

The Bishop Wheeler Catholic Academy Trust

Scheme of Delegation



DIOCESE OF LEEDS 2020-2021 SCHEME OF DELEGATION

BETWEEN

THE BISHOP WHEELER CATHOLIC ACADEMY TRUST

AND

SACRED HEART ACADEMY

Approved: 7 July 2020 To be reviewed: July 2021



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SACRED HEART ACADEMY

EFFECTIVE DATE: 07-07-20

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;



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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 Multi Academy 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.



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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 6.2.1.

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 Principal) 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 Principal) 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 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.

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 Principal. 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).



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- 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

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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;

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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 Directors.

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.

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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,

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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.

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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.

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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.

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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 Vice-Chair from office, the person or persons proposing his/her removal shall at that meeting state their reasons for doing so and the Chair or Vice-Chair shall be given an opportunity to make a statement in response.

Clerk

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.

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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 Multi Academy 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.

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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

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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.

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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 controlled¹ 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 Ordinary², 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
- The appointment, development and training of foundation directors and governors and their removal

¹The ‘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).

²‘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.

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- 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

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- 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 multi academy 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 'principal/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

Appointed in accordance with the Scheme of Delegation, 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 to secondary academies and any joint academy council that may from time to time be appointed by the

Directors: • Seven Foundation governors appointed by the Bishop

- One Ex Officio Headteacher
- Two Staff governors (elected)
- Two Parent governors (elected)
- Will hold six meetings per year as outlined in the Scheme of Delegation

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

The Diocese of Leeds Vicariate	Academy Headteacher (Executive	academies)	(Supporting CEO and Trust Board by Directors of the Trust Board
(Oversight of the Trust on behalf of the Bishop)	Head/Headteacher)	Monitoring and Challenging/Advising academies) CEO and Central Team	(Ultimately accountable. Approve statutory policies and finance)
Bishops' Conference requirements for the teaching of Religious Education	(Delivers on academy performance) Academy Council	(Approves key items and supports	for achieving its vision
Catholic Life	Conference requirements for teaching of Religious Education • Ensure that the academy has a medium to long-term vision for its future viability as a Catholic	Support the CEO and Trust Board by:	<ul style="list-style-type: none"> • 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 • Lead on the development of culture and ethos across the Trust. • Monitor academy performance and intervene where
Academy Improvement	<ul style="list-style-type: none"> • Develop and implement academy strategy, culture and ethos in line with overall Trust mission and strategy • Develop and propose academy priorities and Academy Improvement Plan (AIP) • Have oversight of the preservation and 	within the Trust and that there is a robust strategy in place	<ul style="list-style-type: none"> • Supporting the Headteacher to develop and implement local academy culture and ethos • Supporting and challenging the Headteacher on the

appropriate
 • Approve:

• Academy targets
 • 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

• Monitor each school's 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

• Ensure clarity of vision and ethos, and set the strategic direction of the Trust
 • Hold Executive to account on academy improvement and all operational areas
 • In line with Diocesan

protocol, broker appropriate
 • 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

• Comply with any denominational inspections pursuant to s48 and any additional canonical inspections, reviews and visitations of the bishop

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• Implement the AIP in order to achieve strategic priorities.
 • Develop and propose the curriculum model
 • Lead assessment processes.
 • Improve teaching quality through performance management and CPD
 • Implement school to school support opportunities in the academy as directed by the CEO
 • Comply with any denominational inspections pursuant to s48 and any additional canonical inspections, reviews and visitations of the Bishop
 • Comply with any other educational inspections, for example s5 as required by law
 • Ensure that inspection recommendations and actions are implemented within the academy
 • Provide professional support across the wider Trust as directed by the CEO

• Deliver budget and financial targets
 • Work with finance department to prepare and propose the development of Academy Improvement Plan and SEF and DSEF
 • Oversee the academy curriculum model.
 • 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
 • Comply with any denominational inspections pursuant to s48 and any additional canonical inspections and visitations of the Bishop
 • 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
 • Comply with any other educational inspections, for example s5 as required by law
 • Ensure that inspection recommendations and actions are implemented within the academy
 • Ensure the budget supports the AIP
 • Have oversight of the financial performance of the
 • AIP and priorities
 • Curriculum model and behaviour policy
 • Develop support to academies,

including: implementing AIP; improving teaching quality; managing assessment process and analysing academy data
 • Lead on the implementation of school to school support across the Trust
 • Support and assist the directors and/or AC to prepare for any inspections, for example s48, s5
 • Ensure that inspection outcomes are implemented in the academies within the Trust
 • Develop and approve academy expansion strategy

• Undertake the role of Accounting Officer
 • Set financial policies
 • Recommend to Trust Board internal and external school to school support as necessary to facilitate excellent Catholic education across all the academies in the Trust
 • Comply with any

denominational inspections pursuant to s48 and any additional canonical inspections, reviews and visitations of the bishop

- Comply with any other educational inspections, for example s5 as required

by law

- Ensure that inspection recommendations and actions are implemented in the academies within the Trust

- Accountable for ensuring financial compliance and sustainability
- Appoint Resources and Audit
- Comply with any other educational inspections, for example s5 as required by law
- Liaise with the RSC, ESFA and other

government agencies to ensure effective provision

- Approve appointment of external auditors
- Oversight of school improvement across the wider Diocesan family of schools, brokering school to school support as appropriate

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Finance and Procurement

preparation of monthly and end of year academy finance documents

- Find and recommend local academy procurement opportunities, in line with Trust policy.
- Manage the delivery of IT contract locally
- Provide feedback to executive on performance of central services
- Be accountable for financial probity and best value in academy expenditure

particular against budget and the use of resources in relation to education plans

- Register and publish all pecuniary and business interests

- Implement HR policies and processes, including: performance appraisals and pay reviews
- Lead local academy recruitment as approved by Academy
- Monitor and challenge academy finances in

- Scrutinise significant staff restructures
- Monitor the

budget and 3-year forecasting •
Work with finance department on

<p>implementation of key HR policies opportunities</p> <p>academy budgets and forecasts, use of reserves and endowments, central contribution</p> <p>• Recommend academy financial targets to resources committee of trust board</p> <p>• Support headteachers with academy finances</p>	<p>• Be responsible for Trust wide financial regularity, propriety, value for money and compliance</p> <p>• Prepare ESFA/DfE returns and Annual report</p>	<p>• Develop and implement trust wide procurement strategies and value efficiency savings programme</p> <p>• Drafts HR and recruitment policies</p> <p>• Approve all significant staff restructures</p>	<p>• Approve terms and conditions of employment for all staff, in-committees</p> <p>• Approve use of reserves • Approve Trust budget and central recharge, financial targets for academies, use of capital endowments, running academy deficit, financial statements.</p> <p>• Accountable for Trust wide financial regularity, propriety, value for money and compliance</p> <p>• Accountable for Annual budget plan to support delivery of Trust Key Priorities</p> <p>• Accountable for appointing External auditors</p> <p>• Accountable for appointing internal auditors on behalf of members</p> <p>• Make financial information available as requested to the Diocese and ESFA</p>	<p>• Suspend/dismiss staff in line with Trust HR policy</p> <p>• Accountable for all HR compliance</p> <p>• Approve all HR policies (some non-statutory policies are reserved post recruitment in line with Diocese protocols</p> <p>• Creation and amendments to any reserved posts</p>
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• Be responsible for all MAT finances

• Find, implement and manage trust wide procurement

• Recommend and deliver annual budget plan to support delivery of Trust key priorities

• Recommend and facilitate External auditors

• Recommend and facilitate internal auditors

• Benchmark in relation to trust wide value for money

Head Teacher Recruitment, appraisal the Executive

- Develop and present staff restructure proposals
- Liaise with unions and staff representatives at local level
- Take responsibility for dismissal/suspension, in line with Trust policies and having consulted the CEO
- Advise the Academy Council on succession planning for local governance and senior leadership
- Liaise with local union representatives
- Advise Academy Council and Trust Board in relation to staff development, retention and wellbeing
- Ensure effective strategies are in place, to support staff workload and wellbeing
- Oversee the implementation of additional HR activities, for example complaints, in-line with Trust policy
- 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

- Support the Headteacher and ensure effective

strategies are in place for management of Headteacher workload and wellbeing in conjunction with the CEO

- Contribute to the selection process for Headteacher

recruitment, including chairing the interview panel line with Trust policy

- Approve all recruitment, scale changes and variations of

contract

- Support academies with ongoing HR guidance
- Responsible for additional HR activities including:

- supplying representation for hearings
- conducting staff Consultative Committee as required
- Liaising with national/regional level unions when required
- Recruit Trust operational staff
- Recommend Trust pay scales
- Performance management of

academy Headteacher in line with Trust policy

- Performance management of Trust Central Team, in-line with Trust policy
- Advise the directors on succession planning and development of the senior executive leadership and take action as required by the directors
- Advise the Academy Council and Trust Board on leadership succession planning

- Ensure that effective policies are in place to support the workload and wellbeing of staff at all levels
- Provide professional oversight of Headteacher appraisal, in line with the Trust policy
- Support Directors in

Headteacher recruitment delegated to Audit Committee or Executive team)

- Conduct recruitment of CEO, CFO and COO
- Manage complaints against the CEO
- Resources Committee approve Pay Policy
- Responsible for the performance management of the CEO
- Implement dismissal and dismissal appeal hearings for all reserved and Executive Officer posts
- Approve any leaving payments (redundancy, dismissal, early retirement) in accordance with Trust policy
- Approve the succession plan
- 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

- Approve salary and performance related pay of senior leaders of the Trust
- Advise and support regarding complaints about the CEO/senior

executives/governors/directors • Support dismissal/disciplinary

hearings of all reserved posts

Advise on all Reserved post recruitment in

accordance with Diocesan protocol

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through the resources committee.

- Conduct Headteacher recruitment with CEO
- Conduct appraisals with engagement from AC Chair
- Conduct CEO appraisal

- Engage in Headteacher appraisal with SSO or CEO

• Provide Advice and information relating to Head Teacher Performance Related Pay through appraisal

- Implement the annual
- Provide advice to the Trust Board regarding leadership structures

- Coordinate/develop Skills Audit

- Agree and review the Articles of

- Report progress on key priorities

schedule of business for Academy Council

- Attend any diocesan, or other providers, induction and development training as required by the Diocese
- Respond to all complaints against Headteacher in line with Trust Policies
- Monitor academy

Governance

- Attend any diocesan, or other provider's induction and development training as required by the Diocese
- Respond to all academy level complaints in accordance with the complaints policy (not in relation to Headteacher complaints)

- Provide written reports to ensure that the Academy Council provide appropriate support and challenge
- Ensure that local governance details are up to date, in conjunction with the Trust Central Team

implementation of statutory compliance and risk management

- Monitor the progress made on Academy strategic

priorities

- Approve/remove staff and parent governors
- Oversee Governor

succession planning

- Ensure governors details are up to date on Academy

website

- Trust governance details on Trust and academy websites
- Academy governance details on school website
- Manage risk, establishing and maintaining register

trustees

- Provide written reports to Trust Board to enable them to

<p>provide appropriate support and challenge in relation to progress made on strategic priorities</p> <ul style="list-style-type: none"> • CEO/COO attend AGM 	<ul style="list-style-type: none"> • Support the appointment process of the company secretary clerk and Academy Council clerks • Establish and review Scheme of Delegation annually or when a change is necessary • Establish and review Governance Structure (committees) for the Trust annually 	<ul style="list-style-type: none"> • Monitor the progress made by the Trust Board and trust and each Academy for the overall strategic priorities • Provide Terms of reference for Trust Committees • Provide Terms of reference for the Academy Council • Develop a plan to fill gaps identified from the Skills Audit • Complete an Annual self review of 	<ul style="list-style-type: none"> • Implement the annual schedule of business for Trust Board • Oversee Governance Succession planning • Ensure the completion of annual report and accounts policies, signed statement on regularity, propriety and compliance, governance 	<p>statement demonstrating value for money</p> <ul style="list-style-type: none"> • Review and Monitor Management of Risk Association • Convene AGM • Appoint/remove directors on behalf of the Bishop • Appoint/remove foundation governors on behalf of the 	<p>Bishop</p> <ul style="list-style-type: none"> • Receive annual reports from the directors • Advise on governance within Catholic context, in line with Diocesan mission • Provide access to induction and development training for governors and directors
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- Approve all statutory policies
- Accountable for all compliance
 - Chair to attend AGM
- Attend any diocesan training as required
- Monitor effectiveness of local governance
 - Appoint/remove a suitably qualified company secretary
 - Appoint/remove a suitably experienced and trained clerk to

- the directors and to support clerking arrangements to the AC's as appropriate
- Oversee good governance in line with Trust ethos

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Data Protection

- Implement all Trust-wide Estates and facilities policies and procedures
- Contribute to the Trust's strategic Capital Plan
- Support implementation of Academy capital projects

H&S and Estates

<ul style="list-style-type: none"> • Provide information required to respond to FOI requests at Trust level • Provide information needed to respond to SAR • Report all data breaches to DPO • Ensure compliance with Data Protection obligations • Follow all Data Protection Policies • Establish a culture within the Academy regarding Data Protection • Appoint Academy Council Health and Safety 	<p>Headteacher.</p> <ul style="list-style-type: none"> • Oversee the development of academy building 	<p>legislation</p>	<ul style="list-style-type: none"> • Respond to all FOI requests at Trust level • Assist academies when responding to a SAR • Contact ICO as required regarding data breaches • Conduct audits across the Trust to establish compliance • Conduct training for Data Protection to all staff • Draft statutory and Trust Policies • Approve Trust policies(CEO) 	<ul style="list-style-type: none"> • Accountable for ensuring Trust fulfils FOI/data protection statutory obligations • Approve Statutory policies • Oversight of Data protection audit and risk. 	<p>Order Trustees' requirements</p> <ul style="list-style-type: none"> • Approve capital works in accordance with Diocesan protocols
<p>Representative</p> <ul style="list-style-type: none"> • Monitor academy 	<p>refurbishments</p>	<ul style="list-style-type: none"> • Appoint link governor for • Implement Trust H&S and Estates/Capital policies • Implement compliance of Trust wide Health and safety • Ensure correct risk assessments are in place • Consider and implement Estates Strategic Plan • Lead the delivery and management of all aspects of building works, estates and facilities contracts • Authorise all Capital projects and variations to them 	<ul style="list-style-type: none"> • Draft statutory and Trust policies • 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 • Oversee Estates, H&S and Capital policies • Monitor Trust Estates management strategy, compliance and Investment Plan, ensuring the safety of premises and estates 	<ul style="list-style-type: none"> • Accountable for all compliance • Approve and advise on all aspects of Land and property acquisitions and disposals • 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 • Approve insurance arrangements in accordance with Diocesan/religious 	
<p>compliance with Health and Safety policies and statutory obligations</p> <ul style="list-style-type: none"> • Liaise and record in writing both short- term and long term estates improvement plans with the school 	<ul style="list-style-type: none"> • Engage as required to respond accurately to Data Protection requests • Act in compliance with data protection policies and 				

obligations and mandatory Trust policies

Safeguarding

- Provide support to academies as required
- Attend safeguarding training as required
- Advise regarding any safeguarding complaints

Safeguarding • Implement statutory

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• Ensure appropriate dialogue with LADO as required

- Ensure Safeguarding policy is implemented in line with LA procedures
- Appoint Designated Safeguarding Lead (DSL)
- Manage all Safeguarding complaints (except against Headteacher) with Executive engagement
- Responsible for referrals for children at risk, outside Academy environment
- Attend safeguarding training as required
- Establish a safeguarding culture across the academy.
- Approve Academy Safeguarding policy

- Monitor implementation of Safeguarding through reports on the measures being taken to ensure compliance
- Attend safeguarding training as required

safeguarding training as required responsibilities as required in relevant legislation.

- Support academies to assess the need for referrals for children at risk
- Appoint a designated Safeguarding Director across the Trust

- Monitor the implementation
- Advise in responding to any complaint against a staff member
- Attend
- Appoint qualified SENCO
- Ensure needs of SEND and CLA pupils are met

• Provide advice to academies on

- Approves all statutory policies
- Oversight of governance

Accountable for all legal responsibilities

- Overview of strategic

Admissions

- Implement academy specific SEND policy

SEND

- Engage with LA over local fair access/ in- year placements protocols
- Responsible for implementation of Academy Admissions policy • Attend training as required by the Diocese
- Management of places in line with admissions policy
- of SEND policy and performance of SEND students
- Appoint link governor for SEND
- Monitor the implementation of policy to ensure that the needs of SEND and CLA pupils are met
- Approve Academy Admissions Policy
- Monitors fair access in line with guiding principles
- Manages Admission appeals • Submission of Admission policies to Local Authority and Diocese.
- Advise Directors/CEO on possible
- changes to Admissions policy
- the implementation of policy
- Ensure needs of SEND and LAC pupils are met
- Ensure Academy Admissions
- policy follow Diocese policies • Strategic development of admission numbers to best serve the wider community and the Diocese
- Propose any changes to PAN and admissions policy
- developments to ensure appropriate strategy is implemented for all pupils and that all legal responsibilities are adhered to.
- Strategic development of admission numbers to best serve the wider community and the Diocese and to ensure that legal responsibilities are adhered to
- Agree any proposed changes to PAN and submit to Diocese for approval
- Are the Legal Admissions authority delegating the
- Approve changes to PAN and Admission policy
- Provide advice and guidance regarding policy updates

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required

Headteacher

- Monitor exclusion data and trends for the academy

Exclusions

- Management of appeals as per admissions policy

- Responsible for issuing an exclusion, informing all relevant parties and managing any appeal processes, in line with agreed policies
- Admissions committee to meet in accordance with Diocese protocol and offer places in accordance with admissions poicy

- Formation of governors' panel if
- Deliver on academy

- Provide support and advice regarding exclusions
- Provide advice regarding behaviour policy overview and direction
- process to Academy Councils and

- Be accountable for all legal responsibilities
- Monitor exclusion data and trends across the Trust

- Support and advise governors panels as required

- Implement policy and protocol • Monitor implementation of policy and protocol

- Lead policy development and advise on local protocol

- Approve Critical Incident Management policy
- Approve Diocesan policy and protocol

Critical Incident Management

- Support family

- Manage crisis communications

- Approve Communication

- Set the Diocesan protocol for

Communications and Community

communications strategy and academy visual identity

- Manage parent, community, local

stakeholder and academy media engagement

- Refer any reputational risk to CEO/COO

• Ensure Academy website is fully compliant communications and

community engagement

- Oversight of the Academy website

• Ensure processes are in place to monitor stakeholder voice (pupils, staff, parents, Parishes and the wider

community) and reputational risk

- Support Headteacher with LAs and families as needed
- Develop marketing strategy for Trust and Academies
- Ensure Trust website is fully

compliant policies

- Oversee the Trust website • Ensure strategy reflects

stakeholder voice across the whole Trust and locally in each academy

communications

- Support for crisis communications or reputational risk.