



# DIOCESE OF LANCASTER SCHEME OF DELEGATION

**Blessed Edward Bamber Catholic Multi Academy Trust**

**VERSION:** 4.2  
**ADOPTED:** AUTUMN TERM 24  
**NEXT REVISION:** AUTUMN TERM 25



### Version Control

Date of last review	Autumn 2023
Date of next review	Autumn 2025
Review period	Annual
Policy Status	Statutory
Owner	CEO
Approver	Board of Directors
Version	4.2

### Previous versions

Version	Author	Date	Changes
2.3	HON	July 22	<p>4.5 Add in with Diocese involvement</p> <p>4.55 Add new section for reserved posts</p> <p>4.6 Like for like appointments require CEO agreement.</p> <p>4.16 &amp; 4.17 Moved to responsibility of CEO on behalf of the directors as employers</p>
2.4	HON	02.03.22	Section 10, page 40. Remove CFO as second approver for orders up to £10,000.
2.5	SMO	10/07/23	<p><b>Finance Regulations Manual Update</b></p> <p>Throughout Financial Regulations and Appendices sections "Directors" is replaced with "Trust Board" for consistency</p> <p>Section 4 - Role of Finance, Staffing and Premises Committee - renamed throughout for consistency</p> <p>Section 4 - Role of Audit and Risk Committee - renamed throughout for consistency.</p>
2.5 cont.	SMO	10/07/23	<p>Section 4 - Role of Audit and Risk Committee - 2nd to last bullet point amended to include Chief Finance Officer and Local Governing Body to work with the committee around allegations of Fraud and irregularity</p> <p>Section 4 - Role of Local Governing Bodies - initials abbreviating corrected in title to LGB's</p> <p>Section 4 - Role of Academy Support Staff - removal of payroll processing and</p>

			<p>checking</p> <p>Section 4 - Register of Interests and Related parties - Date changed to 1st September 2023 and amounts within related party bullets updated to £40,000 as per the new of the AFH 2023.</p> <p>Section 4 - Gifts, Hospitality and Inappropriate Expenditure - no minimum amount included in this section and this has been updated to £25 as per the current policy</p> <p>Section 7 - Financial Management - Monitoring and Reporting - Removal of at least 6 times a year from the 2nd paragraph in line with AFH 2023 change</p> <p>Section 8 - Financial Accounting System - Sage changed to Access in 1st paragraph</p> <p>Section 10 - Competitive Purchasing Requirements and Limits - within the "Orders over £10k but less than £30k" section the need to have both the CEO and CFO as signatories has been amended to "or"</p> <p>Section 14 - Payments - 3 cheque signatories changed to 2 cheque signatories</p> <p>Appendices 2 - Exemption from Trust Tendering Procedures Request - Throughout this section Chief Operating Officer is replaced with Chief Finance Officer</p> <p>Appendices 2 - Exemption from Trust Tendering Procedures Request - Last bullet committee name updated to Finance, Staffing and Premises Committee</p> <p>Appendices 3 - Form Exemption from Trust Tendering Procedures - name updated to Finance, Staffing and Premises Committee</p> <p>Other:</p> <p>Section 6 - changes to Central Team from Executive team</p> <p>Decision planner:</p> <p>1.9 Inform Members</p> <p>1.12, 1.13, 1.15 responsibility moved to members with Board being informed.</p> <p>2.9 added advice of the central team</p> <p>2.12 added in role of central team</p> <p>3.9-3.16 removed to policy planner document</p>
2.5 cont.	SMO	10/07/23	<p>4.2 Board responsibility delegated to CEO</p> <p>4.9 Inform Members</p> <p>4.15 In line with staff discipline policy</p> <p>6.2 add in HR guidance</p> <p>P35 added guidance for circumstances not covered in planner</p> <p>Add ToR for Pay committee</p> <p>Updated ToR for Quality of Education committee</p> <p>Leadership Group - ToR - removed Chairs of LGB from point 5</p> <p>LGB ToR - added to point 8 - negotiable to ensure stability for GBs transitioning to LGBs.</p>
4.1	SMO/HON	01/10/24	<p>Financial Regulations removed and created as separate document.</p> <p>Codes of conduct for Governors and Directors created as separate documents.</p> <p>Committees Terms of reference created as separate documents and changes to terms of reference made as below:</p> <p>P36 – change meeting frequency of LG from 2 to 6 times per year.</p> <p>P38 – query highlighted section?</p>
4.2	HON	29/11/24	<p>Part 1 updated to reflect that the Financial Regulations, Committee Terms of Reference and Code of Conducts are now separate documents.</p>

**This is a Trust-Wide Policy which applies to all  
academies within the Trust**

## Contents

PART 1: INTRODUCTION AND EXECUTIVE SUMMARY: PURPOSE OF SCHEME OF DELEGATION .....	7
PART 2: GOVERNANCE PRINCIPLES: VISION AND VALUES.....	9
1. Vision and Values.....	9
2. Catholic Ecclesiology and Principles for Effective Partnership.....	9
3. Mutual Respect and Distinctiveness.....	9
4. Transparency .....	9
5. Subsidiary and Earned Autonomy .....	10
6. Solidarity.....	10
7. The Common Good.....	10
PART 3: GOVERNANCE & MANAGEMENT STRUCTURE: ROLES AND RESPONSIBILITIES .....	11
1. Overall Structure.....	11
2. Role of Members .....	11
3. Role of Directors .....	12
4. Role of Governors .....	12
5. Committees and Further Delegation .....	13
6. Central Team.....	13
7. Financial Delegation .....	14
8. Personnel.....	14
9. Premises.....	15
10. Regulatory Matters.....	15
PART 4: SUPERVISION AND INTERVENTION: ACCOUNTABILITY .....	16
Trust Structure Chart .....	18
THE BLESSED EDWARD BAMBER CATHOLIC MAT - GOVERNANCE STRUCTURE.....	18
Summary of Delegated Governance Responsibility.....	19
Summary of Delegated Leadership Responsibility .....	20
LEADERSHIP AND GOVERNANCE DECISION PLANNER.....	21
MEMORANDUM OF UNDERSTANDING .....	32
11. Introduction .....	32
12. Why does the Church provide Catholic Schools? .....	32
13. Core Principles .....	33
14. Restatement of the Purpose of the Trust and Catholic Distinctiveness.....	33
15. Section A: Purpose.....	33
16. Section B: Catholic Distinctiveness .....	34
17. Section C: Commitments made by the Bishop and the Diocesan Trustee .....	34
Catholic Character.....	34
Governance and Management Support .....	34

Land, Buildings and Capital Expenditure .....	35
18. Section D: Oversight by the Bishop .....	35
Role and Responsibilities of the Diocesan Education Service.....	35
Principles and specifics of the relationship between the Diocese and the Trust Board .....	36
19. Section E: Commitments made by the Trust Board .....	36
Catholic Character.....	36
Governance and Management .....	37
Financial Management .....	38
Land, Buildings and Capital Expenditure .....	38
Admissions .....	38
Employment of Senior Staff and Key Teaching Staff .....	38
20. Section F: Specific Commitments made by the Schools .....	39
Catholic Character.....	39
Governance .....	39
Financial Management .....	40
Buildings Maintenance and Capital Expenditure.....	40
Admissions .....	40
Employment of the Principal and Key Teaching Staff.....	40
Support for other Schools.....	40
21. Appendix A - Responsibility, Accountability, Consultation, Information (RACI) Chart.....	42
22. Appendix B - Seven Principles of Public Life .....	44
Selflessness .....	44
Integrity.....	44
Objectivity .....	44
Accountability .....	44
Openness .....	44
Honesty .....	44
Leadership.....	44

## PART 1: INTRODUCTION AND EXECUTIVE SUMMARY: PURPOSE OF SCHEME OF DELEGATION

---

1. The Blessed Edward Bamber Catholic MAT (referred to herein as the “**Trust**”) is a Catholic multi-academy trust, which has been established by the **Bishop of Lancaster**. It is responsible for the running of a number of Catholic schools/academies (referred to as the “**Academies**”).
2. The Academies shall at all times remain Catholic schools, conducted in conformity with any trust deed governing the use of land used by the Trust and in conformity with canon law and with the teachings of the Catholic Church. Both the Trust and the Academies must comply with and observe any advice or directive issued by or on behalf of the Bishop. This includes the Diocesan Memorandum of Understanding.
3. The Trust is a company limited by guarantee (Company Number 9111449) and a charity, whose objects are the advancement of the Catholic religion through the provision of a Catholic education. The Trust is not a registered charity but an “exempt” charity, regulated by the Secretary of State for Education, who acts as the principal regulator.
4. The Trust’s constitution is set out in its Articles of Association, which delegate responsibility for the governance and management of the Trust to the Directors.
5. The Directors have put in place this Scheme of Delegation to provide clarity as to the roles and responsibilities of those involved in the governance of the Academies and how decisions are made.
6. The purpose of good governance is to:
  - 6.1. Determine the vision and values of the Trust;
  - 6.2. Support leadership in determining and fulfilling the strategic direction of the Trust;
  - 6.3. Hold leadership to account and ensure staff well-being; and
  - 6.4. Oversee the financial performance of the Trust ensuring there are systems in place to manage risk and ensure money is well spent.
7. An overview of the governance structure is set out in the attached structure chart.
8. The Members of the Trust oversee the Board of Directors (the “Trust Board”), holding the Directors to account and ensuring that the values and ethos of the Trust are upheld, and the distinctiveness of the Academies is preserved.
9. The Members are:
  - 9.1. The Bishop of Lancaster;
  - 9.2. The Trustees of the Diocesan Board of Education; and
  - 9.3. The Episcopal Vicar for Education.
10. The Trust Board is made up of both Foundation Directors appointed by the Bishop (who shall always be in the majority) and Co-opted or Non-Foundation Directors appointed by the Trust Board itself with the approval of the Diocese. Whilst Foundation Directors are appointed for a term of 4 years, Co-opted Directors are appointed for a 1-year term and are generally appointed for a specific purpose. In exceptional circumstances, the Trust Board may seek the approval of the Diocese to appoint a “Non-Foundation Director”, who must uphold the Catholic mission of the Trust but are not expected to be practising Catholics. Both Co-opted and Non-Foundation Directors can be removed by both the Bishop and the Trust Board.
11. The Trust Board is the accountable body within the Trust and is responsible for the good governance of the Trust and its Academies.
12. The Trust Board delegates aspects of governance and the day-to-day oversight of school leadership to a local governing body (referred to as the “Local Governing Body”).

13. To ensure effective collaboration and the dissemination of good practice, headteachers meet as a Leadership Group and some strategic decision-making responsibility is vested in this group. It is intended that this group meet regularly, and Chairs of Local governing bodies will be invited to attend two of these meetings a year to provide an opportunity to consider the impact of the Trust as a whole and how it is meeting the needs of its communities with the view to supporting the Trust Board in making strategic decisions about the future priorities for the Trust and its Academies.
14. A Summary of Key Delegated Responsibilities is attached.
15. A Leadership and Governance Decision Planner is attached to aid swift decision making.
16. This Scheme of Delegation applies to each Academy. Its effective date is noted on the first page, and it will be reviewed from time to time by the Trust Board in discussion with the Diocesan Education Service. Whilst the Scheme cannot take the form of a legally binding contract and is subject to the overriding duty on the Directors to act freely and in the best interest of the Trust, in so far as the Directors are able, they agree to abide by the provisions of it and will consult the Local governing bodies on any significant changes.
17. This Scheme of Delegation is formed of a number of component parts, effectively comprising a Trust governance and leadership handbook. By way of summary, it contains or references the following:
  - 17.1. Part 1 - This Introduction and Executive Summary: Purpose of the Scheme of Delegation;
  - 17.2. Part 2 - The Trust's Governance Principles: Vision and Values;
  - 17.3. Part 3 - Governance and Management Structure: Roles and Responsibilities;
  - 17.4. Part 4 - Supervision and Intervention: Accountability;
  - 17.5. Trust Structure Chart;
  - 17.6. Tables of Key Delegated Responsibilities for Governance and Leadership;
  - 17.7. Leadership and Governance Decision Planner;
  - 17.8. Financial Regulations Manual/Finance Policy (separate document);
  - 17.9. Committee Terms of Reference (separate document);
    - Finance & Resources (incorporating finance, resources, audit and risk)
    - Standards (incorporating standards and intervention)
    - Leadership Group
    - Local governing body
  - 17.10. Director and Governor Codes of Conduct (separate documents);
  - 17.11. Diocesan Memorandum of Understanding.

---

## PART 2: GOVERNANCE PRINCIPLES: VISION AND VALUES

---

### 1. Vision and Values

1.1 The core principles of the Trust are:

- Educating the whole person – we recognise that strong academic achievements enable our children and young people to successfully access their next steps in education, employment or training. We celebrate that each individual is made in God’s image and has unique God-given talents to be recognised and harnessed.
- Aiming for excellence in all that we do – from quality of the curriculum, pathways and opportunities for pupils, to Trust financial security.
- Working together for the Common Good – whilst maintaining the distinctiveness of each school which serves its own unique community.

*John 10:10 – ‘I have come so that you may have life and have it to the full’*

1.2 The Mission of the Trust outlines our core purpose. In Blessed Edward Bamber MAT, the mission of the Trust is for all of our Catholic schools to work together to:

- Develop excellence.

1.3 The Vision of the Trust focuses on the ‘destination’ of our journey – it gives us a steer and aspirational aim. Through collective responsibility, united in our Catholic faith, we will provide bespoke support to:

- Enable each school to thrive spiritually, academically and financially;
- Enable our children and young people to belong, engage and become - reach their full potential.

1.4 Our core values of Trust, Respect, Faith, Hope and Service are our hallmarks and underpin all of our decision, actions and dealings with others.

### 2. Catholic Ecclesiology and Principles for Effective Partnership

2.1 The Trust is part of a family of Catholic schools that exist to further the Church’s saving mission by educating its young people in accordance with the teachings of the One Teacher, Jesus Christ. In carrying out any functions on behalf of the Trust all Members, Directors and those in any way involved in the business of the Trust and the Academies recognise the Bishop of Lancaster as the Chief Teacher and the focus of unity in the Diocese and will carry out those functions and responsibilities in full communion with him and in accord with the mind of the Catholic Church. Accordingly, the functions of the Trust and the Academies will be conducted in accordance with the following principles and observing the commitments set out in the Diocesan Memorandum of Understanding.

### 3. Mutual Respect and Distinctiveness

3.1 The Academies are equal partners within the Trust and at all times the partners will strive for consensus in decision making, recognising that each Academy has both strengths and weaknesses. Each Academy is unique and serves its community. The Trust will seek to preserve and protect each Academy’s distinctiveness and will be respectful of each Academy’s respective ethos and mission. The Academies will work collaboratively with each other, sharing resources, knowledge and best practice, to fulfil the Trust’s mission, vision and values.

### 4. Transparency

4.1 All those involved in the running and oversight of the Trust and the Academies will be open and honest in their dealings with each other, at all times acting in good faith and recognising the value of independence and separation in relation to decision making.



## **5. Subsidiary and Earned Autonomy**

- 5.1 Decisions are to be taken at the level nearest to those affected by those decisions which is compatible with the principles of solidarity and support for the common good, avoiding unnecessary bureaucracy and aiming in so far as possible to make changes to established practices only where it can be demonstrated there is a reasonable need and in order to learn from experience or adapt to changing circumstances. The Trust adopts a policy of earned autonomy and where governance responsibility is delegated appropriate decision-making authority will be given. The parameters of such authority will be clear and those to whom responsibility is given will be required to report to those who retain overall responsibility and accountability.

## **6. Solidarity**

- 6.1 All those with responsibility for the Trust and the Academies share a particular commitment to the mutual support of all Academies for whom the Trust is responsible, especially those that are in need of assistance at any particular time. It is acknowledged that smaller schools, particularly in rural areas, can be financially vulnerable putting at risk continuity of Catholic education in an area and as a consequence the Trust's policies will prioritise funding support to those schools, either by levying reduced charges for centralised services or weighting resource support in favour of smaller schools.

## **7. The Common Good**

- 7.1 All recognise their responsibility towards the common good, not just of the Academies for whom the Trust is responsible and the wider Diocesan family of schools, but of all of the families and communities in the areas served by the Trust. The Directors will ensure that common action and collaboration is conducted at the correct level and that the balance between subsidiarity and solidarity serves the common good in the most appropriate way.

---

## PART 3: GOVERNANCE & MANAGEMENT STRUCTURE: ROLES AND RESPONSIBILITIES

---

### 1. Overall Structure

- 1.1 The nature of the Trust as a company running multiple Academies means there are many governance and management layers.
- 1.2 The “Members” of the Trust are equivalent to shareholders of a trading company but as the Trust is charitable with no power to distribute profit to shareholders, the Members are best viewed as guardians of the constitution, changing the Articles if necessary and ensuring the charitable object is fulfilled. Each Member’s liability is limited to £10.
- 1.3 The Bishop, through the Diocesan Education Service, will also exercise oversight and supervision as diocesan authority and the Diocesan Memorandum of Understanding seeks to articulate this. Each of the Members, Directors and Governors are required to observe any directions issued by the Bishop and to follow any advice and guidance issued by the Diocesan Education Service on behalf of the Bishop.
- 1.4 This Scheme of Delegation is consistent with and incorporates the principles of delegation within a Catholic multi academy trust as advised by the Catholic Education Service and reflected in the CES model protocols which have been adopted by the Diocese and which guide the relationship of Catholic schools with their diocese. It accords with the Memorandum of Understanding put in place between the Secretary of State for Education and the Catholic Church.
- 1.5 Decision making and accountability rests with the “Directors”, who are Directors for charity law purposes and company directors registered with Companies House. The Directors are personally responsible for the actions of the Trust and the Academies and are accountable to the Members, the Secretary of State for Education and the wider community for the quality of education and the expenditure of public money. The Directors are required to have systems in place through which they can assure themselves of the quality, safety and good practice of the affairs of the Trust. The Directors meet as a board of Directors (the “Trust Board”).
- 1.6 The Directors delegate aspects of governance and the day-to-day oversight of school leadership to a “Local governing committee” (referred to as the “Local governing body”).
- 1.7 Other committees established by the Trust Board may be tasked with fulfilling particular functions or advising the Directors on strategic matters.
- 1.8 To encourage collaboration and develop local leadership capacity particularly with the view to improving and sustaining standards of teaching and learning and deciding strategic vision, a “Leadership Group” has been formed comprising the Academy Headteachers and those with executive responsibilities within the Trust. Some decision-making responsibility may be delegated directly to the Leadership Group or otherwise to the Headteachers by the Trust Board or the respective Local governing body.
- 1.9 A diagram setting out the Trust’s governance structure and a summary of how key decisions are made (the “Leadership and Governance Decision Planner”) are attached.

### 2. Role of Members

- 2.1 The Members are the guardians of the constitution, determining the governance structure of the Trust and providing oversight and challenge of the Directors to ensure the charitable object of the Trust is being fulfilled and a Catholic education is provided. In view of the overarching role of the Members, the Bishop of Lancaster will be a Member and will appoint other Members from within the Diocese of Lancaster.
- 2.2 The Members’ key responsibilities are:

1. to secure Catholic education and ensure the Trust remains true to its vision and values;
2. to ensure the charitable objects of the Trust are met;
3. to determine the Trust's constitution i.e. the Articles and approve of the governance structure; and
4. to support the Bishop in appointing and removing Directors.

### 3. Role of Directors

- 3.1 The Directors have overall responsibility and ultimate decision-making authority for all the work of the Trust, including the establishing and maintaining of the Academies (which includes taking existing schools into the Trust and opening new schools). The Directors have the power to direct change where required.
- 3.2 There are no "terms of reference" for the Trust Board as the detail for the organisation of meetings of the Directors is set out in the Articles of Association. These determine meeting frequency, quorum and the appointment of a chair and vice chair. For ease of reference, the Trust Board is required to meet at least 3 times a year and quorum for any meeting is the greater of 3 and a third of the Directors appointed at any one time.
- 3.3 A summary of the key responsibilities of the Directors is set out in the attached Table of Key Delegated Responsibilities.
- 3.4 All Directors must comply with the **Director Code of Conduct** adopted by the Trust from time to time which, for ease of reference, is appended to this Scheme of Delegation.

### 4. Role of Governors

- 4.1 The role of a Governor within the Trust is an important one. In developing a governance structure, the Trust has sought to ensure that as much as possible the responsibility to govern is vested in those closest to the impact of decision making and that such responsibility matches the capacity of those assuming responsibility. The Trust Board has established Local governing bodies for each of the Academies (or in groups where Academies are working closely together), for the most part made up of individuals drawn from the Academy's community, both as elected and appointed members.
- 4.2 Those serving on the Local governing body are accountable to the Directors and the Bishop and must ensure that at all times they act in good faith and in the best interests of the Academies and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience.
- 4.3 The Directors will work with the Diocese, having regard to any recommendations by the Diocesan Education Service, in making or facilitating the making of suitable appointments of Governors and where removal is deemed in the best interest of the Trust and the Academy.
- 4.4 As a matter of general principle, the Local governing body will adopt and will comply with all policies adopted by the Trust Board and will comply with any direction issued by the Trust Board and have regard to any advice given.
- 4.5 A summary of the key responsibilities of the Governors is set out in the attached Table of Key Delegated Responsibilities.
- 4.6 For the purposes of contracting with third parties, the Local governing body has authority to act to fulfil its responsibilities and make the decisions it is authorised to make as set out in the Leadership and Governance Decision Planner and the Trust's Financial Regulations Manual or Finance Policy (which will be compliant with the Education & Skills Funding Agency's Trust Financial Handbook).
- 4.7 All Governors must comply with the Governor Code of Conduct adopted by the Trust from time to time which, for ease of reference, is appended to this Scheme of Delegation.
- 4.8 Terms of Reference regulating the composition of the Local governing body and how it conducts business

are also appended to this Scheme.

## 5. Committees and Further Delegation

- 5.1 Terms of Reference for the other committees established by the Directors, including the Leadership Group, are appended to this Scheme of Delegation.
- 5.2 The Local governing bodies are not expected to establish any sub-committees. The Local governing body is encouraged to form working groups to deliver specific projects if required, whether in conjunction with the Trust Board or alone, and subject to any guidance offered by the Trust Board from time to time.
- 5.3 Those to whom delegated responsibility is given must acknowledge the limitations on their authority and must not act outside of their authority. Any wilful disregard of the matters expressed in this Scheme and in particular the relevant Terms of Reference is likely to lead to a removal of delegated authority.
- 5.4 In the event of any serious disagreement between the Trust Board and a Local governing body which cannot be resolved by the Chair of the Local governing body discussing the matter with the Chair of the Trust Board will be referred to the Diocesan Education Service for guidance.
- 5.5 No alteration of the Articles or change to the Scheme or removal of delegated authority shall invalidate any prior act of the Local governing body (or other committee) which would have been valid if that alteration or withdrawal had not been made.
- 5.6 As a matter of general principle, the Local governing body and the Academy more generally will adopt and will comply with all policies adopted by the Trust Board and will comply with any direction issued by the Trust Board and have regard to any advice given.

## 6. Central Team

- 6.1 As a non-executive body, the Trust Board must rely on others to fulfil the executive or management functions of the Trust. For the most part, this responsibility will fall on the Headteachers of the Academies, supported by the school leadership teams. Certain functions relating to the leadership and management of the Trust itself or which relate to the activities of more than one Academy will be undertaken by a “**Central Team**”, led by the “**Chief Executive Officer**” (the senior executive leader in the Trust) and supported by either or both the “**Chief Operating Officer**” (a senior officer with general operational responsibility) and the “**Chief Financial Officer**” (a senior officer with overall responsibility for the Trust’s financial systems and procedures).
- 6.2 The Chief Executive Officer will be the “**Accounting Officer**” for the Trust, responsible to Parliament and to the Education & Skills Funding Agency’s accounting officer for the financial resources under the Trust’s control and to assuring Parliament of high standards of probity in the management of public funds, particularly regularity, propriety and value for money.
- 6.3 The need for and size of the Central Team will be determined by the Trust Board, in consultation with the Leadership Group, reflecting the degree of collaboration across the Trust. Where possible, resources will be drawn from the Academies themselves rather than the use of external consultants or through recruitment.
- 6.4 The cost of the functions undertaken by the Central Team or actions at the request of the Trust Board are generally funded on a fair and equal basis by the Academies by the contribution of a percentage of the central government funding provided for each Academy. This contribution will be set each year against a budget for the shared costs approved by the Trust Board in consultation with the Leadership Group and may vary according to the level of activities undertaken and costed on a menu type basis. Variations may also reflect any financial vulnerability from time to time, especially in relation to smaller schools.
- 6.5 A summary of key leadership responsibilities is set out in the attached Table of Key Delegated

Responsibilities.

## **7. Financial Delegation**

- 7.1 The Trust's financial procedures and authorisations are set out in the "Financial Regulations Manual" or "Finance Policy", a copy of which is appended to this Scheme of Delegation. Except as provided for in this Scheme of Delegation and subject to the requirements and restrictions set out in the Financial Regulations Manual/Finance Policy, budget responsibility is delegated to the respective Academy and expenditure will be authorised (in so far as necessary) and monitored by the Local governing body.
- 7.2 No Trust or Academy monies (whether or not authority to expend has been devolved to the Local governing body) shall be paid into any bank account other than a bank account authorised by the Trust's Chief Financial Officer.
- 7.3 The Trust is required to have in place systems to identify and properly manage risk. The Local governing body is expected to comply with any policy or guidance issued by the Trust (and the Secretary of State for Education as Principal Regulator) and to ensure that proper procedures are put in place for the safeguarding of funds, including any voluntary funds or charitable funds obtained through fund raising activities.
- 7.4 The Local governing body is expected to report to the Trust Board on the management of the funds which are its responsibility and will notify the Trust Board (or as directed) as soon as reasonably practicable of the occurrence of any event or happening of any circumstance which might expose the Trust or the Academy to any loss or claim, including but not limited to any event which might be covered by the ESFA's Risk Protection Arrangement scheme.
- 7.5 The Trust Board will have regard to the interests of all the Academies in deciding and implementing any policy (including any reserves or contingency policy) or exercising any authority in respect of any one or all of the Academies for which it is responsible. Notwithstanding this, the priority for the Trust Board is to put in place measures to ensure that any of the Academies are supported when the need arises and remain financially viable. Where this may have a significant financial impact on the funding of the support provided by or on behalf of the Trust Board, any policy shall first be discussed with the Leadership Group and its views taken into account and considered in relation to the setting and implementation of any such policy.

## **8. Personnel**

- 8.1 All staff employed by the Trust or in connection with any Academy or Academies are employees of the Trust.
- 8.2 The Trust is required to adopt and ensure the consistent implementation of a series of HR policies and practices, which are expected to mirror those issued from time to time by the Catholic Education Service. The responsibility for the appointment and performance management of staff is set out in the relevant Table of Key Delegated Responsibilities and the Leadership and Governance Decision Planner.
- 8.3 Any proposed changes to the staffing structure operated within an Academy must be approved first by the Trust Board, who may also require changes to be made, but who will consult first with the Local governing body before consulting more widely on any proposal.
- 8.4 Whilst the management of any claims and disputes involving staff (other than senior leaders) are expected to be dealt with at the local level in accordance with the Trust's Disciplinary Policy, the Trust Board should be kept informed, and any advice or guidance issued by or on behalf of the Trust Board should be followed.
- 8.5 The Trust Board (in conjunction with the Local governing bodies) will ensure that the Chief Executive Officer for the MAT, the Headteachers and Deputy Headteachers for all Academies, as well as any key teaching staff responsible for co-ordinating religious education and any chaplain or reserved post, shall be practising

Catholics. The Diocesan Education Service must be consulted on any appointment and if any investigation into wrongdoing is to be carried out.

## **9. Premises**

- 9.1 The day-to-day maintenance and care of the buildings and facilities used in respect of the Academy is the responsibility of the Local governing body (with management responsibility being delegated to the Headteacher), who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Trust (and/or any others) as owner of such buildings and facilities.
- 9.2 The Trust is required to have and to keep under review a long-term estate management strategy that will identify the suitability of buildings and facilities in light of anticipated curriculum needs and projected pupil numbers. The Local governing body will advise the Trust Board of the need for and availability of any capital investment and will work with the Trust Board to agree any capital priorities and the delivery of any significant capital project.
- 9.3 No disposal or acquisition of land will be undertaken without the consent of the Trust Board. Temporary use and short-term lettings will be managed by the Local governing body, subject to any lettings policy issued by the Trust from time to time and observing any regulations issued by the Diocese.

## **10. Regulatory Matters**

- 10.1 The responsibility to ensure that the Academy complies with all legal obligations and operates in accordance with any statutory guidance and any guidance issued by the Diocese is a shared responsibility of the Directors and the Governors, as well as leadership.
- 10.2 The Local governing body has authority to determine any appeals against admission and any decision by the Headteacher to exclude any pupil.

---

## PART 4: SUPERVISION AND INTERVENTION: ACCOUNTABILITY

---

1. Notwithstanding the level of delegated responsibility to the Local governing body and leadership, the Directors remain legally responsible and accountable for all matters in connection with the Academies and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Academies.
2. Underpinning this accountability is a requirement for transparency and openness both in terms of the communication of expectations and the reporting of activities and outcomes. It is the responsibility of all to ensure this is achieved, with reporting taking such format as the Trust Board and the Local governing body shall agree from time to time.
3. As well as the legal or financial implications of any failure or wrongdoing, the reputational damage to the Trust and its Academies, as well as the Bishop and the Diocese of Lancaster, is a significant risk and concern.
4. As the day-to-day responsibility for the running of the Academy is delegated to the Local governing body (such responsibility being managed in practice by the Headteacher), the Directors are removed from the operational risks and thus require the Academy to notify them (or as directed) of the following:
  - 4.1 Any event leading to loss of life or critical injury on the premises of the Academy or during an event off the premises organised or supervised by Academy staff or any situation which is deemed a 'critical incident';
  - 4.2 Any sexual or violent or illegal act against a child committed by any person while on the Academy premises under any circumstances;
  - 4.3 The suspension or summary dismissal of any senior member of staff;
  - 4.4 Any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the Academy alleging a breach of fire or health or safety law or regulations;
  - 4.5 Any event that requires a formal hearing by a panel of representatives of the Academy or that results in the service of a legal notice on the Academy alleging a breach of employment law or regulations;
  - 4.6 Notification of any Ofsted inspection;
  - 4.7 Any suspected breach of the Academies Trust Handbook or communication received from the Education & Skills Funding Agency seeking to investigate any complaint made in relation to the Academy.
5. Appropriate steps will then be taken to manage any situation, communicating as appropriate in the circumstances (having regard to the fundamental principle of transparency and openness).
6. The Local governing body acknowledges the need for and submits to any inspection by the Directors, the Executive Team and the Diocesan Education Service.
7. Where weaknesses are identified, either as a consequence of a fall in standards, a failure of governance and/or leadership or where there is any financial wrongdoing, the Trust Board expressly reserves the unfettered right to review or remove any (or indeed all) power or responsibility conferred on the Local governing body under this Scheme of Delegation.
8. The Trust's Leadership and Governance Decision Planner indicates relevant decision-making authority which may be temporarily removed from an Academy which is being formally supported by the Trust. Decisions as to whether an Academy is to be formally "supported" (beyond the support which the Trust would normally provide or secure for its Academies) will be made by the Trust Board, who will have regard to any advice issued by the Executive Team and the Diocesan Education Service.
9. If the Directors resolve to suspend all delegated authority to a Local governing body, an executive or management board will be established to undertake the responsibilities of the Local governing body until such time as delegated authority can be restored. Any decision to do so and any appointments to the executive or management board will be that of the Trust Board, who shall seek the advice and support of

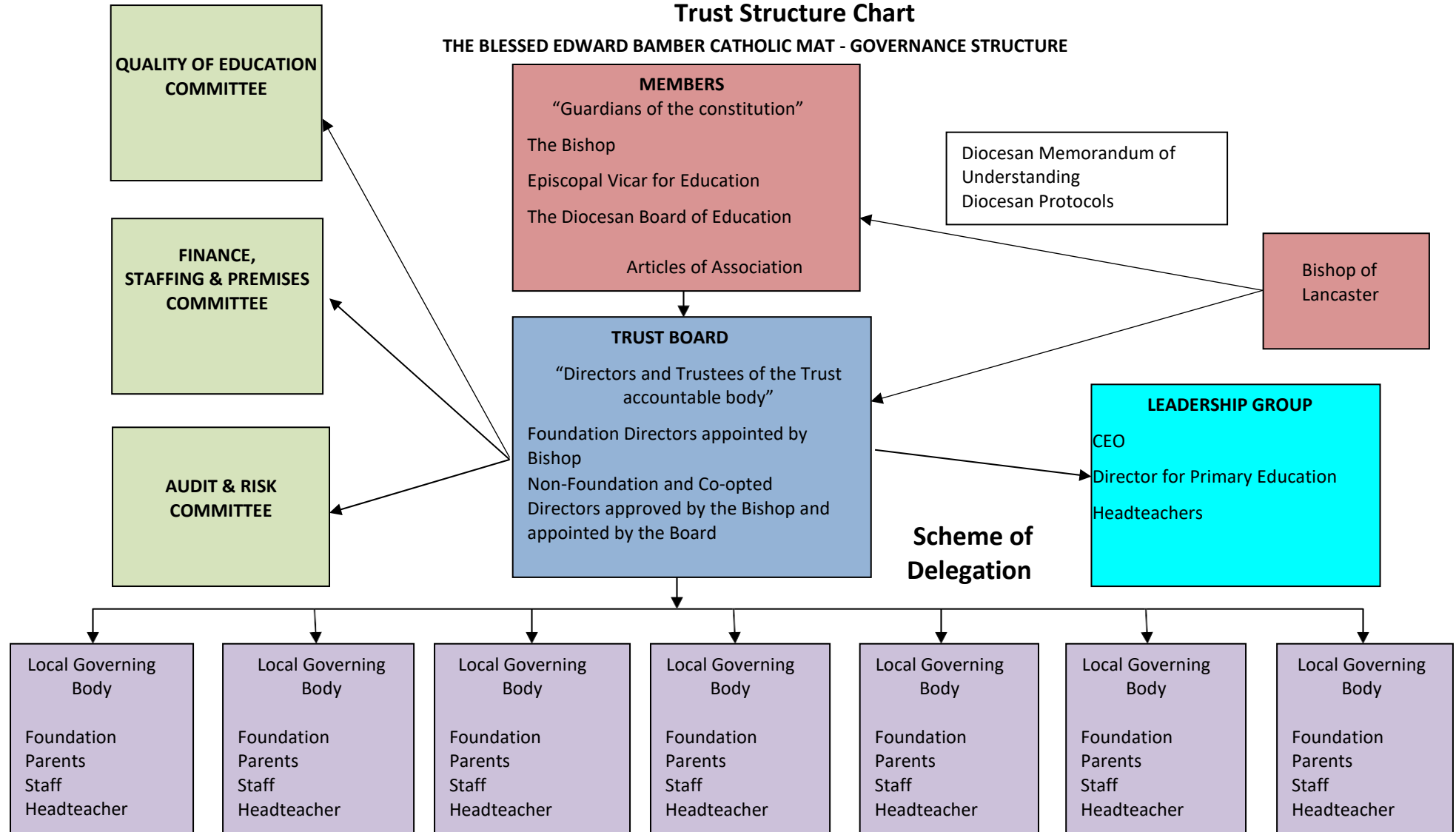
the Members (and in particular the Diocesan Education Service) if any external concerns are raised.

10. Notwithstanding the above, the Trust Board and the Local governing body acknowledge the value of maintaining a good working relationship particularly in light of the levels of delegated responsibility within the Trust and the impact this may have on the ability of the Trust Board or the Local governing body to react when standards are falling and/or there is evidence of financial imprudence exposing the Academy or the Trust to a threat of intervention. The Trust Board and the Local governing body in such circumstances make the following commitments to each other:
  - 10.1 To discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State for Education as the Principal Regulator;
  - 10.2 To use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the Academy and to support each other in the implementation of those measures, including involving the Diocesan Education Service who will support and advise on steps to be taken and facilitate additional support if needed;
  - 10.3 To allow each other the opportunity to effect improvements at the Academy provided such steps do not seek to undermine the collaborative and respectful approach being adopted by each.
11. The Trust Board shall not exercise any power to suspend or remove the Headteacher without first discussing with the Chair of the Local governing body the need to ensure that such power is being exercised appropriately and proportionately.



### Trust Structure Chart

#### THE BLESSED EDWARD BAMBER CATHOLIC MAT - GOVERNANCE STRUCTURE



## Summary of Delegated Governance Responsibility

Members	Directors/Trust Board	Local governing body
<ul style="list-style-type: none"> <li>• determine constitution and religious character</li> <li>• oversee the Directors</li> <li>• recognise any strategic partnerships</li> <li>• delegate governance and management responsibility to the Directors (formally appointing and removing the Directors where necessary)</li> </ul>	<ul style="list-style-type: none"> <li>• hold governance accountability</li> <li>• determine strategic vision and overarching strategic plan</li> <li>• provide strategic leadership and governance</li> <li>• provide challenge and support to senior leaders</li> <li>• undertake the recruitment and performance of any chief executive officer</li> <li>• develop and decide strategic and operational policies</li> <li>• facilitate collaboration</li> <li>• co-ordinate and oversee shared services and resources</li> <li>• develop and oversee the implementation of Trust development plan</li> <li>• approve of performance benchmarks</li> <li>• approve overall Trust budget and approve School budget parameters</li> <li>• monitor expenditure in accordance with appropriate authorisations</li> <li>• oversee financial governance and risk management</li> <li>• determine the Trust's reserves/contingency policy</li> <li>• ensure appropriate insurance or risk cover is put in place</li> <li>• undertake recruitment of headteachers and facilitate the performance management of senior leaders</li> <li>• develop shared staff training programmes and opportunities for professional development</li> <li>• support the development and building of leadership and governance capacity at School level</li> <li>• approve of site and asset management strategy</li> <li>• oversee any significant capital expenditure and building projects ensuring compliance with Trust finance policy</li> <li>• approve of all funding applications</li> <li>• decision maker for all appeals</li> </ul>	<ul style="list-style-type: none"> <li>• decide the School's strategic vision and uphold the School's distinctiveness and unique character, in harmony with the Trust's strategic vision and ethos</li> <li>• support senior leadership team generally and with specific emphasis on target setting, pupil monitoring and analysing progress data to inform curriculum &amp; budgeting priorities</li> <li>• approve of School development/action plan</li> <li>• approve of School budget and support the head teacher in submitting the budget to the Trust Board for formal approval</li> <li>• approve any significant capital expenditure</li> <li>• oversee expenditure ensuring the School works within its budget and implements the Trust's risk and financial management policies ensuring probity, prudence and efficiency</li> <li>• play an active part in the recruitment of the headteacher</li> <li>• support the senior leadership team in the development and review of an appropriate staffing structure</li> <li>• support the head teacher in the recruitment and performance management of personnel</li> <li>• responsible for staff welfare and well-being, supporting the senior leadership team in monitoring absence and sickness</li> <li>• promote collaboration with other schools in the Trust</li> <li>• develop and review delegated school policies (e.g. admissions, pupil behaviour, safeguarding)</li> <li>• provide advice and feedback to the Directors, ensuring the School is meeting the needs of its community</li> <li>• undertake all and any appropriate community consultation</li> <li>• provide a point of contact for parents, carers and other members of the local community, maintaining an effective link to the wider community</li> <li>• evaluate its performance ensuring appropriate training and development so that knowledge, skills and behaviour are appropriate for a dynamic education environment</li> </ul>

## Summary of Delegated Leadership Responsibility

### THE BLESSED EDWARD BAMBER CATHOLIC MAT

Chief Executive Officer/Accounting Officer	Chief Operating Officer/Chief Financial Officer	Headteacher
<ul style="list-style-type: none"> <li>• Trust Accounting Officer</li> <li>• provides leadership and vision to the Trust</li> <li>• chairs [Leadership Group] and provides focal point for reporting to the Trust Board</li> <li>• represents views of [Leadership Group] and supports implementation of strategic decisions by Trust Board</li> <li>• advises on operational priorities and leads on development of Trust strategic plan and Trust policies, which remain the responsibility of the Trust Board</li> <li>• [in conjunction with the relevant Chair of the Local governing body,] carries out the performance management of head teachers and supports their professional development</li> <li>• manages Trust executive team ensuring high quality effective support is provided to Trust schools</li> <li>• responsible for ensuring that the Trust keeps proper financial records, has appropriate financial systems in place and manages opportunities and risk</li> <li>• submits annual “statement on regularity, propriety and compliance” to ESFA</li> <li>• manages Trust’s external relations</li> <li>• builds effective partnerships with external agencies including the Regional Schools Commissioner and the Education &amp; Skills Funding Agency</li> <li>• leads and manages any process for the expansion of the Trust and its schools</li> </ul>	<ul style="list-style-type: none"> <li>• responsible for all operational matters</li> <li>• fulfils responsibilities of “chief financial officer” under the Academies Financial Handbook</li> <li>• supports the Trust CEO in managing operations and responsible for delivery of the Trust’s financial and accounting processes</li> <li>• ensures there is sound and appropriate financial governance and that risk management arrangements are in place</li> <li>• develops and ensures the implementation of the Trust’s financial management regulations and/or finance policy</li> <li>• prepares and monitors Trust and school budgets</li> <li>• ensures delivery of annual accounts</li> <li>• advises on financial policies including a procurement policy and strategy</li> <li>• leads on any significant procurement and advises on and monitors less significant procurements in line with the Trust procurement policy</li> <li>• undertakes contract management of any Trust wide contract and supports school based teams to manage school contracts</li> <li>• develops and advises on operational support for the head teachers</li> <li>• ensures there is risk protection cover in place for all risk areas</li> <li>• leads on any significant capital project including managing any application for capital funding and/or distribution of any capital grant</li> </ul>	<ul style="list-style-type: none"> <li>• undertakes statutory responsibilities as head teacher</li> <li>• provides leadership and vision to the School</li> <li>• responsible for standards and pupil outcomes</li> <li>• determines the curriculum priorities and takes responsibility for all teaching and learning</li> <li>• implements Board decisions affecting the School</li> <li>• advises on and implements School’s development/action plan and agreed strategic priorities</li> <li>• advises on and implements the staffing structure approved by the Local governing body for the School and is responsible for the organisation of resources</li> <li>• responsible for recruitment of School staff and their professional development</li> <li>• undertakes performance management of School staff and deals with any grievances</li> <li>• responsible for disciplining School staff</li> <li>• working with the COO/CFO, advises on the School budget making recommendations to the Local governing body and ensuring the School manages within its budget</li> <li>• advises on School policies, which are delegated to the Local governing body for determination</li> <li>• responsible for safeguarding and well-being of pupils and staff</li> <li>• decides any pupil exclusions</li> <li>• manages School’s relationship with its community</li> </ul>

## LEADERSHIP AND GOVERNANCE DECISION PLANNER

This decision planner is designed to work in conjunction with the formal Scheme of Delegation adopted by the Trust. It provides a quick reference guide to how some of the important decisions within the Trust are to be made. Any discrepancies between this document and the Scheme of Delegation shall be construed in favour of the Scheme of Delegation, which will take precedence. Further detail of the involvement of the Bishop, the Diocese of Lancaster and the Diocesan Education Service is contained in the **Diocesan Memorandum of Understanding**.

### Scheme of Delegation Checklist

The governance and management layers within the Trust are identified as follows:

1. Trust Members (the “**Members**”);
2. Trust Board of Directors (the “**Board**”);
3. Local governing body (the “**LGC**”);
4. Trust Chief Executive Officer (or assigned member of the Executive Team) (“**CEO**”);
5. Headteacher/Head of School (“**HT**”).

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined.

✓ Decision Maker

I Involved in decision

Function	No	Tasks	Decision Levels					Notes	
			Members	Board	LGB		CEO		Heads
					Academy	Supported Academy			
Governance and Vision	1.1	Approve any changes to Trust Articles of Association	✓						
	1.2	Approve any changes to Trust Scheme of Delegation		✓					Headteachers and LGBs will be responsible for implementing the scheme of delegation
	1.3	Establish or merge Local governing bodies		✓					
	1.4	Establish Trust Committees and determine terms of reference		✓					The CEO will support the Board in developing Committees and appropriate terms of references
	1.5	Establish LGB Working Groups or subcommittees		✓					LGBs working groups will be developed by the Chair of LGB with the support of the Headteacher and CEO
	1.6	Appoint (and remove) Chair of Trust Board	✓						
	1.7	Appoint Foundation Directors	✓						
	1.8	Remove Foundation Directors	✓						
	1.9	Appoint Co-opted and Non-Foundation Directors		✓					
	1.10	Remove Co-opted and Non-Foundation Directors		✓					

Function	No	Tasks	Decision Levels					Notes	
			Members	Board	LGB		CEO		Heads
					Academy	Supported Academy			
	1.11	Appoint Chair of LGB		✓	✓				The Board is responsible for ratifying the appointment of the Chair of the LGB.  The Board is responsible appointing the Chair in a supported academy
	1.12	Remove Chair of LGB	✓						LGBs and CEO will be consulted.
	1.13	Appoint Foundation Governors	✓						When appointing foundation governors, the CEO and Heads will be consulted.
	1.14	Appoint Non-Foundation Governors (other than elected Governors)			✓	✓			When appointing non-foundation governors, the CEO and Heads will be consulted.
	1.15	Remove Foundation Governors	✓						The Board is responsible for removing foundation governors, with LGBs, CEO and heads being consulted.
	1.16	Remove Non-Foundation Governors and Elected Governors		✓					The Board is responsible for removing non foundation governors and elected governors, with LGBs, CEO and heads being consulted.
	1.17	Appoint (and remove) Clerk to Trust Board		✓					
	1.18	Appoint (and remove) Clerk to LGB		✓					LGBs will be consulted.

Function	No	Tasks	Decision Levels					Notes	
			Members	Board	LGB		CEO		Heads
					Academy	Supported Academy			
	1.19	Director skills audit and governance reviews		✓			I	Trust Governance Professional to ensure implementation.	
	1.20	Governor skills audit			✓	✓	I	Trust Governance Professional/clerk to ensure implementation.	
	1.21	Approve Directors/Governors Expenses Policy		✓			I		
	1.22	Manage conflicts of interest		✓				Conflicts of interest are managed at all levels, with the Board having ultimate responsibility.	
Finance	2.1	Trust & Academy Financial Regulations and Procedures		✓			I	The Trust finance team is responsible for writing the financial regulations and procedures, under the direction of the CEO.  LGBs are responsible for implementing these procedures.  Headteachers will be consulted	
	2.2	Appoint Trust auditors	✓	I			I	The Members officially appoint the Trust auditors following a recommendation from the Board.	
	2.3	Approve Trust Budget		✓			I	Under the direction of the CEO, the finance team will create academy budgets in	

Function	No	Tasks	Decision Levels					Notes	
			Members	Board	LGB		CEO		Heads
					Academy	Supported Academy			
								consultation with the Headteachers, prior to approval by the Board.	
	2.4	Trust Annual Accounts		✓			I		Members receive the Trust's audited accounts.
	2.5	Directors' Annual Financial Report		✓			I		The CEO on behalf of the Board completes the annual financial report.
	2.6	Undertake financial efficiency review (across the Trust)					✓		Under the direction of the CEO, the finance team will undertake a financial efficiency review to be presented to the Board
	2.7	Undertake financial efficiency review (within the Academy)					✓		Under the direction of the CEO, the finance team will undertake a financial efficiency review to be presented to the Board
	2.8	Compile and review Trust Risk Register		✓			✓		The Trust central team is responsible for creating the Trust risk register, which is reviewed by the Board.  Headteachers will be consulted
	2.9	Compile and review Academy Risk Register and report on risks to Trust Audit & Risk Committee					I	✓	Academy risk registers fall under the remit of the Headteacher advised by the central team, who will consult the LGB



Function	No	Tasks	Decision Levels					Notes	
			Members	Board	LGB		CEO		Heads
					Academy	Supported Academy			
	2.10	Trust Academies Accounts Returns to ESFA		✓			✓		The CFO, under the direction of the CEO will be responsible for submitting all ESFA returns
	2.11	Response to Auditor's Management Letter		✓			✓		The CFO under the direction of the CEO will be responsible for responding to the audits management letter
	2.12	Academy Budget Plan		✓					Academy budget planning is central and spend is delegated to individual academies for funding minus the retained central funds.  LGBs and the CEO will be involved in the process.
	2.13	Academy Accounts Return to ESFA		✓			✓		Headteachers and LGBs will be consulted.

<b>Strategy, Performance and Expansion</b>	3.1	Trust Strategic Plan		✓			✓		The CEO will develop the Trust strategic plan in consultation with key stakeholders
	3.2	New, converter or sponsored academies joining MAT	✓	✓					
	3.3	Academy expansion and/or change in age		✓					The Headteacher and LGBs at the Academy will be consulted if the change of age / PAN relates to their academy. Diocese to be consulted.
	3.4	Determine overall effectiveness of Academy					✓		CEO to report to the Board on the overall effectiveness of the academy with input from the Headteacher
	3.5	Academy Performance Targets - Key Performance Indicators (KPIs)		✓			✓		Headteachers and LGBs will be consulted in relation to performance management targets
	3.6	Academy Development Plan						✓	Headteachers to produce academy development plan and present to LGB/CEO
	3.7	Academy Support Plan					✓		The HTs and LGBs will be consulted. The Headteachers will be responsible for implementing the academy action plan
	3.8	Establish Executive Management Board					✓		

Staffing	4.1	Determine Trust executive staff structure and grades		✓				I		Trust staffing structure to be determined by the CEO and approved by the Board
	4.2	Determine Academy staff structure and grades		✓	I	I	I	I		The trust board will be responsible for the Academy staff structure delegated to the CEO.
	4.3	CEO appointment		✓						Members will be consulted
	4.4	Executive Team appointments		I				✓		
	4.5	Academy Executive Headteacher/ Headteacher/Head of School appointments		I	I	I	✓			LGBs will be fully involved in the appointments process and decision making. Diocese involvement.
	4.55	Reserved posts within school			I	I	I	✓		HT led with involvement of CEO, LGB and Diocese
	4.6	Academy teaching and support staff appointments			I	I	I	✓		Appointments must be in line with staffing structure and agreed by CEO. New posts / changes need approval from CEO, like-for-like posts CEO to be informed.
	4.7	Performance management of CEO		✓						
	4.8	Performance Management of Executive Headteacher/Headteacher			I	I	✓			Chairs of LGBs will be fully involved in the process.
4.9	Suspension/Dismissal of CEO/Executive Team	I	✓						Members will be consulted	

	4.10	Suspension/Dismissal of Executive Headteacher/Headteacher	I	✓					The CEO and LGB may also be involved in the process of suspension/dismissal of any Executive Team members.
	4.11	Performance Management of Head of School					✓		Under the direction of the CEO and the Executive Headteacher
	4.12	Performance Management of SLT						✓	Headteachers are responsible for performance management in their academy.
	4.13	Suspension of Head of School		✓	I	I	I		
	4.14	Dismissal of Head of School		✓	I	I	I		
	4.15	Suspension and dismissal of other teaching and support staff					✓	I	In line with the Trust Staff Disciplinary Policy
	4.16	Redundancy of Staff		✓	I	I	I	I	Overseen by CEO on behalf of Trust Board
	4.17	Restructuring of Staff		✓	I	I	I	I	Overseen by CEO on behalf of Trust Board

Land and Contracts	5.1	Asset Management Strategy and Insurance		✓				I		
	5.2	Health & Safety plus safeguarding Policy & Review		✓				I		Headteachers are responsible for implementing the policy
	5.3	Condition Surveys						✓	I	LGBs will be consulted
	5.4	Expansion and Redevelopment Works						✓	I	LGBs will be consulted
	5.5	Leases						✓	I	
	5.6	Lettings and Shared Use						I	✓	
	5.7	Strategic support and shared services			✓				✓	
HR and Policies	6.1	Pay & Remuneration Policy		✓				I		Trust to agree overall policy. LGB and Headteacher to implement in school.
	6.2	Job Role Salary and Grading Policy		✓				I		Trust to agree overall policy. LGB and Headteacher to implement in school. HR guidance.
	6.3	Changes to Employee Terms & Conditions or Collective Agreements		✓				I		
	6.4	Performance Management & Appraisal Review Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.
	6.5	Disciplinary Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.

6.6	Grievance Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.
6.7	Capability Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.
6.8	Whistle-blowing Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.
6.9	Re-structuring & Redundancy Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.
6.10	Employee Health & Safety Policy		✓				I		Trust to agree policy. LGB and Headteacher to implement in school.
6.11	Academy times, terms, and holidays			✓	✓		I	I	
6.12	Adoption and review of Non-HR Statutory Policies		✓				I	I	See Trust policies and procedures strategy for further detail
6.13	Exclusions							✓	The CEO will be informed/consulted on all exclusion at academy level
6.14	Appeals against Permanent Exclusion			✓	✓				The CEO will be informed/consulted on all appeals against exclusions at academy level
6.15	Complaints		✓	✓	✓		✓	✓	If the complaint is against the Academy, the Board maybe be involved in line with policy
6.16	Admissions and appeals against admissions							✓	CEO and LGB to be consulted

**NOTE:**

If there are any circumstances not covered by the delegation planner above, this should be referred to the CEO in the first instance, who will discuss with the Trust Board / Chair as appropriate.

---

## MEMORANDUM OF UNDERSTANDING

---

### 11. Introduction

In light of the significant changes affecting Catholic schools in the Diocese and nationally brought about by the Academies Act 2010, the Bishop and the Diocesan Trustees, having consulted with all Diocesan schools (both voluntary aided and academy), have set out in this Memorandum of Understanding their expectations of the schools and what might be expected of them. This is to ensure that the schools continue (irrespective of any change in status from voluntary aided to academy) to be conducted as Catholic schools in accordance with the canon law and teachings of the Roman Catholic Church and in accordance with the Trust Deed of the Diocese of Lancaster so that at all times the schools may serve as a witness to the Catholic faith in Our Lord Jesus Christ. Changes to this Memorandum of Understanding will be made by the Bishop at any time and at his discretion. It is issued as a directive of the Bishop and as such it is binding on the schools and any multi academy trust established by the Bishop and must be complied with.

### 12. Why does the Church provide Catholic Schools?

The Church provides Catholic schools to:

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

The vision for the education of children in Catholic schools is based on answering the fundamental question, posed by Pope Benedict XVI: “*What kind of person would you really like to be?*” Education in the Diocesan family of schools is about enabling children and young people to grow as human persons; working together, the aim is to provide a rounded education for the whole person.

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

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

The vision of a Christ-centred community of faith finds its meaning and purpose in Jesus Christ himself, who taught that he is the ‘way, the truth and the life’.

*The mission of schools is to develop a sense of truth, of what is good and beautiful. And this occurs through a rich path made up of many ingredients. True education enables us to love life and opens us to the fullness of life. (Pope Francis – Address to Italian School Teachers – 10 May 2014).*

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

*Christ is the foundation of the whole educational enterprise in a Catholic school. (The Catholic School, 977 - 34)*

### 13. Core Principles

There are some core principles that underpin our Diocesan Catholic schools.

The key areas of the distinctive nature of Catholic education are recorded in *Principles, Practices and Concerns* (Bishops' Conference 1996) and can be considered as underlying principles:

- The search for excellence as an integral part of the spiritual quest;
- The uniqueness of the individual made in God's image and loved by him;
- The education of the whole person based on the belief that the human and divine are inseparable;
- The education of all with the particular duty to care for the poor and disadvantaged;
- Moral principles put into practice within a Christian community.

And the following principles recorded in *'The Common Good in Education'* (Bishops' Conference 1996) also apply:

- Subsidiarity – which means decisions being taken as close to the grass roots as good government allows;
- Solidarity – which means we are all responsible for each other, with a willingness to see others as self.

The Church also promotes the principle of **Community Cohesion**.

- Thus, Catholic schools must continue to look outwards and work in partnership with all other schools in the wider community, to the benefit of all children in society.

### 14. Restatement of the Purpose of the Trust and Catholic Distinctiveness

1. The School shall be conducted in accordance with the terms of the trust of the Diocese of Lancaster.
2. The School's admission policy must be subject to any and all statutory requirements and common law (as the same are in force from time to time) and comply with the Diocesan Authority's model policy from time to time giving priority to baptised Catholic children above others and only using the criterion of practice of the Catholic faith in cases of oversubscription by Catholics.
3. The provision of Religious Education and Collective Worship will be undertaken in accordance with the teachings, rites and liturgical norms of the Catholic Church and will be subject to the authority and direction of the Bishop of Lancaster.
4. Land held by the Diocesan Trustees is used by the School at the discretion of the Bishop and must be used for purposes which are consistent with the objects of the trust.

### 15. Section A: Purpose

This Memorandum of Understanding (MoU) sets out the understandings and conditions that apply to the development and functioning of the Catholic Education Trusts (referred to by others generally as multi academy trusts or MATs but herein as the "Trust") established by the Bishop for the Diocesan schools. It identifies the Catholic distinctiveness that must apply to the schools within each Trust and identifies the commitments that must be made to secure the success of the Trust and its constituent schools by the Trust Board, the Diocesan Trustees and the Diocesan Education Service in providing support and having the necessary oversight of the Trusts established in the Diocese. All these organisations or bodies have a duty to operate within the guidance of the Bishop of Lancaster and it is acknowledged that the Bishop is the primary authority for determining the membership of the respective boards of governance.

In order to exemplify the respective roles and responsibilities of various parties associated with the successful operation of the MAT a 'Responsibility, Accountability, Consultation and Information (RACI) Chart' has been drawn up and is attached as Appendix A. All parties will be expected to commit its best endeavours to make sure that those aspects within its remit and control are delivered in a complete and timely manner.

This MoU reflects the guidance issued by the Catholic Education Service with regard to the protocols that guide the relationship between the Diocese and its Schools. A copy of these protocols is available from the Diocesan Education Service and will be provided to all Catholic senior leaders, Trust Directors and Foundation Governors



when appointed to their role. The MoU will also guide the relationship of the Diocese with those schools who continue as voluntary aided schools in the expectation that they will join one of the Diocesan Trusts in due course.

## **16. Section B: Catholic Distinctiveness**

Set out below are the characteristics of Catholic distinctiveness which must be evident in any school for which the relevant Trust has responsibility, which characteristics are intended to mirror those applicable to voluntary aided Catholic schools.

1. Each school in the Trust must be conducted in accordance with the principles, practices and tenets of the Catholic Church and all Catholic canon law applying thereto including the terms of the trust of the Diocese of Lancaster, so that at all times the school may serve as a witness to the Catholic faith in Our Lord Jesus Christ. The establishment of Catholic schools in the Diocese is a matter for the sole discretion of the Bishop of Lancaster.
2. Each school in the Trust (as with all Catholic schools in the Diocese) is primarily provided for the education of persons who are baptised members of the Catholic Church, and the admittance of any other persons must be made only in conformity with the respective academy's admissions policy approved by the Bishop and any direction issued by the Bishop in respect of the same.
3. Each school in the Trust must provide religious education and collective worship in accordance with the teachings, rites and liturgical norms of the Catholic Church and will be subject to the authority and direction of the Bishop of Lancaster. The key areas of the distinctive nature of Catholic education are recorded in 'Principles, Practices and Concerns' as supplemented by 'The Common Good in Education' (Bishops Conference 1996), focussing particularly on the search for excellence as an integral part of the spiritual quest within oneself and within the wider community.
4. Each school in the Trust is part of a wider family of schools and Catholic Education Trusts in the Diocese of Lancaster, with particular emphasis on the mutual support and protection of all schools in the Diocese.

## **17. Section C: Commitments made by the Bishop and the Diocesan Trustee**

### **Catholic Character**

1. The Bishop with the Corporate Diocesan Trustee, acting through the Diocesan Education Service, will continue to support the development of a strong Catholic ethos within schools which are part of the Trust and in the community of Catholic schools, supporting a collective voice on national issues affecting the schools and helping to communicate the schools' concerns and needs to those with the responsibility for the funding and regulation of schools.
2. The Bishop will provide guidance on the teachings of the Catholic Church in order to support the teaching of others.

### **Governance and Management Support**

1. The Bishop will ensure that any directive issued by him will be in writing and be clearly communicated to the Chair of the Trust.
2. Recognising that education is about the formation of young people and creating an environment that enables the development of character and an approach to life in the Catholic faith, the Diocese will continue to provide support to the Trust and the schools in the pursuit of excellence and high-quality education.
3. The Diocesan Education Service will hold regular meetings of representatives of the Catholic schools in the Diocese to encourage the transfer of knowledge and the sharing of best practice. It is expected that every effort will be made to ensure representatives of the Trust and the schools attend.
4. The Bishop will seek in so far as he is able to ensure that high quality committed, skilled individuals are put forward as directors of the Trust and governors of the local governing bodies established for each of the academies in the Trust. He will monitor the contribution made by such appointees and will remove

individuals in the event of misconduct and/or a failure to support the high ideals of the Trust and the Bishop together.

5. The Diocesan Education Service may ask the Trust Board for information in respect of the governance and management of the Trust and the schools for which the Trust is responsible. Where the Diocesan Education Service becomes aware of any matter of significant concern, including any matter which might lead to the Secretary of State exercising their intervention powers, the Diocesan Education Service will discuss the matter with the Trust Board and if appropriate the governors of the school honestly and in good faith with the aim of formulating a plan to address such concern.

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

1. The land on which the schools that form part of the Trust operate is owned by the Diocese of Lancaster and as such neither the land nor the buildings constructed thereon are formally assets of the Trust. The Church Supplemental Agreement, which is put in place when each school joins the Trust, recognises the occupation and use of the school site by the Trust for the particular Catholic school as a bare licensee and that the right of the Diocese to terminate the Trust's use of the site is subject only to the giving by the Diocese of 2 years' notice. Both the Diocese and the Trust will have regard to any guidance issued by the Catholic Education Service as to the question of whether the land and buildings should be recognised as an asset on the balance sheet of the Trust.
2. The Diocesan Education Service will not unreasonably withhold permission for the Trust/school to improve or maintain the school site.
3. In so far as the Diocesan Education Service feels is prudent given competing requests from other schools in the Diocese, the Diocesan Education Service will support the Trust/School in any grant application to the Secretary of State and will provide advice and support in the procurement of capital works. For the avoidance of doubt the Diocese cannot be relied on to provide any form of financial guarantees or assume any financial responsibilities in respect of such works.

### **18. Section D: Oversight by the Bishop**

#### **Role and Responsibilities of the Diocesan Education Service**

1. The Bishop has given responsibility to the Diocesan Education Service to provide support and challenge to the Trusts. This is in recognition of the role of the Bishop as the appropriate diocesan authority in overseeing the Catholic schools in the Diocese reflected in canon law and recognised both in the Education Acts and the Church Supplemental Agreement. This role is wider than the role of the Bishop as the principal and founding Member of the Trust and is crucial to the preservation of the religious character of the schools and the fulfilment of the objects of the Trust. The Department for Education may be assisted by an education board established by the Bishop to support the Director for Education in overseeing the Trusts and in developing and sharing of best practice.
2. The Department for Education shall assist the Bishop and the Diocesan Trustee in monitoring the educational and business management performance of all Trusts in the Diocese, advising the Bishop and the Diocesan Trustee of any concerns regarding the performance of any Trust and in particular the effectiveness of the Trust's Board of Directors (the "Trust Board").
3. Specifically the Director of Education has the authority to seek from the Trust Board any information or assurance it believes necessary and appropriate (about the Trust and/or the schools for which the Trust is responsible) to undertake its role whether on a regular or random basis. The Trust Board will provide to the Director of Education regular, high-level reports regarding the educational and financial performance of the schools and any risks likely to affect the schools or the Trust as a whole to enable the Diocese to:
  - a. Measure the performance of the Catholic schools across the Diocese;
  - b. Identify when additional support is needed by a Trust;
  - c. Facilitate the provision of support to a Trust or any of its schools whether from another Trust, another Catholic school in the Diocese or any third-party agencies;
  - d. Identify and share best practice across the Diocese, both in terms of school performance and the efficient and proper running of the Trust itself;
  - e. Ensure that when the Trust is established the Directors of the Trust fully understand their

- responsibilities and together have the full range of skills and experience needed;
- f. Review on a periodic basis the skills and experience of the Trust Directors, advising the Bishop and making recommendations as may be necessary as to the appointment and in some cases replacement of those serving as Directors (both foundation directors and non-foundation directors);
  - g. Develop and deliver a programme of training for those who serve as Directors where it has been identified that this might best be done on a diocesan wide basis rather than within an individual Trust.
4. Where the Director of Education believes educational or business management standards within a Trust are below those that have been identified as consistent with the standards and aspirations identified by the Bishop and the Diocesan Trustee, including as a minimum in circumstances when the Secretary of State for Education has identified serious weakness and an intention to serve a warning notice on the Trust or when a complaint has been received by the Bishop, the Director of Education will make recommendations to the Bishop as to any action that should be taken including:
- a. Whether any matter needs further investigation or follow up;
  - b. Whether any independent review is required;
  - c. Whether the bishop is advised to take direct action in relation to the trust or any school; and
  - d. Whether any approach needs to be made to the secretary of state under the terms of the church supplemental agreement.

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

1. Notwithstanding the high-level oversight role undertaken by the Diocesan Education Service, the relationship between the Diocese and the Trust Board should be based on one of mutual respect and appropriate question and challenge in an open and transparent manner consistent with the Catholic nature of the organisations. It is expected that both organisations will subscribe to the Seven Principles of Public Life identified by the Nolan Committee and detailed in Appendix B of this document
2. Information provided to the Department for Education by the Trust Board will be acknowledged and the Director of Education will share any advice they provide to the Bishop regarding any specific matter involving the Trust with the relevant Trust Board except in so far as the Director considers any such advice should be kept confidential.
3. The Director of Education should be willing and able to provide advice and guidance to the Trust Board outside of any formal reporting regime.
4. It is recognised that good practice would be for representatives of each Trust Board, e.g. the Chair, to meet at least once annually to ensure there is both dialogue and data exchanged between them, and the Diocesan Education Service will facilitate this.
5. Any costs properly incurred by the Bishop in the exercise of his role overseeing the Trust and the schools (whether or not at the request of the Diocesan Education Service and whether recovered on a pooled basis or as an individual contribution) will be met as an expense by the Trust, which will not be unreasonable and wherever possible will be agreed in advance.

### **19. Section E: Commitments made by the Trust Board**

#### **Catholic Character**

1. The Trust Board will make sure both it and the local school governing committees maintain and develop the religious character of the schools as Catholic schools and no alteration shall be made to the religious character or conduct of the school without the consent of the Diocesan Trustee and the Bishop.
2. The Trust Board and the schools for which it is responsible will submit to the canonical inspections and visitations of the Diocese and any person appointed by the Bishop for the purpose of monitoring both the Catholic life of the Trust and its schools and the way they operate, ensuring this is in accordance with canon law and following the practices and teachings of the Catholic Church. The Trust Board and the local governing bodies are expected to observe good governance and promote a high-quality education, particularly in the light of the additional responsibilities and freedoms afforded to academy trusts and the schools within their

control by the State.

### **Governance and Management**

1. The Trust Board must comply with, and must ensure processes are in place to ensure all governors and employees of the Trust comply with, all directives issued by the Bishop including this Memorandum of Understanding, giving effect to the matters addressed within it.
2. The Trust Board will adopt, in so far as they are legally able to, all policies and practices as communicated by the Diocesan Education Service on behalf of the Bishop from time to time. Any exception to this must be agreed in writing with the Diocesan Director of Education.
3. The Trust Board should be open about decisions affecting the schools for which it is responsible and be prepared to justify those decisions except in so far as the Trust Board considers that such matter should be kept confidential. In the unlikely event of a conflict of loyalty, given the fundamental purpose for which the Trust has been established, guidance will be sought by the Bishop from the Archbishop of Westminster as head of the Catholic Church in England and Wales, with the support of the Catholic Education Service.
4. The Trust Board will, along with any local governing bodies, consider on an ongoing basis the need for training and skills development as well as considering succession planning. They shall work with the Diocesan Education Service and consider any advice or opinions of the Diocesan Director of Education with regard to leadership, governance and the standards of teaching and learning in particular. The Trust Board acknowledges the Bishop's right to appoint Foundation Directors to the Trust Board and Foundation Governors to any local governing bodies. In so doing the Bishop will consider any recommendations made by the Diocesan Education Service, particularly where there is a need to secure specific skills on to those bodies.
5. The Trust Board will not implement any proposals that affect the status or size of the Trust or its constituent schools without the written consent of the Bishop.
6. The Trust Board will be expected to adopt the Diocesan model Scheme of Delegation developed and updated from time to time dealing with the governance regime within the Trust. The Trust Board must have the express authority of the Bishop in writing to create a local governing body for any school joining the Trust consistent with the Scheme of Delegation. Any material changes which the Trust Board wish to make to the Scheme of Delegation shall first be discussed with the Diocesan Education Service, whose approval must be obtained where any changes impact materially on the principles of delegation, the nature of the relationship between the Trust Board and the local governing bodies, the composition of the local governing bodies (and the appointment of Foundation Governors by the Bishop) and the key responsibilities delegated to the local governing bodies. The Diocesan Education Service will have regard to any views of any local governing body that is affected by a change.
7. The Trust Board and any local governing bodies shall provide the Diocesan Education Service with copies of all board/committee meetings should they be requested.
8. The Trust Board shall provide the Diocesan Education Service with copies of any returns provided to the Education & Skills Funding Agency (or any other body set up by the Secretary of State to oversee the finances of schools).
9. The Trust Board shall provide the Diocesan Education Service with copies of any Annual Report and the audited Annual Accounts for the Trust.
10. The Trust Board shall ensure that it has systems in place for the proper conduct and oversight of the management of the Trust and the leadership of the schools, having regard in particular to the Trust's legal responsibilities as a public and corporate body which is regulated by the Secretary of State for Education. The Trust is obliged under the Academies Financial Handbook to appoint persons who will fulfil the roles of "Accounting Officer" i.e. the "Chief Executive Officer" and "Chief Financial Officer" (as defined within the Academies Financial Handbook) and the Trust Board will consider carefully who is to fulfil these roles, ensuring that all legal requirements are satisfied and following any advice offered generally or specifically by

the Director of Education, noting that it may be the case that the Chief Financial Officer role is undertaken by a Chief Operating Officer. The Trust Board is also encouraged to appoint an appropriately qualified Company Secretary or Clerk who can advise them on corporate governance and compliance.

### **Financial Management**

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

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

1. In addition to the responsibilities that the Trust has to the Bishop and the Diocesan Trustee in respect of the land and buildings used by the schools outlined in this Memorandum of Understanding, the Trust Board and the local governing bodies will ensure that at all times any land and buildings used or occupied by the Trust (or its schools) is not used for purposes which would not be consistent with the teachings and practices of the Catholic Church and any lettings of land or buildings shall be in accordance with any policy issued from time to time by the Bishop.
2. The Trust Board will develop an estate strategy in conjunction with the local governing bodies and in consultation with the Diocesan Education Service that will identify the suitability of facilities on a school-by-school basis in the light of long term curriculum needs, estate condition and any other demands. This strategy should be appropriately reflected in the Trust business and financial plans and budgets.
3. The Trust Board will comply with and will ensure compliance by its constituent schools with the obligations of the Church Supplemental Agreement and where insurance is not in fact put in place by the Diocesan Trustee, the Trust Board will insure the school sites only with insurers approved by the Diocesan Financial Secretary on behalf of the Bishop, which may include the ESFA's "Risk Protection Arrangements" scheme. The Trust Board will obtain professional advice on the reinstatement value when such insurance is being renewed and will ensure that any insurance is taken out or risk protection cover arranged (in joint names with the Diocesan Trustee or ensuring that full cover is extended to the Diocesan Trustee) in the full reinstatement value and will make up any shortfall from its own funds.

### **Admissions**

1. The Trust Board will not determine any changes to the admissions criteria of any of its schools without the written consent of the Bishop.

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

1. The Trust Board (in conjunction with the local governing bodies) will ensure that the Chief Executive Officer of the Trust, the headteachers and deputy headteachers for all schools, as well as any key teaching staff responsible for co-ordinating religious education and any chaplain or reserved post, shall be practising Catholics. Any departure from this must be approved in writing in advance by the Bishop and is to be reviewed on any future appointments.
2. The Trust Board will make sure that the employment of all staff by the Trust shall be consistent with the policies from time to time notified to Catholic schools by the Bishop or the Catholic Education Service. These

policies will address matters such as; pay and performance management of senior leaders, carrying out a restructure and advising generally on appropriate staffing structures and the recruitment and appointment of staff particularly senior leaders (acknowledging the Diocese's rights to be involved in and to offer advice in connection with the recruitment of the Chief Executive Officer, the Principals and any Deputy Principals). The Trust is required to adopt the CES model contracts and policies and to follow appropriate national and local agreements such as the "Burgundy Book" for teaching staff and the "Green Book" for associate staff. These local agreements will reflect the local arrangements, by local authority, the intention being to preserve and continue to mirror any such arrangements in place when the school became an academy in accordance with any commitment made at the time or subsequently.

3. The Trust will provide opportunities for staff training and formation, both at school level and at and across the Trust.

## **20. Section F: Specific Commitments made by the Schools**

### **Catholic Character**

1. The School will maintain and develop the religious character of the School as a Catholic School and no alteration shall be made to the Religious character of the School or conduct as a Catholic School without the consent of the Corporate Trustee of the Diocese and the Bishop.
2. The School will provide Religious Education in accordance with the teachings of the Catholic Church.
3. Relationships and Sex education is to be in accordance with the social and moral teachings of the Catholic Church from time to time and in consultation with parents of pupils of each School from time to time.
4. The School will provide opportunity for regular Collective Worship in accordance with the rites and tenets of the Catholic Church.
5. The inspection and reporting of Religious Education, Catholic Life and the Collective Worship at each School is to be undertaken by persons appointed by the Diocesan Authority.
6. The School will promote an authentic culture of vocation, encouraging pupils and staff to interpret their existence in the light of God's plan, with pupils developing and staff modelling an understanding of communal obligations, personal aspirations and their role as citizens in society.
7. The School will assist parents, who are the primary educators of their children, in the education and Religious formation of their children.
8. The School will work in relationship with other Catholic schools and local schools based on the call of the Gospel to serve those in need.
9. The School at all times will serve as a witness to the Catholic faith in Our Lord Jesus Christ.
10. The School will provide opportunities for staff training and formation and will ensure that staff well-being is central to what it does.

### **Governance**

1. The School will comply with all directives issued by the Bishop and this Memorandum of Understanding has the status of directive issued by the Bishop. The School acknowledges that its authority to act is derived from the Trust's Scheme of Delegation and the School will comply with its terms.
2. The School will adopt and will comply with all school policies of the Diocese and the Bishop communicated to the School from time to time.
3. All governors of the School undertake to fulfil and observe the objects and purposes for which the School has been established.
4. All governors have a duty to act independently and not as agents of those who may have appointed them and will act with integrity, objectivity and honesty in the best interests of the School and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential.
5. The School will review its policies and practices on a regular basis, having regard to recommendations made

by Diocesan Education Service and the CES, in order to ensure that the governance of the School is best able to adapt to the changing political and legal environment.

6. The School will consider on an ongoing basis the need for training and skills development and formation of governors as well as considering succession planning to ensure robust practices are maintained and supervised, making recommendations to the Bishop with regard to the nomination of foundation governors for their appointment. Only practising Catholics will be appointed as foundation governors.
7. The Diocesan Education Service will organise regular meetings for all chairs of governors to provide a briefing update on current issues and to share best practice.
8. The School will not implement any proposals for a change in status or for the expansion or contraction of the School without the written consent of the Bishop.
9. Unless the Bishop agrees in writing otherwise, governors will appoint the chair and vice chair from amongst the foundation governors.

### **Financial Management**

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

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

1. The governors will ensure that at all times any land used by the School will not be used for purposes which would not be consistent with the teachings and practices of the Catholic Church and that any lettings of School premises shall be in accordance with any policy issued from time to time by the Diocese.
2. The School will financially support the work of the Diocesan Education Service and will comply with any policy adopted from time to time regarding the pooling of capital grants e.g. any "Devolved Formula Capital" or "Standard Capital Allocation" (secured through Condition Improvement Fund).
3. The School will consult with the Diocesan Education Service and share information about any planned significant maintenance and replacement of buildings and facilities used by the School and will not undertake any capital works to the buildings or any part of the School site without first obtaining the written consent of the Diocesan Trustee.

### **Admissions**

1. The School will not change its admissions criteria without the consent of the Diocesan Education Service.

### **Employment of the Principal and Key Teaching Staff**

1. The headteacher or principal of the School as well as the deputy headteacher(s) and the head or co-ordinator of Religious Education and school chaplain shall be practising Catholics who meet the requirements of the Diocesan Briefing Note on Practising Catholic. When a school does not have a post designated as a deputy head teacher, the term "deputy head teacher" in the proposal above shall be held to include the most senior member of staff whose duties include deputising for the head teacher in their absence.
2. The School acknowledges the overarching responsibility of the Trust for staff and Governors will ensure that the School complies with the Trust's policies and practices.

### **Support for other Schools**

1. The School is part of a family of Catholic schools both within the Trust and within the Diocese and the governors acknowledge that this means they have a responsibility which extends beyond the School.
2. The School will work collaboratively with the other Catholic schools in the Diocese sharing resources and

know how as may be appropriate with the following objectives in mind, to support each other to:

- Achieve consistently high standards of learning and teaching;
- Develop cost effective curriculum design and collaboration which optimises opportunities for students and provides added value progress for them;
- Provide support building upon individual specialisms and/or areas of identified strength between the schools to improve key aspects of performance;
- Achieve best value in service delivery especially where partnership working can add value.



## 21. Appendix A - Responsibility, Accountability, Consultation, Information (RACI) Chart

Key	R = The primary body responsible for the completion of the task
	C = The primary body must consult with this body before completing the task
	I = The primary body must inform this body once the task has been complete
	A = The primary body must get formal approval for this task from this individual/organisation before it can be complete

Ref	Task	Catholic Education Trust	Diocesan Director of Education	Diocesan Education Service	Bishop of Lancaster
	<b>Governance and Management</b>				
1	Appointing Foundation Directors under Article 50 (who must be in the majority by at least 2)	C	C	C	R
2	Recruiting and Appointing Directors under Article 50A (i.e. by the MAT Trust Board)	R	A	C	I
3	Recruiting and appointing reserve posts	R		C	
4	Religious Designation	A		C	R
5	Vision and Values	R	C	I	A
6	Strategy, Expansion and Leadership	R		C	
7	Strategic Organisation/ Delegated Responsibilities	R		C	
8	Statutory Policies	R		I	
9	Risk Management Reviews	R	I	I	
10	Recruitment of non-reserve posts	R			

11	Staff Performance Management process	R			
12	Staff Professional Development	R			
13	Compliance with MOU	R	R	C	I
14	ESFA Returns	R			
15	DfE intervention	R	C	C	
16	DfE/ESFA approvals for significant changes (as per Diocesan Guidance)	R	C	I	A
17	Due Diligence of schools joining the MAT	R	C	C	
	<b>Education Achievements</b>				
18	Admissions Policy	R		C	
19	Educational Standards	R	I	I	
	<b>Business Management</b>				
20	Statutory Compliances (including Health and Safety)	R	I		
21	Compliance with Academies Financial Handbook	R	I		
22	Business Administration & Organisation	R			
23	Business Plan and Annual Budget Setting	R	I		
24	Estate Strategy/Capital Works	R	C	C	A
25	Pay and conditions of senior staff	R			
26	Insurance/Risk Protection Cover	R		I	A

## 22. Appendix B - Seven Principles of Public Life

These are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

Diocese of Lancaster template Scheme of Delegation. Draft developed for Catholic schools by the Diocesan Education Service with the support of the Diocesan solicitors, Winckworth Sherwood (contact: Andrea Squires on [asquires@wslaw.co.uk](mailto:asquires@wslaw.co.uk) or 020 7593 5039). Any significant departures from this template should be discussed with the Director of Education.