid pace. We need to place secure structures around vulnerable schools in order to help them flourish;
- Financing schools and services is increasingly demanding. Budget management and changes to national funding formulae are causing significant challenges for many schools. Schools will need to be able to operate with slimmer services as well as working with other schools to create economies of scale.

### **4. Establishing Catholic Education Trusts**

- 4.1 The establishment of Multi-Academy Catholic Education Trusts (CETs) in the diocese seeks to ensure that Catholic schools will be better able to work together. Isolation and fragmentation compromise the Church's mission in education. The academisation process allows clear, formal working relationships to be established between Catholic schools, to assist with school

improvement, leadership recruitment and formation, governance and co-operation to strengthen Catholic mission. This development moves beyond the existing partnerships between schools to enable a new spirit of collaboration so that the present success of Catholic schools in our diocese may be harnessed more effectively by working collectively in transparency and dialogue.

- 4.2 Within a changing landscape of national education policy and provision, we need to reinforce and develop the relationships between our schools. We are at our best when we work together, for each other, and in service of the dignity of the individual and the common good, embracing both solidarity and subsidiarity. This is essential to all decisions and actions undertaken by Catholic schools in our diocese.
- 4.3 Xavier CET is the Trust for diocesan Surrey schools wishing to become academies. Bosco CET is the Trust for diocesan Sussex schools wishing to become academies. In terms of pace of development, Xavier and Bosco CETs will evolve as best fits the Trust, individual schools' needs and the local context.
- 4.4 Utilising collective experience gleaned from the establishment of Xavier and Bosco CETs, working in close collaboration with both Trusts and drawing upon the knowledge, experience and expertise of other dioceses and the Catholic Education Service (CES), the Diocesan Academies Strategic Board (DASB) and the Diocesan Education Service (DES) will be available to assist Trusts and schools alike with the process.
- 4.5 One of the significant advantages of academisation is that the delivery of services to schools will be improved through partnership with key providers, for example in the areas of school improvement and succession planning and training. There will also be opportunities for more effective centralised services, such as in HR, and legal and financial support.

## **5. The Structure of CETs**

- 5.1 The structure of Xavier and Bosco CETs is built upon the Catholic principle of 'communion; of working together in a 'common union'. It is importantly, a communion, an interdependence, among those who lead and manage CETs at every level.
- 5.2 At the level of the Academy Trust there is a Board of Directors which oversees the whole group of schools. At the level of each school there is a Local Governing Committee (LGC;

formerly the governing body) which relates to a particular school. The Academy Trust Directors and Local Governing Committee need to know and understand each other's roles and responsibilities in order to ensure that these are fulfilled. This area of oversight and support is critical and requires a process of recruitment for Directors and LGC.

- 5.3 The Local Governing Committee will carry out many duties and functions on behalf of the CET, such as the monitoring of standards and the Catholic Life of a school. In this it reports to the Trust Board of Directors.

## **6. Grouping of Schools**

- 6.1 The clustering of schools into two CETs for Surrey and Sussex is designed to translate the collective vision of the diocese into a workable and durable reality that secures and enables the development of all.

- 6.2 In this:

- Both Trusts bring together primary and secondary schools within a geographical area of the diocese;
- The clusters seek to facilitate collaboration, cooperation and mutual benefit;
- The clusters will allow local parishes to maintain a direct link to a local network of schools which reflect the local identity and community in partnership and cooperation;
- The clustering of schools enables tangible, durable and sustainable partnerships to improve security for the future.
- The key principles of solidarity and subsidiarity underpin the reasoning, action taken and rationale for moving forward.

- 6.3 Xavier and Bosco Catholic Education Trusts have been designed to:

- a. Include both primary and secondary schools, ensuring opportunities for closer ties between the two sectors with mutual benefits and securing 4-18 Catholic education across the diocese;
- b. Prevent isolation or fragmentation between schools;
- c. Ensure that, should a school encounter any unforeseen trouble, others within the CET will help steer a course to recovery by working closely to address and resolve any obstacles to improvement.

## **7. Next Steps**

- 7.1 Further explanatory documentation is available from the Diocesan Education Service and can be found on our website: <https://abdiocese.org.uk/education/academies>

## **PART TWO: CORE PRINCIPLES OF CATHOLIC EDUCATION**

There are some core principles that underpin our diocesan Catholic academies and schools. The following are excerpts from Schools of Discipleship, and their meaning in the context of Catholic Education Trusts (CETs) needs to be discerned in a local context.

### **1. Catholic schools have the child at the centre**

Our schools are designed and run to ensure that the very best educational opportunities and life-fulfilling experiences, within communities which have the teachings of Christ and his Church at the centre.

### **2. Catholic schools have Christ at their heart**

Our schools are places where everyone is valued as a child of God, where every individual is enabled to mature towards their full growth in Christ and achieve their rightful potential. It is the Spirit of Christ who brings life to Catholic schools; giving strength and hope; promoting harmony and enabling reconciliation; ensuring that, with enthusiasm and celebration, the things of God always take first place.

### **3. Catholic schools are distinctive**

The school community will be anchored in the principles which flow from the Gospel by which we live. The school through its clear and visible Catholic identity will be for many the place where Christ and his Church are encountered. As such Catholic schools are evangelising communities.

### **4. Catholic schools have a liturgical, sacramental and spiritual life**

Every Catholic school is also a worshipping community. Prayer, liturgies, assemblies and Mass are key to the distinctive spiritual identity of Catholic schools.

### **5. Catholic schools are centres of excellence for Religious Education and the wider curriculum**



In a Catholic school, the entire curriculum is underpinned by and expresses Catholic beliefs and values. It is vital that an understanding and knowledge of the Catholic faith permeates all aspects of school life. Religious Education is a core subject in Catholic schools as demonstrated by the priority given to it within the school timetable, and the expectation that it be afforded a minimum of 10% curriculum time. Promoting excellence in the quality of teaching and learning in Religious Education is of paramount importance.

#### **6. Catholic schools are collaborative**

Catholic schools actively promote strong and positive links with the wider community, involving the diocese, deaneries, parishes, local authorities, families and other schools. Given that parents, or those who act in their place, are the primary educators of their children, links between the home, the school, and the parish are especially significant. Good communication is fostered so that all relationships in the school community and beyond are based on mutual respect and honesty.

#### **7. Catholic schools are essential**

Catholic schools are places where every child is valued and where safety, well-being, enjoyment, tolerance, respect and dignity are reflected in all aspects of school life. Pupils are cherished for who they are as much as for what they achieve, and all achievement is recognised and celebrated.

### **PART THREE: CATHOLIC PURPOSE**

Children and young people in Catholic schools in the diocese deserve the very best educational opportunities and life-fulfilling experiences within Catholic communities imbued with Gospel values where Christ is at the centre. We seek to ensure that every school is regarded as a giver and receiver of support.

This commitment to working together will help realise the aim of Catholic schools as set out in Canon Law:

Education must pay regard to the formation of the whole person, so that all may attain their eternal destiny and at the same time promote the common good of society. Children and young people are therefore to be cared for in such a way that their physical, moral and intellectual talents may develop in a harmonious manner, so that they may attain a greater sense of responsibility and the right use of freedom, and be formed to take an active part in social life. Canon §795.

The diocesan Bishop has the right to watch over and inspect the Catholic schools in his territory and has the right to issue directives concerning the general regulation of Catholic schools :

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

No Catholic school in the diocese should be seen as working in isolation. Clear working relationships established with local Catholic schools will assist with school improvement, leadership recruitment and formation, governance of schools and working together. We seek to ensure every school has the opportunity to be part of a formal collaboration that develops best practice and research potential. We seek to improve our system of management of schools strategically.

### **Why might schools choose to become academies over the forthcoming years?**

- The increasing challenge for local authorities to provide adequate resources to support schools and any underperformance by local authorities in raising the standards of education. We know this may well have implications in the future for our schools if an Academy Order is issued on all maintained schools in any local authority. In the area served by our diocese, authorities are vulnerable;
- The powers to issue an Academy Order on any school were strengthened by the Education and Adoption Act 2016;
- Increased powers of intervention on the part of the Secretary of State and Local Authorities in schools causing concern. These powers effectively mean that schools need proactive, robust intervention that will bring change at a rapid pace. Whilst we have tremendous school improvement tools in the shape of our Teaching Schools and their extensive networks, the Regional Schools Commissioner and the diocese will want to see that all schools have secure structures around them enabling this work to flourish;
- There is no doubt that current budgetary issues and changes to the national funding formulae are causing grave challenges for many schools. Schools in financial decline will need to be able to operate with slimmer services as well as working with other schools to create the necessary economies of scale.

The provision of Xavier and Bosco CETs translates the collective vision of the diocese into a workable and durable reality that protects, secures, and promotes development of all schools regardless of their Ofsted rating or financial situation. The key principles of solidarity and subsidiarity underpin the reasoning, action taken and rationale for moving forward:

- The purpose of the CETs is to help protect, develop and extend our mission to the Church;
- Geographical, cross-phase CETs allow for collaboration, cooperation and mutual benefit;
- The structure and composition of the CETs allow for the development, over time, of hubs within a Trust if deemed appropriate;
- The strengthening of school/parish links through the CET will enable local Catholic parishes to see a direct link to a local network of schools that can reflect the local identity and community in partnership and cooperation;
- CETs will become opportunities to develop tangible, durable and sustainable partnerships;
- The CETs contain both primary and secondary schools to ensure that opportunities for closer ties between the two sectors offer mutual benefits and prevent isolation or fragmentation;
- The CETs have been designed so that, should a school encounter any unforeseen trouble, others within the CET will help steer a course to recovery by working closely to address and resolve any obstacles to improvement.
- There will be no forced academisation. Schools are encouraged to consider seriously this proposal with a view to join if and when the time is ready;
- We will continue to have open and constructive dialogue to ensure clarity of purpose.

#### **PART FOUR: WHY DOES THE CHURCH PROVIDE CATHOLIC ACADEMIES AND SCHOOLS?**

The Church provides Catholic academies and schools to:

- Assist in its mission of making Christ known to all people;
- Assist parents, who are the primary educators of their children, in the education and religious formation of their children;
- Be at the service of the local Church: the diocese, the parish and the Christian home;
- Be a service to society.

The vision for the education of children in Catholic academies and schools in the diocese of Arundel and Brighton is based on answering the fundamental question, posed by Benedict XVI: 'What kind of person would you really like to be?' Education in the diocesan family of schools is about enabling

children and young people to grow as human persons. Working together, the aim is to provide a rounded education for the whole person.

Catholic education is inspired by a vision of life seen as a whole, embracing the fullness of human experience and its expression in the life of the individual, in the family, in the local community and in society at large. We are created for goodness; we want to help children and young people fulfil that promise and enrich the world as they grow from childhood to mature citizenship.

Governors, Headteachers, senior leaders and all staff must reflect the image of Christ and go about their work with children, families, parishes and local communities in a manner that gives witness to the Catholic faith in our Lord Jesus Christ and gospel values in action.

## **PART FIVE: THE BENEFITS OF COLLABORATION**

There is an increasing body of evidence for the benefits of close collaboration between schools. These include the following:

- Strong collaboration with shared accountability can lead to better progress and attainment for pupils, and help schools meet rising expectations;
- School leaders and teachers can share thinking and planning to spread expertise and tackle challenges together;
- Governors can come together to share strategic thinking, to combine skills and to support each other during challenging times;
- School leaders, teachers and other staff can be shared across more than one school, enabling schools to find different solutions to recruitment challenges, to retain staff by providing new opportunities within the group and to plan succession more effectively;
- Groups of schools can find it easier to find and fund specialist expertise (specialist teachers and specialists in areas such as data analysis, finance, health and safety) and provide richer curricular and extra- curricular activities;
- Shared professional development can more easily be arranged, whether led by staff from one of the partner schools or an outside body;
- The economies of scale and collective purchasing made possible within larger groups can help schools cope better with shrinking budgets.

There is, in addition, a body of evidence to indicate opportunities for further Staff Development

Being part of a CET will mean that additional opportunities for staff development in teaching and learning, and leadership and management are possible. For example:

- Shared subject leader roles in primary schools,  
e.g. Mathematics and Literacy coordinator and other specialist teachers, possibly enabling these specialists to be free from class teaching responsibilities in order to share their knowledge and experience across a Trust. They may be involved in coaching and mentoring staff across Trust schools, team teaching, demonstration lessons, monitoring and evaluation teaching and learning, leading staff meetings on subject knowledge, curriculum and policy, and so on;
- Lay Chaplaincy teams to work across the CET;
- Enabling secondary subject specialists to support work of primary colleagues, e.g. modern languages, music, etc, in a strategic and on-going way;
- Special educational needs provision;
- Family and social work support;
- Educational welfare support;
- Secondment and succession planning opportunities

## **PART SIX: SETTING THE STRATEGY**

Significant cultural change requires a growth strategy. Below are some ideas which, when used together, give the basis for an approach to cultural change.

### **1. Understand existing patterns:**

For any culture to shift, existing patterns have to be understood. Protecting what has been achieved is crucial. In order to secure the Bishop's approval for a school's application to join a CET, a thorough due diligence procedure will be undertaken, and any potential risks addressed. When a school is intending to convert to an academy, the CET, DASB, DES and school will devise and agree a strategy and timescale in order to ensure capacity, minimise disruption to the Trust and address any areas of risk. The CET and school will be helped in this by the DASB in accordance with the wishes of The Bishop and the Trustees.

### **2. Engage senior leaders and governors with the current reality:**

Change is the reality in a constantly evolving education landscape. However, we must remember that the vision and values in Catholic education remain constant; all Catholic schools are rooted in Christ,

who is to be the centre of their life. This must never change! By working with our outstanding practitioners in leadership and governance we will strengthen the unique qualities and attributes of Catholic education, shape ownership for what is to be created and enable them to help move it forward by embodying the change they wish to see.

### **3. Vision starts now:**

It is easy to set out a vision, but it will not change behaviour if it is seen as too abstract. However, if existing patterns are understood and the need to protect, secure and develop our schools is accepted, there is far more chance of people engaging and making changes for the common good. The Bishop and Trustees wish to see diocesan academies, alongside maintained and independent schools, engaged in helping to shape Catholic education for years to come.

### **4. Catholic education culture cannot be imposed, although it can be co-created:**

There is an inherent resistance within the human system to change. Catholic education does not need to be like that. This is about making decisions together for the benefit of the Catholic community. There needs to be co-authorship to enable a mutually beneficial state of change.

### **5. Purpose is important:**

It is important for everyone connected with our schools to work towards the common good. We all have a duty to embrace the development of our two CETs as an important part of the education landscape.

## **PART SEVEN: STRUCTURAL COMPOSITION OF A CATHOLIC EDUCATION TRUST**

### **Members of the CET**

The members are akin to the shareholders of a company; they have ultimate control over the Academy Trust.

The Members are the Bishop, the Diocesan Chief Operating Officer (on behalf of the corporate trustee), and the Chair of the Diocesan Academies Strategic Board. The Bishop appoints the Trust Board, taking into account advice from the DASB regarding the CET's nominations. The function of the members is to hold the Board to account if the objects of the Company are not being observed. In general, members are not hands-on. They will receive the Annual Report from each CET and will call an Annual General Meeting.

### **Directors of the CET**

Directors are appointed by the Bishop to the Trust Board to govern the Catholic Education Trust. The Board has legal responsibility for individual academies within the CET and it is the Directors who are responsible for setting the strategic direction for the CET; holding Headteachers to account, ensuring financial probity; and policy development.

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

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

It is essential to ensure that a skills audit is undertaken as part of the recruitment and appointment process to ensure suitably skilled individuals are appointed to the Board of Directors in order that the company can be led and managed well. Useful skills could include, for example, educational, business, legal, financial, religious, risk management, social welfare, and so on. A rigorous and thorough application process for the role of Director will enable the Bishop to be suitably informed and advised as to whom to appoint as Directors for each Academy Trust Board.

Trustees and managers must have the skills, knowledge and experience to run the academy trust. The trust must have in place sound internal control, risk management and assurance processes in order to check its financial systems, controls, transactions and risks and it is therefore essential that at least one Director has a strong background in finance, audit and risk.

### **Local Governing Committees**

Foundation Governors must outnumber all other governors by a minimum of two on the Local Governing Committee (LGC) as one would expect in a Catholic school. Subject to the Articles, the Directors may delegate many of the functions for which they are responsible to the LGC. The LGC has oversight over the academy at local level and is accountable to the Board of Directors. The Scheme of Delegation ensures roles and responsibilities are clearly defined.

### **Employees**

The Catholic Education Trust is the employer of all the staff in the individual academies within its partnership. The Directors will have a strategic vision for the CET and will need to ensure that the

correct staffing structure is in place to meet the needs of the CET as a whole and of the academies within it. The Directors may appoint some staff to work across all, or a number of, academies within the CET. Directors may appoint some staff to lead and manage the CET from a central office, for example, a Chief Executive Officer, Chief Financial Officer, Administrative Officers, and/ or other such staff as they deem necessary to carry out the duties and responsibilities of the CET effectively.

## **Finances**

The Directors are responsible for the prudent management of all resources including financial. All companies are required under Company Law to produce accounts that give a true and fair view and follow UK accounting standards. The Academies Financial Handbook is a guide for use by Trust Boards and includes these requirements. All academies within the CET will be expected to contribute financially an agreed amount to a central CET fund in order that it can operate effectively and can pay any staff employed centrally for the benefit of the academies within the CET as a whole.

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

## **Buildings Maintenance and Capital Expenditure**

- The Directors and Governors will ensure that at all times any land used by the CET or the academy will not be used for purposes which would not be consistent with the teachings and practices of the Catholic Church and that any lettings of CET premises shall be in accordance with any policy issued from time to time by the diocese;
- The CET will consult with the Diocesan Education Service, share information about any planned significant alterations to and/or replacement of buildings and facilities used by the CET or academy and will not undertake any capital works to the buildings or any part of the academy site without first obtaining the written consent of the diocese;
- Any grants or otherwise received by the CET or academy for capital expenditure, if not specifically identified, will be distributed by a fair process in accordance with diocesan protocol and taking into account advice and guidance from the Diocesan Buildings Officer;

- Whilst the Diocese own the buildings, the CET is responsible for their maintenance. With support as appropriate from the Diocesan Buildings Officer therefore, the CET shall develop a five-year estate management strategy that will identify the suitability of facilities in light of long term curriculum needs and the need for and availability of capital investment to meet the CET's and each academy's responsibility to the diocesan Trustees to ensure the buildings are maintained to a good standard.

### **Insurance**

- CETs need to ensure that appropriate insurance arrangements are in place. Both CETs currently obtain most of their insurance-related cover from RPA.

## **PART EIGHT: GOVERNANCE WITHIN A CATHOLIC EDUCATION TRUST**

This section outlines the role of those involved in the governance of a CET.

### **Appointment of Directors**

The Bishop appoints Foundation Directors. It is necessary to appoint enough Directors to ensure a breadth and depth of range of skills are available to the CET and to ensure that enough people are available to carry out the duties and functions required by the Board of Directors. In Arundel and Brighton's CETs, it is a requirement that all Trust Board positions are filled by Foundation Directors.

### **Recruitment of Directors**

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

- Determining the appointment process and agreeing associated paperwork and procedures for appointment to the role of Foundation Director;
- Determining the skills audit to adopt; the CES governance working group has developed guidance, toolkits and models for this purpose;
- Seeking to make active links with organisations such as Inspiring the Future, Academy Ambassadors, The National Governance Association (NGA), and National Co-ordinators of Governor Services (NCOGS) to support the diocesan recruitment strategy;



- Working in partnership with the Diocesan Education Service to plan and provide strategic training and development for new Directors on the effective management of Catholic Education Trusts and the roles and responsibilities associated with the post, specifically relating to monitoring academic standards, financial management and providing challenge to senior leaders of the CET and the academies within it.

## **Function of CET Board**

The CET Board will set the strategic direction for the Trust as a whole and will set policies that will enable it to fulfil its vision. The CET Board of Directors will sit at the top with ultimate responsibility for governance; they need to be properly informed about the situation in each of the partner academies. As the responsible and accountable body, the CET will be held to account by the DASB, the DfE, the Education Funding Agency (EFA) and OfSTED for its academies.

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

## **CET Governance Structure**

To be effective, a CET will need a committee structure of some kind to support the work of the Board of Directors. In considering the different layers of governance, it will be important to make sure there is no unnecessary duplication of work and to remember that whilst 'functions' may be delegated by the CET Board of Directors to various committees, responsibility cannot.

## **Local Governing Committees**

Local Governing Committees (LGCs) will be needed to carry out duties and functions of the CET on its behalf as agreed in the Scheme of Delegation. Typical duties and functions may include monitoring the Catholic Life of the school, the monitoring of standards, admissions and appeals for school places, and other matters that can best be resolved locally. They would report to the main Board of Directors. The role of the clergy is an important and long-standing element of governance, and they have a key role to play in the development of the LGC.

## **Core Team of Staffing for the CET**

It is recommended that each CET appoint a core team of senior staff to lead and manage the development of the CET and to ensure that the academies within the partnership are properly supported and challenged to be the best that they can be and to provide leadership. The member academies will pay a partnership contribution in order to fund this central core team. It is unlikely that a CET would be able to function effectively if it did not commit to this. A formula for the contribution needed for this would need to be agreed, the principle for making the contribution being written into the Scheme of Delegation or other relevant documents. There will be other central costs that will need to be met from this fund.

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

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

#### **Chief Executive Officer**

The Chief Executive Officer (CEO) would be the most senior employee of the CET and accountable to, but not a member of, the CET Board of Directors. This person would be the main professional adviser to the Board of Directors and among other key functions would be involved in appraisal of the Headteachers. The CEO is recruited by the CET and may come from within or beyond the CET. The CEO may be a serving or recently retired primary or secondary Catholic Head; it is not the phase that is the important, but the calibre of the individual. The post of CEO may be part-time or full-time, as determined by the Trust Board.

#### **Chief Financial Officer**

The post-holder would be responsible for overseeing all matters in relation to finance for the CET and for the individual academies within it and would be accountable to the Chief Executive Officer.

Trusts may wish to consider additional posts, such as (but not restricted to) the following:

#### **Educational Standards/School Improvement Officer**

The post-holder(s) would be responsible for overseeing all matters in relation to educational and academic standards in the member academies, especially any sponsored academies. They would offer challenge and support to the Headteachers of the academies and would be accountable to the Chief Executive Officer.

Monitoring and evaluation reports on standards would be provided by the post-holder to the Board of Directors. Depending on the number of academies within the CET more than one post may be required as the need for support and challenge will be different in primary and secondary academies. The role may be part-time and could be filled on a secondment basis; the role is suitable for an experienced Headteacher from a good or outstanding school. A model job description for this role would need to be developed.



## Human Resources Officer

The post-holder would be responsible for overseeing all matters in relation to human resources in the individual academies and the core team and would be accountable to the Chief Executive Officer. The post-holder would ensure that the guidance documents of the CES and any policies adopted by the CET Board of Directors in relation to staffing are fully implemented. They would manage and advise on any matters in relation to staff discipline, complaints and appeals, etc.

## Headteachers

It needs to be very clear to all Headteachers that, in any adopted model, they run their school. As with all staff, the CET is the employer. The Board of Directors will be responsible for appointing Headteachers for academies within the CET; it will be supported in this by the DES.

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

## PART NINE: POLICY AND PROCEDURE

The policy of the Diocese is to enable those schools which wish or need to become academies to join Bosco or Xavier CET as determined by the school's location. The Bishop has set out certain requirements that must be accepted before permission is given for a Voluntary Aided school to become an academy:

- With the Bishop's approval the academy in question is designated as a Catholic school;
- The academy has a Catholic ethos and identity and provides Catholic Religious Education and collective worship;
- The posts of Headteacher, Deputy Headteacher, Head of Religious Education, Co-ordinator of Religious Education and Chaplain are reserved for practising Catholics;
- The Bishop appoints Foundation Governors to the Local Governing Committees. Foundation Governors are always in the majority by at least two;
- Arrangement for admissions comply with diocesan guidance;

- The Bishop appoints Section 48 inspectors to carry out inspections of denominational education, the content of collective worship and the Catholic Life of the school.

### **Procedural Due Diligence**

In line with the Bishop's stated wish, the DES and the DASB will work with the CETs to facilitate and support diocesan schools which wish or need to become Catholic academies.

The Due Diligence exercise is to ascertain the readiness of the school to become an academy and to reassure the Diocesan Trustees that there are no obstacles or impediments that could prejudice their responsibilities to Catholic schools in the diocese.

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

- The DASB and DES will work together to support Catholic schools which wish or need to become academies through the procedure;
- Catholic schools will undergo a thorough due diligence exercise as part of the preparatory work in order to ascertain the readiness of the school and the capacity of the Trust;
- The Bishop and Trustees will be notified if, during the due diligence exercise, an obstacle or impediment preventing a school from becoming an academy comes to light;
- Through the Director of the DES, the DASB will make recommendation to the Bishop when, as a result of the Due Diligence undertaken, a school is considered to be academy-ready;

If and when all of the above have been completed satisfactorily, the Bishop will issue a letter of support.

### **Admissions Policy**

The CET Trust Board is the Admissions Authority for all Catholic academies in its trusteeship.

It has a statutory duty to determine the admissions arrangements for each school and does this in accordance with the principle of subsidiarity by delegating this duty, via its Scheme of Delegation, to the local governing committee of each member academy.

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

The Bishop expects all Catholic schools and academies in the diocese to comply with the Admissions Guidance which is produced by the Education Service and reviewed regularly.

As the Admissions Authority for Catholic academies, the CET will carry out its statutory duty in consulting on and determining the admissions arrangement for those academies. The CET will ensure that all member academies meet the requirements both of the Admissions Code and the Guidance provided and amended by the DES.

The DES provides advice, support and guidance in relation to school admissions to each partner academy's local governing committee, and, where necessary, the CET.

### **Policy and Procedure for Foundation Governors**

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

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

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

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

### **Employment Procedures**

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

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

The DES is not party to the Contract of Employment between the Trust and its employees. The DES has an advisory role to support all Catholic schools in the diocese on the application of procedures and, if applicable, advising governor panels. The DES is not party to any decision made.

It is important to inform the DES at the earliest opportunity if a Headteacher, Deputy Headteacher, Chaplain or a teacher of Religious Education is subject to procedures which could lead to dismissal.

The DES must be informed, at the earliest point, of any processes for the recruitment of the positions of Headteacher, Deputy Headteacher, Chaplain and Head or Coordinator of Religious Education. As the Bishop's representative, a senior officer of the DES will work in an advisory capacity alongside the recruitment panel through every stage of the recruitment process for the aforementioned posts. Dates and times for recruitment, therefore, need to be agreed at the outset between the CET, the academy and the DES.

DES Officers will support the provision of quality leadership recruitment, training and development in all schools in the diocese.

The Catholic Bishops of England and Wales have produced a Memorandum on the Appointment of Teachers in Catholic Schools (2014). The Memorandum has been accepted by the Bishop of Arundel and Brighton and it is therefore a requirement that governing bodies of all Catholic schools and academies in the diocese follow it. The Memorandum states that those appointed to the post of Headteacher, Deputy Headteacher, Head of Religious Education, Coordinator of Religious Education and Chaplain must be baptised and practising Catholics.

- The CET is the employer of all staff appointed and paid to work in schools within its trusteeship and is responsible for ensuring that there are suitable recruitment, selection and appointment procedures in place which comply with the CES requirements;
- The CET is responsible for ensuring that those appointed to the position of Headteacher, Deputy Headteacher, Head of Religious Education, Coordinator of Religious Education and Chaplain meet the criteria set out in the Catholic Bishops of England and Wales Memorandum on the Appointment of Teachers in Catholic Schools (2014);
- The CET will ensure that the Bishop is invited to be represented at the appointment of all reserved posts. This is carried out by persons appointed by the DES;
- The CET will follow recruitment guidance produced by the DES, available on our website: <https://abdiocese.org.uk/education/home>
- The CET, as the employer, has the duty of care for its staff. The DES offers pastoral care for individuals in transparent circumstances. This pastoral care duty does not impinge in any way on the statutory responsibilities of the Trust as an employer and the person providing the pastoral care does not represent or advise the member of staff in any way.

## Admissions

Admissions criteria are set by the local governing committee and published in its admissions policy. In deciding on the admissions arrangements for the academy, the local governing committee must comply with the law, including having regard to this diocesan guidance.

The CET is the admissions authority for its member schools. This means that the CET is responsible for determining the admissions policies for all its academies and taking decision on applications. The CET may, however, delegate responsibility for determining the admissions policies for an individual academy within the CET, and/or taking decisions on applications, to the local governing body or local committee of the individual academies.

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

Catholic school governing bodies have an overriding duty to offer places to Catholics first. This is a requirement of the Trust Deed and therefore a legal requirement on governing bodies.

Catholic schools and academies must not operate any policies if the consequence is to offer a place to a non-Catholic and deny that place to a Catholic.

## Complaints Procedure

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

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

- Religious Education
- Collective worship
- Relationship and Sex Education

- Catholic ethos and mission

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

The CET is responsible for determining and implementing a complaints procedure for each school in its trusteeship.

The CET will inform the DES if a complaint is received at school level regarding Religious Education, collective worship, Relationship and Sex Education and Catholic ethos and mission.

In the event of a complaint being received regarding one of the four areas above, the Director of the DES will allocate an officer or appointed person to assist the CET at the investigation stage or to advise at the panel stage. The DES recognises that the CET maintains ownership of the process at all stages.

### **Performance Management**

The CET is responsible for setting up procedures to manage the performance of all staff in academies within the Trust.

The DES advises that Catholic Education Service (CES) Policies and Procedures are used for the appraisal and performance management of teaching and non-teaching staff in its academies. The CES procedures are robust and also contain sections that are relevant to Catholic schools. They acknowledge the contribution all staff make, whether Catholic, of another faith or none.

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

### **PART TEN: RELIGIOUS EDUCATION & THE CATHOLIC LIFE OF THE SCHOOL**

Through its Scheme of Delegation, the CET will ensure all member academies conform to the Catholic Bishops' Religious Education Curriculum Directory (RECD 3-19) and will work with the DES accordingly.

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

Schools are responsible for drawing up their own syllabus to deliver denominational RE, but they must conform to diocesan policy and the Catholic Bishops' Religious Education Curriculum Directory.

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

Denominational RE is one of the areas which contribute to the distinctive nature of the Catholic school. Canon Law gives authority to the Bishop to ensure that the RE conforms to Catholic doctrine. On the Bishop's behalf, the DES monitors this both informally and formally in all Catholic schools and academies across the diocese.

The Bishop has the duty to ensure that those who advise on all matters relating to RE are competent to do so. The DES is responsible for appointing and training those individuals who monitor and advise on RE in Catholic schools, and/or those who provide CPD and training in the area of RE.

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

The Funding Agreement for Catholic academies requires them to arrange for the Inspection of denominational RE and the content of collective worship under Section 48 of the 2005 Education Act. The Bishop has a right under Canon Law to inspect all Catholic schools in the diocese. This is known as a canonical inspection and will be carried out at the same time as the Section 48 inspections.

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

The Bishop has delegated this duty to the DES to oversee, train and appoint inspectors to carry out these inspections.

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

### **Collective Worship**

The CET is responsible for ensuring that academies within its trusteeship meet the statutory requirements regarding collective worship. The CET will do this by requiring all its academies to work with and be advised by the DES.

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

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

The DES has a duty to monitor the content of collective worship on behalf of the Bishop and will appoint persons who have the competency to monitor and advise on this area.

### **Schools in challenging circumstances**

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

The DES has a duty to report regularly to the Bishop and Trustees on the progress of Catholic schools and academies in the diocese which are in challenging circumstances and are being supported. The CET will keep the DASB and the DES informed of the progress of schools in challenging circumstances within its trusteeship.

## **PART ELEVEN: DIOCESAN EDUCATION SERVICE (DES) ROLE**

The roles and responsibilities of the DES remain the canonical duty to inspect and support all schools and academies in regard to RE and Catholic Life.

The DES has a key role to play with regard to the provision of catholic schools, as reflected in Canon Law, Can 793-806:

- The Church has the right to establish and to direct schools for any field of study or of any kind and grade. Canon 800 §1
- If there are no schools in which an education is provided that is imbued with a Christian spirit, the diocesan Bishop has the responsibility of ensuring that such schools are established. Canon 802 §1
- The diocesan Bishop has the right to watch over and inspect the catholic schools situated in his territory, even those established or directed by members of religious institutes. He has also the right to issues directives concerning the general regulation of catholic schools... Canon 806 §1

The DES will continue to support regular meetings of representatives of the Catholic academies and schools in the diocese to encourage the dissemination of knowledge and the sharing of best practice.

The DES will continue to work with and help to develop current and future Headteachers; Deputy Headteachers; middle and senior leaders; Chaplains; Heads of RE/RE coordinators; NQTS; Governors; School Business Managers, etc.

The DES will work closely with the DASB to determine, shape and enact diocesan policy and strategy on Academies. In partnership with the Diocesan Academies Strategic Board, the DES will continue to facilitate and assist the formation of new academies.

The DES will work in partnership with the DASB and with the CEO and Strategic Boards of both CETs to ensure and maintain strategic oversight of each CET, and to keep the Bishop and Trustees informed accordingly.

The DES will work with CET Trust Boards to ensure strategic development and, where appropriate, the planning of additional Catholic places in such a way that protects all local Catholic schools, whether members of the CET or not.

The Bishop expects all parties (RSC, CET, DES and DASB) to adhere to the Memorandum of Understanding in place between the Department for Education and the Catholic Church. The DES has a key role in ensuring that the Bishop and Trustees are kept fully informed and abreast of strategic decisions and developments at national, regional, and diocesan levels. To this end, the Director of the DES is to be included in all communications to or from the RSC.

- The DES Director and Buildings Officer will be included in discussions and decisions around the strategic disbursement of capital funding across each CET.
- The Bishop will seek to ensure that high-quality committed, skilled individuals are put forward as Foundation Directors and governors to the Trust and academy and will conscientiously monitor the contribution made by such appointees. In the event of misconduct and/or a failure to support the high ideals of the Bishop, the Bishop has the right to remove foundation governors;
- Where the DES becomes aware of any matter of significant concern, including any matter which might lead to the Secretary of State exercising his intervention powers, the Director of the DES will discuss the matter with the Directors and governors honestly and in good faith with the aim of formulating a plan to address such concern;
- The CET Directors and any local governing committees shall comply with any guidelines and/or policies issued by the DES in respect of, but not limited to the appointment, responsibilities and conduct of Directors and Governors. The Trust Directors and any local



governing committee shall also comply with any guidelines and/or policies issued by the Catholic Education Service.

- Foundation Directors:
  - I. shall be practising Roman Catholic;
  - II. shall not be an employee of the Trust or related to an employee;
  - III. may serve a maximum of two consecutive terms of office (one term being four years)

#### **APPENDIX ONE: MEMORANDUM OF UNDERSTANDING BETWEEN DFE AND CATHOLIC CHURCH**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/517424/Memorandum\\_of\\_understanding\\_between\\_the\\_Catholic\\_Church\\_and\\_DfE.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/517424/Memorandum_of_understanding_between_the_Catholic_Church_and_DfE.pdf)

#### **APPENDIX TWO: FREQUENTLY ASKED QUESTIONS**

##### **What is an academy?**

Academies are publicly-funded schools which operate outside local authority control. They receive their funding directly from central government, through the Education Funding Agency (EFA), rather than through a local authority. The government describes them as free (i.e. parents do not pay for places), independent, state-funded schools. Academies have more freedom than other state schools over finances, curriculum, length of terms and school days and teachers' pay and conditions.

##### **What is an Academy Trust?**

An Academy Trust is a charitable company limited by guarantee. It is responsible for running the academy. An Academy Trust cannot be run for profit. An Academy Trust has two layers of governance: members, who are best viewed as guardians of the constitution, and governors (i.e. the Directors of the Company) who are responsible for the business of running the school.

##### **What is a Catholic Education Trust (CET)?**

In the Diocese of Arundel and Brighton, a CET is a group of schools, both secondary and primary, determined by the diocese, which work together collaboratively in the formal legal partnership that is an Academy Trust.

##### **What are the particular advantages of the CET model?**

There are obvious advantages in terms of ability to employ specialist staff to work across all the schools, agreeing a shared ethos, policies and practice, and economies of scale in brokering services. Succession planning for school leadership, and coaching and mentoring opportunities for senior staff

across the family of schools for professional development are other advantages. The main advantage, however, lies in creating strong formal partnerships to support schools vulnerable to being 'required' to become sponsored academies.

### How do we remain 'outward looking' as a sector?

Catholic schools have always had a good reputation for working positively in their communities and they will continue to do so. The formal collaboration of diocesan schools in the CET should not stop Catholic schools from working in partnership with other local schools or within their communities. Partnerships with other local schools will continue to develop and flourish. Schools are actively encouraged to be outward-facing and to continue to work within and beyond the diocesan family of schools.

### Will academy status provide a better safeguard for the Catholic identity of our schools?

Under the diocesan CET model, yes. This is seen as one of the main advantages, particularly through the ability of the company to act as a sponsor for vulnerable Catholic schools where necessary.

### Can other local schools join a Catholic Education Trust arrangement?

No. Catholic schools are required to have a majority of Foundation Governors, which is one of the attributes that distinguishes our schools from other schools. Catholic and non-Catholic Schools outside the Trust can be provided with some support, and it may be possible to enter into partnership agreements if it was felt appropriate for all parties, and with the permission of the Bishop and Trustees, but non-Catholic schools cannot join the CET.

Whom do I contact if I need to know more regarding Academy Policy within the Diocese of Arundel and Brighton or where can I find more information?

Please visit <https://abdiocese.org.uk/education/academies> for updates; please email the Director of Education E: [marie.ryan@abdiocese.org.uk](mailto:marie.ryan@abdiocese.org.uk) and/or the Chair of the Diocesan Academies Strategic Board Carole Ann Roycroft E: [casroycroft@aol.com](mailto:casroycroft@aol.com) for specific queries.

## APPENDIX THREE: COMMONLY USED ACRONYMS WITHIN THIS DOCUMENT

CEO	Chief Executive Officer.  The CEO is the most senior employee of the CET and accountable to the CET Board of Directors.
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CES	<p>Catholic Education Service.</p> <p>The CES acts on behalf of the Catholic Bishops' Conference to support Catholic education.</p>
CET	<p>Catholic Education Trust.</p> <p>A group of diocesan primary and secondary schools which work together collaboratively in the formal legal partnership that is an Academy Trust.</p>
DASB	<p>Diocesan Academies Strategic Board.</p> <p>Diocesan group recruited for its skillset and tasked by The Bishop with supporting the academies programme in A&amp;B.</p>
DES	<p>Diocesan Education Service.</p> <p>Appointed to act on behalf of The Bishop to fulfil his rights and responsibilities towards Catholic schools in the Diocese.</p>
DFE	<p>Department for Education.</p>
FG	<p>Foundation Governor.</p> <p>Appointed by the Bishop, Foundation Governors preserve and develop the Catholic ethos of the school and represent the Bishop's education policy to the governing body (in addition to their usual responsibilities as governors).</p>
LA	<p>Local Authority.</p>
LGC	<p>Local Governing Committee.</p> <p>Each academy's LGC carries out duties and functions of the CET on its behalf as agreed in the Scheme of Delegation.</p>
MAT	<p>Multi Academy Trust.</p>



	<p>A group of schools governed through a single set of members and directors.</p>
MOU	<p>Memorandum of Understanding.</p> <p>The MoU ensures each CET is conducted in accordance with Canon Law and the teaching of the Catholic Church, and in compliance with the Trust Deed of the Diocese of Arundel and Brighton.</p>
NBRIA	<p>National Board of Religious Inspectors &amp; Advisers</p> <p>Membership is comprised of representatives from different dioceses and of the Catholic Bishops' Conference of England and Wales.</p>
NQTs	<p>Newly Qualified Teachers.</p>
RE	<p>Religious Education.</p>
RECD	<p>Religious Education Curriculum Directory.</p> <p>The RECD (3-19) provides guidance on the RE classroom curriculum in Catholic schools</p>
RSC	<p>Regional Schools Commissioner.</p> <p>RSCs act on behalf of the Secretary of State for Education and work closely with a range of partners, including the diocese.</p>
SoS	<p>Secretary of State for Education.</p> <p>Chief minister of the Department for Education; Responsibilities include Early years; adoption and child protection; teachers' pay; the curriculum; school improvement; and the establishment of academies and free schools.</p>