



Foundation Governor Appointments in the Archdiocese of Liverpool

April 2015

The Role of Governors in a Catholic School

In England and Wales, there are over 2,250 Catholic schools and colleges educating almost a million pupils and employing almost 50,000 staff.

Education has always been central to the mission of the Church but the re-establishment of the hierarchy in 1850, which saw the creation of the network of parishes, dioceses and provinces we recognise today, together with the establishment of local school boards in 1902, gave a particular focus to the place of schools in our Catholic communities.

Effective governing bodies are crucial to maintaining and further enhancing the quality of Catholic education in England and Wales. In almost all cases, the governing body is the employer of staff and is accountable to the local Catholic community and the civil authorities for the overseeing of all activities at the school.

Where a school is maintained by a local authority, the governing body will be composed of parents elected by the parent body, a representative of the local authority, a member of staff elected by the staff of the school and the headteacher. In a Catholic maintained school, these governors are joined by a number (usually seven) of Foundation Governors, who are appointed by the bishop or by the superiors of the religious orders.

The main responsibilities of the governing body are to employ staff; manage the admission of pupils; oversee the curriculum; oversee the budget and, on behalf of the diocesan trustees, manage the land and buildings.

In addition to these operational duties, **all** governors have a duty to uphold the distinctive ethos of the Catholic school. The Instrument of Government, which each governor must have, sets out this ethos succinctly. For schools in Diocesan trusteeship the ethos statement is as follows;

The School was founded by and is part of the Catholic Church. The School is to be conducted as a Catholic School in accordance with Canon Law and the teachings of the Catholic Church and in accordance with the Trust Deed of the Archdiocese of Liverpool and, in particular:

- (a) religious education is to be in accordance with the teachings, doctrines, discipline and general and particular norms of the Catholic Church;*
 - (b) religious worship is to be in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church;*
- and at all times the schools are to serve as a witness to the Catholic faith in Our Lord Jesus Christ.*

The ethos statement for schools in the trusteeship of religious orders is very similar.

Foundation governors have the particular responsibility of representing the Archbishop in his role as teacher and leader of the diocese. They must be practising Catholics fully committed to the Archbishop's vision for education across the diocese.

It is important for each governing body to have a good mix of skills, knowledge and experience in its membership. Professional qualifications are not necessary, but it is important for at least some of the governors to have some experience of leading and managing organisations and have a reasonable understanding of performance management, personnel procedures, financial and property management and quality assurance.

The Expectations of a Foundation Governor

A foundation governor in a Catholic school has the same general responsibilities as every other governor. As a corporate body, governors:

- Set the school's vision, ethos and strategic direction
- Hold the headteacher to account for the educational performance of the school and its pupils and
- Oversee the financial performance of the school, ensuring money is well spent.

In a Catholic school, all governors of whatever category have the responsibility to uphold and develop the distinctive Catholic ethos of the school, particularly in respect of religious education and religious worship. Under charity and education law, it is the responsibility of the governing body to run the school in accordance with the Trust Deed as set out in the Instrument of Government.

All governors must be appointed or elected on the basis of the knowledge, skills and experience they are able to bring to the work of the governing body. 'Skills' include the ability to listen critically to information presented, evaluate it and ask challenging questions. Skills include the ability to take part in discussion, contributing views and listening to the views of others. The role often requires sensitivity and always requires discretion and discernment.

The time commitment will vary. Meetings can be arranged to suit the convenience of the majority but some commitment to daytime meetings should be expected. In addition to at least one full governing body meeting per term, most governing bodies conduct their more detailed business in committees and at least one committee meeting per term should be expected. Schools facing particular challenges may be more demanding of the time of their governors.

Some governors choose to undertake additional volunteering work in the school. Whilst this may help these governors reach a closer appreciation of the day to day work of the school, it should not be confused with the role of governor or considered essential. The governor is **not expected** to undertake any of the operational work of the school staff, particularly observing teaching or examining pupils' work.

Governor visits to the school are, however, normally welcomed. Governors should comply with any protocol or policy for visits there may be, including the arrangements for signing in and out. Governors will not normally have unsupervised access to pupils as a result of their role, but if this is a possibility, the school will ensure that the appropriate checks have been made with the Disclosure and Barring Service (DBS).

Governors may be reimbursed for any out of pocket expenses incurred, such as travel to training events, but may not claim an allowance for attending meetings or for loss of earnings. Under employment law, employers are required to give reasonable time off to allow employees who are school governors to discharge their duties. It should be noted, however, that this leave of absence might be without pay. This is at the employer's own discretion and needs to be agreed between the employer and employee. What constitutes 'reasonable time off' is not defined in law.

Requirement for skills based governing bodies

Governing bodies are required to ensure that they are no bigger than they need to be to have all the skills necessary to carry out their functions. Those responsible for appointing governors must be satisfied that the particular nominee has the skills required to contribute to the effective governance and success of the school.

In relation to foundation governors in this Archdiocese, it is the responsibility of the Episcopal Vicar for Schools and Colleges, to determine whether a potential foundation governor or an existing foundation governor has the necessary skills and commitment to Catholic education and this judgment will be assisted by the references provided during the nomination process.

References and Eligibility Criteria

In order to be considered for appointment as a foundation governor in a Catholic school, applicants must be practising Catholics. Therefore, one referee must be the parish priest or priest of the church where the applicant normally worships who can verify the applicant's Catholic practice.

Catholic practice means regular attendance at Sunday Mass. Regular means more often than not.

Applications will not normally be approved from those who will be over the age of 75 at the date of their appointment. Serving foundation governors will not normally be reappointed beyond the age of 75.

There are certain legal criteria which must be met before applications can be accepted.

Criteria relating to working with children

Applicants must **not** be:

- disqualified or restricted from working with children or young people;
- a registered pupil in a Catholic school in this Archdiocese;
- included in the list of people considered by the Secretary of State as unsuitable to work with children;
- subject to a direction under Section 142 of the Education Act 2002;
- disqualified from registration for child-minding or providing day care;
- disqualified from registration under Part 3 of the Childcare Act 2006;
- subject to a disqualification order under the Criminal Justice and Court Services Act 2000.

Criteria relating to bankruptcy and insolvency

Applicants must **not** have had:

- their estate sequestrated if the sequestration order has not been discharged, annulled or reduced.

Applicants must **not** be subject to:

- a bankruptcy restriction order, an interim bankruptcy restriction order, a debt relief order or an interim debt relief order;
- a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986;
- a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002;
- an order made under section 492(2)(b) of the Insolvency Act 1986.

Criteria relating to prison sentences

Applicants must **not** have:

- received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) in the five years before becoming a governor or since becoming a governor;
- received a prison sentence of two and a half years or more in the 20 years before becoming a governor;
- at any time, received a prison sentence of five years or more.

Criteria relating to general restrictions

Applicants must **not**:

- have been removed from the office of charity trustee or trustee for a charity from participating in the management or control of any body by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005;

- have been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor.

Applicants **must** be:

- over 18 years old;
- willing to allow an application to the Disclosure and Barring Service (DBS) (formerly known as the Criminal Records Bureau – CRB) for a criminal records certificate. If necessary, this will be undertaken by the school.

Procedure: from Application to Appointment

Historically, foundation governor appointments in primary schools have been made following nomination of the parish priest and in secondary schools by nomination of the chair of the governing body in consultation with the dean/parish priest.

This will continue in future but recruitment will not be restricted only to those so nominated. The opportunity to serve as a foundation governor will be more widely advertised and all potential governors, whether approached individually and invited to put themselves forward, or self motivated to apply, will be required to complete an application form. The application will include the requirement to name two referees, one to verify that the applicant has the necessary skills together with the parish priest, or the priest where the applicant normally worships who will verify Catholic practice.

Where an application satisfies the criteria, the Episcopal Vicar for Schools and Colleges will take up references and decide on the applicant's suitability.

The Archdiocese will maintain a pool of applicants who satisfy the criteria for appointment from which appointments may be made as vacancies arise.

Application forms are obtainable from schools, parishes or the Archdiocese website.

Applicants are invited to express a preference as to the school(s) at which they would like to be considered. Suitable applicants may however be asked to serve elsewhere if their skills can be used more beneficially in another setting.

It is important to understand that the appointment of foundation governors is at the absolute discretion of the Episcopal Vicar. Because of the nature of the decision-making process, the Episcopal Vicar is unable to engage in any discussion or correspondence with the applicant or any other person(s) including Parish Priests and schools, where the application does not result in appointment.

Term of Office

The term of office for a foundation governor is four years unless specified differently in the school's Instrument of Government. There shall be no presumption that a foundation governor, once appointed, will be re-appointed at the end of the term.

Professional/Academic Qualifications

Please enter the details of any professional and/or academic qualifications which may be relevant to this appointment.

Part 2 – Diocesan Criteria

Are you a practising Catholic?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you meet the Archdiocesan criteria for appointment?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you meet the general eligibility criteria?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you have answered “no” to any of the questions above, please explain why you should be considered for appointment. (Applications may be considered in exceptional circumstances).

Part 3 – Commitment to Catholic Life

Please provide information on your skills and experiences which you consider may be of benefit to the governing body of a Catholic school.

Please list the particular schools or geographical area within which you would be prepared to consider appointment.

Please list any particular phase or aspect of education which interests you.

Part 4 – Declaration

I (enter your full name)

*am a practising Catholic;

*am a Catholic priest/deacon in the Archdiocese of Liverpool

(*delete as applicable)

I wish to offer to serve the Archdiocese of Liverpool as a foundation governor. I have read and understood the criteria for appointment and, to the best of my knowledge am eligible for appointment.

In offering to serve as a foundation governor in the Archdiocese of Liverpool, I undertake that I will serve the Archbishop faithfully. If appointed, I declare that I will be able and willing to give appropriate priority to my duties as a governor and will undertake to discharge those duties with due care and diligence.

I will undertake:

- To preserve and develop the Catholic character of the school or college to which I am appointed;
- To ensure that the school is conducted in accordance with its trust deed, which includes the provisions of:
 - Canon law;
 - The Curriculum Directory and Bishops' statements on religious education; and
 - Any Archdiocesan directives relating to schools/colleges;
- To conduct the school in accordance with its Instrument of Government or Articles of Association and in particular its ethos statement;
- To become familiar with, to support and implement the policies and procedures of the Archdiocese including the Archbishop's policies on education, including religious education, and the directives issued by the Bishops collectively, specifically the Bishops' Memorandum on the Appointment of Teachers in Catholic Schools and to represent those policies and directives to the governing body;
- To consider not only the interests of the individual school, but the interests of other Catholic schools and colleges and of Catholic education throughout the diocese;
- To respond to the needs of the Catholic community as a whole as represented by the Archbishop;
- To attend an induction training course before or within six months of taking up appointment;
- To participate in relevant training as may be required from time to time; and
- In all actions, to serve as a witness to the Catholic faith.

I declare that I am not disqualified by law from appointment as a governor. I confirm that I agree to a DBS check being made on me or any subsequent checks that may be required by law or good practice. I understand that any refusal to do so will result in the termination of any appointment. I consent to the information given on this form and other information collected with it being held and processed by the Archdiocese of Liverpool including the sharing of data with third parties where required, in accordance with Archdiocesan policy .

I undertake that I shall tender my resignation as a foundation governor if my circumstances change so as to contravene the expectations of the Archbishop at any time during the tenure of office or if, in the opinion of the Episcopal Vicar my resignation would be in the best interests of Catholic education.

I understand and accept that the appointment and removal of foundation governors is at the absolute discretion of the Episcopal Vicar and that, because of the nature of the decision-making process, he will not normally be able to engage in any discussion or correspondence with me and/or any third party where my nomination does not result in my appointment.

Signed.....

Dated.....

Part 5 – Referees

Please note that the referees you provide should not be related to you.

Please provide details of the Parish Priest or priest of the church where you normally worship who can verify your Catholic practice:

Name: _____

Address: _____

Telephone: _____

Email: _____

Please provide details of a referee who can verify your skills, knowledge and experience:

Name: _____

Address: _____

Telephone: _____

Email: _____

This application is approved.

This application is not approved.

Rev M O’Dowd
Episcopal Vicar for Schools and Colleges

Date



ARCHDIOCESE OF LIVERPOOL

RELIGIOUS REFERENCE REQUEST: APPOINTMENT AS A FOUNDATION GOVERNOR

Dear Rev Father

[Name of Applicant]

The above named has applied to serve as a foundation governor in a Catholic school in the Archdiocese of Liverpool.

As you know, it is a requirement of the Archbishop that foundation governors should be practising Catholics.

Your name has been given as a referee who will testify that the applicant is a practising Catholic. I would therefore be grateful if you would complete the following pro forma and return it to:

Fran Coldicutt
LACE
Croxteth Drive
Sefton Park
Liverpool L17 1AA

Yours sincerely

Fr Michael O'Dowd
Episcopal Vicar for Schools and Colleges

APPLICATION TO SERVE AS A FOUNDATION GOVERNOR IN A CATHOLIC SCHOOL IN THE ARCHDIOCESE OF LIVERPOOL

[NAME OF APPLICANT]

This applicant is known to me and is a practising Catholic

This applicant is known to me but I cannot confirm his/her Catholic practice

This applicant is not known to me

SIGNED

Please print your name clearly

Name of parish or parish stamp



ARCHDIOCESE OF LIVERPOOL

RELIGIOUS REFERENCE REQUEST: APPOINTMENT AS A FOUNDATION GOVERNOR

GUIDANCE FOR PARISH PRIESTS

Purpose of this Guidance

This guidance is to assist Parish Priests in understanding their vital role in the process of the potential foundation governors nominating themselves.

In this guidance, references to schools include references to academies and sixth-form colleges (unless stated otherwise).

Requirement for skills based governing bodies

Governing bodies¹ are required to ensure that they are no bigger than they need to be to have all the skills necessary to carry out their functions. Those that appoint governors must be satisfied that the particular governor has the skills required to contribute to the effective governance and success of the school.

In relation to foundation governors it is the responsibility of the Episcopal Vicar for Schools and Colleges to determine whether a potential foundation governor (or indeed an existing foundation governor) has the necessary skills and commitment to Catholic education, and this judgment will be assisted by the reference that you provide during the nomination process.

Nomination and Appointment of Foundation Governors

You must ensure that you are aware of the Nomination Form being used by the Archdiocese as well as where it can be accessed e.g. on the website/hardcopy from LACE, from schools or from the parish. This is so that you are able to encourage suitable persons to nominate themselves and advise where they can access the applicable documents.

¹ The term “governing body” in this guidance includes the Board of Directors and/or local governing body of an academy trust.

Once an individual has submitted his or her application to serve as a foundation governor, it will be considered in two stages:

1. First, the Episcopal Vicar determines whether the nominee will make a suitable foundation governor. At this stage the nominee's references and any additional Archdiocesan criteria will be taken into account; and
2. Second, if the nominee is considered suitable, he or she will be added to a pool from which appointments will be made when vacancies arise and by matching the knowledge, skills and experience of the nominee to the needs of the school where the vacancy has arisen.

Nomination of Foundation Governors - the Parish Priest's Role

You are encouraged not only to consider persons who are known to you who may, in your opinion, make good foundation governors, but also to encourage a wider positive perception of governorship in Catholic schools in the Archdiocese generally. The CES has produced resources to assist you, particularly in respect of Education Sunday, which is a good time to draw attention to the good work carried out by Catholic schools and the need for committed governors from the Catholic community.

A person wishing to be considered for appointment as a foundation governor will be required, as part of the nomination process, to provide the name of a Priest who can verify their Catholic practice.

If you are nominated as a referee you will be contacted by your diocese for a reference. You do not need to provide a reference at the nomination stage.

If you *are* contacted to provide a reference your role as referee is to verify that the nominee is a practising Catholic, who gives clear witness to the Gospel message and the Church's teaching.

Where you provide a reference verifying the nominee's Catholic practice (or not, as the case may be), you should be prepared to provide any further information or assurances to support your original reference as required by the Archbishop, whether by way of written or oral representations.

Appointment of Foundation Governors – the Episcopal Vicar's role

In making his decision *where* to appoint a suitable foundation governor, the Episcopal Vicar will carry out an exercise to match the skills, knowledge and experience of the foundation governor with the skills needed on a particular governing body. As part of this process, the Episcopal Vicar will liaise with the Head Teacher or Principal and Chair of Governors of a school with a vacancy *and* a potential skills match. It is likely that the local Parish Priest(s) (or Dean) relating to the particular school(s) concerned will also be involved in these discussions to assist in determining whether the nominee is a suitable match. In this context, the Parish Priest is *not*

being asked to verify the nominee's Catholicity; a reference verifying the nominee's Catholic practice will have been provided by the Parish Priest in which the nominee regularly worships. Clearly, if the Parish Priest of the school is the Priest of the parish in which the nominee worships, he will be required to verify Catholic practice *and* assist in determining the skills match between the nominee and the particular governing body.

You should note that no appointment has any effect until the point where the Episcopal Vicar has formally notified the nominee that the appointment has been made and the nominee has accepted the appointment. Before that point no actions should be taken which give the impression that an appointment has been, or will be, made.

It is important to understand that the appointment of foundation governors is at the absolute discretion of the Episcopal Vicar. Because of the nature of the decision-making process, the Episcopal Vicar will not normally be able to engage in any discussion or correspondence with you, or any other person(s) including the nominee and schools, where a nomination has not resulted in an appointment.