



The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

Trust Scheme of Delegation



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Catholic Academy Trust
Learning Communities, Inspired by Faith

**DIOCESE OF LEEDS SCHEME OF DELEGATION BETWEEN
THE BISHOP KONSTANT CATHOLIC MULTI-ACADEMY TRUST COMPANY
& ITS ACADEMIES**

EFFECTIVE DATE: 1st SEPTEMBER 2021

English Martyrs Catholic Primary, Wakefield



Holy Family & St Michael's Catholic Primary, Pontefract

Sacred Heart Catholic Primary, Hemsworth



St Austin's Catholic Primary, Wakefield

St Benedict's Catholic Primary, Garforth



St Ignatius Catholic Primary, Ossett



St John the Baptist Catholic Primary, Normanton



St Joseph's Catholic Primary, Goole



St Joseph's Catholic Primary, Castleford



St Joseph's Catholic Primary, Moorthorpe



St Joseph's Catholic Primary, Pontefract



St Mary's Catholic Primary, Selby



St Thomas à Becket Catholic Secondary, Wakefield



St Wilfrid's Catholic High & Sixth Form, Featherstone



The Holy Family Catholic High, Carlton





DEFINITIONS

In this Scheme of Delegation the following terms shall have the following meanings:

- i.** 'Academy' means the academy named at the beginning of this Scheme of Delegation and includes all sites upon which the academy undertaking is, from time to time, being carried out;
- ii.** 'Articles of Association' means the articles of association of the Multi-Academy Trust Company (to be based on the February 2015 agreed model articles of association available on the Department for Education website);
- iii.** 'Bishop' means the Bishop of the Roman Catholic Diocese of Leeds in which the Academy Trust Company is situated (as defined in Canon law) and includes any person exercising Ordinary jurisdiction in his name (including Vicars General and Episcopal Vicars) and any person delegated by him, including officers of the Diocese;
- iv.** 'Board of Directors/Trustees' means the board of Directors/Trustees of the Multi-Academy Trust Company;
- v.** 'Canon law' means the canon law of the Catholic Church from time to time in force and if any question arises as to the interpretation of Canon law, this shall be determined exclusively by the Bishop;
- vi.** 'Chair' means the chair of the Board of Directors/Trustees or the chair to the Academy Council of the Academy appointed from time to time, as appropriate;
- vii.** 'Clerk' means the clerk to the Board of Directors/Trustees and/or the clerk to the Academy Council of the Academy appointed from time to time, as appropriate, and includes a joint, assistant or deputy clerk;
- viii.** 'Delegated Functions' means the functions delegated by the Multi-Academy Trust Company in accordance with the table at Appendix I;
- ix.** 'Diocese' or 'Diocesan' means the education service provided by the diocese, which may also be known, or referred to, as the Diocesan Education Service or Diocesan Schools Commission;
- x.** 'Diocesan Trustee' means a trustee of the Diocese appointed by the Bishop to safeguard the interests of the Catholic community as a whole in the Diocese and to serve its needs;
- xi.** 'Directors' means directors/trustees appointed to the Board of the Multi-Academy Trust Company;
- xii.** 'Foundation Directors and Foundation Governors' means the directors or governors from time to time appointed by the Bishop to represent his diocesan policy on the Board of the Academy Trust Company or the Academy Council of the Academy, as appropriate;
- xiii.** 'Governors' means the governors appointed and elected to the Academy Council of the Academy, from time to time;
- xiv.** 'Local Governing Body' means any committee (e.g. Academy Council) established by the Directors pursuant to Article 100 of the Articles of Association to carry out specified functions in relation to the Academy as delegated by the Directors;
- xv.** 'Member' means a member of the Multi-Academy Trust Company appointed pursuant to Article 12 of the Articles of Association;
- xvi.** 'Multi-Academy Trust Company' means the company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Academy;



- xvii.** 'Principal' means the headteacher or executive headteacher as the case may be and is the person named as the headteacher of the school for Ofsted purposes;
- xviii.** 'Protocol' means the document that outlines the committed working relationship between the Diocese and the Multi-Academy Trust Company;
- xix.** 'Reserved Matters' means the matters that the Directors have determined will not be delegated and will be dealt with exclusively by them;
- xx.** 'Vice-Chair' means the vice-chair of the Board of Directors or the vice-chair of the Academy Council of the Academy elected from time to time, as appropriate.

1. GOVERNANCE OF THE MULTI-ACADEMY TRUST COMPANY

- 1.1** This Scheme of Delegation has been adopted by the Trustees from the Effective Date in accordance with the provisions of the Multi-Academy Trust Company's Articles and it should be read in conjunction with the Articles of Association. References in this Scheme of Delegation to numbered Articles are to the relevant clause of the Multi-Academy Trust Company's Articles of Association.
- 1.2** As a charity and company limited by guarantee the Multi-Academy Trust Company is governed by the Board of Trustees who are responsible for, and oversee, the management and administration of the Multi-Academy Trust Company and the academies run by the Multi-Academy Trust Company, including the Academy. The Trustees have overall responsibility and ultimate decision-making authority for all the work of the Multi-Academy Trust Company. These responsibilities are largely carried out through strategic planning and the setting of policy.
- 1.3** As the Academy is a Catholic school, designated as such, the Trustees are accountable to the Bishop to ensure that the Academy is conducted as a Catholic school in accordance with Canon law and the teachings of the Roman Catholic Church so that, at all times, the Academy may serve as a witness to the Catholic faith in Our Lord Jesus Christ. The Trustees are also accountable to external government agencies including the Charity Commission, the Department for Education and the Education & Skills Funding Agency (including any of their successor bodies). Both the Bishop and external government agencies hold the Multi-Academy Trust Company to account for the quality of the education, the financial propriety and the value they provide, and they require that the Multi-Academy Trust Company has systems in place through which they can assure themselves of such quality, safety and good practice.
- 1.4** In order to discharge these responsibilities people who are more locally based may be appointed by the Trustees, except insofar as the Bishop appoints the Foundation Governors, to serve on an Academy Council (or equivalent) which has been established to ensure the good governance of the Academy. In discharging their duties, the Academy Council will comply with any relevant policies, protocols and procedures adopted by the Multi-Academy Trust Company which, in turn, reflect national and Diocesan directions and guidance, where required.
- 1.5** Foundation Trustees and Foundation Governors are appointed by the Bishop, and the Foundation Trustee/Foundation Governor's obligations must be carried out in accordance with any Diocesan policy or protocol, the requirements outlined in the Multi-Academy Trust Company's Articles of Association, this Scheme of Delegation, the Protocol between the Diocese, the Multi-Academy Trust Company and the Academy and any other associated policies and protocols.



- 1.6** This Scheme of Delegation, particularly the table at Appendix I, explains the ways in which the Trustees fulfil their responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Trustees and the Governors and their commitments to each other to ensure the success of the Academy and the Multi-Academy Trust Company. This Scheme of Delegation serves as the terms of reference for the delegation of powers and responsibilities by the Trustees to the Academy Council.

2. ETHOS AND MISSION STATEMENT

- 2.1** The Academy's mission is as follows:

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.

We have a vision for Catholic education that goes beyond individual schools and changes our perception for 'my' school to 'our' schools. The challenge for us all is, how we can share gifts and talents to ensure the education for all of our children is outstanding.

As a Trust Board we aim to provide challenge and support to the Headteachers of our Academies within the constantly shifting demands of educational theory and practice. We aim to share resources and skills for the benefit of all our Academies as each Academy continues on its journey to provide outstanding Catholic education for all its pupils.

- 2.2** The Academy is an integral part of the Trust family of schools. The academy will develop and maintain strong relationships with the other academies in the Multi-Academy Trust Company. The academy will seek to uphold the principle of solidarity and support the other member academies and wider Trust, to the full extent necessary to fulfil the Trust's mission.
- 2.3** In upholding its mission, the Academy will work with, develop and maintain relationships with other schools, Parishes, agencies and businesses in the local community as well as the wider Diocese.

3. MEMBERS' POWERS AND RESPONSIBILITIES

The Members of the Multi-Academy Trust Company are the guardians of the governance of the Multi-Academy Trust Company. They are accountable to the Bishop (unless the Member is the Bishop) to ensure that the Multi-Academy Trust Company is being operated in accordance with the objects in the Articles of Association, which only they can vary.

The members shall be:

- (i)** The Bishop
- (ii)** The Episcopal Vicar for Education
- (iii)** The Vicar General



4. TRUSTEES' POWERS AND RESPONSIBILITIES

- 4.1** The Trustees have a duty to act in fulfilment of the Multi-Academy Trust Company's objects which are set out in the Articles of Association. The Trustees also have a duty to the Bishop to uphold the objects of the Multi-Academy Trust Company and to comply with any directives, advice or guidance issued by the Bishop.
- 4.2** Trustees will have regard to the interests of the other academies for which the Multi-Academy Trust Company is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.
- 4.3** Article 100 provides for the appointment by the Trustees of committees, which may be known as Academy Councils, to whom the Trustees may delegate certain of their functions¹. The general power to delegate functions under Article 100 is limited in accordance with Articles 105A, 105AA and 105B.
- 4.4** The constitution, membership and proceedings of the Academy Council is determined by the Trustees and this Scheme of Delegation sets this out as well as acknowledging the authority delegated by the Trustees to the Academy Council in order to enable the Academy Council to run the Academy and fulfil its mission.
- 4.5** Subject to the provisions of the Companies Act 2006, the Articles of Association and to any directions given by the Members of the Multi-Academy Trust Company following a special resolution, or any directives issued by the Bishop or the Diocese, and in accordance with the policies and protocols agreed by the Trustees, the way that the business of the Academy is carried forward at a local level shall be delegated by the Trustees to the Academy Council in accordance with this Scheme of Delegation, more particularly the table at Appendix I.

5. CONSTITUTION OF THE MULTI-ACADEMY TRUST COMPANY

- 5.1** The initial members of the Multi-Academy Trust Company are those named in the Memorandum of Association.
- 5.2** The requirements relating to the constitution of the board of the Trustees of the Multi-Academy Trust Company are set out in the Articles of Association.
- 5.3** The requirements relating to the carrying out of the business of the Trustees is set out in the Articles of Association.

¹ Whatever the Multi-Academy Trust Company calls the committee(s) established to carry out the functions of the Multi-Academy Trust Company at the local academy level, such committee(s) shall always be established in accordance with Articles 100 and 101.



6. CONSTITUTION OF ACADEMY COUNCIL

6.1 Membership

- 6.1.1** The members of the Academy Council shall be known as Governors.
- 6.1.2** The number of people who shall sit on the Academy Council shall be not less than three subject always to paragraph 6.2.1.
- 6.1.3** The constitution of the Academy Council will be in accordance with Appendix 5. A different constitution may be adopted at any time by the Trustees with prior written approval of the Diocese.
- 6.1.4** The Foundation Governors on the Academy Council will be those appointed by the Bishop.
- 6.1.5** The Trustees (all or any of them) shall also be entitled to serve on the Academy Council and attend any meetings of the Academy Council. Any Trustee attending a meeting of the Academy Council shall count towards the quorum for the purposes of that meeting and shall be entitled to vote on any resolution being considered by the Academy Council.
- 6.1.6** All persons appointed or elected to the Academy Council shall give a written undertaking to the Trustees, the Bishop and the Diocesan Trustees to uphold the objects of the Multi-Academy Trust Company. The Clerk shall be responsible for ensuring that this has been completed and that a copy has been sent to the Diocesan Education Service.

6.2 Appointment of members of the Academy Council

6.2.1 Foundation Governors

The Foundation Governors shall be appointed by the Bishop. They shall outnumber all the other members by two so as to ensure the preservation and development of the Catholic character of the Academy and the Multi-Academy Trust Company.

6.2.2 Staff Governors

6.2.2.1 Unless the Headteacher resigns from the Academy Council, he/she shall be treated for all purposes as being an ex officio member of the Academy Council.

6.2.2.2 The Academy Council may appoint persons who are employed at the Academy to serve on the Academy Council through such processes as the Trustees may determine, provided that the total number of such persons (including the Headteacher) complies with the Academy Council's constitution in force at the time.)

6.2.2.3 Unless the Trustees agree otherwise, in appointing persons to serve on the Academy Council, the Academy Council shall invite nominations from all staff who are employed by the Multi-Academy Trust Company and who

work at the Academy (excluding the Headteacher) and, where there are any contested posts, shall hold an election by a secret ballot. All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Trustees.

6.2.3 Parent Governors

6.2.3.1 Subject to clause 6.2.3.5, the parent members of the Academy Council shall be appointed after election by parents of registered pupils at the Academy and he or she must be a parent of a pupil at the Academy at the time when he or she is elected.



6.2.3.2 The Academy Council shall make all necessary arrangements for election of the parent members of the Academy Council, including any question of whether a person is a parent of a registered pupil at the Academy. Any election of persons who are to be the parent members of the Academy Council which is contested shall be held by secret ballot.

6.2.3.3 The arrangements made for the election of the parent members of the Academy Council shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if he/she prefers, by having his/her ballot paper returned to the Academy by a registered pupil at the Academy.

6.2.3.4 Where a vacancy for a parent member of the Academy Council is required to be filled by election, the Academy Council shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he/she is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.

6.2.3.5 The number of parent members of the Academy Council required shall be made up by persons appointed by the Academy Council if the number of parents standing for election is less than the number of vacancies.

6.2.3.6 In appointing a person to be a parent member of the Academy Council pursuant to clause 6.2.3.5, the Academy Council shall appoint a person who is the parent of a registered pupil at the Academy, or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

6.2.3.7 The first parent and staff members of the Academy Council may be those people who filled those positions on the governing body of the predecessor school at its closure provided that they have the requisite skills as determined by the Trustees. Parent and staff governors who do have the requisite skills shall serve on the Academy Council for the remainder of the terms of office for which they were elected or appointed to the predecessor governing body provided that the minimum membership of the Academy Council does not decrease following closure.

6.3 Term of office

The term of office for any person, other than a Foundation Governor, serving on the Academy Council shall be 4 years to be specified at the time of appointment by the person or body appointing them, save that this time limit shall not apply to the Headteacher. Subject to remaining eligible to be a particular type of member on the Academy Council, any person may be re-appointed or re-elected to the Academy Council save that Foundation Governors may only serve a maximum of three consecutive four-year terms (other than with the consent of the Bishop).

6.4 Resignation and removal

6.4.1 Except in the case of a Foundation Governor, a person serving on the Academy Council shall cease to hold office if he/she resigns his/her office by notice to the relevant Academy Council (but only if at least three persons will remain in office when the notice of resignation is to take effect). The Academy Council must give a copy of the notice to the Trustees. A Foundation Governor must resign his/her office by notice to the Bishop who appointed him/her and provide a copy of the notice to the Academy Council who shall, in turn, provide that copy to the Trustees.

6.4.2 A person serving on the Academy Council shall cease to hold office if he/she is removed by the person or persons who appointed him/her. Whilst at the same time as acknowledging that no reasons need to be given for the removal of a person who serves on the Academy Council by a person or persons who appointed him, any failure to uphold the values of the Multi-Academy Trust Company and/or the Academy, or to preserve and develop the Catholic character, or to act in a way



which is in breach of this Scheme of Delegation or the undertaking given pursuant to paragraph 6.1.6 will be taken into account. A person (except a Foundation Governor) may also be removed by the Trustees but only after the Trustees have given due regard to any representations by the relevant Academy Council.

- 6.4.3** If any person who serves on the Academy Council in his/her capacity as an employee at the Academy ceases to work at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Academy Council automatically on termination of his/her work at the Academy.
- 6.4.4** If any person who serves on the Academy Council in his/her capacity as a parent ceases to be a parent of a child on roll at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Academy Council automatically at the end of that school term.
- 6.4.5** Where a person who serves on the Academy Council is removed from office, those removing him/her, shall give written notice thereof to the Academy Council, who shall, in turn, notify the Trustees.
- 6.5 Disqualification of members of the Academy Council**
- 6.5.1** No person shall be qualified to serve on the Academy Council unless he/she is aged 18 or over at the date of his/her election or appointment. No current pupil of the Academy shall be entitled to serve on the Academy Council.
- 6.5.2** A person serving on the Academy Council shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs.
- 6.5.3** A person serving on the Academy Council shall cease to hold office if he/she is absent without the permission of the Chair of the Academy Council from all the meetings of the Academy Council held within a period of six months and the Academy Council resolves that his/her office be vacated.
- 6.5.4** A person shall be disqualified from serving on the Academy Council if:
- 6.5.4.1** His/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
- 6.5.4.2** He/she is the subject of a bankruptcy restrictions order or an interim order.
- 6.5.5** A person shall be disqualified from serving on the Academy Council at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Trustees Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 6.5.6** A person serving on the Academy Council shall cease to hold office if he/she would cease to be a Trustee by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 6.5.7** A person shall be disqualified from serving on the Academy Council if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he/she was privy, or which he/she by his conduct contributed to or facilitated.



- 6.5.8** A person shall be disqualified from serving on the Academy Council at any time when he/she is:
- 6.5.8.1** subject to a direction of the Secretary of State under s.142 of the Education Act 2002 or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction; or
 - 6.5.8.2** included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or
 - 6.5.8.3** disqualified from working with children in accordance with Sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000; or
 - 6.5.8.4** barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006); or
 - 6.5.8.5** disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 or child minding or providing day care; or
 - 6.5.8.6** disqualified from registration under Part 3 of the Childcare Act 2006; or
 - 6.5.8.7** disqualified under the Childcare (Disqualification) Regulations 2009.
- 6.5.9** A person may be disqualified from serving on the Academy Council if they have ever been:
- 6.5.9.1** convicted of an offence involving violence, dishonesty or deception, or any sexual offence which is not a protected offence; or
 - 6.5.9.2** convicted of causing a nuisance or disturbance on school and/or educational premises; or
 - 6.5.9.3** sentenced to imprisonment (whether suspended or not), in the UK or elsewhere, for a period of not less than three months.
- 6.5.10** A person shall be disqualified from serving on the Academy Council where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 6.5.11** A person shall be disqualified from serving on the Academy Council if he/she has not provided to the Chair of the Board of Trustees the proper criminal records certification as required by law and outlined by the Diocese and the Catholic Education Service. In the event that any such certification or checks disclose any information which would, in the opinion of either the Chair of the Board of Trustees or the Headteacher, confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- 6.5.12** Where, by virtue of this Scheme of Delegation, a person becomes disqualified from serving on the Academy Council and he/she was, or was proposed, to so serve, he/she shall upon becoming so disqualified give written notice of that fact to the Academy Council who shall inform the Trustees and the Bishop.
- 6.5.13** This clause 6.5 shall also apply to any member of any committee of the Academy Council who is not a member of the Academy Council.



6.6 Responsibilities of the Academy Council

- 6.6.1** The responsibilities of the Academy Council are outlined in this Scheme of Delegation, more particularly in the table and information at Appendices 1, 2 and 3.
- 6.6.2** The Academy Council will adopt and comply with all policies, protocols and procedures of the Multi-Academy Trust Company, the Bishop and the Diocesan Bishop as communicated to the Academy Council from time to time.

6.7 Business/Proceedings of the Academy Council

Meetings of the Academy Council

- 6.7.1** Subject to this Scheme of Delegation, the Academy Council may regulate its proceedings as its members see fit.
- 6.7.2** The Academy Council shall meet at least once per term. Meetings of the Academy Council shall be convened by the Clerk to the Academy Council. In exercising his/her functions under this Scheme of Delegation, the Clerk shall comply with any direction:
- 6.7.2.1** given by the Trustees or the Academy Council; or
- 6.7.2.2** given by the Chair of the Academy Council or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair of the Academy Council, so far as such direction is not inconsistent with any direction given as mentioned in 6.7.2.1 above.
- 6.7.3** Any three members of the Academy Council may, by notice in writing given to the Clerk, requisition a meeting of the Academy Council and it shall be the duty of the Clerk to convene such a meeting as soon as is reasonably practicable.
- 6.7.4** The Clerk shall provide to each member of the Academy Council at least seven clear days before the date of a meeting:
- 6.7.4.1** notice in writing thereof and sent to each member of the Academy Council at the address provided by each member from time to time;
- 6.7.4.2** all reports or other papers to be considered at the meeting; and
- 6.7.4.3** a copy of the agenda for the meeting;
- provided that where the Chair or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof, are given within such shorter period as he/she directs.
- 6.7.5** The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.
- 6.7.6** A resolution to rescind or vary a resolution carried at a previous meeting of the Academy Council shall not be proposed at a meeting of the Academy Council unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.
- 6.7.7** A meeting of the Academy Council shall be terminated forthwith if:



- 6.7.7.1** the members of the Academy Council so resolve; or
- 6.7.7.2** the number of members present ceases to constitute a quorum for a meeting of the Academy Council in accordance with paragraph 6.7.10, subject to paragraph 6.7.12.
- 6.7.8** Where in accordance with paragraph 6.7.7 a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the Clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.
- 6.7.9** Where the Academy Council resolves in accordance with paragraph 6.7.7 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Academy Council shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and they shall direct the Clerk to convene a meeting accordingly.
- 6.7.10** Subject to paragraph 6.7.12, the quorum for a meeting of the Academy Council, and any vote on any matter thereat, shall be any three of the members of the Academy Council, or, where greater, any one third (rounded up to a whole number) of the total number of persons holding office on the Academy Council at the date of the meeting.
- 6.7.11** The Academy Council may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.
- 6.7.12** The quorum for the purposes of:
- 6.7.12.1** appointing a parent member;
 - 6.7.12.2** any vote on the removal of a person in accordance with this Scheme of Delegation;
 - 6.7.12.3** any vote on the removal of the Chair of the Academy Council;
- shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on those respective matters.
- 6.7.13** Subject to this Scheme of Delegation, every question to be decided at a meeting of the Academy Council shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every member of the Academy Council shall have one vote.
- 6.7.14** Subject to paragraphs 6.7.10 – 6.7.12, where there is an equal division of votes, the Chair of the meeting shall have a casting vote in addition to any other vote he/she may have.
- 6.7.15** The proceedings of the Academy Council shall not be invalidated by
- 6.7.15.1** any vacancy on the board; or
 - 6.7.15.2** any defect in the election, appointment or nomination of any person serving on the Academy Council.
- 6.7.16** A resolution in writing, signed by the requisite majority of all the persons entitled to receive notice



of a meeting of the Academy Council or of a subcommittee of the Academy Council, shall be valid and effective as if it had been passed at a meeting of the Academy Council or (as the case may be) a subcommittee of the Academy Council duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the Academy Council and may include an electronic communication by or on behalf of the Academy Council indicating his/her agreement to the form of resolution providing that the member has previously notified the Academy Council in writing of the email address or addresses which the member will use.

- 6.7.17** Subject to paragraph 6.7.18, the Academy Council shall ensure that a copy of:
- 6.7.17.1** the draft minutes of every such meeting, if they have been approved by the person acting as Chair of that meeting;
 - 6.7.17.2** the signed minutes of every such meeting; and
 - 6.7.17.3** any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.
- 6.7.18** There may be excluded from any item required to be made available in pursuance of paragraph 6.7.17, any material relating to:
- 6.7.18.1** a named teacher or other person employed, or proposed to be employed, at the Academy;
 - 6.7.18.2** a named pupil at, or candidate for admission to, the Academy; and
 - 6.7.18.3** any matter which, by reason of its nature, the Academy Council is satisfied should remain confidential.
- 6.7.19** Any member of the Academy Council shall be able to participate in meetings of the Academy Council by telephone or video conference provided that:
- 6.7.19.1** He/she has given notice of his/her intention to do so detailing the telephone number on which he/she can be reached and/or appropriate details of the video conference suite from which he/she shall be taking part at the time of the meeting at least 48 hours before the meeting; and
 - 6.7.19.2** the Academy Council has access to the appropriate equipment; and
 - 6.7.19.3** he/she assures the Academy Council that the telephone connection and the surrounding environment from which the call is to be made is secure and will comply with the requirement to maintain confidentiality of the business of the Academy Council at all times; and
 - 6.7.19.4** he/she is able to hear all participants and fully take part in the discussions.
- 6.7.20** If, after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference pursuant to 6.7.19, the meeting may still proceed with its business provided it is otherwise quorate.



The Minutes

- 6.7.21** The minutes of the proceedings of a meeting of the Academy Council shall be drawn up and kept for the purpose by the person authorised to keep the minutes of the Academy Council and shall be signed (subject to the approval of the members of the Academy Council) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:
- 6.7.21.1** all appointments of officers made by the Academy Council; and
- 6.7.21.2** all proceedings at meetings of the Academy Council and of committees of the Academy Council including the names of all persons present at each such meeting.
- 6.7.22** The Chair shall ensure that copies of minutes of all meetings of the Academy Council (and such of the subcommittees as the Trustees shall from time to time notify) shall be provided to the Trustees, the Bishop and the Diocesan Trustees as soon as reasonably practicable after those minutes are approved.

Delegation

- 6.7.23** Provided such power or function has been delegated to the Academy Council, the Academy Council may further delegate to any person serving on the Academy Council, committee, the Headteacher or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions either the Trustees or the Academy Council may impose and may be revoked or altered.
- 6.7.24** Where any power or function of the Trustees or the Academy Council is exercised by any subcommittee, any Trustee or member of the Academy Council, the Headteacher or any other holder of an executive office, that person or subcommittee shall report to the Academy Council in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Academy Council immediately following the taking of the action or the making of the decision.

Committees of the Academy Council

- 6.7.25** Subject to this Scheme of Delegation, the Academy Council may establish any subcommittee. The constitution, membership and proceedings of any subcommittee shall be determined by the Academy Council but having regard to any views of the Trustees. The establishment, terms of reference, constitution and membership of any subcommittee shall be reviewed at least once in every twelve months. The membership of any subcommittee may include persons who do not also serve on the Academy Council, provided that a majority of the members of any such subcommittee shall be members of the Academy Council or Trustees.

Chair and Vice-Chair of the Academy Council

- 6.7.26** The members of the Academy Council shall, each school year at their first meeting in that year, elect a Chair and a Vice-Chair from amongst the Foundation Governors in their number to serve until a successor is appointed or a vacancy occurs pursuant to paragraph 6.7.28.
- 6.7.27** Subject to paragraph **6.7.30**, the Chair or Vice-Chair shall hold office as such until his/her successor has been elected in accordance with paragraphs **6.7.26 - 6.7.37**.
- 6.7.28** The Chair or Vice-Chair may at any time resign his/her office by giving notice in writing to the Academy Council.



- 6.7.29** The Chair or Vice-Chair shall cease to hold office if:
- 6.7.29.1** He/she ceases to serve on the Academy Council;
 - 6.7.29.2** He/she is employed by the Multi-Academy Trust Company whether or not at the Academy;
 - 6.7.29.3** He/she is removed from office in accordance with this Scheme of Delegation; or
 - 6.7.29.4** in the case of the Vice-Chair, he/she is elected in accordance with this Scheme of Delegation to fill a vacancy in the office of Chair.
- 6.7.30** Where by reason of any of the matters referred to in paragraph 6.7.29, a vacancy arises in the office of Chair or Vice-Chair, the members of the Academy Council shall at its next meeting elect one of their number to fill that vacancy.
- 6.7.31** Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice-Chair or his/her nominee shall act as the Chair for the purposes of the meeting.
- 6.7.32** Where in the circumstances referred to in paragraph 6.7.30, the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the Academy Council shall elect one of their number to act as a Chair for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Multi-Academy Trust Company whether or not at the Academy nor a Trustee.
- 6.7.33** A Trustee shall act as Chair during that part of any meeting at which the chair is elected.
- 6.7.34** Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.
- 6.7.35** The Chair or Vice-Chair may only be removed from office by the Trustees at any time or by the Academy Council in accordance with this Scheme of Delegation.
- 6.7.36** A resolution to remove the Chair or Vice-Chair from office which is passed at a meeting of the Academy Council shall not have effect unless:
- 6.7.36.1** it is confirmed by a resolution passed at a second meeting of the Academy Council held not less than fourteen days after the first meeting; and
 - 6.7.36.2** the matter of the Chair or Vice-Chair's removal from office is specified as an item of business on the agenda for each of those meetings; and
 - 6.7.36.3** copies of the resolutions referred to at paragraph's 6.7.36 and 6.7.36.1 above are served on the Trustees.
- 6.7.37** Before a resolution is passed by the Academy Council at the relevant meeting as to whether to confirm the previous resolution to remove the Chair or Vice-Chair from office, the person or persons proposing his/her removal shall at that meeting state their reasons for doing so and the Chair or Vice-Chair shall be given an opportunity to make a statement in response.

Clerk

- 6.7.38** The Trustees may appoint a Clerk (who must not be the Headteacher) to provide clerking services to the Academy Council and may remove the Clerk from office at any time.
- 6.7.39** In the absence of the Clerk from an Academy Council meeting, the Academy Council may appoint any one of its members to act as Clerk for the purposes of that meeting.



6.7.40 The Clerk must:

6.7.40.1 convene meetings of the Academy Council;

6.7.40.2 attend meetings of the Academy Council;

6.7.40.3 advise the Academy Council on the Academy's compliance with the Articles, the funding agreement, the scheme of delegation and the law;

6.7.40.4 ensure that minutes of the proceedings are drawn up; and

6.7.40.5 perform any other functions determined by the Academy Council.

Conflicts of Interest

6.7.41 A conflict of interest/loyalty shall not be deemed to occur solely from the fact that any member of the Academy Council is also a Trustee, charity trustee or governor of any other Catholic school or schools or other educational institution(s), diocese, or religious order, or of any other charity which permits its land to be occupied by a Catholic school or schools or other educational institution(s). Any member of the Academy Council who has, or can have, any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts, or may conflict, with his/her duties as a member of the Academy Council shall disclose that fact to the Academy Council as soon as he/she becomes aware of it. Subject to Article 98A, a person is not permitted to attend any meeting of the Academy Council or committee of the Academy Council, or any part of any such meeting, where it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and the Multi-Academy Trust Company and any duty or personal interest (including but not limited to any Personal Financial Interest).

6.7.42 For the purpose of paragraph 5.7.42, a person has a Personal Financial Interest if he/she is in the employment of the Multi-Academy Trust Company or is in receipt of remuneration or the provision of any other benefit directly from the Multi-Academy Trust Company or in some other way is linked to the Multi-Academy Trust Company or the Academy.

6.7.43 In the event of any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.

6.7.44 Any disagreement between the members of the Academy Council and the Headteacher or any subcommittee of the Academy Council shall be referred to the Trustees for their determination.

Indemnity

6.7.45 Subject to the provisions of the Companies Act 2006 every member of the Academy Council or other officer or auditor of the Multi-Academy Trust Company acting in relation to the Academy shall be indemnified out of the assets of the Multi-Academy Trust Company against any liability incurred by him/her in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he/she is acquitted or in connection with any application in which relief is granted to him/her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Multi-Academy Trust Company, subject to the limitation of s.189 of the Companies Act 2011.

Notices

6.7.46 Any notice to be given to or by any person pursuant to this Scheme of Delegation (other than a notice calling a meeting of the Academy Council) shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Scheme of Delegation "address" in relation to electronic communications includes a number or address used for the purposes of such communications.



- 6.7.47** A notice may be given by the Academy Council to its members either personally or by sending it by post in a prepaid envelope addressed to the member at his/her registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the Academy Council by the member. A member whose registered address is not within the United Kingdom and who gives to the Academy Council an address within the United Kingdom at which notices may be given to him/her, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him/her at that address, but otherwise no such member shall be entitled to receive any notice from the Academy Council.
- 6.7.48** A member of the Academy Council present at any meeting of the Academy Council shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
- 6.7.49** Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

7. OPERATIONAL MATTERS AT MULTI-ACADEMY TRUST COMPANY AND ACADEMY COUNCIL LEVEL

- 7.1** The Academy Council shall comply with the obligations set out in this Scheme of Delegation, particularly the relevant sections of the table and information at Appendices 1, 2,3,4 and 5 which deal with the day-to-day operations of the Academy Council.
- 7.2** The Academy Council will adopt and comply with all policies, protocols and procedures of the Multi-Academy Trust Company, the Bishop and the Diocese as communicated to the Academy Council from time to time.
- 7.3** Except for the Foundation Trustees and Foundation Governors, the other Trustees and members of the Academy Council have a duty to act independently and not to act as agents of those who may have appointed them. All Trustees and members of the Academy Council will act with integrity, objectivity and honesty in the best interests of the Multi-Academy Trust Company and the Academy and shall be open about decisions made and be prepared to justify those decisions except insofar as any matter may be considered confidential. Foundation Governors shall always act in furtherance of their undertaking to the Bishop and the Diocesan Trustees to preserve and develop the Catholic character of the Academy, and the Multi-Academy Trust Company, at all times.
- 7.4** The Academy Council shall comply with any inspections by or on behalf of the Trustees and any denominational inspections pursuant to section 48 of the Education Act 2005 and any additional canonical inspections and visitations of the Bishop and any person appointed by him for the purpose of ensuring that the Academy is being conducted in accordance with canon law and is following the practices and teachings of the Catholic Church and in order to allow the Bishop to assess how well the Academy is being managed in light of the additional responsibilities and expectations of schools which are academies.



- 7.5** If, in the view of the Trustees, one of the following situations arises, then the Trustees may resolve to remove some or all of the powers and obligations delegated to the Academy Council by this Scheme of Delegation:
- 7.5.1** The Academy Council, or one of more of its members, has acted, or allowed another to act, whether knowingly or recklessly, in such a way as to prejudice the Catholic character of the Multi-Academy Trust Company and the Academy;
 - 7.5.2** Standards and performance are low, are likely to be assessed as low and/or are likely to remain so without intervention;
 - 7.5.3** There has been a serious breakdown in management or governance which is prejudicial to standards of performance or breaches the Multi-Academy Trust Company's policies and procedures;
 - 7.5.4** The safety of pupils and staff is threatened; or
 - 7.5.5** Safeguarding procedures are inadequate.
- 7.6** The Academy Council shall work closely with and shall promptly implement any advice or recommendations made by the Trustees in the event that intervention is either threatened or is carried out by the Secretary of State and the Trustees expressly reserve the unfettered right to review or remove any power or responsibility conferred on the Academy Council under this Scheme of Delegation in such circumstances.

8 REVIEW OF THE SCHEME OF DELEGATION

- 8.1** This Scheme of Delegation shall operate from the Effective Date in respect of the Academy.
- 8.2** The Trustees have the absolute discretion to review and amend this Scheme of Delegation at least annually and to alter any provisions of it with the prior written consent of the Bishop (on the advice of the Diocese).
- 8.3** In considering any material changes to this Scheme of Delegation the Trustees shall have regard to and give due consideration to any views of the Academy Council and shall comply with any guidance/requirements of the Bishop and consider any guidance published by the Catholic Education Service.

The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 8253770, whose registered office is at

**St Wilfrid's Catholic High School & Sixth Form College,
Cutsyke Road, Featherstone WF7 6BD**



Appendix 1 to the Scheme of Delegation

Table of Roles and Responsibilities

Responsibilities of the Diocesan Bishop and the Diocesan Education Service

Canon law (Church law) provides that each diocesan bishop has strategic responsibility to commission sufficient school places to meet the needs of baptised Catholic children resident in his area. A Catholic school is one which is recognised as such by the diocesan bishop. Canon 803 provides the definition of a Catholic school. Canon 803§1 provides that a school is Catholic if:

- (a) It is controlled by a diocese or religious order; or
- (b) It is acknowledged in a written document as Catholic by the diocesan bishop.

All Catholic schools are subject to the jurisdiction of the diocesan bishop, even those that are not in diocesan trusteeship. Canon 806§1 provides:

“The Diocesan Bishop has the right to watch over and inspect Catholic schools in his territory...and has the right to issue directives concerning the general inspection of Catholic schools...those who are in charge of Catholic schools are to ensure, under the supervision of the local Ordinary, that the formation given in them, including its academic standards, are at least as outstanding as that in other schools in the area”.

In respect of his schools, which includes academies, the bishop has the legal right to appoint (and remove) an overall majority of Trustees and governors, who are known as foundation Trustees and foundation governors. In addition to all the other legal responsibilities of the academy trust company (for academies) and the governing body (for voluntary aided schools), the law recognises that foundation Trustees/governors are appointed specifically to ensure:

- That the Catholic character of the school is preserved;
- That the school is conducted in accordance with its trust deed; and
- That the religious education curriculum is in accordance with the bishop’s policy for his diocese, based on the Bishops’ Conference Curriculum Directory.

The diocesan bishop, acting through his Diocesan Schools Commissioner, is responsible for:

- The provision and future development of excellent Catholic education throughout the diocese
- The oversight of high educational standards, progress and outcomes in all diocesan schools
- The appointment, development and training of foundation Trustees and governors and their removal
- The inspection of religious life of schools and RE (section 48 inspections)
- The development of Catholic teachers and leaders (and all appointments should be made in accordance with diocesan protocol)
- The oversight of school buildings/estate and capital projects
- Planning of school place provision

²The ‘control’ specified in canon 803 is normally established where the diocese or religious order owns the school and appoints the governing body (or at least a majority of it).

³‘Ordinary’ includes the Diocesan Bishop and those, such as Vicars General and Episcopal Vicars, exercising Ordinary jurisdiction on his behalf as well as to describe the relevant Religious Superior in respect of religious order schools, and this also includes their respective representative officers.



- Engaging with the RSC and Ofsted
- Maintaining links with the Catholic Education Service and the government

Explanation of the layers of governance in a 'traditional' Multi-Academy Trust Company structure

Members:

- Guardians of the governance of the Multi-Academy Trust Company
- Accountable to the Bishop (unless the Member is the Bishop)
- Signatories to the Memorandum and Articles of Association
- Akin to shareholders
- Ensure Diocesan oversight by the Vicariate for Education

Trustees:

- Company Directors and Charity Trustees
- Accountable to the Members and the Bishop
- Duty to uphold the Multi-Academy Trust Company's objects and to comply with any directives, advice and/or guidance issued by the Bishop
- Responsible for preserving and developing the Multi-Academy Trust Company's Catholic character at all times, and this overriding duty (which is also a legal duty) should permeate everything that the Trustees do.
- Responsible for the general control and management of the administration of the Multi-Academy Trust Company and for delivering the three core functions
- Responsible for standards of education in the academies within the Multi-Academy Trust Company
- Delegate functions to sub-committees, senior executive leadership, academy councils and Headteachers
- Appoint the senior executive leadership in accordance with Diocesan protocols

CEO (supported by the senior executive leadership):

- Appointed by the Board of Trustees in accordance with Diocesan protocols and employed by the Multi-Academy Trust Company
- Responsible for the Trust's operations, advising the Board on strategy and policies and for delivering the Board's vision and ethos
- Responsible for the Multi-Academy Trust Company's financial effectiveness and stability and for ensuring value for money
- Responsible for the performance management of other senior leaders as required by the Trustees
- Delegates to senior executive leadership



Academy Council/Governors:

- Appointed/elected to govern a specific academy/academies within the Multi-Academy Trust Company in accordance with the Scheme of Delegation
- Have oversight of said academy/academies in the multi-academy trust company and are accountable to the Board of Trustees of the multi-academy trust company
- Have particular focus on Catholic Life and Religious Education in the academy/academies
- Vital link to the local community

Headteacher:

- Accountable to the Trustees, through the CEO for the day-to-day management of the Academy (or academies in an executive headship arrangement). For the purposes of any executive headship, the executive headteacher has the responsibilities of the 'headteacher' as defined in this Scheme of Delegation
- Responsible for performance management of staff within each academy

Notes to assist in reading the table at Appendix 1

It is envisaged that, where the senior executive leadership have been delegated responsibility by the CEO, an appropriate member of the senior executive leadership will take the lead based on their qualifications, expertise, skills, experience and/or availability (it should be noted that the term 'senior executive leadership' can mean one person or a group of people). The CEO will assume accountability for decisions taken by the team.

In all that the multi-academy trust company does, it should ensure that any diocesan policy, procedure, protocol or guidance is reflected and followed, including by the academies within the multi-academy trust company.



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Vary the Articles of Association	 <i>Review and amend the Articles of Association subject to the written consent of the Diocesan Bishop and the Diocesan /Religious Order Trustees.</i>	 <i>Advise the members on review and amendment of the Articles of Association.</i>			
Change the name of the company/ academies					
Appoint/remove Trustees	 <i>Appoint/ remove relevant Trustees.</i>				
Appoint/remove local governors		 <i>Governors (except Foundation Governors) may be removed by the Trustees but only after they give due regard to representations by the Academy Council.</i>		 <i>Appoint and remove relevant governors (subject to the Bishop's right to appoint/ remove foundation governors). Give notice of any removal of a local governor (other than a foundation governor) to the Trustees.</i>	
Annual Report on the company's performance	 <i>Receive annual report from Trustees/ CEO.</i>	 <i>Submit and publish an annual report to members in respect of the company's performance.</i>	 <i>Assist the Trustees as required with the preparation of the annual report in respect of the company's performance.</i>		



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Preserve and develop the religious and educational character, mission and ethos of the company	✔ <i>Have oversight of the preservation and development of the religious and educational character, mission and ethos of the company and take action where there are shortcomings or any risk to the religious or educational character or the company's reputation.</i>	✔ <i>Preserve and develop the religious and educational character, mission and ethos of the company as determined by the Diocesan/ Religious Order Trustees in accordance with the Articles of Association, and ensure that it is embedded in each academy. Attend any diocesan, or other provider's, induction training as required by the Diocese.</i>	✔ <i>Preserve and develop the religious and educational character, mission and ethos of the company as determined by the Diocesan/Religious Order Trustees in accordance with the Articles of Association, and ensure that it is embedded in each academy. Monitor the academies medium to long-term vision for their future viability as Catholic schools, ensuring that this is in accordance with the vision of the company, and that they each have a robust strategy in place for achieving their vision. Attend any diocesan, or other provider's, induction training as required by the Diocese. Deliver and oversee the delivery by the academies of public relations activities to ensure that they meet the company's requirements regarding preservation and development of the company and academies Catholic character in the wider community.</i>	✔ <i>Preserve and develop the religious and educational character, mission and ethos of a particular academy in collaboration with the headteacher to ensure that it is embedded in the academy. Champion the company's vision, ethos and strategic direction in the academy. Ensure that the academy has a medium to long-term vision for its future viability as a Catholic school and that there is a robust strategy in place for achieving its vision. Attend any diocesan, or other provider's, induction training as required by the Diocese.</i>	✔ <i>Implement the religious and educational character, mission and ethos of the particular academy. Attend any diocesan, or other provider's, induction training as required by the Diocese.</i>



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Carry out the three core functions of governance	✘	✔ <i>Ensure clarity of vision, ethos and strategic direction Hold the headteachers and/ or senior executive leadership e.g. the chief executive to account for the educational performance of the academies in the company and its pupils, and for the internal organisation, management and control of the academies, including performance management of staff. Oversee the financial performance of the company and the academies within it and make sure its money is well spent.</i>	✔ <i>Support the Trustees to carry out the three core functions effectively.</i>	✔ <i>Support the Trustees to carry out the three core functions.</i>	✔ <i>Support the Trustees to carry out the three core functions.</i>
Strategic oversight of governance	✘	✔ <i>Have strategic oversight of governance arrangements and their effectiveness across the company and the wider Diocese.</i>	✔ <i>Monitor governance arrangements and their effectiveness across the company and report to the Trustees to assist them with their duty to have strategic oversight.</i>	✔ <i>Assist the senior executive leadership with its report on governance arrangements in the company.</i>	✘
Succession planning	✘	✔ <i>Prepare a succession plan.</i>	✔ <i>Advise the Trustees on succession planning and development of the senior executive leadership and take action as required by the Trustees. Advise the Academy Council on leadership succession planning.</i>	✔ <i>Succession plan for local governance and senior leadership in conjunction with the wider company.</i>	✔ <i>Advise the Academy Council on succession planning for local governance and senior leadership.</i>



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Reserved matters and business of the company	✘	✔ <i>Determine the Trustees' Reserved Matters i.e. non-delegable functions and responsibilities. Prepare an annual schedule of the Trustees' business.</i>	✔ <i>Attend meetings of the Trustees and provide an Executive Report. Recommend and secure (where appropriate) professional advice on behalf of the Trustees as requested. Prepare and advise the Trustees on the annual schedule of Trustees' business.</i>	✔ <i>Support the senior executive leadership to prepare an annual schedule of Academy Council business, as appropriate.</i>	✘
Appointments of administrative nature	✘	✔ <i>Appoint/remove a suitably qualified company secretary. Appoint/remove a suitably experienced and trained clerk to the Trustees and to support clerking arrangements to the Academy Councils, as appropriate.</i>	✔ <i>Support the appointment process for the company secretary and the clerk.</i>	✘	✘



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Compliance and/or administrative/ company secretarial matters		 <i>Understand and comply with all duties and requirements of a charity trustee. Understand and comply with all relevant regulations including charity law, company law and education law. Ensure the preparation and filing of company registers and submission of statutory returns.</i>	 <i>Support and advise the Trustees to ensure they are compliant with the duties and requirements placed upon them as charity trustees. Ensure that the company is compliant with all relevant regulations including charity law, company law and education law and report any failings to the Trustees for action. Ensure that the company secretary has prepared and filed, company registers e.g. members/Trustees/ persons with significant control/ secretaries etc.</i>	 <i>Ensure that the academy is conducted in a way that is compliant with all relevant regulations including charity law, company law and education law and report any failings to the senior executive leadership for action. Assist the senior executive leadership to ensure that the academy's governance details, including its register of interests, are published on its website.</i>	 <i>Conduct the academy in a way that is compliant with all relevant regulations including charity law, company law and education law and report any failings to the Academy Council for action.</i>
Documents, policies and procedures		 <i>On an annual basis, review and amend (if appropriate), in line with Diocesan policy: Policies of the company; Code of Conduct; The terms of reference for Committees of the Board; This scheme of delegation and table of roles and functions.</i>	 <i>Advise the Trustees and the academies on company-wide and academy specific policy requirements and take action to prepare and/ or amend any such policies as required by the Trustees. Prepare terms of reference for any committees of Trustees.</i>	 <i>Review and amend the policies of the academy in line with any company-wide policies. Assist the headteacher to tailor company-wide policies for the particular academy. Adopt any specific company policies in the academy.</i>	 <i>Tailor company-wide policies to the particular academy as recommended by the senior executive leadership. Implement any relevant policies in the academy and ensure that the academy is conducted in accordance with any such policies.</i>



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Inspections	✗	✓ <i>Comply with any denominational inspections pursuant to s.48 and any additional canonical inspections, reviews and visitations of the bishop. Comply with any other education inspections, e.g. s.5 as required by law.</i>	✓ <i>Support and assist the Trustees and/or the Academy Council to prepare for any inspections e.g. s.48, s.5. Ensure that any inspection outcomes are carried out in the academies and/or the company as appropriate.</i>	✓ <i>Comply with any denominational inspections pursuant to s.48 and any additional canonical inspections and visitations of the bishop. Comply with any other education inspections, e.g. s.5 as required by law. Ensure that any actions arising from inspection outcomes are carried out in the academy.</i>	✓ <i>Comply with any denominational inspections pursuant to s.48 and any additional canonical inspections and visitations of the bishop. Comply with any other education inspections, e.g. s.5 as required by law. Implement any actions arising from inspection outcomes in the academy.</i>
School to school support	✗	✓ <i>In line with diocesan protocol, broker appropriate internal and external school-to-school support as necessary to facilitate excellent Catholic education across all the academies in the company.</i>	✓ <i>Support the Trustees in their responsibility to broker school-to-school support.</i>	✓ <i>Implement any school-to-school support opportunities as directed by the senior executive leadership and monitor any such arrangements, reporting back to the senior executive leadership at appropriate intervals or as required.</i>	✓ <i>Implement school-to-school support opportunities in the academy as directed by the senior executive leadership.</i>
Performance management of non-executives	✗	✓ <i>Carry out the annual self-evaluation of the Trustees to assess the contributions made by the Trustees committee members and report to the members for action, if appropriate.</i>	✓ <i>Assist and support the Trustees to carry out the annual self-evaluation of the board as appropriate.</i>	✓ <i>Carry out the annual self-evaluation of the Academy Council and report findings to the senior executive leadership/Trustees as appropriate.</i>	✗



GOVERNANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
School level matters	✘	✔ <i>Instruct the senior executive leadership as appropriate in respect of any reports made by them relating to matters in the individual academies within the company.</i>	✔ <i>Monitor school life in the academies in the company and report any relevant findings to the Trustees for action as appropriate.</i>	✔ <i>Ensure the spiritual wellbeing of pupils at the academy. Support the headteacher to develop a school development plan and oversee it carried out in practice. With the headteacher, establish and develop Pupil, Parent and Staff Voice and monitor the same, reporting any issues or other matters to the senior executive leadership/Trustees as appropriate. Establish and maintain relationships with the parish priest, local Church and parish community to work with them as they contribute to the Catholic formation of the pupils at the academy. Establish and maintain relationships with parents of pupils attending the academy to support them in their role as primary educators. Establish and maintain a relationship with members of the wider local community, including assisting the headteacher to build relationships with other schools, agencies and businesses in the community to enhance the quality of Catholic education provided for pupils. Support and work with other Academy Councils in the company. Generally support and challenge the headteacher.</i>	✔ <i>Prepare a school development plan. Attend meetings of the Academy Council and provide a headteacher's report. Advise the Academy Council on its annual schedule of business. Build relationships with other local schools, agencies and businesses in the wider community to enhance the quality of education provided for pupils at the academy. Assist the Academy Council to develop Pupil, Parent and Staff Voice.</i>



Useful Resources:

- Articles of Association of the company – the company’s constitutional document which should be based on the February 2015 model available on the DfE website
- Academy Trust Handbook – a key document which sets out the framework for multi-academy trust companies reflecting their status as companies, charities and public bodies. Compliance with the Academy Trust Handbook is required through the company’s Funding Agreement with the Secretary of State
- Master Funding Agreement – the agreement entered into between the company and the Secretary of State to receive public funds for the establishment and running of academies
- Supplemental Funding Agreement - the agreement(s) entered into between the company and the Secretary of State which sets out how each of the academies in the company will be operated
- Memorandum of Understanding between the Catholic Church and the Department for Education (April 2016) – sets out the key principles to inform the working relationship between the DfE, the CES and the Catholic dioceses with regard to Catholic schools becoming academies
- Charity Commission Guidance ‘CC3: the essential trustee: what you need to know, what you need to do’
- CES Governor skills audit
- CES Governing Body Self-Evaluation Form
- CES Governance Statements
- CES Code of Conduct
- CES Protocol between dioceses and schools
- CES ‘A clarification of roles and responsibilities’
- CES Recruitment Resources for Foundation Trustees and Foundation Governors
- CES website best practice guidance for governor recruitment
- CES governor recruitment campaign guide
- CES Equality Act Guidance for Catholic Schools
- CES Guidance on Public Sector Equality Duty in England
- CES Guidance on Public Sector Equality Duty in Wales
- CES ‘Pupils of Other faiths in Catholic Schools’
- CES ‘Catholic Schools, Children of Other Faiths and Community Cohesion’
- CES Checklist for External Speakers in Schools
- [CES Protocol for inspection of publicly funded schools with a religious character]
- List of statutory policies for schools (DfE document but link available on the CES website)



FINANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council	Headteacher
Appointment of auditors	 Receive annual accounts of the company. Appoint the auditors.	 Issue a letter of engagement for the external auditor's contract. Appoint a committee with responsibility for audit matters to inform the Governance Statement and to provide assurance, as far as possible to the company's external auditors.			
Appointment of central finance personnel		 Appoint an Accounting Officer. Appoint a chief financial officer (which can be the finance director or equivalent) to lead on finance. Appoint a finance committee (as per the Academy Trust Handbook).	 CEO to act as the Accounting Officer.	 May appoint a suitable committee or link governor for finance.	



FINANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council	Headteacher
Trust-wide budgeting and financial control (Part 1 of 2)	✘	✔ <i>Ensure compliance with the requirements in the Academy Trust Handbook. Approve and keep under review the financial scheme of delegation. Determine and communicate service charges to the Academy Councils relating to the provision of centralised functions OR agree top-slice and all centralised services and what must be paid for separately by each academy in the company. Approve the annual balanced budget for the company and each academy in the company to include overall approval of management accounts for each individual academy (and minute it). Budget plan on a 5 year rolling basis. Consider monthly budget monitoring reports and take action as necessary. Submit the budget forecast to the ESFA. Approve any significant changes to the approved budget. Monitor income, expenditure, cash flow and balance sheet of the company and take appropriate action where necessary to ensure appropriate use of funds and to balance the company's books.</i> <i>(continued overleaf)</i>	✔ <i>Take action as required by the Trustees to meet all requirements of the Academy Trust Handbook. Prepare the financial scheme of delegation and take any action as determined by the Trustees following their review of it. Support the Trustees, and carry out any instructions from them, relating to their responsibilities for budget planning and ensuring the ongoing viability of the company and the academies within it. Monitor the income, expenditure, cash flow and balance sheet of the company and produce monthly budget monitoring reports for the Trustees highlighting any concerns or issues. Report to the Trustees on the financial performance of the company at least 3 times per year. Ensure proper financial controls are in place. Support the Trustees and Academy Council to ensure robustness of benchmarking in terms of value for money of the company and, also, the individual academies.</i> <i>(continued overleaf)</i>	✔ <i>Be mindful of the academy's annual budget and operate within it. Monitor the income, expenditure and cash flow of the academy and report any issues to the senior executive leadership/ Trustees. Ensure any variances from the budget are reported to the Finance Committee/ board of Trustees. Ensure proper financial controls are in place at the academy. Oversee the academy's compliance with financial deadlines. Assist the senior executive leadership to produce a report on the effectiveness of central services, as may be required. Receive and scrutinise reports on the financial performance of the academy against budget at each meeting and understand reasons for variations.</i> <i>(continued overleaf)</i>	✔ <i>Ensure the preparation of the annual budget for the academy with the assistance of relevant staff in line with any company-wide policy or guidance. Budget to achieve a year end position of financial balance or better. Monitor the income, expenditure and cash flow of the academy and report any issues to the Academy Council/ senior executive leadership. Prepare monitoring reports for the Academy Council and summary reports for the Finance Committee (as appropriate) to feed up to the board of Trustees as appropriate. Ensure proper financial controls are in place at the academy. Produce monthly management accounts. Report variances between actuals and budget to the senior executive leadership on a monthly basis. Report to Academy Council on the financial performance of the academy against budget at each meeting, explaining variations. Comply with financial deadlines.</i> <i>(continued overleaf)</i>



<p>Trust-wide budgeting and financial control (Part 2 of 2)</p>	<p></p>	<p></p> <p><i>Ensure proper financial controls are in place. Ensure robustness of benchmarking in terms of company value for money. Receive a report on the effectiveness of central services from the senior executive leadership and take action, as appropriate. Ensure any company borrowing has received ESFA approval. Decide on the use of reserves (over the value of £50,000) to meet in-year expenses in exceptional circumstances.</i></p>	<p></p> <p><i>Report to the Trustees on the effectiveness of central services, as appropriate, and take action as directed by them. Comply with the ESFA requirements in respect of borrowing by the company Open bank accounts. Notify academies of financial deadlines. Review applications from academies to use reserves to meet in-year expenses in exceptional circumstances and make recommendations to Trustees.</i></p>	<p></p> <p><i>Where it appears that a year-end deficit may arise, immediately notify the senior executive leadership and ensure a deficit recovery plan is put in place to return the financial balance by the end of the financial year or at the latest at the end of the next financial year.</i></p>	<p></p> <p><i>Where it appears that a year end deficit may arise, immediately notify the senior executive leadership and support in formulating a deficit recovery plan to return the financial balance by the end of the financial year or at the latest at the end of the next financial year. Seek prior permission of the CEO to use reserves (up to the value of £50,000) to meet in-year expenses in exceptional circumstances.</i></p>
<p>Accounting</p>	<p></p>	<p></p> <p><i>Ensure that the accounts are audited in accordance with the Diocesan/Religious Order Trustees' requirements relating to accounting for Church assets. Produce, submit and publish annual audited accounts and report including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money.</i></p>	<p></p> <p><i>Support and advise the Trustees in respect of the annual accounts and report. Support Academy Councils and headteachers in local academy monitoring and management of budgets and finances. Consider any variances on delegated budget reported by the Academy Councils.</i></p>	<p></p> <p><i>Ensure the academy keeps proper records and provide information to assist the company to prepare the annual accounts or any other accounting matters.</i></p>	<p></p> <p><i>Keep proper records and provide information to assist the company to prepare the annual accounts or any other accounting matters.</i></p>



FINANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council	Headteacher
Documents, policies and Procedures		 Adopt and review all financial policies as required by the Academy Trust Handbook and/or as recommended by the auditors and ensure that they meet the company's charitable objects. Adopt and review the charging and remissions policy prepared by the senior executive leadership. Ensure a register of business and pecuniary interests is maintained for the company. Ensure that the company keeps all relevant financial records for at least 6 years after the end of the funding period to which they relate.	 Prepare all financial policies as required by the Academy Trust Handbook and/or as recommended by the auditors for adoption by the Trustees. Prepare a charging and remissions policy for adoption by the Trustees. Maintain a register of business and pecuniary interests for the company. Keep all relevant financial records for at least 6 years after the end of the funding period to which they relate and ensure that retention meets data protection requirements.	 Ensure a register of business and pecuniary interests is maintained for the academy.	 Maintain a register of business and pecuniary interests for the academy
Staffing		 Agree pay, in line with statutory frameworks, for all headteachers, executive headteachers and senior executive leadership members, including CEO.	 Support the Trustees to determine pay for all headteachers, executive headteachers and senior executive leadership members (taking into account that there may be a conflict of interest). Set up and approve staff expenses for the senior executive leadership.	 Provide local intelligence to the Trustees/ senior executive leadership to inform decisions relating to headteacher pay.	 Set up and approve staff expenses at the academy in accordance with any company-wide policy. Submit expenses in accordance with company-wide policy.



FINANCE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council	Headteacher
School level matters; operating within agreed budget			 Monitor the provision of free school meals across the company and follow up with Academy Councils where there are any issues.	 Monitor the provision of free school meals to those pupils meeting the criteria and follow up where there are any issues.	 Ensure provision of free school meals to those meeting the criteria.

Useful Resources:

- CES model Governance Statements for Academy Trust Companies
- ESFA Academy Trust Handbook
- Trust Financial Handbook



PROCUREMENT: CONTRACTS/SERVICE LEVEL AGREEMENTS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Procurement	✘	✔ <i>Adopt a company-wide competitive tendering policy and ensure OJEU procurement thresholds are observed. Ensure transparency in relationships with connected parties.</i>	✔ <i>Prepare a company-wide competitive tendering policy for adoption by the Trustees. Develop company-wide procurement strategies and efficiency savings programme (in line with the company-wide policy) and review opportunities for collaborative procurement.</i>	✔ <i>Support the Trustees in their monitoring and evaluation of the delivery of any central services and functions provided or procured by the company for the academy.</i>	✘
Entering into Contracts/ Service Level Agreement/ Purchase of Goods	✘	✔ <i>Approve any service contracts for Trustees of the company (subject to any policy on conflicts of interest/pecuniary interests/connected party transactions). Set the delegated levels of authority for contracts. Approve contracts with an annual value above £25,000. Approve contracts which constitute related party transactions.</i>	✔ <i>Enter into contracts up to the limits of delegation and within an agreed budget.</i>	✔ <i>Enter into contracts up to the limits of delegation and within an agreed budget.</i>	✔ <i>Seek prior authority of the Trustees (via Trust Head of Finance) before entering into any contract or service level agreement (including zero value contracts) with new suppliers. Authorise the purchase of goods and services, costed within approved annual budget up to and including £3000 (ex VAT). Seek approval of the senior executive (via Trust Head of Finance) to purchase goods and services which are not costed in the budget to the value of £3001 (ex VAT). Monitor delivery of services under contracts including service level agreements annually.</i>



PROCUREMENT: CONTRACTS/SERVICE LEVEL AGREEMENTS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Payments and expenses		 <i>Set up and approve a Trustees' expenses policy in accordance with the company's conflicts of interest policy.</i>	 <i>Make payments within agreed financial limits.</i>	 <i>Make payments within agreed financial limits.</i>	 <i>Make payments within agreed financial limits Act as a signatory of an academy specific bank account in accordance with the company's financial regulation.</i>
Related Party Transactions		 <i>Comply with ESFA requirements. Ensure ESFA approval is obtained for any such transaction exceeding the value of £20000, individually or cumulatively. Consider authorisation of such transactions following due processes and avoiding conflicts of interest.</i>	 <i>Report recommended related party transactions to ESFA.</i>	 <i>Discourage related party transactions.</i>	 <i>Discourage related party transactions. Seek prior approval of the senior executive (via Trust Head of Finance) of any intended related party transaction.</i>



STANDARDS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Monitoring and reporting		 <i>Receive reports from the CEO/senior executive leadership/headteachers and the Standards Committee on standards. Report any relevant information to the Bishop in order to provide assurances that standards across the academies in the company are being met. Intervene, in a timely manner, where standards fall below that which is expected of the academies within the company. Set company-wide performance management targets relating to standards, if necessary.</i>	 <i>Provide reports on standards to the Trustees (via Standards Committee) and raise concerns and provide strategies. Generally, act effectively to ensure high standards, draw up and implement plans if standards are not rising, set up support strategies and alert the Trustees to any shortcomings or fall in standards before they become serious. Share external information and intelligence across the company from DfE/Ofsted etc relating to standards. Provide oversight of the target setting for pupil achievement and progress by the headteachers and monitor against targets. Monitor the KPI figures reported from the headteachers relating to standards and take up any issues with the Academy Council and report to the Trustees.</i>	 <i>Monitor the KPI figures reported from the headteacher relating to standards and report any issues to the senior executive leadership.</i>	 <i>Report KPI figures to the senior executive leadership and the Academy Council relating to standards. Set targets for pupil achievement and progress and monitor against targets and report findings to the Academy Council/senior executive leadership.</i>
Appointment of committees		 <i>Appoint an education Standards Committee</i>	 <i>Assist the Trustees as required with regard to any issue or matter raised by the Standards Committee.</i>	 <i>Ensure that reports on standards are made to the senior executive leadership as appropriate.</i>	 <i>Report on standards at the academy to the Academy Council.</i>



STANDARDS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Ofsted	✘	✔ <i>Liaise with Ofsted and assist the academies with inspections. Direct senior executive leadership as appropriate where concerns are raised relating to inspections.</i>	✔ <i>Liaise with Ofsted as required by the Trustees. Prepare the company for inspection and manage the process where the impact of the company is under review. Support Academy Councils and headteachers where there is an individual academy inspection. Advise Academy Councils where any concerns are raised relating to inspections and report to the Trustees for any further action.</i>	✔ <i>Ensure the academy is prepared for an inspection and support the headteacher. Report any concerns relating to inspection to the senior executive leadership. Partake in discussions with Ofsted inspectors.</i>	✔ <i>Prepare and brief staff and appropriate personnel including Governors ready for inspection. Report any concerns relating to inspection to the Academy Council/senior executive leadership. Liaise with Ofsted as required.</i>
School level matters	✘	✔ <i>Receive reports from the CEO/senior executive leadership/headteachers on academy development plans</i>	✔ <i>Support the Academy Council and headteachers to develop an academy development plan.</i>	✔ <i>Develop and approve the academy development plan and monitor its impact, reporting any issues to the senior executive leadership/ Trustees.</i>	✔ <i>In conjunction with the Academy Council and senior executive leadership, prepare a draft academy development plan for approval by the Academy Council.</i>

CURRICULUM					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Appointment of committees	✘	✔ <i>Appoint a committee with responsibility for the curriculum (eg Standards Committee).</i>	✔ <i>Provide reports to Trustees on the curriculum (prepared by primary and secondary leads).</i>	✔ <i>Ensure that reports on the curriculum are made to the senior executive leadership as appropriate.</i>	✔ <i>Report on the curriculum to the Academy Council.</i>



CURRICULUM					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Curriculum					
		<p>Ensure that the National Curriculum is delivered.</p>	<p>Advise Trustees on delivery of the National Curriculum. Review the contents and delivery of the curriculum across the academies including compliance with any funding agreement requirements and take action where there are any shortcomings.</p>	<p>Ensure that all the subjects of the National Curriculum, is taught in the light of the Gospel values and actively promotes the spiritual and moral development of its pupils. Ensure that RE is in accordance with the Curriculum Directory and the bishop's policy and that it constitutes 10% of the weekly timetable in the academy in accordance with the tenets and norms of the Catholic church (or 5% for KS5). Ensure that the headteacher is complying with the requirement to provide a daily collective act of worship in accordance with the rites, practices, disciplines and liturgical norms of the Catholic church and take action to address any issues, as appropriate. Ensure that relationships and sex education is taught in accordance with the social and moral teachings of the Catholic Church having regard to any company-wide policy. Monitor the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the academy and take action where any issues arise.</p>	<p>Ensure that all the subjects of the National Curriculum, is taught in the light of the Gospel values and actively promotes the spiritual and moral development of its pupils. Ensure the curriculum is appropriately delivered at the academy. Ensure that religious education is in accordance with the teachings, doctrines, discipline and norms of the Catholic church, both as a core subject and integrated into other subject areas. Ensure that religious education constitutes 10% of the weekly timetable of the academy in accordance with the tenets and norms of the Catholic church (or 5% for KS5). Make provision for a daily collective act of worship in accordance with the rites, practices, disciplines and liturgical norms of the Catholic church.</p>



CURRICULUM					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Policies and procedures		 <i>Ensure provision of the National Curriculum. This will include: Ensuring that the Catholic character of company permeates the curriculum and life at each of the academies in the company; Ensuring that every pupil is well-equipped to follow their vocation as active citizens in service to the world; The curriculum, extra-curricular activities and ethos will prepare pupils for life in modern Britain; and A written policy on relationships and sex education, in accordance with any diocesan policy and/ or CES policy, which shall be taught in accordance with the social and moral teachings of the Catholic church. Determine a company-wide policy on religious education and collective acts of worship in accordance with the Bishops' Conference Curriculum Directory and the tenets and norms of the Catholic church. Ensure effective processes are in place for monitoring the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the academies in the company.</i>	 <i>Oversee the implementation of a company-wide approach to the National Curriculum, particularly that each academy in the company preserves and develops its Catholic character through the curriculum.</i>	 <i>Ensure policies are applied at the academy.</i>	 <i>Implement the policies that are adopted by the academy and ensure that they are complied with.</i>



Useful Resources

Catholic Values and 'British Values' Practical Advice from the CES
 CES resources on Relationship and Sex Education including:
 A model Primary Catholic RSE curriculum
 A model Secondary Catholic RSE curriculum
 A model policy for relationship & sex education (RSE)
 Good practice in developing a school RSE policy
 Catholic RSE Quality Standard
 Governor audit for monitoring RSE
 Who is responsible for teaching RSE to children and young people
 Outstanding RSE in a Catholic context - A case study
 The National Curriculum

SPECIAL EDUCATIONAL NEEDS & DISABILITIES					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Staff Appointments	✘	✘	✔	✔	✔ <i>Designate a qualified SENDCo to be responsible for coordinating SEND provision.</i>
Compliance	✘	✔ <i>Review report on SEND produced by the senior executive leadership and address any shortcomings through the senior executive leadership as appropriate. Ensure training and legal compliance issues. Review report on SEND produced by the senior executive leadership and address any shortcomings through the senior executive leadership as appropriate</i>	✔ <i>Ensure compliance with legal requirements relating to SEND within the academies and the provision of training to ensure such compliance. Produce a report to the Trustees on SEND provision across the company and take action as they direct. In particular, the senior executive leadership should identify any local SEND offer gaps and take action to address such gaps with Trustee approval. Review KPIs across the academies for identification of any areas of concern for referral to the Trustees.</i>	✔ <i>Ensure compliance with legal requirements relating to SEND within the academy.</i>	✔ <i>Implement and comply with the legal requirements relating to SEND at the academy. Liaise with the local authority in respect of pupils who have, or might have, SEND. Make provision for SEND pupils with or without a statement or EHC Plan.</i>



SPECIAL EDUCATIONAL NEEDS & DISABILITIES					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Documents, policies and procedures		 <i>Consider the safeguarding audit outcomes and instruct the senior executive leadership to address any shortcomings, as appropriate.</i>	 <i>Provide oversight of the implementation of SEND policies. Carry out a company-wide safeguarding audit and report the outcomes to the Trustees for action, as appropriate.</i>	 <i>Review and maintain the academy's SEND policy. Provide oversight of the implementation of the policy within the academy and compliance with the legal requirements relating to disability and report to the senior executive leadership/Trustees. Assist the headteacher with the safeguarding audit at the academy.</i>	 <i>Implement the SEND policy in the academy. Complete the safeguarding audit at the academy and share with the senior executive leadership and Academy Council.</i>

SAFEGUARDING					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Monitoring and reporting		 <i>Instruct the senior executive leadership on action to be taken where safeguarding practice in the academies is falling short of the standards expected.</i>	 <i>Monitor safeguarding practice (including compliance with legislation) across the company and report to the Trustees (as matters arise and at least annually) for instructions for action where safeguarding practice is falling short of the standards expected. Report to the Trustees on the procedures in place for safeguarding. Identify training needs and report to the Trustees.</i>	 <i>Ensure that safeguarding practices are followed at the academy and report any shortcomings to the senior executive leadership. Identify training needs and report to the senior executive leadership.</i>	 <i>Implement and comply with any safeguarding practices at the academy and report any shortcomings to the Academy Council/senior executive leadership.</i>



SAFEGUARDING					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Compliance		 <i>Ensure training and legal compliance issues. Ensure the single central record is maintained for all company-based and cross-school appointments.</i>	 <i>Monitor Trustees compliance with the duty to maintain the single central record and take appropriate action where there are any shortcomings.</i>	 <i>Ensure completion of the single central record and its regular updating.</i>	 <i>Maintain the single central record.</i>
Recruitment and appointments relating to safeguarding		 <i>Ensure that at least one Trustee on any recruitment panel has up to date safeguarding training. Ensure safer recruitment training is made available to all governors and senior leaders.</i>	 <i>Ensure Trustees have up to date safer recruitment and general safeguarding training. Ensure that each academy has appointed a designated teacher to support looked after children.</i>	 <i>Appoint a designated governor for safeguarding. Ensure that at least one governor on any recruitment panel has up to date safeguarding and safer recruitment training.</i>	 <i>Appoint a designated teacher to support looked after children and to ensure the role is compliant with statutory guidance. Appoint a designated safeguarding lead and clearly identify them and all other qualified safeguarding staff.</i>
Documents, policies and procedures		 <i>Ensure safeguarding and child protection policies are in place bearing in mind local variance if the company spans more than one local authority area.</i>	 <i>Make arrangements for safeguarding audits to be conducted by independent personnel, as appropriate. Support academies in preparing a safeguarding and child protection policy for adoption by the Academy Council bearing in mind local variance if the company spans more than one local authority area. Put in place effective systems for safeguarding pupils and take appropriate action where these are not followed.</i>	 <i>Review and maintain a safeguarding and child protection policy for the academy.</i>	 <i>Implement the safeguarding and child protection policy at the academy.</i>



Useful Resources

Keeping Children Safe in Education (KCSIE)
Working Together to Safeguard Children
Safer Recruitment Training
Basic Awareness Training
Local Children's Safeguarding Board / Partnership
Safeguarding Audits

BEHAVIOUR					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Exclusions	✘	✔ <i>Review the use of exclusions across the company and ensure that appropriate action is taken by the senior executive leadership.</i>	✔ <i>Review the overall pattern of exclusions across academies and report to the Trustees, taking any action they direct.</i>	✔ <i>Convene a committee to review any exclusion of a pupil, as appropriate. Review the overall pattern of exclusions at the academy and report to the senior executive leadership/ Trustees.</i>	✔ <i>Exclude a pupil for a fixed term or permanently, as appropriate.</i>
Direct pupil off-site for learning to improve behaviour	✘	✘	✘	✔ <i>Monitor impact of learning off site.</i>	✔ <i>Direct pupil off-site for learning to improve behaviour, in exceptional circumstances.</i>
Documents, policies and procedures	✘	✔ <i>Ensure that academy behaviour policies reflect the Catholic character, ethos and values of the company. Ensure that exclusions policies are in place.</i>	✔ <i>Support academies in producing behaviour and exclusions policies for adoption by the Academy Council.</i>	✔ <i>Approve the behaviour policy for the academy in line with legislative requirements. Assist the headteacher to prepare an exclusions policy for the academy in line with legislative requirements.</i>	✔ <i>With the Academy Council, prepare a behaviour policy for the academy in line with legislative requirements. With the Academy Council, prepare an exclusions policy for the academy in line with legislative requirements. Ensure effective operation of all policies at the academy.</i>



ADMISSIONS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Place planning		 <i>Assist the diocese with any requirements it may have relating to the Bishop's duty to ensure that there are sufficient school places available for the baptised Catholic children resident in his area. Receive reports from the senior executive leadership and share the reports with the Diocesan Education Service to assist the Bishop in his responsibilities relating to place planning. Obtain diocesan approval to expand school places across the company.</i>	 <i>Prepare reports to the Trustees on the need for school places within the local community, using local intelligence, which will be used to assist the Bishop with his school place planning duties across the diocese.</i>	 <i>Assist the senior executive leadership to prepare a report to the Trustees on the need for school places within the local community, using local intelligence, which will be used to assist the Bishop with his school place planning duties across the diocese.</i>	 <i>Advise the Academy Council/senior executive leadership in respect of the need for future places at the academy which will assist the senior executive leadership to prepare their reports on the need for school places.</i>



ADMISSIONS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Admissions arrangements		 <i>Trustees delegate admissions arrangements and decisions to the Academy Council. Comply with Diocesan guidance on admissions. Comply with the Schools Admissions and Appeals Codes.</i>	 <i>Ensure academies prepare the admissions policy using the Diocesan model template, which will set out the parameters within which the Academy Council may determine admissions arrangements. Provide oversight, and support, of the implementation of admissions arrangements across the company. Ensure that the impact of any proposed changes to an academy's admission arrangements are considered in light of the other academies in the company and other catholic schools generally in the diocese. Report to the Trustees regarding admissions arrangements across the academies in the company. Ensure effective arrangements are in place for pupil recruitment to the academies in the company. Provide advice and guidance to Trustees regarding the requirements of the Schools Admissions and Appeals Codes.</i>	 <i>Undertake consultation, determine and publish admissions arrangements as required in accordance with the Diocesan policy. Make arrangements for determining admissions and hearing admission appeals. Ensure effective arrangements are in place for pupil recruitment.</i>	 <i>Provide advice and guidance to the Academy Council and the Trustees as to requirements under the School Admissions and Appeals Codes. Make arrangements for determining admissions and hearing admissions appeals in line with the Diocesan policy. Participate in local admissions forum. Ensure participation in the fair access protocol. Ensure effective arrangements are in place for pupil recruitment to the academy.</i>



ADMISSIONS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Documents, policies and procedures		 <i>Adopt the Diocesan admissions policy. Ensure academy admissions policies are determined and published by the Academy Council.</i>	 <i>Ensure all policies are reviewed by the Academy Council and are compliant with the School Admissions and Appeals Codes.</i>	 <i>Adopt the Diocesan admissions policy, personalised to the academy.</i>	 <i>Ensure compliance with the Diocesan admissions policy.</i>

Useful Resources:

Diocesan guidance on admissions

CES Guidance on Eastern Catholic Churches

OTHER PUPIL RELATED MATTERS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Complaints		 <i>Adopt a company-wide complaints policy and receive reports from the senior executive leadership regarding the level of complaints across the company. Notify the diocese of any complaints or issues that could bring into disrepute the Catholic character of the company and/or the academies within it.</i>	 <i>Prepare a company-wide complaints policy for adoption by the Trustees and publish the policy on the company's website following adoption. Review the level of complaints across the company and report to the Trustees outlining the changes initiated as necessary to address any issues.</i>	 <i>Adopt the company wide complaint policy. Hear complaints at the relevant stage.</i>	 <i>Implement the company wide complaints policy for adoption by the Academy Council and hear complaints at the relevant stage.</i>



OTHER PUPIL RELATED MATTERS					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
School level matters					
		<p>Review data provided by the senior executive leadership/Academy Council relating to pupil premium, sports premium and catch up premium and take action to address any issues, as appropriate. Set the times of academy sessions and the dates of academy terms and holidays in conjunction with the Academy Councils. Ensure that the academy meets for 380 sessions in an academy year.</p>	<p>Monitor the levels of attendance in the academies and report to the Trustees. Monitor the impact of the pupil premium/sports premium/catch up premium across the company and report to the Trustees.</p>	<p>Consult with Trustees on the times of academy sessions and the dates of academy terms and holidays times. Review attendance and pupil absences. Support the company and the headteacher in the extended school provision in the academy. Ensure effective arrangements are in place for pupil support and representation at the academy. Monitor the impact of the pupil premium/sports premium/catch up premium in the academy and advise senior executive leadership/Trustees. Support and advise the headteacher to determine KPIs. Monitor that the school lunch provision at the academy meets the appropriate nutritional standards and take action, as appropriate, if not.</p>	<p>Comply with times of academy sessions and the dates of academy terms and holidays as set by the Trustees. Maintain a register of pupil attendance and report on attendance and pupil absences (as part of the KPIs) to the Academy Council. Determine key priorities and KPIs against which pupil progress can be measured. Ensure effective deployment of the pupil premium/sports premium/catch up premium and monitor its impact, reporting any issues to the Academy Council. Ensure that the school lunch provision at the academy meets the appropriate nutritional standards.</p>



STAFFING					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Appointments		 <i>Oversee recruitment, induction, training, CPD, wellbeing, dismissals and other HR processes for all staff within the company at a strategic level. Ensure that certain posts are filled by practising Catholics in observance of the Bishops' Memorandum on Appointment of Teachers in Catholic Schools. Ensure that diocesan protocol is followed in respect of the appointment of any other senior post which directly affects the Catholic mission of the company and its academies, including but not limited to the CEO, or other senior executive(s) and lay chaplains, and is in accordance with the Bishops' Memorandum on Appointment of Teachers in Catholic schools. Ensure that the diocese is involved in any recruitment selection and appointment being made, particularly relating to any senior posts which directly affect the Catholic mission of the company and its academies. Determine appointments to be made across one or more academy in the company in line with any diocesan protocol.</i>	 <i>Take any action relating to staff appointments across the company as required by the Trustees. Ensure that the Trustees involve the diocese at the appropriate stages in any recruitment process.</i>	 <i>Support the Trustees in the process to appoint the headteacher and any other relevant post as requested by the senior executive leadership (acting with the delegated authority of the Trustees).</i>	 <i>With the Academy Council (as appropriate), appoint teaching and non-teaching staff.</i>



STAFFING					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Staffing structures		 <i>Determine and review any overarching management structures across the company and budget in accordance with diocesan policy. Determine and review staffing structures across the company to ensure financial viability and sustainability whilst ensuring that the educational outcomes of the pupils are protected. Approve any senior leadership and high level non-teaching structures as determined by the senior executive leadership. Develop Catholic leadership within the company and the wider diocese.</i>	 <i>With Trustees approval, determine the senior leadership and high-level non-teaching structures for each academy and advise the Trustees on the financial viability and sustainability of those structures whilst ensuring that the educational outcomes of the pupils are protected. Monitor and review staffing changes across the company and report any issues to the Trustees. Support the headteachers to determine staffing structures at the academy. Take action as required by the Trustees to develop Catholic leadership within the company and the wider diocese.</i>	 <i>Having regard to the company's strategic plans, support the headteacher in the development and review (from time to time) of an appropriate staffing structure for the academy and for the appointment of academy staff and to ensure that the academy is fully staffed in accordance with that structure.</i>	 <i>In conjunction with the senior executive leadership, determine staffing requirements within the academy and budget. Following consultation with the Academy Council, submit proposed changes to staffing structure to the senior executive leadership for consideration.</i>
Pay		 <i>Establish a pay committee to determine CEO / Trust Senior Staff, Headteacher / Heads of School pay where applicable.</i>	 <i>Review pay across the academies to guard against equal pay claims.</i>	 <i>Advise and support the Trustees to determine headteachers' Executive Headteacher / Heads of School pay</i>	



STAFFING					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Terms and conditions of employment	✘	✔ <i>Ensure consistent terms and conditions of employment across the company to avoid the risk of employment claims taking into account legal requirements relating to, in particular, equal pay, discrimination and TUPE transfers.</i>	✔ <i>Review the terms and conditions of employment across the academies and advise the Trustees where there is a possibility of employment claims and/or unrest in the workforce and take any action as directed by the Trustees to ensure that this risk is minimised/removed.</i>	✔ <i>Ensure implementation of the terms and conditions of employment across the academy.</i>	✘
Performance management	✘	✔ <i>Conduct the performance management review of the CEO (acting through the pay committee). With the senior executive leadership and the Academy Council, performance manage the headteachers.</i>	✔ <i>CEO (or representative) to conduct the performance management review of the other executive leaders, including Heads of School with support from the relevant committees e.g. pay committee. With the Trustees and the Academy Council, performance manage the headteachers.</i>	✔ <i>Support the CEO / senior executive leadership and the Trustees as appropriate, to conduct the performance management of the Headteacher / Executive Headteacher / Head of School.</i>	✔ <i>Conduct the performance management and pay progression of staff in the academy in line with the academy's pay policy and appraisal policy.</i>
Suspension and dismissals	✘	✔ <i>Ensure implementation of the relevant policies and procedures, in liaison with HR. Notify the diocese of any suspension or action taken under a disciplinary policy which could result in dismissal of a staff member, particularly where any misconduct may bring the Catholic character of the company and its academies into disrepute.</i>	✔ <i>Ensure implementation of relevant policies and procedures, in liaison with HR.</i>	✔ <i>Academy Council to be involved in suspension/ dismissal panels, with permission of Trustees.</i>	✔



STAFFING					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Documents, policies and procedures	✗	✓ <i>Ensure the adoption of CES employment documents (with amendments where appropriate), including the model contracts of employment and workplace policies, in observance of the Bishops' Memorandum on Appointment of Teachers in Catholic Schools. Ensure consultation with staff and trade union officials/ representatives before adoption of workplace policies, as appropriate. Adopt a pay policy. Adopt company-wide staff policies and procedures. Put in place an appropriate whistleblowing procedure.</i>	✓ <i>Prepare a pay policy for adoption by the Trustees. Advise the Trustees on suitable company-wide policies and procedures and ensure their effective implementation, in particular the CES model employment documents pursuant to the Bishops' Memorandum on the Appointment of Teachers in Catholic Schools.</i>	✓ <i>Ensure the company's policies on all HR matters are implemented in the academy. Monitor and scrutinise the implementation of the company's policies at the academy for HR matters including the appointment, induction and performance management of staff, pay review process, and procedures for dealing with disciplinary matters, grievances and dismissal.</i>	✓ <i>Implement Trust-wide policies and procedures in the academy.</i>
Miscellaneous (see separate HR table at Appendix 2)	✗	✗	✓ <i>Ensure that there is effective communication between all levels of governance in the company.</i>	✓ <i>Ensure that there is effective communication between the headteacher and the senior executive leadership and pay committee.</i>	✓ <i>Approve applications for early retirement, secondment and leave of absence.</i>

Useful Resources:

- The Bishops' Memorandum on Appointment of Teachers in Catholic Schools
- CES model employment documents, including the User Guide
- CES Guidance Note on Recruitment of Staff
- CES Guidance and Model Policy on Disqualification under the Childcare Act 2006



COMMUNICATIONS AND INFORMATION MANAGEMENT					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Compliance	✘	✔	✔	✔	✔
		<p>Refer any direct communications from RSCs to the diocese.</p> <p>Notify the diocese of any warning notice or other notice of failing or shortcoming received from the RSC/DfE/ESFA/local authority/Ofsted etc.</p> <p>Work with the diocese to respond to any media interest and ensure that any public statements and/or responses to media enquiries are approved by the diocese.</p>	<p>Refer any direct communications from RSCs to the Trustees.</p> <p>Notify the Trustees of any warning notice or other notice of failing or shortcoming received from the RSC/DfE/ESFA/local authority/Ofsted etc for further reporting to the diocese.</p> <p>Ensure compliance with all data protection legislation and good practice across the academies.</p> <p>Develop and implement an ICT strategy to ensure robustness of systems across all the academies in the company to facilitate maximum efficiency and cohesiveness and report any issues to the Trustees.</p> <p>Support the individual academies on the effective safe storage of data.</p> <p>Maintain accurate and secure staff records for the senior executive leadership.</p> <p>Ensure that registration with the Information Commissioner's Office is up to date.</p> <p>Maintain and develop the company's website.</p>	<p>Refer any direct communications from RSCs to the Trustees/senior executive leadership.</p> <p>Notify the Trustees/senior executive leadership of any warning notice or other notice of failing or shortcoming received from the RSC/DfE/ESFA/local authority/Ofsted etc for further reporting to the diocese.</p> <p>Forward any media interest to the senior executive leadership and ensure that any public statements and/or responses to media enquiries are approved by the Trustees/senior executive leadership.</p> <p>Ensure systems in place are in line with the company's strategy at the academy for effective communication with pupils, parents or carers, staff, parish priests, diocese and the wider community including the support of a local parent teacher association (if established).</p>	<p>Refer any direct communications from RSCs to the Academy Council/senior executive leadership.</p> <p>Notify the Academy Council/senior executive leadership of any warning notice or other notice of failing or shortcoming received from the RSC/DfE/ESFA/local authority/Ofsted etc for further reporting to the Trustees.</p> <p>Forward any media interest to the Trustees/senior executive leadership/Academy Council and ensure that any public statements and/or responses to media enquiries are approved by the Trustees.</p> <p>Ensure the publication of academy information, ensuring that all electronic communication, including web pages, are up to date.</p> <p>Maintain accurate and secure staff records for the academy.</p> <p>Ensure compliance with all data protection legislation and good practice at the academy.</p> <p>Liaise with the senior executive leadership on the accessibility plan for the academy.</p>



COMMUNICATIONS AND INFORMATION MANAGEMENT					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Documents, policies and procedures		 <i>Adopt data protection policies and procedures to comply with legislation relating to data protection and freedom of information.</i>	 <i>Prepare a company-wide data protection policy for adoption by the Trustees.</i>	 <i>Ensure the effective implementation of the data protection policies and procedures in the academy.</i>	 <i>Implement and comply with the academy's data protection policy.</i>

Useful Resources:

- CES Guidance Note on the General Data Protection Regulation (GDPR)
- CES Guidance Note on Freedom of Information
- CES Press Release: Writing Best Practice Guide
- CES model Diocesan Communications Protocol
- Trust GDPR Policy and associated policies/procedures
- Information Commissioners Office
- Information and Records Management Society – Records Management Toolkit for Schools



HEALTH AND SAFETY					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Health & Safety		 <i>Adopt a company-wide health and safety policy.</i>	 <i>Prepare a company-wide health and safety policy for the Trustees' approval. Monitor and support the implementation of the company-wide health and safety policy and report any issues to the Trustees.</i>	 <i>Adopt the company-wide health and safety policy. Review the implementation of the health and safety policy and ensure that appropriate risk assessments are being carried out in the academy. Accompany an appropriately skilled member of staff, on-site inspections to review any health and safety issues and the condition and security of premises and equipment. Access relevant training.</i>	 <i>Implement the company-wide health and safety policy. Ensure suitable risk assessments are prepared and appropriate actions taken. Review condition and security of premises and equipment. Ensure staff and volunteers undertake training.</i>

Useful Resources

- XACT System/Audit



RISK					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
					
		<p>Appoint a committee with responsibility for risk and audit. Adopt the disaster recover/business continuity plan for the company and the academies within it and monitor that each academy has implemented such plans. Review risk management and the risk register kept by the senior executive leadership. Approve insurance arrangements in accordance with Diocesan/Religious Order Trustees' requirements. Commence or settle any litigation proceedings. Provide any relevant and appropriate guarantees and indemnities as authorised by the members/Diocesan Trustees/Religious Order Trustees and in accordance with any requirements prescribed by the Academy Trust Handbook and/or the ESFA.</p>	<p>Prepare a disaster recover/business continuity plan for the company and the academies within it and report to the Trustees on how the plan is being implemented in each academy. Prepare and maintain a company-wide risk register. Review the risk reports provided by the Academy Councils and make any recommendations/notifications to the Trustees as appropriate. Ensure that any necessary actions are taken to eliminate/reduce any identified risks. Provide the Trustees with all relevant information and requirements relating to warranties and indemnities as prescribed by the Academy Trust Handbook and/or the ESFA.</p>	<p>Ensure the academy complies with the disaster recover/business continuity plan for the academy. Review the risk register of the academy and prepare a risk report for the senior executive leadership/ Trustees (on request).</p>	<p>Implement and ensure that the academy is compliant with the disaster recover/business continuity plan for the academy. Prepare the risk register for the Academy Council having regard to the risks identified by the senior executive leadership and audit processes.</p>

Useful Resources

- Church Scheme Rules on RPA for Church Academies
- Trust Risk Management Strategy
- Annual Financial Audit
- Annual Risk Audit



SCHOOL ESTATE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
School land and buildings					
		<p>Ensure that the company follows the Joint CES and National Society document "The Accounting Treatment of Land Occupied by Church Academies" as published from time to time.</p> <p>Review and maintain any buildings strategy and asset management planning arrangements in accordance with any requirements set by the Diocesan/Religious Order Trustees, including seeking their agreement to any such plans as appropriate.</p> <p>Apply to the Diocesan/Religious Order Trustees for any funding/consent to building works before undertaking any works.</p> <p>Select, plan and oversee any capital projects and buildings improvements in consultation with the Diocesan/Religious Order Trustees and in accordance with all diocesan protocols.</p> <p>Apply to the Diocesan/Religious Order Trustees for permission for change of use of assets.</p> <p>Ensure land and buildings are maintained and fit for purpose.</p>	<p>Make any proposals relating to the school estate to the Trustees in consultation with the Diocesan/Religious Order Trustees.</p> <p>Provide evidence of compliance with all statutory requirements for works e.g. planning approval, listed buildings consent, buildings regulations consent etc.</p> <p>Prepare any buildings strategy and asset management planning arrangements in accordance with any requirements set by the Diocesan/Religious Order Trustees and ensure that agreement has been sought from them, as appropriate.</p> <p>With agreement from the Diocesan/Religious Order Trustees, advise the Trustees and manage, in conjunction with them, any capital and building improvement grants.</p> <p>Ensure all statutory testing and maintenance requirements are complied with e.g. asbestos management plan, fire risk assessments, water hygiene, electrical safety etc.</p>	<p>Monitor the arrangements for the effective supervision of building maintenance and minor works and take up any issues with the senior executive leadership.</p> <p>Seek approval from the Trustees for any changes to buildings/premises used by the academy.</p>	



SCHOOL ESTATE					
Action	Members	Trustees	CEO (supported by Senior Executive Leadership)	Academy Council (AC)	Headteacher
Insurance	✗	✓ <i>Approve insurance arrangements in accordance with Diocesan/Religious Order Trustees' requirements.</i>	✓ <i>Ensure compliance with Diocesan requirements.</i>	✓ <i>Ensure compliance with all insurance obligations/requirements at the academy.</i>	✓ <i>Ensure compliance with all insurance obligations/requirements at the academy. Notify the executive team of possibility of insurance claims. Draw contractors from Trust's preferred list of contractors.</i>
Lettings	✗	✓ <i>Ensure a lettings strategy is in place.</i>	✓ <i>Provide advice to academies on the preparation of a lettings policy.</i>	✓ <i>Ensure the academy's lettings policy is implemented at the academy.</i>	✓ <i>Implement and comply with the lettings policy in the academy.</i>
Repairs and Refurbishment	✗	✓ <i>Challenge aspects of repairs and maintenance budgets as appropriate</i>	✓ <i>Maintain a list of preferred contractors.</i>	✓ <i>Recommend a maintenance programme budget for the academy and review termly.</i>	✓ <i>Draw contractors from Trust's list of preferred contractors. Report to Academy Council on maintenance programme budget.</i>
School Condition Allocation (SCA)	✗	✓ <i>Agree allocation of SCA to projects, taking professional advice.</i>	✓ <i>Report recommendations for allocation of SCA to Trustees, within criteria. Assess applications for SCA funding bids.</i>	✓ <i>With the Headteacher, consider the needs for SCA funding in the academy'</i>	✓ <i>Respond to invitation to bid for SCA funding (within set criteria) to executive team by 31 January each year.</i>
Condition Survey	✗	✓ <i>Ensure condition surveys are in place and updated. Use the condition surveys to inform decision making, taking professional advice.</i>	✓ <i>Instruct contractor to undertake condition surveys.</i>	✓ <i>Receive copy of condition survey</i>	✓ <i>Receive copy of condition survey and provide comments to CEO (senior executive leadership)</i>



**The Bishop Konstant
Catholic Academy Trust**
Learning Communities, Inspired by Faith

Appendix 1

Useful resources

CES model Protocol between dioceses and multi-academy trust companies

Joint CES and National Society document "The Accounting Treatment of Land Occupied by Church Academies"

Catholic Church Insurance Association: Guidance for Roman Catholic Parishes when letting Diocesan Premises



Scheme of Delegation – Human Resources (HR)

1. VACANCY MANAGEMENT

All posts to be advertised, re-graded and any variations to contracts must be submitted to HR with a copy of the academy's staffing structure and a Vacancy Release Form. Requests will need financial approval from the Trust Head of Finance. Following Trust authorisation and confirmation of Vacancy Release Form, authority is delegated as below.

Posts	Delegated Authority
CEO/Trust Standards Officer	Trust Board
Executive Head / Headteacher / Principal / Head of School	Trust Board and Chair of Academy Council
Trust Central Team posts (JNC level)	Trust Board
Trust Central Team posts (below JNC level)	CEO
SLT / Head of Department / Senior Support Staff	Academy Council, Headteacher, Head of HR and Trust Head of Finance
TLR posts	Academy Council, Headteacher, Trust Head of HR and Trust Head of Finance
All other teaching posts	Academy Council, Headteacher, Trust Head of HR and Trust Head of Finance
School / Academy Business Manager	Academy Council, Headteacher, Trust Head of HR and Trust Head of Finance
All other Support Staff posts	Headteacher, Trust Head of HR and Trust Head of Finance



2. BKCAT RECRUITMENT

All appointment panels should consist of at least 3 members, as indicated in the table below, one of whom must have successfully completed Safer Recruitment Training (following Keeping Children Safe in Education).

The Diocese must always have advisory rights in the recruitment of CEO, Executive Heads, Headteachers, Heads of School, Deputy Headteachers and Teachers of Religious Education or any posts where there is a requirement to be a practising Catholic.

Posts	Delegated Authority
CEO/Trust Standards Officer (Practising Catholic)	Panel: Trust Board (minimum of 3 members, with non-voting co-optees as required)/ Diocesan Director or nominee (advisory rights)
Headteacher/ Principal / Executive Head (Practising Catholic)	Panel: Trust Board Representative / CEO or Trust Standards Officer, and Chair / Vice-Chair of Academy Council(s) (one from both academies for Executive Head), Diocesan Director or nominee (advisory rights)
Trust Central Team posts	Panel: Dependent on the seniority of the position, composition of the panel would be determined by the CEO and Trust Head of HR
Head of School / Deputy Headteacher/Vice Principal (Practising Catholic)	Panel: Trust Board Representative / CEO or Trust Standards Officer, and Chair / Vice Chair of Academy Council, Diocesan Director or nominee (advisory rights)
SLT / Senior Support Staff	Panel: Headteacher/ Chair of Academy Council, one other member of Academy Council
Head of Department / Faculty	Panel: Headteacher/ one other SLT member / appropriate Head / Director of Subject and one Academy Council member
TLR posts	Panel: Headteacher (or nominated representative) / one SLT member and Head of Department OR one Academy Council member (if no Head of Department)
Head of RE and School Chaplains (Practising Catholic)	Panel: Headteacher (or nominated representative), Chair of Academy Council or Academy Council member, one other SLT member, Diocesan Director or nominee (advisory rights)
All other teaching posts	Panel: Headteacher (or nominated representative), Academy Council member and Head of Department OR one Academy Council member (if no Head of Department)
School / Academy Business Manager	Panel: Headteacher, Chair of Academy Council and Trust Head of Finance (or Trust Finance Manager)
All other Support Staff posts (other than School / Academy Business Manager or SLT posts)	Panel: Headteacher (or nominated representative), Line Manager and Academy Council member (optional depending on level of role)



3. DISCIPLINARY CASES AND DISMISSALS

Posts	Accountability	Delegated Authority	Appeal
All	Suspension: BKCAT Only the BKCAT may end the suspension	Suspension: In liaison with Trust Head of HR, the Headteacher or Chair of Academy Council to make the decision to suspend for up to 10 working days (Safeguarding concerns with liaison with LADO). The Chair of Academy Council may extend the period of suspension, subject to review	
Executive Head / Headteacher / Principal / Head of School	BKCAT	Disciplinary Panel: 3 Academy Council members appointed by Vice-Chair of Academy Council in liaison with Trust Head of HR	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Trust Board in liaison with Trust Head of HR
Core Team posts	BKCAT	Disciplinary Panel: Dependent on the seniority of the position, the composition of the panel would be determined by the Chair of the Trust Board	Panel of 3: Trust Board members appointed by the Chair of the Trust Board
Other Leadership and School / Academy Business Manager	BKCAT	Disciplinary Panel: Chair of Academy Council or a non-staff Academy Council member or a panel nominated by the Chair of Academy Council in line with policy	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Vice-Chair of Academy Council
Other Teaching staff	BKCAT	Headteacher or depending on seriousness of issue a panel of 3 Academy Council members nominated by the Chair of Academy Council in line with policy	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Chair of Academy Council
Other Support Staff	BKCAT	Headteacher or depending on seriousness of issue a panel of 3 Academy Council members nominated by the Headteacher / Chair of Academy Council	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Chair of Academy Council



4. PERFORMANCE MANAGEMENT

Performance Management	Accountability	Delegated Authority
CEO / Trust Standards Officer	BKCAT	Chair of Trust Board to determine panel
Executive Head	BKCAT	CEO (or representative) Chair or Vice-Chair of Trust Board and panel including Chair of Academy Council from both academies and external Advisor
Headteacher / Principal	BKCAT	CEO (or representative) Chair or Vice-Chair of Trust Board (or representative) and panel including Chair of Academy Council and external Advisor
Head of School	BKCAT	CEO, Chair of Academy Council and Executive Head
Mid-Year Review: Executive Head, Headteacher / Principal, Head of School	BKCAT	Chair or Vice-Chair of Academy Council(s)
Trust Central Team posts	BKCAT	CEO (or representative) and / or Line Manager
All other Academy Posts	BKCAT	A person appointed by the Headteacher, in line with the relevant Appraisal / Performance Management policy



5. OTHER HR FUNCTIONS		
Settlement Agreements	Accountability	Delegated authority
Settlement Agreements (any value)	BKCAT	Chair or Vice Chair of Trust Board to authorise all Settlement Agreements in liaison with Academy Council and Trust Head of HR. Sums above £50,000 need to be reported to ESFA.
Signature of letter Appointment	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Chair of Trust Board
Executive Head / Headteacher / Principal	BKCAT	Chair of Trust Board
Trust Central Team posts (JNC level)	BKCAT	Chair of Trust Board
Trust Central Team posts (below JNC level)	BKCAT	CEO
All other Academy Posts	BKCAT	Chair of Academy Council / Headteacher
Collective Agreements	Accountability	Delegated authority
Collective Agreements	BKCAT	Chair of Trust Board
Pay Issues	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Chair of Trust Board advised by Trust Head of HR
Executive Head	BKCAT	Chair of Trust Board and Chairs of Academy Councils advised by Trust Head of HR
Headteacher / Principal	BKCAT	Chair of Trust Board and Chair of Academy Council advised by Trust Head of HR
Teachers Pay – MPS / UPS / TLR	BKCAT	Headteacher, with salary advice from Trust Head of HR if required; ratified by Academy Council Pay Committee (or equivalent)
All other Academy Posts	BKCAT	Chair of Academy Council advised by Trust Head of HR
Trust Central Team posts	BKCAT	Chair of Trust Board or CEO advised by Trust Head of HR and approved by Trust Head of Finance



Restructuring, TLR	BKCAT	Chair of Trust Board, Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Re-grading, Re-designation	BKCAT	Following BKCAT job evaluation, Chair of Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Creation of permanent posts	BKCAT	Chair of Trust Board, Academy Council, Headteacher advised by Trust Head of HR and approved by Trust Head of Finance
Revisions to Pay and Conditions	BKCAT	Trust Board, Trust Head of HR and Trust Head of Finance
Terms and Conditions	BKCAT	Trust Board, Trust Head of HR and Trust Head of Finance
Decisions to make Redundancies	BKCAT	Trust Board plus 3 members of Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Determination of Headteacher, Deputy Head and Assistant Head pay ranges	BKCAT	Trust Board advised by Trust Head of HR and approved by Trust Head of Finance
Contracts of Employment	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Trust Board
Executive Head	BKCAT	Trust Board
Headteacher / Principal	BKCAT	Trust Board
Trust Central Team posts (JNC level)	BKCAT	Trust Board
Trust Central Team (below JNC level)	BKCAT	CEO
School / Academy Business Manager	BKCAT	Headteacher
All other academy posts	BKCAT	School / Academy Business Manager / Senior Administrator, authorised and signed by Headteacher



Documents, Policies & Procedures	Accountability	Delegated authority
Teacher Pay Policy	BKCAT	Trust Board and Trust Head of HR
Support Staff Pay Policy	BKCAT	Trust Board and Trust Head of HR
CES Teachers Appraisal Policy	BKCAT	CES, Trust Board and Trust Head of HR
CES Support Staff Appraisal Policy	BKCAT	CES, Trust Board and Trust Head of HR
Trust Staff Code of Conduct	BKCAT	Trust Board and Trust Head of HR
Trust Social Media Policy	BKCAT	Trust Board and Trust Head of HR
CES Sickness Absence Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
CES Disciplinary Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
CES Grievance Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
CES Capability Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
Trust Recruitment and Selection Procedure	BKCAT	Diocese, Trust Board and Trust Head of HR
Other letters and paperwork related to employment such as contract variations	BKCAT	Trust Head of HR

Any other delegated authority not described would need to be referred to the Trust Board for a decision.



Scheme of Delegation – Academy Council Constitutions
Academy Councils may be constituted in line with the following model:
Constitution Model (available to primary and secondary academy councils)

Governor Category	Number of Positions	How elected/appointed
Executive Headteacher/ Headteacher	1	Ex-officio
Foundation Governor	6	Appointed by the Bishop
Parent Governor	2	Parent election organised by the academy/ academies in accordance with the Scheme of Delegation
Staff Governor	1	Staff election organised by the academy/ academies in accordance with the Scheme of Delegation
Total	10	

Note: In the absence of the Executive Headteacher from a meeting of the Academy Council, he/she may nominate the Head of School to attend as substitute and have voting rights.

Associate Governors may be appointed by the Academy Council to support succession planning and add capacity/expertise where appropriate. Associate Governors do not have voting rights.
The above model of governance may be varied by the Trust Board as deemed necessary.

Parent Governors (see page 9 para. 6.4.4)

In exceptional circumstances, and subject to the approval of the Chair of the Trust Board (on behalf of the Trust Board), a parent may be authorised to continue to serve their four-year term of office when their child leaves the school, in full or in part.