

# The Bishop Wheeler Catholic Academy Trust

## Scheme of Delegation



DIOCESE OF LEEDS 2021-2022 SCHEME OF DELEGATION  
BETWEEN

THE BISHOP WHEELER CATHOLIC ACADEMY TRUST  
AND

St Mary's Horsforth Catholic Voluntary Academy

Approved: October 2021

To be reviewed: September 2022



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DIOCESE OF LEEDS

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AND

St Mary's Horsforth Catholic Voluntary Academy

EFFECTIVE DATE: October 2021



## 1. DEFINITIONS

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

- i. 'Academy' means (the) academy named at the beginning of this Scheme of Delegation and includes all sites upon which the academy undertaking is, from time to time, being carried out;
- ii. 'Articles of Association' means the articles of association of the Multi-Academy Trust Company (to be based on the February 2015 agreed model articles of association available on the Department for Education website);
- iii. 'Bishop' means the Bishop of the Roman Catholic Diocese of Leeds in which the Academy Trust Company is situated (as defined in Canon law) and includes any person exercising Ordinary jurisdiction in his name (including Vicars General and Episcopal Vicars) and any person delegated by him, including officers of the Diocese;
- iv. 'Board of Directors' means the board of Directors of the Multi-Academy Trust Company;
- v. 'Canon law' means the canon law of the Catholic Church from time to time in force and if any question arises as to the interpretation of Canon law, this shall be determined exclusively by the Bishop;
- vi. 'Chair' means the chair of the Board of Directors or the chair to the Academy Council of the Academy appointed from time to time, as appropriate;
- vii. 'Clerk' means the clerk to the Board of Directors and/or the clerk to the Academy Council of the Academy appointed from time to time, as appropriate, and includes a joint, assistant or deputy clerk;
- viii. 'Delegated Functions' means the functions delegated by the Multi-Academy Trust Company in accordance with the table at Appendix I;
- ix. 'Diocese' or 'Diocesan' means the education service provided by the diocese, which may also be known, or referred to, as the Diocesan Education Service or Diocesan Schools Commission;
- x. 'Diocesan Trustee' means a trustee of the Diocese appointed by the Bishop to safeguard the interests of the Catholic community as a whole in the Diocese and to serve its needs;
- xi. 'Directors' means directors appointed to the Board of the Multi-Academy Trust Company;



- xii. 'Foundation Directors and Foundation Governors' means the directors or governors from time to time appointed by the Bishop to represent his diocesan policy on the Board of the Academy Trust Company or the Academy Council of the Academy, as appropriate; xiii. 'Governors' means the governors appointed and elected to the Academy Council of the Academy, from time to time
- xiv. 'Academy Council' means any committee established by the Directors pursuant to Article 100 of the Articles of Association to carry out specified functions in relation to the Academy as delegated by the Directors; xv. 'Member' means a member of the Multi-Academy Trust Company appointed pursuant to Article 12 of the Articles of Association;
- xvi. 'Multi-Academy Trust Company' means the company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Academy;
- xvii. 'Headteacher' means the headteacher or executive headteacher as the case may be and is the person named as the headteacher of the school for Ofsted purposes;
- xviii. 'Chief Executive Officer' means any Chief Executive Officer, substantive or interim, who may be appointed by the directors in accordance with Diocesan protocols, to be responsible for operations and finances, for the performance management of other senior leaders as required by the Directors, for advising the Board on strategy and policy, and for delivering the Board's vision and ethos.
- xix. 'Protocol' means the document that outlines the committed working relationship between the Diocese and the Multi-Academy Trust Company;
- xx. 'Reserved Matters' means the matters that the Directors have determined will not be delegated and will be dealt with exclusively by them; xxi. Vice-Chair' means the vice-chair of the Board of Directors or the vice-chair of the Academy Council of the Academy elected from time to time, as appropriate.
- xxii. 'Parent' means any parent and/or guardian of a pupil on-roll of the academy at any given time

## 2. GOVERNANCE OF THE MULTI-ACADEMY TRUST COMPANY

2.1 This Scheme of Delegation has been adopted by the Directors from the Effective Date in accordance with the provisions of the Multi-Academy Trust Company's Articles and it should be read in conjunction with the Articles of Association. References in this Scheme of Delegation to numbered Articles are to the relevant clause of the Multi-Academy Trust Company's Articles of Association.

2.2 As a charity and company limited by guarantee the Multi-Academy Trust Company is governed by the Board of Directors who are responsible for, and oversee, the management and administration of the Multi-Academy Trust Company and the academies run by the Multi-Academy Trust Company, including the Academy. The Directors have overall responsibility and ultimate decision-making authority for all the work of the MultiAcademy Trust Company. These responsibilities are largely carried out through strategic planning and the setting of policy.

2.3 As the Academy is a Catholic school, designated as such, the Directors are accountable to the Bishop to ensure that the Academy is conducted as a Catholic school in accordance with Canon law and the teachings of the Roman Catholic Church so that, at all times, the Academy may serve as a witness to the Catholic faith in Our Lord Jesus Christ. The Directors are also accountable to external government agencies including the Charity Commission, the Department for Education and the Education & Skills Funding Agency (including any of their successor bodies). Both the Bishop and external government agencies hold the Multi-Academy Trust Company to account for the quality of the education, the financial propriety and the value they provide, and they require that the Multi-Academy Trust Company has systems in place through which they can assure themselves of such quality, safety and good practice.

2.4 In discharging their duties, the Academy Council will comply with any relevant policies, protocols and procedures adopted by the Multi-Academy Trust Company which, in turn, reflect national and Diocesan directions and guidance, where required.

2.5 Foundation Directors and Foundation Governors are appointed by the Bishop, and the Foundation Director/Foundation Governor's obligations



must be carried out in accordance with any Diocesan policy or protocol, the requirements outlined in the Multi-Academy Trust Company's Articles of Association, this Scheme of Delegation, the Protocol between the Diocese, the Multi-Academy Trust Company and the Academy and any other associated policies and protocols.

2.6 This Scheme of Delegation, particularly the table at Appendix 3, explains the ways in which the Directors fulfil their responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Directors and the Governors and their commitments to each other to ensure the success of the Academy and the Multi-Academy Trust Company. This Scheme of Delegation serves as the terms of reference for the delegation of powers and responsibilities by the Directors to the Academy Council.

### 3. **ETHOS AND MISSION STATEMENT**

The Trust's mission is to work together as a true family of schools to offer the best possible high quality Catholic education, enabling the spiritual, moral, intellectual and personal development and well-being of all our pupils and to help sustain high quality Catholic education for families within our area.

3.1 The Academy's mission is as follows: Working together as a true family of schools to offer the best possible high quality Catholic education, enabling the spiritual, moral, intellectual and personal development and well-being of all our pupils, to help sustain high quality Catholic education for families within our area.

3.2 The academy is an integral part of the Trust family of schools. The academy will develop and maintain strong relationships with the other academies within the Trust. The academy will seek to uphold the principle of solidarity and support the other member academies and the wider Trust to the full extent necessary to fulfil the Trust's mission.

3.3 In upholding its mission the academy will seek to ensure that it develops and maintains relationships with other Diocesan schools, other local schools, Parishes, agencies and businesses in the local community as well as the wider Diocese.

3.4 The general principles of division of responsibilities and authority underpinning the Trust's scheme of delegation are as follows:



Diocese/Director of Education/Vicariate	Takes overall responsibility and exercises overall authority for Catholic education and Catholic schools in the Diocese, on behalf of the Bishop.
Trust Board of Directors	Responsible to the Members and DFE/ESFA for all aspects of the Trust's performance, including legal compliance, and for strategic leadership of the Trust in line with Bishop's vision and Diocesan education strategy.
Trust Committees	Responsible to the Trust Board for the matters delegated to them in their terms of reference.
CEO and central Trust team	Responsible to the Trust Board for the operational implementation of the Trust's strategic direction and the operational performance of the Trust, and for advising the Trust Board on strategic matters.
Academy Councils	Responsible to the Trust Board for advising the Board, their academy's Headteacher and the CEO/central team, providing local (parish, parents, staff, community) input to the strategic direction and operational plans for the academy, and scrutinising the academy's performance from that local perspective.
Headteachers	Responsible to the CEO [through Executive Headteachers] for the operational performance of their academies, for implementation of their Academy Improvement Plan, and for advising the Trust Board, CEO and Academy Councils on strategic matters relating to their academy.

#### 4. MEMBERS' POWERS AND RESPONSIBILITIES

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

4.2 The members shall be:

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

4.3 The members shall meet no less than once per year and shall be quorate when 2 are present. The Members are responsible for:

- (i) Appointing the Members and the Trust Directors



- (ii) Dismissing any Member or Director
- (iii) Instructing the Board by special resolution to take specific action
- (iv) Defining the Object, purpose and ethos of the Trust
- (v) Amending the Articles, if necessary in agreement with the DfE
- (vi) Appointing the external auditors

## 5. DIRECTORS' POWERS AND RESPONSIBILITIES

- 5.1 The Directors have a duty to act in fulfilment of the Multi-Academy Trust Company's objects which are set out in the Articles of Association. The Directors also have a duty to the Bishop to uphold the objects of the Multi-Academy Trust Company and to comply with any directives, advice or guidance issued by the Bishop.
- 5.2 Directors will have regard to the interests of the other academies for which the Multi-Academy Trust Company is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.
- 5.3 Article 100 provides for the appointment by the Directors of committees, which may be known as Academy Council, to whom the Directors may delegate certain of their functions. The general power to delegate functions under Article 100 is limited in accordance with Articles 105A, 105AA and 105B.
- 5.4 The constitution, membership and proceedings of the Academy Council is determined by the Directors and this Scheme of Delegation sets this out as well as acknowledging any such authority delegated by the Directors to the Academy Council in order to enable the Academy Council to fulfil its mission.
- 5.5 Subject to the provisions of the Companies Act 2006, the Articles of Association and to any directions given by the Members of the Multi-Academy Trust Company following a special resolution, or any directives issued by the Bishop or the Diocese, and in accordance with the policies and protocols agreed by the Directors, the way that the business of the Academy is carried forward at a local level shall be delegated by the Directors to the Academy Council in accordance with this Scheme of Delegation, more particularly the table at Appendix 3.





## 6. CONSTITUTION OF THE MULTI-ACADEMY TRUST COMPANY

- 6.1 The initial members of the Multi-Academy Trust Company are those named in the Memorandum of Association.
- 6.2 The requirements relating to the constitution of the board of the Directors of the Multi-Academy Trust Company are set out in the Articles of Association.
- 6.3 The requirements relating to the carrying out of the business of the Directors is set out in the Articles of Association.

### CONSTITUTION OF THE ACADEMY COUNCIL

#### 6.2 Membership

- 6.2.1 The members of the Academy Council shall be known as Governors.
- 6.2.2 The number of people who shall sit on the Academy Council shall be not less than three subject always to paragraph 7.1.1.
- 6.2.3 The constitution of the Academy Council will be in accordance with Appendix 2. A different constitution may be adopted at any time by the Directors with prior written approval of the Diocese.
- 6.2.4 The Foundation Governors on the Academy Council will be those appointed by the Bishop.
- 6.2.5 The Directors (all or any of them) shall also be entitled to serve on the Academy Council and attend any meetings of the Academy Council. Any Director attending a meeting of the Academy Council shall count towards the quorum for the purposes of that meeting and shall be entitled to vote on any resolution being considered by the Academy Council.
- 6.2.6 All persons appointed or elected to the Academy Council shall give a written undertaking to the Directors, the Bishop and the Diocesan Trustees to uphold the objects of the Multi-Academy Trust Company. The Clerk shall be responsible for ensuring that this has been completed and that a copy has been sent to the Diocesan Education Service.



## 7. APPOINTMENT OF MEMBERS OF THE ACADEMY COUNCIL

### 7.1.1 Foundation Governors

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

### 7.2.2 Staff Governors

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

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

7.2.2.3 Unless the Directors agree otherwise, in appointing persons to serve on the Academy Council, the Academy Council shall invite nominations from all staff who are employed by the Multi-Academy Trust Company and who work at the Academy (excluding the Headteacher ) and, where there are any contested posts, shall hold an election by a secret ballot. All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Directors.

### 7.2.3 Parent Governors

7.2.3.1 Subject to clause 7.2.3.5, the parent members of the Academy Council shall be appointed after election by parents of registered pupils at the Academy and he or she must be a parent of a pupil at the Academy at the time when he or she is elected.

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

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

- 7.2.3.4 Where a vacancy for a parent member of the Academy Council is required to be filled by election, the Academy Council shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he/she is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so. In the instance of a tie break situation, the Headteacher will flip a coin in the presence of both candidates to conclude which parent is elected.
- 7.2.3.5 The number of parent members of the Academy Council required shall be made up by persons appointed by the Academy Council if the number of parents standing for election is less than the number of vacancies.
- 7.2.3.6 In appointing a person to be a parent member of the Academy Council pursuant to clause 7.2.3.5, the Academy Council shall appoint a person who is the parent of a registered pupil at the Academy, or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.
- 7.2.3.7 The first parent and staff members of the Academy Council may be those people who filled those positions on the governing body of the predecessor school at its closure provided that they have the requisite skills as determined by the Directors. Parent and staff governors who do have the requisite skills shall serve on the Academy Council for the remainder of the terms of office for which they were elected or appointed to the predecessor governing body provided that the minimum membership of the Academy Council does not decrease following closure.

### 7.3 Term of office

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

### 7.4 Resignation and removal

- 7.4.1 Except in the case of a Foundation Governor, a person serving on the Academy Council shall cease to hold office if he/she resigns his/her office by notice to the relevant Academy Council (but only if at least three persons will remain in office when the notice of resignation is to take effect). The Academy Council must give a copy of the notice to the Directors. A Foundation Governor must resign his/her office by notice to the Bishop who appointed him/her and provide a copy of the notice to the Academy Council who shall, in turn, provide that copy to the Directors.
- 7.4.2 A person serving on the Academy Council shall cease to hold office if he/she is removed by the person or persons who appointed him/her. Whilst at the same time as acknowledging that no reasons need to be given for the removal of a person who serves on the Academy Council by a person or persons who appointed him/her, any failure to uphold the values of the Multi-Academy Trust Company and/or the Academy, or to preserve and develop the Catholic character, or to act in a way which is in breach of this Scheme of Delegation or the undertaking given pursuant to paragraph 6.2.6 will be taken into account.



A person (except a Foundation Governor) may also be removed by the Directors but only after the Directors have given due regard to any representations by the relevant Academy Council.

7.4.3 If any person who serves on the Academy Council in his/her capacity as an employee at the Academy ceases to work at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Academy Council automatically on termination of his/her work at the Academy.

7.4.4 If any person who serves on the Academy Council in his/her capacity as a parent ceases to be a parent of a child on roll at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Academy Council automatically at the end of that school term.

7.4.5 Where a person who serves on the Academy Council is removed from office, those removing him/her, shall give written notice thereof to the Academy Council, who shall, in turn, notify the Directors.

## 7.5 Disqualification of members of the Academy Council

7.5.1 A person who is a Director of the Multi Academy Trust shall not be a governor on the Academy Council, unless previously approved to do so by the Trust Board and Diocesan Director of Education, notwithstanding Directors' rights to attend as described above (6.2.5) .

7.5.2 No person shall be qualified to serve on the Academy Council unless he/she is aged 18 or over at the date of his/her election or appointment. No current pupil of the Academy shall be entitled to serve on the Academy Council.

7.5.3 A person serving on the Academy Council shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs.

7.5.4 A person serving on the Academy Council shall cease to hold office if he/she is absent without the permission of the Chair of the Academy Council from all the meetings of the Academy Council held within a period of six months and the Academy Council resolves that his/her office be vacated.

7.5.5 A person shall be disqualified from serving on the Academy Council if:

7.5.5.1 His/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or

7.5.5.2 He/she is the subject of a bankruptcy restrictions order or an interim order.

7.5.6 A person shall be disqualified from serving on the Academy Council at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).



- 7.5.7 A person serving on the Academy Council shall cease to hold office if he/she would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 7.5.8 A person shall be disqualified from serving on the Academy Council if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he/she was privy, or which he/she by his conduct contributed to or facilitated.
- 7.5.9 A person shall be disqualified from serving on the Academy Council at any time when he/she is:
- 7.5.9.1 subject to a direction of the Secretary of State under s.142 of the Education Act 2002 or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction; or
  - 7.5.9.2 included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or
  - 7.5.9.3 disqualified from working with children in accordance with Sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000; or
  - 7.5.9.4 barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006); or
  - 7.5.9.5 disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 or child minding or providing day care; or
  - 7.5.9.6 disqualified from registration under Part 3 of the Childcare Act 2006; or
  - 7.5.9.7 disqualified under the Childcare (Disqualification) Regulations 2009.
- 7.5.10 A person may be disqualified from serving on the Academy Council if they have ever been:
- 7.5.10.1 convicted of an offence involving violence, dishonesty or deception, or any sexual offence which is not a protected offence; or
  - 7.5.10.2 convicted of causing a nuisance or disturbance on school and/or educational premises; or
  - 7.5.10.3 sentenced to imprisonment (whether suspended or not), in the UK or elsewhere, for a period of not less than three months.
- 7.5.11 A person shall be disqualified from serving on the Academy Council where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 7.5.12 A person shall be disqualified from serving on the Academy Council if he/she has not provided to the Chair of the Board of Directors the proper criminal records certification as required by law and outlined by the Diocese and the Catholic Education Service. In the event that any such certification or checks

disclose any information which would, in the opinion of either the Chair of the Board of Directors or the CEO, confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

7.5.13 Where, by virtue of this Scheme of Delegation, a person becomes disqualified from serving on the Academy Council and he/she was, or was proposed, to so serve, he/she shall upon becoming so disqualified give written notice of that fact to the Academy Council who shall inform the Directors and the Bishop.

7.5.14 This clause 7.5 shall also apply to any member of any committee of the Academy Council who is not a member of the Academy Council.

## 7.6 Responsibilities of the Academy Council

7.6.1 The responsibilities of the Academy Council are outlined in this Scheme of Delegation, more particularly in the table at Appendix 3.

7.6.2 The Academy Council will adopt and comply with all policies, protocols and procedures of the Multi-Academy Trust Company and the Bishop as communicated to the Academy Council from time to time.

## 7.7 BUSINESS/PROCEEDINGS OF THE ACADEMY COUNCIL

### Meetings of the Academy Council

7.7.1 Subject to this Scheme of Delegation, the Academy Council may regulate its proceedings as its members see fit.

7.7.2 The Academy Council shall meet at least once per term and at least 6 times per year. Meetings of the Academy Council shall be convened by the Clerk to the Academy Council. In exercising his/her functions under this Scheme of Delegation, the Clerk shall comply with any direction:

7.7.2.1 given by the Directors or the Academy Council; or

7.7.2.2 given by the Chair of the Academy Council or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair of the Academy Council, so far as such direction is not inconsistent with any direction given as mentioned in 7.7.2.1 above.

7.7.3 Any three members of the Academy Council may, by notice in writing given to the Clerk, requisition a meeting of the Academy Council and it shall be the duty of the Clerk to convene such a meeting as soon as is reasonably practicable. The clerk shall inform the Directors of such a meeting as soon as reasonably practical.

7.7.4 The Clerk shall provide to each member of the Academy Council at least seven clear days before the date of a meeting:

7.7.4.1 notice in writing thereof and send to each member of the Academy Council at the address provided by each member from time to time;

7.7.4.2 all reports or other papers to be considered at the meeting; and

7.7.4.3 a copy of the agenda for the meeting;

7.7.4.4 a copy of the notice and agenda shall be sent to the Link Director.

provided that where the Chair or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair, so determines on the grounds that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof, are given within such shorter period as he/she directs.

7.7.5 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.

7.7.6 A resolution to rescind or vary a resolution carried at a previous meeting of the Academy Council shall not be proposed at a meeting of the Academy Council unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.

7.7.7 A meeting of the Academy Council shall be terminated forthwith if:

7.7.7.1 the members of the Academy Council so resolve; or

7.7.7.2 the number of members present ceases to constitute a quorum for a meeting of the Academy Council in accordance with paragraph 7.7.10, subject to paragraph 7.7.12.

7.7.8 Where in accordance with paragraph 7.7.7 a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the Clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.

7.7.9 Where the Academy Council resolves in accordance with paragraph 7.7.7 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Academy Council shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and they shall direct the Clerk to convene a meeting accordingly.

7.7.10 Subject to paragraph 7.7.12, the quorum for a meeting of the Academy Council, and any vote on any matter thereat, shall be any three of the members of the Academy Council, or, where greater, any one third (rounded up to a whole number) of the total number of persons holding office on the Academy Council at the date of the meeting.

7.7.11 The Academy Council may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.

7.7.12 The quorum for the purposes of:

7.7.12.1 appointing a parent member;

7.7.12.2 any vote on the removal of a person in accordance with this Scheme of Delegation;

7.7.12.3 any vote on the removal of the Chair of the Academy Council;

shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on those respective matters.

7.7.13 Subject to this Scheme of Delegation, every question to be decided at a meeting of the Academy Council shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every member of the Academy Council shall have one vote.

7.7.14 Subject to paragraphs 7.7.10 – 7.7.12, where there is an equal division of votes, the Chair of the meeting shall have a casting vote in addition to any other vote he/she may have.

7.7.15 The proceedings of the Academy Council shall not be invalidated by

7.7.15.1 any vacancy on the board; or

7.7.15.2 any defect in the election, appointment or nomination of any person serving on the Academy Council.

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

7.7.17 Subject to paragraph 7.7.18, the Academy Council shall ensure that a copy of:

7.7.17.1 the draft minutes of every such meeting, if they have been approved by the person acting as Chair of that meeting;

7.7.17.2 the signed minutes of every such meeting; and

7.7.17.3 any report, document or other paper considered at any such meeting, are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.



7.7.18 There may be excluded from any item required to be made available in pursuance of paragraph 7.7.17, any material relating to:

- 7.7.18.1 a named teacher or other person employed, or proposed to be employed, at the Academy, or any reference that would identify such a person;
- 7.7.18.2 a named pupil at, or candidate for admission to, the Academy, or any reference that would identify such a pupil; and
- 7.7.18.3 any matter which, by reason of its nature, the Academy Council is satisfied should remain confidential.

7.7.19 Any member of the Academy Council shall be able to participate in meetings of the Academy Council by telephone or video conference provided that:

- 7.7.19.1 He/she has given notice of his/her intention to do so detailing the telephone number on which he/she can be reached and/or appropriate details of the video conference suite from which he/she shall be taking part at the time of the meeting at least 48 hours before the meeting; and
- 7.7.19.2 the Academy Council has access to the appropriate equipment; and
- 7.7.19.3 he/she assures the Academy Council that the telephone connection and the surrounding environment from which the call is to be made is secure and will comply with the requirement to maintain confidentiality of the business of the Academy Council at all times; and
- 7.7.19.4 he/she is able to hear all participants and fully take part in the discussions.

7.7.20 If, after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference pursuant to 7.7.19, the meeting may still proceed with its business provided it is otherwise quorate.

7.7.21 In the event of it being impractical because of government advice or legislation, or other such exceptional circumstances, for the Academy Council to meet in person, the meeting may take place by means of video conferencing facilities that are deemed appropriate by the Directors in accordance with the advice of the Diocese.

## The Minutes



7.7.22 The minutes of the proceedings of a meeting of the Academy Council shall be drawn up and kept for the purpose by the person authorised to keep the minutes of the Academy Council and shall be signed (subject to the approval of the members of the Academy Council) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:

7.7.22.1 all appointments of officers made by the Academy Council; and

7.7.22.2 all proceedings at meetings of the Academy Council and of committees of the Academy Council including the names of all persons present at each such meeting.

7.7.23 The Chair shall ensure that copies of minutes of all meetings of the Academy Council (and such of the subcommittees as the Directors shall from time to time notify) shall be provided to the Directors, as soon as reasonably practicable after those minutes are approved and to the Bishop and the Diocesan Trustees if so requested.

#### Delegation

7.7.24 Provided such power or function has been delegated to the Academy Council, the Academy Council may further delegate to any person serving on the Academy Council committee, the Headteacher or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions either the Directors or the Academy Council may impose and may be revoked or altered.

7.7.25 Where any power or function of the Directors or the Academy Council is exercised by any subcommittee, any Director or member of the Academy Council, the

Headteacher or any other holder of an executive office, that person or subcommittee shall report to the Academy Council in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Academy Council immediately following the taking of the action or the making of the decision.

#### Committees of the Academy Council

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

## Chair and Vice-Chair of the Academy Council

7.7.27 The members of the Academy Council shall, each school year at their first meeting in that year, elect a Chair and a Vice-Chair from amongst the Foundation Governors in their number to serve until a successor is appointed or a vacancy occurs pursuant to paragraph 7.7.28.

7.7.28 If it is not possible to elect a Chair and Vice-Chair from amongst the Foundation Governors, a Chair and/or Vice Chair may be appointed from the other Governors if approved by the Directors and Diocesan Director of Education.

7.7.29 Subject to paragraph 7.7.30, the Chair or Vice-Chair shall hold office as such until his/her successor has been elected in accordance with paragraphs 7.7.26 - 7.7.37.

7.7.30 The Chair or Vice-Chair may at any time resign his/her office by giving notice in writing to the Academy Council.

7.7.31 The Chair or Vice-Chair shall cease to hold office if:

7.7.31.1 He/she ceases to serve on the Academy Council;

7.7.31.2 He/she is employed by the Multi-Academy Trust Company whether or not at the Academy;

7.7.31.3 He/she is removed from office in accordance with this Scheme of Delegation; or

7.7.31.4 in the case of the Vice-Chair, he/she is elected in accordance with this Scheme of Delegation to fill a vacancy in the office of Chair.

7.7.32 Where by reason of any of the matters referred to in paragraph 7.7.31, a vacancy arises in the office of Chair or Vice-Chair, the members of the Academy Council shall at its next meeting elect one of their number to fill that vacancy.

7.7.33 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice-Chair or his/her nominee shall act as the Chair for the purposes of the meeting.

7.7.34 Where in the circumstances referred to in paragraph 7.7.30, the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the Academy Council shall elect one of their number to act as a Chair for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Multi-Academy Trust Company whether or not at the Academy nor a Director.

7.7.35 A Director or the clerk acting on the Director's behalf, shall act as Chair during that part of any meeting at which the chair is elected.

7.7.36 Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.

7.7.37 The Chair or Vice-Chair may only be removed from office by the Directors at any time or by the Academy Council in accordance with this Scheme of Delegation.

7.7.38 A resolution to remove the Chair or Vice-Chair from office which is passed at a meeting of the Academy Council shall not have effect unless:

- 7.7.38.1 it is confirmed by a resolution passed at a second meeting of the Academy Council held not less than fourteen days after the first meeting; and
- 7.7.38.2 the matter of the Chair or Vice-Chair's removal from office is specified as an item of business on the agenda for each of those meetings; and
- 7.7.38.3 copies of the resolutions referred to at paragraph's 7.7.38 and 7.7.38.1 above are served on the Directors.

7.7.39 Before a resolution is passed by the Academy Council at the relevant meeting as to whether to confirm the previous resolution to remove the Chair or ViceChair from office, the person or persons proposing his/her removal shall at that meeting state their reasons for doing so and the Chair or Vice-Chair shall be given an opportunity to make a statement in response.

#### Clerk

7.7.40 The Directors may appoint a Clerk (who must not be the Headteacher) to provide clerking services to the Academy Council and may remove the Clerk from office at any time.

7.7.41 In the absence of the Clerk from an Academy Council meeting, the Academy Council may appoint any one of its members (excepting the Headteacher) to act as Clerk for the purposes of that meeting.

7.7.42 The Clerk must:

- 7.7.42.1 convene meetings of the Academy Council;
- 7.7.42.2 attend meetings of the Academy Council;
- 7.7.42.3 advise the Academy Council on the Academy's compliance with the Articles, the funding agreement, the scheme of delegation and the law;
- 7.7.42.4 ensure that minutes of the proceedings are drawn up; and
- 7.7.42.5 perform any other functions determined by the Academy Council.



## Conflicts of Interest

- 7.7.43 A conflict of interest/loyalty shall not be deemed to occur solely from the fact that any member of the Academy Council is also a director, charity trustee or governor of any other Catholic school or schools or other educational institution(s), diocese, or religious order, or of any other charity which permits its land to be occupied by a Catholic school or schools or other educational institution(s). Any member of the Academy Council who has, or can have, any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts, or may conflict, with his/her duties as a member of the Academy Council shall disclose that fact to the Academy Council as soon as he/she becomes aware of it. Subject to Article 98A, a person is not permitted to attend any meeting of the Academy Council or committee of the Academy Council, or any part of any such meeting, where it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and the Multi-Academy Trust Company and any duty or personal interest (including but not limited to any Personal Financial Interest).
- 7.7.44 For the purpose of paragraph 7.7.43, a person has a Personal Financial Interest if he/she is in the employment of the Multi-Academy Trust Company or is in receipt of remuneration or the provision of any other benefit directly from the Multi-Academy Trust Company or in some other way is linked to the MultiAcademy Trust Company or the Academy.
- 7.7.45 In the event of any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.
- 7.7.46 Any disagreement between the members of the Academy Council and the Headteacher or any subcommittee of the Academy Council shall be referred to the Directors for their determination.

## Indemnity

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

## Notices

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

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

## **8. OPERATIONAL MATTERS AT MULTI-ACADEMY TRUST COMPANY AND ACADEMY COUNCIL LEVEL**

- 8.1 The Academy Council shall comply with the obligations set out in this Scheme of Delegation, particularly the relevant sections of the table(s) at Appendix 3, which deals with the day to day operations of the Academy Council.
- 8.2 The Academy Council will adopt and comply with all policies, protocols and procedures of the Multi-Academy Trust Company, the Bishop and the Diocese as communicated to the Academy Council from time to time.
- 8.3 Excepting Foundation Directors and Foundation Governors, any other Directors and governors of the Academy Council have a duty to act independently and not to act as agents of those who may have appointed them. All Directors and members of the Academy Council will act with integrity, objectivity and honesty in the best interests of the Multi-Academy Trust Company and the Academy and shall be open about decisions made and be prepared to justify those decisions except insofar as any matter may be considered confidential. Foundation Governors shall always act in furtherance of their undertaking to the Bishop and the Diocesan Trustee to preserve and develop the Catholic character of the Academy, and the Multi-Academy Trust Company, at all times.
- 8.3.1 All Directors and Governors shall act in accordance with and in the spirit of any code of conduct agreed by the Bishop and circulated for that purpose by the Multi Academy Trust Company.
- 8.4 The Academy Council shall comply with any inspections by or on behalf of the Directors and any denominational inspections pursuant to section 48 of the Education Act 2005 and any additional canonical inspections and visitations of the Bishop and any person appointed by him for the purpose of ensuring that

the Academy is being conducted in accordance with canon law and is following the practices and teachings of the Catholic Church and in order to allow the Bishop to assess how well the Academy is being managed in light of the additional responsibilities and expectations of schools which are academies.

8.5 If, in the view of the Directors, one of the following situations arises, then the Directors may resolve to remove some or all of the powers and obligations delegated to the Academy Council by this Scheme of Delegation:

8.5.1 The Academy Council, or one of more of its members, has acted, or allowed another to act, whether knowingly or recklessly, in such a way as to prejudice the Catholic character of the Multi-Academy Trust Company and the Academy;

8.5.2 Standards and performance are low, are likely to be assessed as low and/or are likely to remain so without intervention;

8.5.3 There has been a serious breakdown in management or governance which is prejudicial to standards of performance or breaches the Multi-Academy Trust Company's policies and procedures;

8.5.4 The safety of pupils and staff is threatened; or

8.5.5 Safeguarding procedures are inadequate.

8.6 The Academy Council shall work closely with and shall promptly implement any advice or recommendations made by the directors in the event that intervention is either threatened or is carried out by the Secretary of State, and the Directors expressly reserve the unfettered right to review or remove any power or responsibility conferred on the Academy Council under this Scheme of Delegation in such circumstances.

## **9. REVIEW OF THE SCHEME OF DELEGATION**

9.1 This Scheme of Delegation shall operate from the Effective Date in respect of the Academy.

9.2 The Directors have the absolute discretion to review and amend this Scheme of Delegation at least annually and to alter any provisions of it with the prior written consent of the Bishop (on the advice of the Diocese).

9.3 In considering any material changes to this Scheme of Delegation the Directors shall have regard to and give due consideration to any views of the Academy Council and shall comply with any guidance/requirements of the Bishop and consider any guidance published by the Catholic Education Service.

## 10. APPENDIX 1

### 10.1 Responsibilities of the Diocesan Bishop and the Diocesan Education Service

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

- (a) It is controlled<sup>1</sup> by a diocese or religious order; or
- (b) It is acknowledged in a written document as Catholic by the Diocesan Bishop.

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

*“The Diocesan Bishop has the right to watch over and inspect Catholic schools in his territory...and has the right to issue directives concerning the general inspection of Catholic schools...those who are in charge of Catholic schools are to ensure, under the supervision of the local Ordinary<sup>2</sup>, that the formation given in them, including its academic standards, are at least as outstanding as that in other schools in the area”.*

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

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

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

- The provision and future development of excellent Catholic education throughout the diocese
- The oversight of high educational standards, progress and outcomes in all diocesan schools

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<sup>1</sup> The ‘control’ specified in canon 803 is normally established where the diocese or religious order owns the school and appoints the governing body (or at least a majority of it).

<sup>2</sup> ‘Ordinary’ includes the Diocesan Bishop and those, such as Vicars General and Episcopal Vicars, exercising Ordinary jurisdiction on his behalf as well as to describe the relevant Religious Superior in respect of religious order schools, and this also includes their respective representative officers.



- The appointment, development and training of foundation directors and governors and their removal
- The inspection of religious life of schools and RE (section 48 inspections)
- The development of Catholic teachers and leaders (and all appointments should be made in accordance with diocesan protocol)
- The oversight of school buildings/estate and capital projects
- Planning of school place provision □ Engaging with the RSC and Ofsted
- Maintaining links with the Catholic Education Service and the government

It is possible for the trust to amend this table to reflect particular governance arrangements required at any one time depending on circumstances, such changes will need to be made in accordance with any Diocesan policy and will need to be approved, in writing, by the Diocese before they take effect. It is envisaged that changes will need to be made to the table in certain circumstances such as, for example, where a school is joining the Multi-Academy Trust Company (i.e. transitional arrangements), where there are concerns about the performance of the Multi-Academy Trust Company or any of the academies within it and/or where an Interim Management Board has been put in place.

#### Explanation of the layers of governance

##### Members:

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

##### Directors of the Trust Board:

- Company Directors and Charity Trustees
- Accountable to the Members and the Bishop
- Duty to uphold the Multi-Academy Trust Company's objects and to comply with any directives, advice and/or guidance issued by the Bishop
- Responsible for preserving and developing the Multi-Academy Trust Company's Catholic character at all times, and this overriding duty (which is also a legal duty) should permeate everything that the Directors do
- Responsible for the general control and management of the administration of the Multi-Academy Trust Company and for delivering the three core functions of governance ( as defined by the DfE)

- Responsible for standards of education in the academies within the Multi-Academy Trust Company
- Delegate functions to sub-committees, senior executive leadership, and Headteachers
- Delegate functions to the Academy Council in accordance with the scheme of delegation
- Removal of Academy Council delegated responsibilities as deemed appropriate following advice from and in conjunction with the Diocese in order to uphold any of the duties outlined above
- Appoint the senior executive leadership, Headteachers and Deputy Headteachers in accordance with Diocesan Protocols
- Performance management of Headteacher and senior executive leaders, ensuring involvement of Academy Council and senior executives as appropriate.

#### CEO:

- Any Chief Executive Officer, substantive or interim, who may be appointed by the directors in accordance with Diocesan protocols
- Responsible for the Trust's operations, advising the Board on strategy and policies, and for delivering the Board's vision and ethos
- Responsible for the Multi-Academy Trust Company's financial effectiveness and stability and for ensuring value for money ➤ Responsible for the performance management of other senior leaders as required by the Directors

#### Central Team:

- Appointed by the Board of Directors and employed by the Multi-Academy Trust Company
- Any role appointed by the Directors to work across the Trust
- Responsible to CEO for operations and delivering the Board's vision and Ethos

#### Academy Council Governors:

- Appointed/elected to have oversight of a specific academy/ academies within the Multi-Academy Trust Company in accordance with the Scheme of Delegation
- Have monitoring oversight of said academy/academies in the Multi-Academy Trust Company and are accountable to the board of Directors of the MultiAcademy Trust Company
- Have particular focus on the Catholic Life and Religious Education of the Academy/ academies. ➤ Vital link to stakeholders and the local community

#### Headteacher:

- Accountable to the Directors through the CEO for day to day management of the Academy (or academies in an executive headship arrangement). For the purposes of any executive headship, the executive headteacher has the responsibilities of the 'headteacher' as defined in this scheme of delegation.
- Responsible for performance management of staff within each Academy excluding those staff whose performance is managed by the CEO and or Directors

## 11 APPENDIX 2

**BISHOP WHEELER CATHOLIC ACADEMY TRUST: CONSTITUTION OF THE ACADEMY COUNCIL (SUMMARY)** This may only be varied with the permission of the Diocesan Commissioner for Education, each Academy Council must have a majority of Foundation Governors and must outnumber all other Governors by two.

Appointed in accordance with the Scheme of Delegation, Primary and Secondary school Academy Council consisting of:

- Six Foundation Governors appointed by the Bishop
- One Ex Officio Headteacher
- One Staff Governor elected-in accordance with the Scheme of Delegation
- Two Parent Governors elected-in accordance with the Scheme of Delegation
- Will hold six meetings per year as outlined in the Scheme of Delegation

An alternative structure is available for any joint academy council that may from time to time be appointed by the Directors:

- Seven Foundation Governors appointed by the Bishop
- Two Ex Officio Headteacher (one from each school)
- One Staff Governor elected across both schools and elected-in accordance with the Scheme of Delegation
- Two Parent Governors elected from each school and elected-in accordance with the Scheme of Delegation
- Will hold six meetings per year as outlined in the Scheme of Delegation

N.B: Academy Council's may not appoint 'Associate', 'co-opted' or 'partnership' governors, or any other kind of governors other than those listed above, except with the written agreement of the Trust Board. For the purpose of any succession planning or awaiting for a Foundation application to be confirmed that person should be recorded on the minutes as "In Attendance" and will not have any voting rights until the official appointment is made. The Chair can invite a person to the meeting to advise the council when required (considering confidentiality and the necessity to attend the whole or part of the meeting). This person will be "In Attendance" and will not have any voting rights.

Transitional Arrangements: When an academy first joins the Multi-academy Trust, there may be, with agreement of the Directors and in accordance with the Scheme of Delegation, transitional arrangements for a limited period to assist local governance and support the academy. Any such arrangements should be recorded in the minutes of the Academy Council and the Trust Board.

## 12 APPENDIX 3 – OVERVIEW OF THE ROLES AND RESPONSIBILITIES OF GOVERNANCE AND EXECUTIVE WITHIN BWCAT

	<p>Academy Headteacher</p> <p>(Executive Head/Headteacher)</p> <p>(Delivers on academy performance)</p>	<p>Academy Council</p> <p>(Supporting CEO and Trust Board by Monitoring and Challenging/Advising academies)</p>	<p>CEO and Central Team</p> <p>(Approves key items and supports academies)</p>	<p>Directors of the Trust Board</p> <p>(Ultimately accountable. Approve statutory policies and finance)</p>	<p>The Diocese of Leeds Vicariate</p> <p>(Oversight of the Trust on behalf of the Bishop)</p>
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Catholic Life	<ul style="list-style-type: none"> <li>• Preserve and develop the Catholic and educational character, mission and ethos of the Academy in line with Trust and Diocese policies</li> <li>• Ensure their Academy fulfil the Bishops' Conference requirements for the teaching of Religious Education</li> </ul>	<ul style="list-style-type: none"> <li>• Have oversight of the preservation and development of the Catholic and educational character, mission and ethos of the Academy.</li> <li>• Ensure that the Academy fulfils the Bishops' Conference requirements for teaching of Religious Education</li> <li>• Ensure that the academy has a medium to long-term vision for its future viability as a Catholic academy within the Trust and that there is a robust strategy in place for achieving its vision</li> </ul>	<ul style="list-style-type: none"> <li>□ Preserve and develop the Catholic and educational character, mission and ethos of the Trust in line with Trust and Diocesan policies Advise the Trust Board regarding each Academy's medium and long term future viability as Catholic schools. Ensures the Trust and all Academies fulfil the Bishops' Conference requirements for the teaching of Religious Education</li> </ul>	<ul style="list-style-type: none"> <li>• Have oversight of the preservation and development of the Catholic and educational character, mission and ethos of the Trust in line with Trust and Diocesan policies</li> <li>• Monitor each school's medium to long-term position in terms of their future viability as Catholic schools, taking action via the CEO where necessary. Use this information to inform the development of the Trust strategic plan</li> </ul>	<ul style="list-style-type: none"> <li>□ Have oversight of the preservation and development of the religious and educational character, mission and ethos of the Trust and take action where there are shortcomings or any risk to the religious or educational character or the Trust's reputation</li> </ul>
Academy Improvement	<ul style="list-style-type: none"> <li>□ Develop and implement academy strategy, culture and ethos in line with overall Trust mission and strategy</li> </ul>	<p>Support the CEO and Trust Board by:</p> <ul style="list-style-type: none"> <li>□ Supporting the Headteacher to develop and implement local academy culture and ethos</li> </ul>	<ul style="list-style-type: none"> <li>□ Lead on the development of culture and ethos across the Trust.</li> <li>□ Monitor academy performance and intervene where appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure clarity of vision and ethos, and set the strategic direction of the Trust</li> <li>• Hold Executive to account on academy improvement and all operational areas</li> </ul>	<ul style="list-style-type: none"> <li>□ Comply with any denominational inspections pursuant to s48 and any additional canonical inspections, reviews and visitations of the bishop</li> </ul>

	<ul style="list-style-type: none"> <li><input type="checkbox"/> Develop and propose academy priorities and Academy Improvement Plan (AIP)</li> <li><input type="checkbox"/> Implement the AIP in order to achieve strategic priorities.</li> <li><input type="checkbox"/> Develop and propose the curriculum model</li> <li><input type="checkbox"/> Lead assessment processes.</li> <li><input type="checkbox"/> Improve teaching quality through performance management and CPD</li> <li><input type="checkbox"/> Implement school to school support opportunities in the academy as directed by the CEO</li> <li><input type="checkbox"/> Comply with any denominational inspections pursuant to s48 and any additional canonical inspections, reviews and visitations of the Bishop</li> <li><input type="checkbox"/> Comply with any other educational inspections, for example s5 as required by law</li> <li><input type="checkbox"/> Ensure that inspection recommendations and actions are implemented within the academy</li> <li><input type="checkbox"/> Provide professional support across the wider Trust as directed by the CEO</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Supporting and challenging the Headteacher on the development of Academy Improvement Plan and SEFand DSEF</li> <li><input type="checkbox"/> Oversee the academy curriculum model.</li> <li><input type="checkbox"/> Monitor academy performance against AIP and targets by reviewing and challenging Headteacher updates and data analysis. Academy Council will also receive Trust review reports and KPI's</li> <li><input type="checkbox"/> Comply with any denominational inspections pursuant to s48 and any additional canonical inspections and visitations of the Bishop</li> <li><input type="checkbox"/> Oversee the implementation of any school to school support opportunities as directed by the CEO and monitor any such arrangements, reporting back to the CEO at appropriate intervals or as required</li> <li><input type="checkbox"/> Comply with any other educational inspections, for example s5 as required by law</li> <li><input type="checkbox"/> Ensure that inspection recommendations and actions are implemented within the academy</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Approve: <ul style="list-style-type: none"> <li>• Academy targets</li> <li>• AIP and priorities</li> <li>• Curriculum model and behaviour policy</li> </ul> </li> <li><input type="checkbox"/> Develop support to academies, including: implementing AIP; improving teaching quality; managing assessment process and analysing academy data</li> <li><input type="checkbox"/> Lead on the implementation of school to school support across the Trust</li> <li><input type="checkbox"/> Support and assist the directors and/or AC to prepare for any inspections, for example s48, s5</li> <li><input type="checkbox"/> Ensure that inspection outcomes are implemented in the academies within the Trust</li> <li><input type="checkbox"/> Develop and approve academy expansion strategy</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> In line with Diocesan protocol, broker appropriate internal and external school to school support as necessary to facilitate excellent Catholic education across all the academies in the Trust</li> <li><input type="checkbox"/> Comply with any denominational inspections pursuant to s48 and any additional canonical inspections, reviews and visitations of the bishop</li> <li><input type="checkbox"/> Comply with any other educational inspections, for example s5 as required by law</li> <li><input type="checkbox"/> Ensure that inspection recommendations and actions are implemented in the academies within the Trust</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Comply with any other educational inspections, for example s5 as required by law</li> <li><input type="checkbox"/> Liaise with the RSC, ESFA and other government agencies to ensure effective provision</li> <li><input type="checkbox"/> Oversight of school improvement across the wider Diocesan family of schools, brokering school to school support as appropriate</li> </ul>
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	<input type="checkbox"/> Deliver budget and financial targets	<input type="checkbox"/> Review and contribute to plans for developing the	<input type="checkbox"/> Undertake the role of Accounting Officer	<input type="checkbox"/> Accountable for ensuring financial compliance and	<input type="checkbox"/> Approve appointment of external auditors
Finance and Procurement	<ul style="list-style-type: none"> <li>• Work with finance department to prepare and propose the budget and 3-year forecasting</li> <li>• Work with finance department on preparation of monthly and end of year academy finance documents</li> <li>• Find and recommend local academy procurement opportunities, in line with Trust policy.</li> <li>• Manage the delivery of IT contract locally</li> <li>• Provide feedback to executive on performance of central services</li> <li>• Be accountable for financial probity and best value in academy expenditure</li> <li>• Monitor and challenge academy finances against budgets and the use of resources in relation to education plans</li> </ul>	<input type="checkbox"/> school's finances as an integral part of the school's Academy Improvement Plan and longer-term strategy. Support the school to maintain financial sustainability, regularity, propriety, value for money and compliance with the Trust's financial regulations, policies and procedures  <input type="checkbox"/> Support the headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of financial performance and management in the school. Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and /or the Trust Board. Register and publish all pecuniary and business interests	<input type="checkbox"/> Set financial policies <input type="checkbox"/> Recommend to Trust Board academy budgets and forecasts, use of reserves and endowments, central contribution <input type="checkbox"/> Recommend academy financial targets to resources committee of trust board <input type="checkbox"/> Support headteachers with academy finances <input type="checkbox"/> Be responsible for all MAT finances <input type="checkbox"/> Find, implement and manage trust wide procurement opportunities <input type="checkbox"/> Be responsible for Trust wide financial regularity, propriety, value for money and compliance <input type="checkbox"/> Prepare ESFA/DfE returns and Annual report <input type="checkbox"/> Recommend and deliver annual budget plan to support delivery of Trust key priorities <input type="checkbox"/> Recommend and facilitate External auditors <input type="checkbox"/> Recommend and facilitate internal auditors <input type="checkbox"/> Benchmark in relation to trust wide value for money <input type="checkbox"/> Develop and implement trust wide procurement strategies and efficiency savings programme	sustainability <ul style="list-style-type: none"> <li>• Appoint Resources and Audit committees</li> <li>• Approve use of reserves</li> <li>• Approve Trust budget and central recharge, financial targets for academies, use of capital endowments, running academy deficit, financial statements.</li> <li>• Accountable for Trust wide financial regularity, propriety, value for money and compliance</li> <li>• Accountable for Annual budget plan to support delivery of Trust Key Priorities</li> <li>• Accountable for appointing External auditors</li> <li>• Accountable for appointing internal auditors on behalf of members</li> <li>• Make financial information available as requested to the Diocese and ESFA</li> </ul>	

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	<ul style="list-style-type: none"> <li>Implement HR policies and processes, including: performance appraisals and pay reviews</li> </ul>	<input type="checkbox"/> Scrutinise significant staff restructures	<input type="checkbox"/> Drafts HR and recruitment policies following union consultation <input type="checkbox"/> Approve all significant staff	<ul style="list-style-type: none"> <li>Suspend/dismiss staff in line with Trust HR policy delegated to the Headteacher</li> <li>Accountable for all HR</li> </ul>	<ul style="list-style-type: none"> <li>Involvement in all reserved post recruitment in line with Diocese protocols</li> </ul>
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HR / Recruitment	<ul style="list-style-type: none"> <li>• Lead local academy recruitment as approved by the Executive</li> <li>• Develop and present staff restructure proposals</li> <li>• Liaise with unions and staff representatives at school level</li> <li>• Take responsibility for dismissal/suspension, in line with Trust policies and having consulted the CEO and Head of HR</li> <li>• Advise the Academy Council on succession planning for local governance and senior leadership</li> <li>• Liaise with school level union representatives</li> <li>• Advise Academy Council and Trust Board in relation to staff development, retention and wellbeing</li> <li>• Ensure effective strategies are in place, to support staff workload and wellbeing</li> </ul>	<ul style="list-style-type: none"> <li>□ Monitor the implementation of key HR policies</li> <li>□ Oversee the implementation of additional HR activities, for example complaints, in-line with Trust policy</li> <li>□ Succession plan for local governance and senior leadership in conjunction with the wider Trust Work with the Headteacher in ensuring effective strategies are in place to support the management of workload and wellbeing of all staff</li> <li>□ Support the Headteacher and ensure effective strategies are in place for management of Headteacher workload and well-being in conjunction with the CEO</li> </ul>	<ul style="list-style-type: none"> <li>□ restructures following union consultation</li> <li>Approve terms and conditions of employment for all staff,</li> <li>□ inline with Trust policy and union consultation</li> <li>Approve all recruitment, scale changes and variations of contract</li> <li>□ Support academies with ongoing HR guidance</li> <li>Responsible for additional HR activities including: <ul style="list-style-type: none"> <li>- supplying representation for hearings</li> <li>- conducting staff Consultative Committee as required</li> <li>- Liaising with national/regional level unions when required</li> </ul> </li> <li>□ Recruit Trust operational staff</li> <li>□ Recommend Trust pay scales</li> <li>Performance management of academy Headteacher in line with Trust policy</li> <li>□ Performance management of Trust Central Team, in-line with Trust policy</li> <li>Advise the directors on succession planning and development of the senior executive leadership and take action as required by the directors</li> <li>□ Advise the Academy Council and Trust Board on leadership succession planning</li> <li>□ Ensure that effective policies are in place to support the workload and wellbeing of staff at all levels</li> </ul>	<p>compliance</p> <ul style="list-style-type: none"> <li>• Approve all HR policies (some non-statutory policies are delegated to the Resources Committee or Executive team)</li> <li>• Conduct recruitment of CEO, CFO and COO</li> <li>• Manage complaints against the CEO</li> <li>• Resources Committee to approve Pay Policy</li> <li>• Responsible for the performance management of the CEO</li> <li>• Implement dismissal and dismissal appeal hearings for all reserved and Executive Officer posts</li> <li>• Chair of Resources Committee to approve any leaving payments (redundancy, dismissal, early retirement) in accordance with Trust policy and consultation with the CEO (Any Non-Statutory/noncontractual payments above £50, 000 need to be approved by the ESFA.</li> <li>• Approve the succession plan</li> <li>• Take overall responsibility for ensuring that effective strategies are in place to support the workload and wellbeing of staff at all levels across the Trust, including the CEO and Central Team</li> </ul>	<ul style="list-style-type: none"> <li>□ Creation and amendments to any reserved posts</li> <li>□ Advise and support regarding complaints about the CEO/senior executives/governors/directors</li> <li>□ Support dismissal/disciplinary hearings of all reserved posts</li> </ul>
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Head Teacher Recruitment, appraisal		<input type="checkbox"/> Contribute to the selection process for Headteacher recruitment, including chairing the interview panel <input type="checkbox"/> Engage in Headteacher appraisal <input type="checkbox"/> Provide Advice and information relating to Head Teacher Performance Related Pay through appraisal	<input type="checkbox"/> Provide professional oversight of Headteacher appraisal, inline with the Trust policy Support Directors in <input type="checkbox"/> Headteacher recruitment Provide advice to the Trust Board regarding leadership structures	<input type="checkbox"/> Approve salary and performance related pay of senior leaders of the Trust through the resources committee. <input type="checkbox"/> Conduct Headteacher recruitment with CEO <input type="checkbox"/> Conduct appraisals with engagement from AC Chair <input type="checkbox"/> Conduct CEO appraisal	Advise on all Reserved post recruitment in accordance with Diocesan protocol
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Governance	<ul style="list-style-type: none"> <li><input type="checkbox"/> Attend any diocesan, or other provider's induction and development training as required by the Diocese</li> <li><input type="checkbox"/> Respond to all academy level complaints in accordance with the complaints policy (not in relation to Headteacher complaints)</li> <li><input type="checkbox"/> Provide written reports to ensure that the Academy Council provide appropriate support and challenge</li> <li><input type="checkbox"/> Ensure that local governance details are up to date, in conjunction with the Trust Central Team</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Review, contribute to and approve plans for developing the school's governance as an integral part of the school's Academy Improvement Plan and longer-term strategy. Attend any diocesan, or other providers, induction and development training as required by the Diocese</li> <li><input type="checkbox"/> Respond to all complaints against Headteacher in line with Trust Policies</li> <li><input type="checkbox"/> Monitor academy implementation of statutory compliance and risk management</li> <li><input type="checkbox"/> Monitor the progress made on Academy strategic priorities</li> <li><input type="checkbox"/> Approve/remove staff and parent governors</li> <li><input type="checkbox"/> Oversee Governor succession planning</li> <li><input type="checkbox"/> Ensure governors details are up to date on Academy website</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Coordinate/develop Skills Audit</li> <li><input type="checkbox"/> Ensure Trust governance details are updated on Trust and academy websites</li> <li><input type="checkbox"/> Monitor and scrutinise Academy governance details on school website</li> <li><input type="checkbox"/> Manage risk, establishing and maintaining all registers of interests and other statutory registers</li> <li><input type="checkbox"/> Report progress on key priorities</li> <li><input type="checkbox"/> Draft statutory and Trust Policies</li> <li><input type="checkbox"/> Register and publish business interests for members and trustees</li> <li><input type="checkbox"/> Provide written reports to Trust Board to enable them to provide appropriate support and challenge in relation to progress made on strategic priorities</li> <li><input type="checkbox"/> CEO/COO attend AGM</li> <li><input type="checkbox"/> Support the appointment process of the company secretary clerk and Academy Council clerks</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Establish and review Scheme of Delegation annually or when a change is necessary</li> <li><input type="checkbox"/> Establish and review Governance Structure (committees) for the Trust annually</li> <li><input type="checkbox"/> Monitor the progress made by the trust and each Academy for the overall strategic priorities</li> <li><input type="checkbox"/> Provide Terms of reference for Trust Committees</li> <li><input type="checkbox"/> Provide Terms of reference for the Academy Council</li> <li><input type="checkbox"/> Develop a plan to fill gaps identified from the Skills Audit</li> <li><input type="checkbox"/> Complete an Annual selfreview of Trust Board and Committee performance</li> <li><input type="checkbox"/> Implement the annual schedule of business for Trust Board</li> <li><input type="checkbox"/> Oversee Governance Succession planning</li> <li><input type="checkbox"/> Ensure the completion of annual report and accounts policies, signed statement on regularity, propriety and</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Agree and review the Articles of Association</li> <li><input type="checkbox"/> Convene AGM</li> <li><input type="checkbox"/> Appoint/remove directors on behalf of the Bishop</li> <li><input type="checkbox"/> Appoint/remove foundation governors on behalf of the Bishop</li> <li><input type="checkbox"/> Receive annual reports from the directors</li> <li><input type="checkbox"/> Advise on governance within Catholic context, in line with Diocesan mission</li> <li><input type="checkbox"/> Provide access to induction and development training for governors and directors</li> </ul>
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		<input type="checkbox"/> Proactively maintain up to date declarations of personal interests. <input type="checkbox"/> Participate in periodic audits of the skills and experience of the Academy Council <input type="checkbox"/> Participate in selfassessments of the performance of the Academy Council and personal contribution to it	<input type="checkbox"/> Attend any diocesan training as required	compliance, governance statement demonstrating value for money Review and <input type="checkbox"/> Monitor Management of Risk <input type="checkbox"/> Approve all statutory policies <input type="checkbox"/> Accountable for all compliance Chair to attend AGM <input type="checkbox"/> Attend any diocesan training as required <input type="checkbox"/> Monitor effectiveness of local governance  <input type="checkbox"/> Appoint/remove a suitably qualified company secretary <input type="checkbox"/> Appoint/remove a suitably experienced and trained clerk to the directors and to support clerking arrangements to the AC's as appropriate  <input type="checkbox"/> Oversee good governance in line with Trust ethos	
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H&S and Estates	<ul style="list-style-type: none"> <li><input type="checkbox"/> Implement all Trust-wide Estates and facilities policies and procedures</li> <li><input type="checkbox"/> Contribute to the Trust's strategic Capital Plan</li> <li><input type="checkbox"/> Support implementation of Academy capital projects</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Appoint Academy Council Health and Safety Representative</li> <li><input type="checkbox"/> Monitor academy compliance with Health and Safety policies and statutory obligations</li> <li><input type="checkbox"/> Liaise and record in writing both short- term and longterm estates improvement plans with the school Headteacher.</li> <li><input type="checkbox"/> Oversee the development of academy building refurbishments</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Implement Trust H&amp;S and Estates/Capital policies</li> <li><input type="checkbox"/> Implement compliance of Trust-wide Health and safety</li> <li><input type="checkbox"/> Ensure correct risk assessments are in place</li> <li><input type="checkbox"/> Consider and implement Estates Strategic Plan</li> <li><input type="checkbox"/> Lead the delivery and management of all aspects of building works, estates and facilities contracts</li> <li><input type="checkbox"/> Authorise all Capital projects and variations to them</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Accountable to the Secretary of state for Education for ensuring the implementation of a safe and healthy environment for staff, pupils and other persons on trust premises</li> <li><input type="checkbox"/> Approve Estates, H&amp;S and Capital policies (operational policies can be delegated to the CEO for approval)</li> <li><input type="checkbox"/> Monitor Trust Estates management strategy, compliance and Investment Plan, ensuring the safety of premises and estates</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Approve and advise on all aspects of Land and property acquisitions and disposals</li> <li><input type="checkbox"/> Statutory obligations to ensure good access for all and the best practices are in place with respect to the Health and Safety of those who use their Land and Properties</li> <li><input type="checkbox"/> Approve insurance arrangements in accordance with Diocesan/religious Order Trustees' requirements</li> <li><input type="checkbox"/> Approve capital works in accordance with Diocesan protocols</li> </ul>
Data Protection	<ul style="list-style-type: none"> <li><input type="checkbox"/> Provide information required to respond to FOI requests at Trust level</li> <li><input type="checkbox"/> Provide information needed to respond to SAR</li> <li><input type="checkbox"/> Report all data breaches to DPO</li> <li><input type="checkbox"/> Ensure compliance with Data Protection obligations</li> <li><input type="checkbox"/> Follow all Data Protection Policies</li> <li><input type="checkbox"/> Establish a culture within the Academy regarding Data Protection</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Engage as required to respond accurately to Data Protection requests</li> <li><input type="checkbox"/> Act in compliance with data protection policies and legislation</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Respond to all FOI requests at Trust level</li> <li><input type="checkbox"/> Assist academies when responding to a SAR Contact</li> <li><input type="checkbox"/> ICO as required regarding data breaches</li> <li><input type="checkbox"/> Conduct audits across the Trust to establish compliance</li> <li><input type="checkbox"/> Conduct training for Data Protection to all staff</li> <li><input type="checkbox"/> Draft statutory and Trust Policies</li> <li><input type="checkbox"/> Approve operational Trust policies(CEO)</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Accountable for ensuring Trust fulfils FOI/data protection statutory obligations</li> <li><input type="checkbox"/> Approve Statutory policies</li> <li><input type="checkbox"/> Oversight of Data protection audit and risk.</li> </ul>	



Safeguarding	<input type="checkbox"/> Implement statutory obligations and mandatory Trust policies	<input type="checkbox"/> Appoint link governor for Safeguarding	<input type="checkbox"/> Draft statutory and Trust policies	<input type="checkbox"/> Accountable for all compliance	<input type="checkbox"/> Advise regarding any safeguarding complaints
	<input type="checkbox"/> Ensure Safeguarding policy is implemented in line with LA procedures <input type="checkbox"/> Appoint Designated Safeguarding Lead (DSL) <input type="checkbox"/> Manage all Safeguarding complaints (except against Headteacher) with Executive engagement <input type="checkbox"/> Responsible for referrals for children at risk, outside Academy environment <input type="checkbox"/> Attend safeguarding training as required <input type="checkbox"/> Establish a safeguarding culture across the academy.	<input type="checkbox"/> Approve Academy Safeguarding policy <input type="checkbox"/> Monitor implementation of Safeguarding through reports from DSL on the measures being taken to ensure compliance <input type="checkbox"/> Attend safeguarding training as required	<input type="checkbox"/> Provide support to academies as required <input type="checkbox"/> Advise in responding to any complaint against a staff member <input type="checkbox"/> Attend safeguarding training as required <input type="checkbox"/> Support academies to assess the need for referrals for children at risk <input type="checkbox"/> Establish a safeguarding culture across the Trust	<input type="checkbox"/> Attend safeguarding training as required <input type="checkbox"/> Approves all statutory policies <input type="checkbox"/> Accountable for all legal responsibilities <input type="checkbox"/> Oversight of governance responsibilities as required in relevant legislation. <input type="checkbox"/> Appoint a designated Safeguarding Director	<input type="checkbox"/> Ensure appropriate dialogue with LADO as required
SEND	<input type="checkbox"/> Implement academy specific SEND policy <input type="checkbox"/> Appoint qualified SENCO <input type="checkbox"/> Ensure needs of SEND and CLA pupils are met	<input type="checkbox"/> Approve Academy SEND policy <input type="checkbox"/> Monitor the implementation of SEND policy and performance of SEND students <input type="checkbox"/> Appoint link governor for SEND <input type="checkbox"/> Monitor the implementation of policy to ensure that the needs of SEND and CLA pupils are met	<input type="checkbox"/> Provide advice to academies on the implementation of policy <input type="checkbox"/> Ensure needs of SEND and LAC pupils are met	<input type="checkbox"/> Overview of strategic developments to ensure appropriate strategy is implemented for all pupils and that all legal responsibilities are adhered to.	

Admissions	<input type="checkbox"/> Engage with LA over local fair access/ in- year placements protocols <input type="checkbox"/> Responsible for implementation of Academy Admissions policy <input type="checkbox"/> Attend training as required by the Diocese <input type="checkbox"/> Management of places in line with admissions policy	<input type="checkbox"/> Monitors fair access in line with guiding principles <input type="checkbox"/> Manages Admission appeals <input type="checkbox"/> Submission of Admission policies to Local Authority <input type="checkbox"/> Advise Directors/CEO on possible changes to Admissions policy	<input type="checkbox"/> Ensure Academy Admissions policy follow Diocese policies and submit the policies to the Diocese <input type="checkbox"/> Strategic development of admission numbers to best serve the wider community and the Diocese <input type="checkbox"/> Propose any changes to PAN and admissions policy	<input type="checkbox"/> Strategic development of admission numbers to best serve the wider community and the Diocese and to ensure that legal responsibilities are adhered to <input type="checkbox"/> Agree any proposed changes to PAN and submit to Diocese for approval	<input type="checkbox"/> Approve changes to PAN and Admission policy <input type="checkbox"/> Provide advice and guidance regarding policy updates
	<input type="checkbox"/> Management of appeals as per admissions policy	<input type="checkbox"/> Admissions committee to meet in accordance with Diocese protocol and offer places in accordance with admissions policy		<input type="checkbox"/> Are the Legal Admissions authority delegating the process to Academy Councils and Headteacher <input type="checkbox"/> Approve Academy Admissions Policy <input type="checkbox"/>	
Exclusions	<input type="checkbox"/> Responsible for issuing an exclusion, informing all relevant parties and managing any appeal processes, in line with agreed policies	<input type="checkbox"/> Monitor exclusion data and trends for the academy <input type="checkbox"/> Formation of governors' panel if required <input type="checkbox"/>	<input type="checkbox"/> Provide support and advice regarding exclusions <input type="checkbox"/> Provide advice regarding behaviour policy overview and direction	<input type="checkbox"/> Be accountable for all legal responsibilities <input type="checkbox"/> Monitor exclusion data and trends across the Trust <input type="checkbox"/>	<input type="checkbox"/> Support and advise governors panels as required
Critical Incident Management	<input type="checkbox"/> Implement policy and protocol	<input type="checkbox"/> Monitor implementation of policy and protocol	<input type="checkbox"/> Lead policy development and advise on local protocol	<input type="checkbox"/> Approve Critical Incident Management policy	<input type="checkbox"/> Approve Diocesan policy and protocol



Communications and Community	<ul style="list-style-type: none"> <li>□ Deliver on academy communications strategy and academy visual identity</li> <li>□ Manage parent, community, local stakeholder and academy media engagement</li> <li>□ Refer any reputational risk to CEO/COO</li> <li>□ Ensure Academy website is fully compliant</li> </ul>	<ul style="list-style-type: none"> <li>□ Support family communications and community engagement</li> <li>□ Oversight of the Academy website</li> <li>□ Ensure processes are in place to monitor stakeholder voice (pupils, staff, parents, Parishes and the wider community)</li> </ul>	<ul style="list-style-type: none"> <li>□ Manage crisis communications and reputational risk</li> <li>□ Support Headteacher with LAs and families as needed</li> <li>□ Develop marketing strategy for Trust and Academies</li> <li>□ Ensure Trust website is fully compliant</li> </ul>	<ul style="list-style-type: none"> <li>□ Approve Communication policies</li> <li>□ Oversee the Trust website</li> <li>□ Ensure strategy reflects stakeholder voice across the whole Trust and locally in each academy</li> </ul>	<ul style="list-style-type: none"> <li>□ Set the Diocesan protocol for communications</li> <li>□ Support for crisis communications or reputational risk.</li> </ul>
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N.B: 'The Role of the Academy Council' document at Appendix 4 and in the Governors Handbook gives a more detailed explanation of the roles and responsibilities of the Academy Council.

## 13. APPENDIX 4

### The Role of the Academy Council

Subject	Responsibility to the Trust Board	Authority to fulfil responsibilities	Governance Methods to fulfil responsibilities and exercise authority
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<b>Catholic Life of the School</b>	<p>Ensure the school maintains its Catholic Life and ethos in line with the Bishop's vision for education, Diocesan requirements and the Trust's mission, strategy and policies.</p> <p>Support the school to maintain at least a 'Good' standard in its S48 inspections, and continually develops its Catholic Life.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of Catholic Life of the school.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>Be the 'Critical Friend'<sup>3</sup> to the Headteacher and school staff on the school's Catholic Life and S48 standard (and all the other aspects of the school listed below that are part of its Catholic Life).</p> <p>Oversee and contribute to developing the school's strategy for developing its Catholic Life within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the Catholic Life of the school and its S48 performance.</p> <p>Collectively and individually play a personal role in the Catholic Life of the school.</p>	<p>Review, contribute to and approve plans for developing the Catholic Life of the school as an integral part of the school's Academy Improvement Plan and longerterm strategy.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on the Catholic Life of the school at each of the 6 Academy Council meetings per year.</p> <p>Attend and participate in school liturgies and collective worship from time to time as personal availability permits.</p>
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<sup>3</sup> Being a 'Critical Friend' involves holding a combination of, and fine balance between, unconditional support for the school and unconditional critique of its performance. Governors must avoid the extremes of never challenging the school or constantly criticising it. The critical friend balance needs to be flexible and adapted to each issue and each context. A critical friend is a true friend, entirely supportive to the point of being unafraid to point out what needs to be better for the benefit of the school and the Trust. The Bishop Wheeler Trust motto 'Veritas et Caritas' (Truth and Love) summarises the critical friend principle.

<b>Safeguarding</b>	<p>Support the school to safeguard the children in its care.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of safeguarding, and compliance in the school with safeguarding legislation, local authority requirements and the Trust's policies and procedures.</p> <p>Report safeguarding performance, any significant concerns, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p> <p>Collectively and individually comply with safeguarding legislation, local authority requirements and Trust and school policies.</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's safeguarding performance and compliance.</p> <p>Oversee and contribute to developing the school's strategy for safeguarding within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support safeguarding performance and compliance.</p>	<p>Review, contribute to and approve plans and procedures for safeguarding in the school as an integral part of the school's Academy Improvement Plan and longerterm strategy.</p> <p>Review the safeguarding aspects of all school plans, policies and activities, to ensure that they comply with and support safeguarding requirements.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on safeguarding in the school at each of the 6 Academy Council meetings per year.</p> <p>Undertake safeguarding training for governors, and implement learning from it.</p> <p>Demonstrate personal and collective leadership on safeguarding and set a good example in complying with safeguarding legislation, policies and procedures.</p>
<b>Educational Standards</b> and the curriculum	<p>Support the school to maintain at least a 'Good' standard in its Ofsted inspections, and continually develops its educational performance.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of educational performance in the school.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's educational performance and efficiency and effectiveness of the curriculum.</p> <p>Oversee and contribute to developing the school's strategy for developing its educational standards within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the educational standards of the school.</p>	<p>Review, contribute to and approve plans for developing the educational standards and curriculum of the school as an integral part of the school's Academy Improvement Plan and longer-term strategy.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on the educational standards and performance of the school at at least 3 Academy Council meetings per year.</p>

	development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.		Appoint a lead governor or governors to undertake learning walks to better understand and review the curriculum and educational standards in the school.
<b>Estates Management</b> (including capital projects, catering and cleaning)	<p>Support the school to maintain an effective and efficient learning and working environment.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of estates management in the school.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's estate management, ensuring that all legal requirements and Trust policies are complied with and no significant maintenance work or capital projects are undertaken without consulting with the Trust's Estates Management Team.</p> <p>Oversee and contribute to developing the school's strategy for maintaining and developing its estate within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the maintenance and development of the school estate.</p>	<p>Review, contribute to and approve plans for developing the school estate as an integral part of the school's Academy Improvement Plan and longer-term strategy.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on the school estate at at least 1 Academy Council meeting per year, and any reports on estates management from the Trust's Head of Estates.</p> <p>Appoint a lead governor to join in an inspection of the school estate at least once per year.</p>



<b>Finance</b> (including procurement, purchasing and payroll)	<p>Support the school to maintain financial sustainability, regularity, propriety, value for money and compliance with the Trust's financial regulations, policies and procedures.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of financial performance and management in the school.</p> <p>Report performance, any significant concerns that cannot be addressed by the</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's financial performance, ensuring that the Trust's financial policies and procedures are complied with and the school's budget is not exceeded without the agreement of the Trust's Finance Team and, where necessary, the Resources Committee of the Trust Board.</p> <p>Oversee and contribute to developing the school's financial strategy within the Trust's</p>	<p>Review and contribute to plans for developing the school's finances as an integral part of the school's Academy Improvement Plan and longer-term strategy.</p> <p>Contribute to the school's planning of its annual budget by reviewing the draft budget and proposing any amendments necessary to help implement the school's Academy Improvement Plan and longerterm strategy.</p>
	<p>school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>overall strategy, including contributing to the setting of the school's budget.</p> <p>Make any proposals and requests to the Trust Board that support the financial performance of the school.</p>	<p>Receive, scrutinise and act upon a report from the Headteacher on the school's finances at 6 Academy Council meetings per year, and any reports on finance from the Trust's Finance Team.</p> <p>Scrutinise the school's forecasts of pupil numbers, analyse and mitigate any risks of reducing numbers, and contribute wherever possible to promoting the school to prospective parents.</p> <p>Promote the school's facilities to prospective lessees and actively seek other sources of additional income for the school.</p>

<b>Governance</b>	<p>Maintain an effective and efficient academy council that fulfils its responsibilities as a local committee of the Trust Board within its delegated authority in accordance with the Trust's articles of association, scheme of delegation, policies and procedures.</p> <p>Support the Academy Council's clerk, the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of governance at the school.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>Be a 'Critical Friend' to each other on their performance as an academy council.</p> <p>Maintain and develop their governance capability collectively and individually.</p> <p>Make any proposals and requests to the Trust Board that support the governance of the school.</p>	<p>Review, contribute to and approve plans for developing the school's governance as an integral part of the school's Academy Improvement Plan and longer-term strategy.</p> <p>Receive, scrutinise and act upon a report from the Chair of the Academy Council on the school's governance at at least 1 Academy Council meeting per year, and any reports on governance from the Trust's Governance Officer.</p> <p>Participate in the recruitment of the Headteacher and Deputy Headteacher and their annual performance appraisal.</p> <p>Proactively maintain up-to-date declarations of personal interests.</p>
			<p>Participate in periodic audits of the skills and experience of the Academy Council.</p> <p>Participate in self-assessments of the performance of the Academy Council and personal contribution to it.</p> <p>Undertake relevant governor training and development.</p> <p>Contribute to the Academy Council's succession planning, including considering serving in the various roles, and recruiting new governors.</p>

<b>GDPR and Data Protection</b>	<p>Support the school to maintain effective and efficient control and management of data, and compliance with the GDPR and the Trust's data management policies and procedures.</p> <p>Support the Headteacher, the Trust's executive officers and the Trust Board in maintaining high standards of data management and compliance in the school.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's GDPR compliance and data management performance.</p> <p>Oversee and contribute to developing the school's strategy for developing its GDPR compliance and data management within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the GDPR compliance and data management of the school.</p>	<p>Review, contribute to and approve plans for developing the school's GDPR compliance and data protection as an integral part of the school's safeguarding arrangements, Academy Improvement Plan and longer-term strategy.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on GDPR compliance and data protection at at least 2 Academy Council meetings per year, and any reports from the Trust's Data Protection Officer.</p> <p>Appoint a lead governor to join in an inspection of the school's GDPR and data protection arrangements at least once per year.</p>
<b>Health &amp; Safety</b>	<p>Support the school to maintain a safe and healthy learning and working environment.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's health and safety performance and compliance.</p>	<p>Review, contribute to and approve plans for developing the schools' health and safety as an integral part of the school's</p>



	<p>maintaining high standards of health and safety management and compliance in the school with health and safety legislation and the Trust's regulations, policies and procedures.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>Oversee and contribute to developing the school's strategy for developing its health and safety performance and compliance within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the health and safety performance and compliance.</p>	<p>annual Academy Improvement Plan and longer-term strategy.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on the school estate and at 6 Academy Council meetings per year, and any reports on health and safety from the Trust's Head of Estates or external professional health and safety advisor.</p> <p>Appoint a lead governor to join in an inspection of the school's health and safety arrangements at least once per year.</p>
<b>HR / Staff Management</b>	<p>Support the school to maintain and develop an effective and efficient workforce as its principal asset.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in maintaining high standards of leadership and management of staff, their welfare and development, and compliance in the school with employment legislation and the Trust's HR policies and procedures.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>Be the 'Critical Friend' to the Headteacher and school staff on the school's leadership and management of staff, ensuring compliance with employment legislation and the Trust's HR policies and procedures, and that the school does not recruit staff without first consulting with the Trust's HR Team.</p> <p>Oversee and contribute to developing the school's strategy for developing its staff, leadership and people management within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the leadership and people management of the school.</p>	<p>Review, contribute to and approve plans for developing the school's workforce as an integral part of the school's Academy Improvement Plan and longer-term strategy.</p> <p>Receive, scrutinise and act upon a report from the Headteacher on the school's workforce at at least 1 Academy Council meeting per year, and any reports on employment law and HR matters from the Trust's Head of HR.</p>
<b>Stakeholder Engagement</b>	<p>Support the school to maintain good close relationships with its parents and parish</p>	<p>Be the 'Critical Friend' to one another on the Academy Council, the Headteacher and school staff, on the effectiveness of the</p>	<p>Review, contribute to and approve plans for developing the school's engagement and communications with its parents,</p>



and communications	<p>and an effective relationship with its wider local community.</p> <p>Support the Headteacher, the Trust's other executive officers and the Trust Board in managing relationships and communications with all stakeholders.</p> <p>Report performance, any significant concerns that cannot be addressed by the school alone, and any proposals for development, through the appropriate channel to the Trust's senior executive officers and/or the Trust Board.</p>	<p>school's engagement and communications with stakeholders.</p> <p>Oversee and contribute to developing the school's strategy for developing its stakeholder engagement and communications, particularly its relationships with parents and the parish, within the Trust's overall strategy.</p> <p>Make any proposals and requests to the Trust Board that support the stakeholder engagement of the school.</p> <p>Collectively and individually play a personal role in the school's engagement with its stakeholders, particularly with parents and the parish.</p>	<p>parish and other stakeholders as an integral part of the school's Academy Improvement Plan and longer-term strategy.</p> <p>Review, approve and apply the school's admissions policy each year through a meeting of the Admissions Committee.</p> <p>Collectively and individually promote the school within the local community, encourage applications to it, and counter any negative reputation or publicity, particularly any suggestion that the school exclusively serves Catholics or Christians.</p> <p>Respond to complaints as necessary in accordance with the Trust's Complaints Policy.</p>
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