



Diocesan Protocols for maintained schools and academies within the trusteeship of the Archdiocese of Liverpool.

Setting out the principles for a committed working relationship to underpin the effective running of Catholic maintained schools and academies.

These Protocols were issued to governing bodies of Archdiocesan voluntary aided schools and boards of directors of Catholic Multi-Academy Trusts (with an obligation to procure and monitor the compliance of local governing bodies), by the Archdiocese effective from 1st September 2024.

Signed by the Director of Education,
on behalf of Archbishop Malcolm McMahon:

(May 2024)

Protocols for maintained schools and academies within the trusteeship of the Archdiocese

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Preamble:

1. Terminology

The words listed below are used in this document with the meanings set out, unless the context requires otherwise.

'School(s)' means the Catholic school(s) for which readers of these Archdiocesan Protocols are responsible and accountable. It includes:

- voluntary aided schools;
- in the case of an academy, the Catholic Multi Academy Trust and all the academies within it;
- in the case of a federation, the federation and all the schools within it;
- Sixth form colleges
- independent Catholic schools
- Catholic schools and academies more generally (as appropriate).

'Director of Education' refers to the officer who exercises the Archbishop's education functions on his behalf.

'Archdiocese' includes any duly authorised representative or officer of the Archbishop who is exercising education functions on behalf of the Archbishop.

'Governing Body' refers to the body with legal responsibility for conducting the school on behalf of the Archdiocesan Trustees and includes: the governing body of a Catholic voluntary aided school, the board of directors of a Catholic Multi-Academy Trust and the governors of an independent school. In appropriate circumstances, it may also include a Local Governing Body of a Multi-Academy Trust, where that Local Governing Body is exercising powers delegated to it by the board of directors. In a Multi-Academy Trust, the board of directors is responsible for receiving these Archdiocesan Protocols and procuring and monitoring compliance by the Local Governing Bodies. Local Governing Body is the terminology used in this definition, but it may be known as the Local Governing Council or Committee.

'Governor' means a member of a Governing Body.

'Local Governing Body' means any committee (by whatever name) operating at a local level in a Catholic Multi-Academy Trust. The roles and responsibilities of any Local Governing Body within a Catholic Multi-Academy Trust are clearly defined in the Company's Scheme of Delegation (which includes the table of roles and responsibilities, as appropriate).

'Archdiocesan Trustees' means the Archdiocese that provides the school and owns the land and buildings, and corresponds to the entity in English law defined in the Education Acts as 'the Trustees of the school'.

'The Archdiocesan Trust Deed' The school is provided by the Archdiocesan Trustees for the purposes set out in their governing documents, including its Archdiocesan Trust Deed. The Governing Body of the school is under a legal duty to conduct itself in accordance with its Archdiocesan Trust Deed¹.

These Protocols apply in England.

¹ In the case of voluntary aided schools, please see s21(4) Education Act 2002; for voluntary academies please see the Articles of Association.

2. Why are these Archdiocesan Protocols Important?

We are all called to be good stewards and to safeguard Catholic education for the future. These Archdiocesan Protocols set out the principles which govern the committed working relationship which must exist between the Archdiocese and those responsible for running Catholic schools. Compliance with these Archdiocesan Protocols ensures the effective running of Catholic schools on behalf of the Archbishop for the benefit of pupils, parents, staff and the wider parish community. Compliance with these Archdiocesan Protocols will also contribute to ensuring the future of Catholic education for future generations.

In particular, this document includes Archdiocesan Protocols which explain Archdiocesan requirements and expectations and detail the support the Archdiocese will provide to those responsible for running Catholic schools.

Compliance with these Archdiocesan Protocols will ensure the **preservation and development of the Catholic character** of Catholic schools through relationships which are:

- effective;
- respectful;
- pro-active;
- collaborative; and
- productive.

Compliance with these Archdiocesan Protocols will also ensure that those responsible for running Catholic schools are doing so in compliance with the relevant governing documents.

In order for authentic and effective Catholic education to be provided, there must be a commitment to the principles of solidarity, (a sense of responsibility on the part of everyone with regard to everyone), and subsidiarity, (the co-ordination of activities locally to support the community locally)².

It is important that those responsible for Catholic education work together to achieve an effective working relationship for the benefit of all and that everyone commits to the principles of solidarity and subsidiarity. All Archdiocesan schools are part of the wider Archdiocesan family of schools and the expectation is that all those involved in the provision of Catholic education, including school staff, leaders, directors, governors and clergy will work together with the Archdiocese, for the common good and that they will not work in opposition, either to each other, or to the Archdiocese.

The education mission is central to the Church and those involved in the provision of authentic Catholic education, must be inspired by the principles of Catholic Social Teaching on which these Archdiocesan Protocols are based:

- dignity;
- solidarity;
- the common good;
- the option for the poor;
- peace;
- care for creation; and
- the dignity of work and participation.

² Principles recorded in 'The Common Good in Education' (Bishops' Conference 1996)

The Church's mission in education includes the principle of community cohesion, so you must continue to look outwards and work in partnership with others in the wider community, for the benefit of all children in society.

We work most effectively when we work together.

3. How Should These Archdiocesan Protocols Be Used?

Each Archdiocesan Protocol can be used independently of the other Protocols. It may be necessary to refer to more than one Archdiocesan Protocol when dealing with any one issue. For example, you may need to refer to the Protocols on Staffing and Recruitment together with the Protocols on Safeguarding to deal with pre-employment processes.

Please refer to the contents page for a list of the areas covered by each Archdiocesan Protocol.

The Archdiocese may request information at any time in order to enable it to evaluate compliance with these Archdiocesan Protocols, and Governing Bodies must provide any information requested in full and in a timely manner.

4. Archdiocesan Education Department Communication Protocol

If at any point you need to contact the Archdiocese, relevant persons are named below -

- Academisation – **Joan McCarthy**
- Catholic Life, Formation, Religious Education Directory (RED), Chaplains and all RE Matters - **Ben McMullen**
- Admissions – **Michael Boland**
- Admission Appeals – **Vicky Magill and Hannah Blabey**
- Buildings – **Vicky Magill, Michael Boland and Maria McGarry**
- Catholic Schools Inspectorate (CSI) – **Ben McMullen and Jenny Truddai**
- CCRS – **Dcn Paul Mannings and Paul Crilly**
- Complaints – **Gill Donohoe**
- General enquiries – **Hannah Blabey**
- Governance administration – **Jenny Truddai**
- Governance – **Gill Donohoe**
- Primary RE Advisors – **Pat Peel and Julie Rourke**
- Primary School Improvement – **Angela Allen and Sandra Martin**
- School Levy Queries and Devolved Formula Capital (DFC) – **Vicky Magill**
- Secondary School Improvement – **TBC**
- Secondary RE Advisor – **Dcn Paul Mannings**

Angela Allen.....	a.allen@rcaol.org.uk	0151 522 1093
Hannah Blabey.....	h.blabey@rcaol.org.uk	0151 522 1071
Michael Boland.....	m.boland@rcaol.org.uk	0151 522 1067
Richard Coakley.....	r.coakley@rcaol.org.uk	0151 522 1076
Paul Crilly.....	p.crilly@rcaol.org.uk	0151 522 1053
Gill Donohoe.....	g.donohoe@rcaol.org.uk	0151 522 1059
Vicky Magill.....	v.magill@rcaol.org.uk	0151 522 1077
Dcn Paul Mannings.....	p.mannings@rcaol.org.uk	0151 522 1057
Sandra Martin.....	s.martin@rcaol.org.uk	0151 522 1065

Joan McCarthy.....	j.mccarthy@rcaol.org.uk	0151 522 1072
Maria McGarry.....	m.mcgarry@rcaol.org.uk	0151 522 1064
Ben McMullen.....	b.mcmullen@rcaol.org.uk	0151 522 1085
Pat Peel.....	p.peel@rcaol.org.uk	0151 522 1058
Michelle Ravey.....	m.ravey@rcaol.org.uk	0151 522 1091
Julie Rourke.....	j.rourke@rcaol.org.uk	0151 522 1054
Jenny Truddaiu.....	j.truddaiu@rcaol.org.uk	0151 522 1050

If the person above is not available, please contact: aes@rcaol.org.uk and/or 0151 522 1071

5. Educational Vision

As an integral part of its vision for the holistic formation of children and young people, the Church expects those responsible for the provision of Catholic education to promote and uphold high standards, including academic standards.

The primary purpose of Catholic schools is to support families in the education of their children. Catholic schools must strive to enable each child to attain personal excellence in their studies, through the formation of their human values and the development of their understanding of God's purpose in their life.

"Together with and in connection with the family, the school provides catechesis with possibilities that are not to be neglected...This, of course, concerns first and foremost the Catholic school: it would no longer deserve this title if, no matter how much it shone for its high level of teaching in non-religious matters, there were justification for reproaching it for negligence or deviation in strictly religious education... The special character of the Catholic school, the underlying reason for it is precisely the quality of the religious instruction integrated into the education of the pupils."

St. John Paul II 'Catechesi Tradendae' 69

Crossing the threshold of a Catholic school should be like entering into the nurturing comfort of a loving Christian family, where all experience welcome, feel valued and are challenged to grow.

These Archdiocesan Protocols are designed to ensure a collaborative and supportive culture so that Catholic schools serve as witnesses to the Catholic faith. Compliance with these Protocols also ensures that Catholic schools:

- work in conformity with any trust deed governing the use of Archdiocesan land;
- comply with Canon law and with the teachings of the Church; and
- operate in conformity with any advice or directive issued by the Archbishop.

This commitment to working together will help realise the aim set out in Canon 795:

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

6. Important Documents

To follow is a list of the documents that define the relationship that the Archbishop has with his Schools. This relationship is administered by the members of the Archdiocesan Education Service on behalf of the Archbishop. The Archdiocesan Education Service is available to assist if any of the documents listed below cannot be located.

- Canon law³ including:
 - The Religious Education Directory and Bishops' statements on religious education
 - Any Archdiocesan Directives
- Trust Deed
- Instrument of Government (for VA schools)
- Articles of Association (for academies)
- The Scheme of Delegation (for a Catholic multi Multi-Academy Trust)
- Table of roles and responsibilities (for a Catholic multi Multi-Academy Trust)
- This document setting out the Archdiocesan Protocols
- The Bishops' Memorandum on the Appointment of Staff in Catholic schools
- CES model employment contracts and workplace policies, including model application forms and associated guidance
- Archdiocesan Guidance on Recruitment
- CES model Code of Conduct (for directors, governors and local governors, as appropriate)
- Archdiocesan guidance on admissions
- CES Accounting Treatment Guidance for Academy Trust Companies
- The memorandum of understanding between the Catholic Church and the Department for Education
- The Archdiocesan Occupation Document

7. Specialist Advice and Services

Those responsible for running Catholic schools should at all times ensure that they comply with the law, including having regard to guidance issued by the Department for Education. For example, it will be necessary to ensure that:

- governance arrangements comply with the law;
- employees are treated fairly and reasonably at all times and in compliance with the law;
- safeguarding arrangements comply with the law and follow the requirements in Keeping Children Safe in Education;
- admissions arrangements comply with the Admissions Code;
- accounting arrangements comply with the law; and
- the interests of the Archdiocesan Trustees are preserved at all times.

In order to comply with their legal responsibilities, those responsible for running Catholic schools may at times need to seek specialist advice and services (legal or otherwise).

Voluntary Aided schools will contact their Local Authority in the first instance, but schools are always welcomed to contact the Education Department for further advice.

³ *This means the Canon law of the Catholic Church from time to time in force, which includes the 1983 Code of Canon Law, and any Particular Law such as legislation of the Bishops' Conference, directives of the Archbishop and legislation of a School's religious order (if any).*

8. The Role of the Archbishop, the Archdiocese and the Archdiocesan Trustees

In order to understand the importance of compliance with these Archdiocesan Protocols, it is important to understand the role of the Archbishop, the Archdiocese and the Archdiocesan Trustees in Catholic education.

The Diocesan Bishop

The Diocesan Bishop holds Canonical responsibility for the provision of all Catholic education within his diocese, including maintained schools, academies and other independent schools, non-maintained schools and sixth form colleges. His primary responsibility is to ensure that his schools and academies are being conducted in accordance with the teachings and discipline of the Catholic Church.

The Diocesan Bishop has a Canonical right to carry out a visitation or inspection of any Catholic School in his Diocese at any time, either personally or, more usually, through his representatives. This right covers any kind of school, academy or college which is designated as a provider of Catholic education: voluntary aided schools, academies, religious order schools, independent schools and sixth form colleges. This inspection is properly called a Canonical inspection and can be carried out by an appropriately licensed inspector at any point.

Canon. 806 §1. The Diocesan Bishop has the right to watch over and inspect the Catholic schools situated in his territory, even those established or directed by members of religious institutes. He has also the right to issue directives concerning the general regulation of Catholic schools; these directives apply also to schools conducted by members of a religious institute, although they retain their autonomy in the internal management of their schools.

The rights of Diocesan Bishops are recognised in legislation, including in relation to the arrangements for denominational inspections pursuant to s.48 of the Education Act 2005 (for voluntary aided schools) and the Church Supplemental Agreement (for academies). A grant towards the cost of these inspections is provided by the State and is evidence of the position of the Catholic Church as a partner of the State in the provision of education.

Each Diocesan Bishop has strategic responsibility to commission sufficient places in Catholic schools 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. Essentially the definition of a Catholic School in Canon law requires that it is controlled by the Catholic Church.⁴ That control is normally established where the Diocese or a Religious Order owns the school and appoints the governors or directors, or at least a majority of them. In addition, Canon law provides that no school, even if it is Catholic, may use the title 'Catholic' without the consent of the Diocesan Bishop.⁵ All Catholic schools are subject to the jurisdiction of the Diocesan Bishop, even those that are not in Diocesan trusteeship.

In Catholic voluntary aided (VA) schools, the Diocesan Bishop's oversight is exercised through his Diocesan Education Service in close partnership with the local authority. This recognises that in VA schools, it is the local authority which holds the statutory responsibility for monitoring effectiveness and intervention, and it is their role to inform the Director of Education when a school gives cause for concern.

⁴ Canon 803§1

⁵ Canon 803§3

In **Catholic voluntary academies**, the Diocesan Bishop's oversight is exercised through his Diocesan Education Service in close partnership with the relevant Catholic Multi-Academy Trust. This recognises that in academies, it is the Multi-Academy Trust which holds responsibility for monitoring effectiveness and intervention, and it is the role of the Board of Directors and/or the Chief Executive Officer to inform the Director of Education when an academy gives cause for concern.

Relationship with the Department for Education

The Memorandum of Understanding between the Catholic Church and the Department for Education sets out the key principles which inform the working relationship between the Department for Education, the Catholic Education Service and Catholic dioceses. Those responsible for running Catholic schools should familiarise themselves with the contents of the Memorandum of Understanding as it provides useful information about the formal and legal partnership that exists between the Catholic Church and the State.

www.gov.uk/government/publications/church-schools-and-academies-memoranda-of-understanding

Relationships with Regional Directors (formally known as RSCs) and their officers

The Archdiocesan Education Service works closely with the Regional Director and their officers and their working relationship is reflected in the Memorandum of Understanding referred to above and a Ways of Working Protocol which was negotiated by the CES and the Department for Education. The Ways of Working Protocol provides that Director of Education will be sighted on all non-routine communications with Catholic schools and that they will be involved in a regular dialogue with the Regional Director's office.

The Ways of Working Protocol has been circulated to schools by the Archdiocese.

The Diocese and the Diocesan Bishop

A Diocese is a portion of the people of God entrusted to a bishop. It constitutes a particular Church in which and from which, the one and only Catholic Church exists. It also has a legal personality as it exists as an independent charitable foundation. The Diocesan Bishop governs the Diocese as the Vicar of Christ: he has proper, ordinary and immediate jurisdiction, exercised by him personally in Christ's name.

The Archbishop's responsibilities include:

- the provision and future development of excellent Catholic education throughout the Archdiocese;
- the planning of school place provision;
- the oversight of high educational standards, progress and outcomes in all Catholic schools, especially in RE;
- the inspection of the religious life of schools and RE (s.48 / canonical inspections);
- the development of Catholic teachers and leaders (and overseeing all appointments in accordance with these Archdiocesan Protocols);
- maintaining links with the Catholic Education Service and the government;
- engaging with Regional Directors, Local Authorities and Ofsted; and
- issuing directives concerning the general regulation of Catholic schools.

The Archdiocesan Trustees

Most Catholic schools and the land they are built on, are owned by the Archdiocese. They are held in charitable trusts by Archdiocesan Trustees, appointed by the Archbishop. The role of the Archdiocesan Trustees is to administer the property of the Archdiocese in accordance with the Archdiocesan Trust Deed, making it available to the Archdiocese led by the Archbishop.

Catholic schools occupy the land on behalf of the Archdiocesan Trustees and under the oversight of the Archbishop, subject to the directives of the Archbishop and the parameters set out by the Archdiocesan Trustees relating to the occupation of the land.

Catholic schools occupy Archdiocesan land and buildings under a bare licence and those responsible for running Catholic schools should familiarise themselves with the Occupation Document issued by the Archdiocese which sets out the basis for that occupation. For a further explanation of the basis on which Archdiocesan land and buildings are occupied; please also review the CES Accounting Treatment Guidance for Academy Trust Companies. Whilst this document is primarily focused on Multi-Academy Trusts and the accounting treatment of Archdiocesan land and buildings, it also includes useful information for VA schools.

The Archdiocesan Trust Deed

Catholic schools are provided by the Archdiocesan Trustees for the purposes set out in their governing documents, including the Archdiocesan Trust Deed. Governing Bodies are under a legal duty to conduct the undertaking in accordance with the Archdiocesan Trust Deed⁶.

In education law, “trust deed” is given a wide definition which includes any instrument (other than the Instrument of Government) regulating the constitution of the governing body or the maintenance, management or conduct of the school⁷ and includes the Archdiocesan Trust Deed.

Most trust deeds state that the school is provided ‘for the advancement of the Catholic religion’, and the provisions of Canon law form part of the Archdiocesan Trust Deed. Under charity and education law, schools are regulated by their trust deed, and their other governing documents must reflect those requirements. For Catholic academies, the same provisions can be found in their articles of association.

Archdiocesan Officers

Archdiocesan officers are appointed by the Archbishop to help him to carry out his responsibilities relating to Catholic education. They are often members of the Archdiocesan Education Service or the Archdiocesan Schools Commission.

- **Director of Education** is appointed by the Archbishop to help in the planning, organisation and management of Catholic schools in the Archdiocese. They negotiate with officers of the local authorities and the Department for Education in matters relating, for example, to the provision of places and school buildings. They also work closely with Governing Bodies, advising them on the appointment of senior leaders, building projects and maintenance, and they organise in-service training for Governing Bodies and school staff.

⁶ *In the case of voluntary aided schools, please see s21(4) Education Act 2002; for voluntary academies please see the Articles of Association.*

⁷ *Education Act 1996, s579*

- **Religious Education Advisers and Inspectors** support the Archbishop by promoting his policies on the teaching of religious education in his schools and colleges. They report to the Archbishop on the quality and standard of teaching and learning. They advise Governing Bodies on the appointment process for teachers of religious education and work with teachers and Governing Bodies on the curriculum for religious education.
- The officers of the Archbishop will also act on behalf of the Archdiocesan Trustees in appropriate matters relating to property.

9. Seven Principles of Public Life

All those responsible for running Catholic schools must follow the seven principles of public life (“the Nolan Principles”) namely:

- Selflessness;
- Integrity;
- Objectivity;
- Accountability;
- Openness;
- Honesty; and
- Leadership.

These principles are embedded into the CES Codes of Conduct for directors and governors.

Archdiocesan Protocols:

1. Archdiocesan Protocols on Governance

Key principles:

- To be Catholic, schools, colleges and academies must be controlled by the Catholic Church and be recognised as such by the Archbishop.
- The Archbishop is responsible under Canon law for any strategic decisions about Catholic schools, colleges and academies in his Archdiocese.
- Structural changes, including changes to governance arrangements, require both the consent of the Archbishop and the Archdiocesan Trustees.
- The Archbishop has a duty to ensure that all the foundation directors/governors that are appointed to govern Catholic schools, colleges and academies in his Archdiocese have the necessary skills to perform the role and the personal commitment and skills required to fulfill their overarching duty to preserve and develop the Catholic character of the school, college and academy for which they have responsibility.
- As an integral part of its educational vision, the Catholic Church expects Governing Bodies to promote and uphold high standards, including academic standards. This requires effective and strategic governance arrangements.
- The Governing Body must endeavour to operate at a strategic level, leaving the school's, college's or academy's senior leadership responsible and accountable for the operational running.

- The three core strategic functions, of a Governing Body, are to:
 - ensure clarity of Catholic vision, ethos and strategic direction;
 - hold the appropriate senior leadership to account for the educational performance and Catholic character of the School and its pupils; and for the internal organisation, management and control of the School, including performance management of staff; and
 - oversee the financial performance of the school, college and academy and make sure its money is well spent.

Archdiocesan Protocols on Governance:

- Protocol 1** Governing Bodies must ensure that their governance arrangements comply with the law.
- Protocol 2** Governing Bodies must preserve and develop the Catholic character of the school(s) at each layer of governance and fulfil the three core strategic functions.
- Protocol 3** Governance and management structures and arrangements must be in line with any Archdiocesan policy that may be published from time to time.
- Protocol 4** Catholic Multi-Academy Trusts must use both the Model Articles for Catholic schools and the CES Model Scheme of Delegation, (including the table of roles and responsibilities). Both of these documents may be subject to amendment by the Archdiocese and the Archdiocese will provide a version of these documents for use.
- Protocol 5** Governing Bodies must use the information, guidance, resources and documentation relating to governance arrangements available on the CES website.
- Protocol 6** Governing Bodies must conduct an annual self-evaluation to identify strengths and areas for further development. Governing Bodies should use the CES model skills audit and the CES model self-evaluation form for this purpose.
- Protocol 7** Governing Bodies must adhere to Archdiocesan policy on Governance Statements and should consult the Director of Education before adopting the CES Model Governance Statement to ensure compliance with any particular Archdiocesan policy.
- Protocol 8** Governing Bodies must comply with any requirements and directions issued by the Director of Education to address areas for improvement (including, in particular, any requirements and directions following a governance review and any request to amend the constitutional documents, including the Instrument of Government and Articles of Association).
- Protocol 9** Governors must complete all Archdiocesan induction and other training that may be required by the Archdiocese.
- Protocol 10** Governing Bodies must pay the Archdiocesan Levy as stipulated from time to time by the Archbishop. Invoices are raised to schools.
- Protocol 11** Governing Bodies, as the employer of school staff, must ensure that CES model application forms are used.

- Protocol 12** Governors must ensure that they make themselves available to attend meetings or that they send apologies when appropriate. A threshold of non-attendance is found in the Governance Regulations. Governors must ensure that they read all meeting papers in advance of meetings, that they declare any conflicts of interest and that they do not vote where there is a conflict (for example, in the appointment of family members). Governors must ensure that they respect the confidentiality of Governing Body discussions.
- Protocol 13** Governing Bodies must ensure that all Governors sign a code of conduct at the beginning of each academic year. Governing Bodies should use the CES Model code of conduct for this purpose.
- Protocol 14** Governors must use their position on the Governing Body to implement the Archbishop's strategic plans for Catholic schools in his Archdiocese.
- Protocol 15** Governing Bodies must provide the Archdiocese with any information requested, in the format required, and in a timely fashion, in order to ensure that the Archdiocese is able to perform its functions.
- Protocol 16** As far as possible, Governing Bodies should ensure that only foundation Governors are elected to the role of Chair and Vice-Chair.
- Protocol 17** School staff are not eligible to be appointed as foundation Governors at the School where they are employed.

2. Archdiocesan Protocols on Conversion to Becoming an Academy

Key Principles:

- The Archbishop has overall responsibility for the organisation of schools within his Archdiocese.
- The Archdiocese has produced a strategy which sets out the Archbishop's wishes for the organisation of the schools in his Archdiocese. This strategy sets out the most effective organisational structure for the benefit of all Archdiocesan schools and the communities that they serve.

Archdiocesan Protocols on Conversion to Becoming an Academy:

- Protocol 1** Governing Bodies must have regard to the Archbishop's strategy for academisation and must follow the Archdiocesan policy which sets out the process to be followed for converting to a Multi-Academy Trust.
- Protocol 2** Governing Bodies must have the written approval of the Archdiocesan Trustees to become an academy⁸. Any decision as to whether consent will be forthcoming will be made by the Archbishop in accordance with his canonical responsibility in relation to the provision of schools across the Archdiocese.

⁸ pursuant to the Academies Act 2010, subsection 3(4)

- Protocol 3** Prior to providing the written approval referred to in Protocol 2 above, it will be necessary for the Archdiocesan Trustees to carry out a process of due diligence. Governing Bodies will assist the Archdiocesan Trustees to carry out this process by providing requested information in a timely manner and in the format requested.
- Protocol 4** Following consent, the Archdiocese will support Governing Bodies to achieve the conversion timetable and will provide template documents and/or best practice advice.
- Protocol 5** Governing Bodies must use Archdiocesan documentation in relation to the conversion, including the appropriate model Articles of Association.
- Protocol 6** Governing Bodies must meet any administration charges incurred by the Archdiocese in relation to the conversion. The Archdiocese will confirm any such charges directly with the Governing Body.
- Protocol 7** Governing Bodies must instruct solicitors that are approved by the Archdiocesan Trustees in relation to the conversion.

3. Archdiocesan Protocols on Staffing and Recruitment

Key Principles:

- Governing Bodies must follow the requirements of the Bishops' Memorandum on the Appointment of Staff in Catholic schools which is available on the CES website.
- The CES provides model employment documentation. This documentation includes application forms and associated recruitment guidance, model contracts and model employment policies all of which are available on the CES website.

Archdiocesan Protocols on Staffing and Recruitment:

- Protocol 1** Governing Bodies must comply with the Bishops' Memorandum. This is an extremely important document which has been issued by the Bishops of England and Wales and which sets out their collective requirement on all Schools that are Catholic in relation to staffing.
- Protocol 2** Governing Bodies must follow the Archdiocesan guidance which sets out the definition of what it means to be a practising Catholic. This guidance will assist applicants to understand what these requirements are.
- Protocol 3** Governing Bodies must ensure that best practice in recruitment process is always followed. This includes following the CES Guidance on Recruitment of Staff for Governing Bodies which is available on the CES website and takes the Governing Body through the process of recruiting, including issues to be aware of, (for example disability/Catholicity requirements/disqualification etc.), and also includes a checklist of items to be completed before an offer of employment can be made.
- Protocol 4** Governing Bodies must inform the Education Department, at the earliest point, of any vacancies and of processes for recruitment for senior leadership positions such as

Chief Executive Officer, Headteacher, Deputy Headteacher, Principal, Deputy Principal, Chaplain; Executive Head, Head of School and Head or Co-ordinator of Religious Education (RE lead) which must be filled by a Practising Catholic (this also includes informing the Education Department of the terms of any temporary appointments and secondments).

- Protocol 5** As required in the Bishops' Memorandum, Governing Bodies must ensure that the Archbishop is represented during the appointment of senior leaders, heads/co-ordinators of Religious Education and school chaplains.
- Protocol 6** Governing Bodies must ensure that the Archbishop is represented in disciplinary procedures because he has a right of episcopal oversight (as set out in the Bishops' Memorandum). Governing Bodies must keep the Archdiocesan Education Department informed of any issues which relate to senior members of staff, particularly where dismissal may be the outcome of the process.
- Protocol 7** Governing Bodies must ensure that the Archdiocese is advised of senior leaders who may be working within other schools in a different Archdiocese.
- Protocol 8** Governing Bodies must ensure that at least one person on each interview panel has attended up to date safer recruitment training.
- Protocol 9** Governing Bodies must ensure that they are notified of all conflicts of interest arising in recruitment processes, for example, where the applicant is a relative of one of the Governors. Where conflicts of interest arise, Governing Bodies must ensure that they are dealt with appropriately, for example, by declaring individuals ineligible to sit on the recruitment panel.
- Protocol 10** Governing Bodies must ensure that all salaries reflect value for money and appropriate use of public funds. Governing Bodies must provide any salary information requested by the Archdiocese.
- Protocol 11** In setting salaries, Governing Bodies must have regard to the CES advice on the Living Wage which is available on the CES Website.

4. Archdiocesan Protocols on Safeguarding

Key Principles:

- In accordance with the relevant statutory requirements, certain pre-employment checks must be conducted for positions that involve work with vulnerable groups, specifically children and vulnerable adults.
- Statutory and other appropriate safeguarding training, should be attended by all members of Governing Bodies and all school staff.
- In addition to pre-employment checks, Governing Bodies must also ensure that statutory and other appropriate safeguarding policies are in place to ensure that daily safeguarding processes protect pupils.

Archdiocesan Protocols on Safeguarding:

- Protocol 1** Governing Bodies must follow any guidance on safeguarding issued by the Archdiocese.
- Protocol 2** Boards of Directors of Academy Trust Companies are required to determine who will be responsible for safeguarding in their academies in line with their Scheme of Delegation.
- Protocol 3** Governing Bodies must ensure that the Director of Education is informed of any significant safeguarding issue that arises.

5. Archdiocesan Protocols on Relationships with Trade Unions

Key Principles:

- All employees and workers in Catholic schools have the right to join a trade union and take part in its activities. This right not only flows from the current law in England and Wales but also from the Catholic Church's social teaching. The Second Vatican Council's Pastoral Constitution on the Church in the World (*Gaudium et Spes*) states: "Among the basic rights of the human person is to be numbered the right of freely founding unions for working people. ... Included is the right of freely taking part in the activity of these unions..." (para.68). The 1996 Bishops' Conference document "*The Common Good and the Church's Social Teaching*" also elaborates on this, and other rights of workers derived from the Church's teaching (paras.91-95).
- This right is also included in the CES model contracts of employment.

Archdiocesan Protocols on Relationships with Trade Unions:

- Protocol 1** Governing Bodies must not make any material amendments to the CES model workplace policies without seeking the prior approval of the Archdiocese.
- Protocol 2** Governing Bodies must alert the Director of Education as soon as possible to any issues that may arise that are likely to cause problems and/or lead to industrial action and/or reputational damage.
- Protocol 3** Governing Bodies must not agree any joint statement or issue any document (such as school staff workplace policies and procedures and/or recognition agreements) to trade unions, without consulting with the Director of Education.

6. Archdiocesan Protocols on Relationships with Authorities

Key Principles relating to the Department for Education:

- The CES liaises directly with the Department for Education on behalf of all Dioceses.
- The CES acts on behalf of the Catholic Bishops' Conference to support and promote Catholic education.
- The CES has two principal roles:

- To represent the views of the Bishops collectively to the government and other national agencies; and
- To support dioceses in carrying out their educational functions.
- The CES has a strong and positive working relationship with the Government, sharing the aims of high academic standards for all and increased parental choice.
- Dioceses do not engage with national bodies (such as the Department for Education) in relation to national policy matters as these are within the competence of the CES unless such engagement is organised through the CES.
- If a national body spontaneously contacts a Diocese in relation to such a matter, they will normally be referred to the CES.
- Dioceses will seek to involve the CES in any matter where a national policy position of the Bishops may arise.
- The CES does not engage in direct contact with or answer queries from individual Schools except with the consent of the Diocese.

Key Principles relating to Regional Directors (formally known as RSCs):

- Regional Directors take the majority of decisions relating to academy conversions, intervention and sponsorship in each region, on behalf of the Secretary of State.
- The Memorandum of Understanding between the Catholic Church and the Department for Education which is available on the DfE website (“the Memorandum of Understanding”) is intended to guide and support Regional Directors and Dioceses in their relationship. Both parties will be expected to act in accordance with the principles and protocols described by the Memorandum of Understanding.
- The Ways of Working Protocol also sets out the principles which govern the relationship between Dioceses and Regional Directors.
- Governing Bodies are required to reinforce the direct relationship set out in the Memorandum of Understanding and the Ways of Working Protocol that the Regional Director and the DfE must have with the Diocese and particularly with the Director of Education. The Director of Education is charged with ensuring that schools carry out the will of the Bishop, and as a result, has the authority to speak on behalf of all schools as mandated by the relevant governing documents.
- Both the Memorandum of Understanding and the Ways of Working Protocol are clear about the right of the Director of Education to be sighted on correspondence and invited to meetings.
- Levels of understanding of the context of Catholic education may vary from Regional Director to Regional Director and Governing Bodies will need to ensure that any contextual misunderstandings are corrected.

Key principles in relation to Local Authorities:

- Dioceses work in partnership with Local Authorities in the provision of education as part of the dual system of education.

- The Director of Education is charged with ensuring that schools carry out the will of the Bishop and, as a result, has the authority to speak on behalf of Governing Bodies as mandated by the relevant governing documents.
- This responsibility is fulfilled by representatives who attend on behalf of the Diocesan Bishop where they have a right to be a member of certain local authority committees and to have voting rights.
- Levels of understanding of the context of Catholic education may vary from LA officer to LA officer and Governing Bodies will need to ensure that any contextual misunderstandings are corrected.

Archdiocesan Protocols on Relationships with Authorities:

- Protocol 1** Governing Bodies must ensure that the Director of Education is kept informed of any non-routine direct communication from the Regional Director, any other division of the DfE, or other government department. This will ensure continued compliance with the Memorandum of Understanding and the Ways of Working Protocol.
- Protocol 2** Governing Bodies must inform the Regional Director and any other division of the DfE (and/or other government department) that the Director of Education is being kept informed and must remind the Regional Director and any other division of the DfE (and/or other government department) of their obligations under the Memorandum of Understanding and the Ways of Working Protocol as appropriate.
- Protocol 3** The Director of Education will make representations to the Regional Director and any other division of the DfE (and/or any other national body) on behalf of Schools, (unless the CES is charged with that responsibility), unless the Director of Education agrees otherwise.
- Protocol 4** The Director of Education is charged with negotiating with officers of the local authorities (and the DfE) in matters relating to, for example, the provision of School places and School buildings.
- Protocol 5** Governing Bodies must immediately notify the Director of Education of any notices (warning or otherwise) received from the local authority.
- Protocol 6** The Director of Education is charged with nominating and appointing the persons representing the Archbishop at County Council Committees where the Archbishop has a right to attend.
- Protocol 7** The Director of Education is responsible for informing Governing Bodies of committee agenda items pertaining to education as appropriate.
- Protocol 8** Governing Bodies can bring to the attention of the appropriate Archdiocesan officer issues that they would like the Archbishop's representatives to bring to Local Authority meetings.
- Protocol 9** The Director of Education consents to Governing Bodies communicating on general matters directly with the local authority provided that:
- They continue to preserve and develop the Catholic character of the school;

- They have regard to the Catholic character of the school and they do not do anything detrimental or prejudicial to the interests of the same.

7. Archdiocesan Protocols on Consultations

Key Principles:

- The CES acts on behalf of the Catholic Bishops' Conference to support Catholic education. The CES has a strong and positive working relationship with the Government, sharing the aims of high academic standards for all and increased parental choice.
- Views are very regularly sought by the Government on new or changing government policies. Government departments take these responses into consideration before making decisions.
- The CES responds to Government consultations and liaises directly with the Department for Education as the education agency of the Catholic Bishops' Conference and on behalf of all Archdioceses as appropriate. The CES does not generally respond to consultations issued by Local Authorities as these will be within the remit of the Archdiocese.
- If a national body contacts the Archdiocese on consultations or other related matters, they will normally be referred to the CES. The Archdiocese will involve the CES in any matter where a national policy position of the Bishops may arise.
- The Archdiocese has legal status as a partner with local authorities in the provision of school places and has the opportunity to respond to a significant number of consultations from local authorities and central government departments and agencies each year.

Archdiocesan Protocols on Consultations:

- Protocol 1** Where the CES is not involved, the Archdiocese, in representing the views of the Archbishop on matters pertaining to education in the area of the Archdiocese, will continue to be the delegated respondent in relation to all relevant consultations including; those originating from the local authority; and those pertaining to or with implications for the Archdiocese, unless the Director of Education determines otherwise.
- Protocol 2** In the event of a consultation originating from the local authority or regarding that area, the Archdiocese may wish to consult with Governing Bodies further as appropriate before any response is made.
- Protocol 3** Governing Bodies may, from time to time, be requested by the Archdiocese to submit particular consultation responses on behalf of the school in line with Archdiocesan requirements.

8. Archdiocesan Protocols on Admissions

Key Principles:

- Admission criteria are set by the Governing Body and published in their admissions policy. It is the responsibility of admission authorities to ensure that admission arrangements i.e. the overall procedure, practice, criteria and supplementary information to be used in deciding on the allocation of school places and any device or means used to determine whether a school place is to be offered, are compliant with the law, admissions legislation and the School Admissions Code (“the Code”).
- All Catholic schools are subject to the jurisdiction of the Archbishop, even those that are not in Archdiocesan trusteeship. Canon 806§1 provides that the Archbishop has the right of supervision, visitation and inspection of Catholic schools in his Archdiocese, even those established or directed by members of religious orders. He also has the right to issue directives concerning the general regulation of all Catholic schools.
- Accordingly, the religious authority for all Catholic schools, including those in the trusteeship of a religious order, is the Archbishop. In accordance with the Code, the admission authority must consult with the religious authority (the Archbishop) when deciding how membership or practice of the faith is to be demonstrated. As the local ordinary, it is for the Archbishop to decide how membership and practice is to be demonstrated for the purposes of admission to his Schools.
- Governing Bodies as admissions authorities are required to carry out their statutory duties in consulting on and determining admissions arrangements in accordance with the dates set out in the Code.
- **In Catholic voluntary aided schools**, the admission authority is the governing body.
- **In Catholic voluntary academies**, the admission authority is the Multi-Academy Trust. This means that in a MAT, the Multi-Academy Trust is responsible for determining the admission policies for all of its schools and for determining applications. In a MAT, the Multi-Academy Trust may, however, delegate responsibility for determining the admission policies for an individual school within the MAT, and/or taking decisions on applications, to the Local Governing Body.
- Governing Bodies are required to comply with the requirements of Canon law which provide that the Archbishop has canonical responsibility to commission sufficient places to meet the needs of baptised Catholic children resident in his area. Adherence to the protocols set out below will assist the Archbishop in fulfilling those obligations.

Archdiocesan Protocols on Admissions:

- Protocol 1** Governing Bodies are required by law to comply with the Archdiocesan Trust Deed and the relevant constitutional documents in discharging their functions, including when determining admission arrangements. For schools, the constitutional document is the Instrument of Government and for academies, it is the Articles of Association. The constitutional documents include the school’s duty to serve as a witness to the Catholic faith, and to comply with the requirements of Canon law.

- Protocol 2** Governing Bodies have an over-riding duty to offer places to Catholics. Where this is a requirement of the Trust Deed and/or an Archdiocesan directive, it is thereby a legal requirement on Governing Bodies.
- Protocol 3** Governing Bodies must ensure that the Director of Education receives timely reports on admissions, as requested, to assist the Archbishop in his responsibilities.
- Protocol 4** The Archdiocese will provide advice, support and guidance in relation to admissions.
- Protocol 5** Governing Bodies must work closely, through the Archdiocesan Education Service, with other Archdiocesan schools. This will ensure that admission arrangements across the Archdiocese fit together and that no group of Catholics is disadvantaged.
- Protocol 6** Governing Bodies must follow the *Guidance on Admissions to Catholic schools* and any other specific admissions related guidance published by the Archdiocese and reviewed from time to time ("the Guidance"). In accordance with paragraph 1.38 of the Code, Governing Bodies must have regard to the Guidance unless it does not comply with the mandatory provisions of the Code or the Governing Body can demonstrate that it has considered and engaged with the Guidance and has a clear and proper reason to depart from it.
- Protocol 7** Admission arrangements must be formally determined annually. Governing Bodies must ensure that their decision to determine admission arrangements each year is documented and that records are kept to evidence that they have done so.

9. Archdiocesan Protocols on School Place Planning

Key Principles:

- The Archbishop has canonical responsibility to commission sufficient school places to meet the needs of baptised Catholic children resident in his area.
- The Archdiocese is a statutory partner with local authorities in the planning and provision of school places and the Archdiocese is charged with this responsibility through the Archbishop.
- The Archdiocese will also engage in place planning discussions with relevant Regional Directors.

Archdiocesan Protocols on School Place Planning:

- Protocol 1** Governing Bodies must co-operate with the Archdiocese in relation to all matters relating to school place planning and the effective use of the Archdiocesan school estate.
- Protocol 2** In order to ensure that the Archbishop is able to fulfil his canonical responsibility, Governing Bodies must comply with any requirement of the Archbishop to increase or decrease the number of pupils on roll, whether on a temporary or permanent basis.

- Protocol 3** Governing Bodies must seek approval from the Director of Education should they wish to expand or reduce the number of School places including planned expansion of nursery provision.
- Protocol 4** The Archdiocese will consult with Governing Bodies regarding any place planning programmes nearby that could impact the school(s) they are responsible for.
- Protocol 5** Governing Bodies must provide the Archdiocese with information relating to surplus places.

10. Archdiocesan Protocols on Accounting

Key Principles:

- The Archdiocesan Trustees may decide to, for example:
 - monitor the financial health of schools, colleges and academies in the Archdiocese;
 - ensure Governing Bodies achieve efficiencies and value for money;
 - ensure Governing Bodies optimise resources and invest in teaching and learning;
 - consider any purchasing, tendering and contracting requirements; and
 - consider and review reserves policies.
- This is to ensure that the Archbishop is aware of any risks to schools, colleges and academies which might impact future viability and which might have an impact on the provision of Catholic schools, colleges and academies across the Archdiocese.

Archdiocesan Protocols on Accounting:

- Protocol 1** Governing Bodies must ensure that their accounting arrangements comply with the law (and in the case of a Multi-Academy Trust with the current Academy Trust Handbook, Academies Accounts Direction and any relevant SORP).
- Protocol 2** Boards of Directors of Multi-Academy Trusts, must 1) follow Archdiocesan auditing requirements in relation to accounting for Church assets; and 2) prepare a financial scheme of delegation, (a copy of which must be provided to the Director of Education); and 3) determine who will be responsible for accounting in line with the Scheme of Delegation and the Academy Trust Handbook and notify the Archdiocese of such arrangements.
- Protocol 3** The Archdiocese may require from Governing Bodies qualitative, authenticated and accurate financial information (including, but not limited to, details of anticipated and actual expenditure and income, a financial forecast and a 5-year budget plan), in a form and at times determined by the Archdiocese. Governing Bodies may also be required to provide copies of any returns made to the ESFA.
- Protocol 4** Governing Bodies of Multi-Academy Trusts must create and maintain a register for Persons with Significant Control.
- Protocol 5** Governing Bodies must pay the Archdiocesan contribution as stipulated from time to time by the Archbishop.

- Protocol 6** Governing Bodies must recognise and manage present and future risks, including contingency and business continuity planning, to ensure continued and effective operation. Governing Bodies may be required to provide a report on risk management to the Archdiocese during each academic year.
- Protocol 7** Governing Bodies must notify the Director of Education of any arrangements put in place with the Local Authority, in the event that they are unable to set a budget.

11. Archdiocesan Protocols on Capital Works

Key Principles:

- Most Catholic schools, and the land they are built on, are owned by the Archdiocese.
- The land is held on charitable trust by Archdiocesan Trustees, appointed by the Archbishop.
- The role of the Archdiocesan Trustees is to administer the property of the Archdiocese in accordance with its Trust Deed, making it available to the Archdiocese led by the Archbishop.
- Other Catholic schools, mainly owned by religious orders, have their own Trustees, but are nevertheless within the authority of the Archbishop.
- The Archdiocesan Trustees provide land and buildings for the use of Catholic schools so that the Governing Body may conduct the school on their behalf under the supervision of the Archbishop.
- Governing Bodies occupy School premises subject to the Archdiocesan Trustees' objects and any other parameters laid down by them. Whilst the Archdiocesan Trustees permit occupation of the school site for the time being, they do not confer any right to occupy and ultimate control of the site and any decisions relating to the land and buildings rests with the Archdiocesan Trustees.

Archdiocesan Protocols on Capital Works:

- Protocol 1** Governing Bodies are responsible for ensuring that the Archdiocesan Trust's property and assets remain under the control of the Archdiocesan Trustees, and that measures are in place to prevent losses or misuse. Any documentation or communication that makes reference to the Archdiocesan Trust's property or assets must be referred immediately, in line with the Archdiocesan communication protocol, to the appropriate Archdiocesan officer for written approval before signature or submission to a third party.
- Protocol 2** When considering Capital Works, Governing Bodies should refer to the latest Standing Orders and Financial Regulations in relation to the financing and procurement of projects. Governing Bodies should also comply with legislation in relation to health and safety.
- Protocol 3** Governing Bodies must follow any Archdiocesan policy on Capital Works that may be published from time to time. Permission must be sought from the Archdiocese before

any Capital Works are carried out and should be supported, where possible, with the advice of approved Area Surveyors.

- Protocol 4** Governing Bodies must ensure all statutory requirements for Capital Works are complied with (including but not limited to planning approval; listed buildings consent and building regulations consent). Governing Bodies must also provide evidence of such compliance upon request to the Director of Education. Area Surveyors will provide this information on behalf of schools when supporting capital projects.
- Protocol 5** Should insurance be required for Capital Works Governing Bodies must notify the Director of Education in advance of the work being commenced. Governing Bodies must ensure that they comply with any instructions given by the Archdiocese in relation to insurance for Capital Works and any requirements for insurance to be in joint names.
- Protocol 6** Any submissions made to the Director of Education must normally show the scope of the work, the costs (evidenced by quotes), and the funding sources that have been identified.
- Protocol 7** All legal, financial and operational responsibilities associated with Capital Works projects are the responsibility of the Governing Body.
- Protocol 8** Governing Bodies must always refer to the Director of Education for assistance in identifying a professionally qualified and competent consultant in the development and implementation of any Capital Works projects.

12. Archdiocesan Protocols on Care for Creation

Key Principles:

- Species populations have declined and global temperatures are rising, fuelling environmental degradation, natural disasters, weather extremes, food and water insecurity, conflict, and economic disruption, amongst other things. The ecological crisis is impacting lives today and will impact the future lives of all children.
- Pope Francis encourages us to undergo an “ecological conversion”, whereby the effects of our encounter with Jesus Christ become evident in our relationship with the world around us. “Living our vocation to be protectors of God’s handiwork is essential to a life of virtue; it is not an optional or secondary aspect of our Christian experience”.⁹
- The Paris Agreement commits the global community to take action to hold the increase in global average temperatures to well below 2°C above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5°C. The UK government has passed legislation to meet net zero by 2050.
- The Department for Education published ‘Sustainability and climate change: a strategy for the education and children’s services systems policy paper’¹⁰ in April 2022, with the vision for the

⁹ [Laudato si' 217 \(24 May 2015\) | Francis \(vatican.va\)](#)

¹⁰ www.gov.uk/government/publications/sustainability-and-climate-change-strategy

United Kingdom to be the world-leading education sector in sustainability and climate change by 2030. There are four strategic aims, which include preparing all young people for a world impacted by climate change through learning and practical experience, reducing direct and indirect carbon emissions, and for children and young people to engage practically in the transition to net zero, adapting education buildings to prepare for the effects of climate change, and providing a better environment for future generations.

- The Vatican Dicastery for Promoting Integral Human Development has outlined seven 'Laudato Si' Goals', one of which is 'Ecological Education': Re-thinking and re-designing curricular and institutional reform to foster ecological awareness and transformative action.
- Catholic Social Teaching, (such as dignity of the human person, the option for the poor, standing with those suffering injustices, and caring for creation), calls us to live our faith through our actions. The consequences of the ecological crisis compromise human life, disproportionately effecting the poor and vulnerable, those contributing the least are suffering the most. We need to take actions that ensure a world where human dignity and the environment flourish.
- Pope Francis calls us to respond to the cry of the earth and the cry of the poor, making a universal appeal "The earth, our home, is beginning to look more and more like an immense pile of filth". We have been called to care for creation, to care for God's gift to us. In *Fratelli Tutti*, Pope Francis reminds us that we are one family. Caring for that family means taking care of the planet we share. We need to hear both the cry of the earth and the cry of the poor. We are guardians of a creation which is entrusted to us for our care.
- Governing Bodies are required to ensure that Schools are operated with our duty to care for creation in mind. Governing Bodies are required to consider engaging school staff, pupils and the wider School community in conversations about care for creation.

Archdiocesan Protocols on Care for Creation:

- Protocol 1** Governing Bodies should aim to provide a strategic response to the call to care for creation which is embedded across the whole school.
- Protocol 2** Governing Bodies are responsible for ensuring that schools engage in the ecological crisis through the lens of Catholic Social Teaching, providing an opportunity for pupils to develop their ideas on stewardship in a way that is hopeful and action-orientated, with an awareness that some pupils may suffer from eco-anxiety. Schools should engage in the *Live Simply* plan.
- Protocol 3** Governing Bodies should consider allocating one of their number as a Care for Creation lead and they should consider whether it would be appropriate to have a similar role in the school.

13. Archdiocesan Protocols on Standards

Key Principles:

- As an integral part of its educational vision for the holistic formation of children and young people, the Catholic Church expects Governing Bodies to promote and uphold high standards,

including academic standards. Governing Bodies are also required to preserve and develop the Catholic character of each school. This is best achieved through a committed working relationship with the Archdiocese.

- Canon 806 provides:
The Archbishop has the right to watch over and inspect the Catholic schools in his territoryand has the right to issue directives concerning the general regulation of Catholic schools....Those who are in charge of Catholic schools are to ensure, under the supervision of the local Ordinary, that the formation given in them, in its academic standards, are at least as outstanding as that in other schools in the area.

In Catholic voluntary aided schools, the Archbishop's oversight is exercised through his Education Department in close partnership with the local authority. This recognises that in VA schools, it is the local authority which holds the statutory responsibility for monitoring effectiveness and intervention. The Local Authority is under an obligation to inform the Archdiocesan Education Department when a school gives cause for concern.

In Catholic voluntary academies, the Archbishop's oversight is exercised through his Education Department in close partnership with the relevant Catholic Multi-Academy Trust. This recognises that in academies, it is the Multi-Academy Trust, that holds responsibility for monitoring effectiveness and intervention, and for informing the Archdiocesan Education Department when an academy gives cause for concern.

- Governing Bodies are responsible for standards and for putting in place appropriate remedial and support strategies to ensure that schools are rated at least 'good' according to the Ofsted criteria and National Framework Criteria.
- A school in challenging circumstances is one which is judged "Requires Improvement" or "Inadequate" in its last Ofsted Section 5 (graded) inspection and/or its last inspection under the National Framework for the Inspection of Catholic schools. There are also occasions when a School is judged "Good" or "Outstanding" but it finds itself in challenging circumstances for a variety of reasons, e.g. leadership issues, a drop in achievement, parental complaints.]
- The Archdiocese will recruit, appoint and train inspectors for Catholic School Inspections. The Governing Body must ensure the school completes the Catholic Self-Evaluation Document in advance of an inspection. A representative of the Governing Body should be available to meet with the inspection team and attend the final feedback meeting at the end of the inspection. The Governing Body should work with the Headteacher to ensure that areas identified for improvement are addressed in the School improvement Plan.
- Ofsted and National Framework ratings are not the only indication that a School is in challenging circumstances, Governing Bodies are also expected to be able to identify challenging circumstances that arise as a result of other circumstances, such as, leadership issues, a decline in outcomes or progress, an increase in parental complaints and/or a reduction in applications for admission.

Archdiocesan Protocols on Standards:

- Protocol 1** Governing Bodies are responsible for standards in schools. Governing Bodies are also responsible for ensuring that the Catholic character permeates throughout schools.

- Protocol 2** Governing Bodies will report any relevant information to the Director of Education to provide assurances that standards are being met, in a form and at times determined by the Archdiocese.
- Protocol 3** Governing Bodies must adhere to any Archdiocesan policy on schools causing concern that may be published from time to time.
- Protocol 4** Governing Bodies are responsible for determining support strategies for schools when challenging circumstances arise and for monitoring and reporting on progress.
- Protocol 5** Governing Bodies must notify the Director of Education if a school finds itself in challenging circumstances. Governing Bodies must update the Director of Education of any developments that may take place after initial notification (and follow Archdiocesan recommendations).
- Protocol 6** Governing Bodies must immediately notify the Director of Education of any notices (warning or otherwise) received.

14. Archdiocesan Protocols on Religious Education

Key Principles:

- Religious Education is ‘not one subject among many, but the foundation of the whole educational process’¹¹. It is the “core of the core curriculum”¹².
- Canon 804, §1 makes it clear that religious education is subject to the authority of the Church:

The [Catholic religious instruction](#) and [education](#) which are [imparted](#) in any [schools whatsoever](#) or are [provided](#) through the [various instruments](#) of [social communication](#) are [subject](#) to the [authority](#) of the [Church](#). It is for the [conference](#) of [bishops](#) to [issue general norms](#) about this field of [action](#) and for the [Archdiocesan bishop](#) to [regulate](#) and [watch](#) over it.

The Bishops’ Conference of England and Wales issues general norms about Religious Education for all Catholic schools, this includes independent schools, non-maintained schools and sixth form colleges, whether in Archdiocesan or religious order trusteeship. These norms are currently set out in the document *To Know You More Clearly: the Religious Education Directory for Catholic schools and Colleges in England and Wales, 2023 (RED 2023)*. This document was published in January 2023 and secondary schools must implement it fully by September 2025, and primary schools by September 2026. Until then schools should either be following this new document or its historical predecessor, the Religious Education Curriculum Directory (2012). In addition, each Archbishop may issue specific directives for his own Archdiocese on examination specifications and resources to be used. The Archbishop, through his Archdiocesan Education Service, will also inspect religious education through the Catholic Schools Inspectorate.

¹¹ *Religious Education in Catholic schools, 2000, n.4*

¹² *Pope John Paul II address to the Catholic Bishops of England and Wales on their Ad Limina visit on 26 March 1992.*

Voluntary aided schools: The local authority, governing body and head teacher of voluntary aided (VA) schools in England and Wales must ensure that Religious Education is provided as part of the school's basic curriculum¹³. In VA schools with a religious character, such provision must be in accordance with the provisions of the Archdiocesan Trust Deed relating to the school: For our purposes, in accordance with the general norms prescribed in the RED.¹⁴

Voluntary academies: Multi-Academy Trusts must also ensure that Religious Education is provided as part of the school's basic curriculum and equally that such provision must be in accordance with the provisions of the Archdiocesan Trust Deed relating to the Multi-Academy Trust (and through their Articles of Association and their funding agreement): For our purposes, in accordance the general norms prescribed in the RED.¹⁵

- As the core of the curriculum, Religious Education is a proper academic discipline with the same systematic demands and rigour as all other subjects on the curriculum¹⁶. It therefore requires comparable treatment in terms of curriculum allocation, staffing, facilities and devolved budgets as other core curriculum subjects, such as English and Maths.
- The Archbishop has the duty to ensure that those who advise Catholic schools on all matters relating to Religious Education are competent to do so. The Archdiocese has the responsibility to appoint and train those persons who meet the Archbishop's requirements in relation to competency to monitor and advise on denominational Religious Education in Catholic schools in the Archdiocese.

Archdiocesan Protocols on Religious Education:

- Protocol 1** Governing Bodies must adhere to any Archdiocesan policy on Religious Education.
- Protocol 2** Governing Bodies must ensure that the curriculum for Religious Education conforms to the general norms prescribed by the Catholic Bishops' Conference of England and Wales as currently laid out in the RED 2023.
- Protocol 3** Governing Bodies must ensure that 10% of taught curriculum time is dedicated to Religious Education in Key Stages 1-4 and 5% in Key Stage 5 (Core Religious Education for 16-19 year old students)¹⁷. These curriculum requirements, at all key stages, apply equally to all types of Catholic School, including independent schools and sixth form colleges, whether in the trusteeship of an Archdiocese or a religious order.
- Protocol 4** Governing Bodies must ensure that as a core curriculum subject, Religious Education has parity with other core curriculum subjects in all relevant respects, e.g. staffing, capitation, accommodations, professional development opportunities.

¹³ s.69(1) School Standards and Framework Act 1998

¹⁴ Schedule 19(2) Schools Standards and Framework Act 1998

¹⁵ Schedule 19(2) Schools Standards and Framework Act 1998

¹⁶ Congregation for Catholic Education, Circular Letter to the Presidents of Bishops' Conferences on Religious Education in Schools, May 2009, paragraph 18

¹⁷ These legal requirements are placed on an Multi-Academy Trust through their funding agreement. The Mainstream Academy and Free School: Supplemental Funding Agreement provides, in the section relating to 'curriculum', that the Multi-Academy Trust "must comply with section 71(1)-(6) and (8) of the School Standards and Framework Act 1998 as if the academy were a community, foundation or voluntary school"

Protocol 5 Governing Bodies should refer to the CES model Self Evaluation Document for further guidance on Religious Education.

Protocol 6 In primary Schools, the coordinator of Religious Education should be a member of the Senior Leadership Team if they are not the headteacher.

15. Archdiocesan Protocols on Inspections (canonical and statutory)

Key Principles:

- A statutory inspection is any inspection carried out by Ofsted or an approved inspectorate pursuant to any statutory power or duty or the requirements of any funding agreement or conditions.
- A canonical inspection is any inspection carried out on behalf of the Archbishop under the National Framework for the Inspection of Catholic schools.
- The Archbishop has a canonical right and duty to inspect all Catholic schools in his Archdiocese. The Archbishop can inspect the Schools in his Archdiocese at any time¹⁸.
- This right covers any kind of Catholic School, academy or college: voluntary aided schools, academies, non-maintained schools, independent schools and sixth form colleges, regardless of trusteeship. This inspection is properly called a canonical, or Archdiocesan, inspection and can be carried out by an appropriately licensed inspector at any point.
- Canonical inspection falls under the jurisdiction of the Archbishop. All Schools will be inspected by those licensed to inspect by the Catholic schools Inspectorate. Only persons licensed to inspect by the Catholic Schools Inspectorate have the authority to carry out these inspections.
- Inspectors will report judgements on the quality of the Catholic life and mission, Religious Education and Collective Worship of the school. For those schools for whom this inspection also serves as a s.48 inspection (CSI), or its academy equivalent, this inspection will fulfill their statutory duty to report on Religious Education and the content of Collective Worship.
- Whilst the Archdiocese will determine the frequency with which a canonical inspection can occur, in the case of s.48 (CSI) and the academy equivalent, they must occur at least every five years, with all inspections completed by the end of the fifth school year following the school year in which the last canonical inspection occurred¹⁹. For schools judged to Require Improvement or Inadequate in the previous canonical inspection, then the next CSI will be within three years.

¹⁸ Can. 806 §1. The Archbishop has the right to watch over and visit the Catholic schools in his territory, even those which members of religious institutes have founded or direct. He also issues prescripts which pertain to the general regulation of Catholic schools; these prescripts are valid also for Schools which these religious direct, without prejudice, however, to their autonomy regarding the internal direction of their Schools.

¹⁹ The COVID pandemic has had an impact on the usual statutory timescales, such that any School last inspected between 1st August 2014 and the 31st July 2021, must be inspected again before the end of the seventh year following the end of the academic year in which they were last inspected. Once their next inspection occurs, this statutory timescale will revert to five years.

- A grant is available from the Department for Education to contribute to the inspection costs for voluntary aided schools and academies. For those schools judged good or outstanding in their last canonical inspection, these grants are available up to every five years. For schools judged to be less than good in their last canonical inspection, these grants are available up to every three years.

Voluntary aided schools

- Voluntary aided Catholic schools are statutorily required to organise a denominational inspection which inspects the quality of religious education and the content of collective worship²⁰. This is brokered by the Archdiocesan Education Department.

Voluntary academies

- Academies are, in practice, subject to the same statute but by virtue of each of their funding agreements.

Archdiocesan Protocols on Inspections:

- Protocol 1** Governing Bodies must follow Archdiocesan procedures in accordance with the timetable provided by the Archdiocese. Only persons licensed by the Catholic Schools Inspectorate may carry out inspections in schools in the Archdiocese.
- Protocol 2** The Archdiocese is responsible for arranging the canonical inspections of Catholic schools. Governing Bodies must co-operate with the Archdiocese in the arrangement of such inspections.
- Protocol 3** The Governing Body is expected to work with the demands of any statutory inspections.
- Protocol 4** The Archdiocese will provide Archdiocesan inspection reports for each canonical inspection.
- Protocol 5** Governing Bodies must comply with any requirements to address areas for improvement set out in inspection reports.
- Protocol 6** Governing Bodies must inform the Archdiocese when a statutory inspection takes place and will ensure that the Archdiocese is informed of the date and time of the Ofsted feedback meeting. The Archdiocese will send a representative to any Ofsted feedback meeting and the Governing Body will provide the Archdiocese with a copy of the draft Ofsted report received.

²⁰ Education Act 2005, s48.

16. Archdiocesan Protocols on Collective Worship

Key Principles:

- Pupils in voluntary aided schools are required by law to take part in an act of collective worship on each school day²¹ which must be in accordance with the provisions of the Archdiocesan Trust Deed and, therefore, in accordance with the tenets of the Catholic faith²². These are summarised in the Prayer and Liturgy Directory (PLD 2023).
- Multi-Academy Trusts must also require pupils to take part in an act of collective worship on each school day which must also be in accordance with the provisions of the Archdiocesan Trust Deed and, therefore, in accordance with the tenets of the Catholic faith. The legal requirement flows from the Multi-Academy Trust's funding agreement.
- Collective worship in Catholic schools can take many forms including Mass, the Sacrament of Reconciliation, the Divine Office, class prayer, assemblies for part or whole school, liturgical celebrations and seasonal celebrations.

Archdiocesan Protocols on Collective Worship:

- Protocol 1** Governing Bodies must ensure that collective worship in their schools is in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church.
- Protocol 2** The Archdiocese will carry out its duty, on behalf of the Archbishop, to inspect, train and advise on the content of collective worship in schools and to appoint persons with the competency to carry out this role.
- Protocol 3** Governing Bodies must ensure that inspecting, training and advising on collective worship in schools is only carried out by persons appointed by the Archdiocese.
- Protocol 4** Governing Bodies must follow the guidance set out in the CES Guidance on Right of Withdrawal from Religious Education and/or Collective Worship and seek appropriate advice from the Archdiocese in the event that a parent exercises the right of withdrawal.
- Protocol 5** Governing Bodies must ensure that headteachers (or equivalent) record all right to withdraw requests and the reasons for those requests, (if parents are prepared to provide reasons), and include details in their reports.

17. Archdiocesan Protocols on Relationship, Sex and Health Education

Key Principles:

- Relationship, Sex and Health Education in a Catholic School must be rooted in the Catholic Church's teaching about human flourishing.

²¹ S.70(1) *School Standards and Framework Act 1998*

²² *Schedule 20 School Standards and Framework Act 1998*

- Relationship, Sex and Health Education should aim to help young people form their characters so that they fulfil their potential.
- Faith in God and formation in virtue education enables a life lived well in relationship to others and the self.
- Governing Bodies have responsibilities in relation to maintaining and developing the Catholic character of the Relationship, Sex and Health Education curriculum, including implementing the requirements of the Archbishop.

Archdiocesan Protocols on Relationships, Sex and Health Education:

- Protocol 1** Governing Bodies must ensure compliance with any statutory requirements for Relationship, Sex and Health Education (RSHE)
- Protocol 2** Governing Bodies must ensure compliance with the Archdiocese over matters relating to Relationship, Sex and Health Education, and consult where appropriate.
- Protocol 3** Governing Bodies must follow the guidance of the Bishops of England and Wales regarding RSHE teaching. In a Catholic school, RSHE is concerned with nurturing human wholeness. It is integral to the physical, spiritual, emotional, moral, social and intellectual development of pupils and is centered on Christ's vision of being human as good news. RSHE must be positive and prudent, showing the potential for development, while enabling the dangers and risks involved to be understood and appreciated.
- Protocol 4** Governing Bodies should show due regard for their leadership responsibilities regarding RSHE and the requirements placed on them by the statutory and canonical inspection frameworks.
- Protocol 5** Governing Bodies will ensure that schools have regard to and engage in the RSHE guidance, training and support offered by the Archdiocese.
- Protocol 6** Governing Bodies must use RSHE resources, where recommended by the Archdiocese, for use in Catholic schools.

18. Archdiocesan Protocols on Use of School Premises

Key Principles:

- Schools have a statutory duty to act in accordance with the Archdiocesan Trust Deed²³ particularly in advancing the Catholic religion in the Archdiocese. This means that where Catholic schools are situated on Church land, the Archdiocesan Trustees have a legal duty to ensure compliance with the Archdiocesan Trust Deed.
- The Archdiocese wishes to encourage Schools to use their premises outside of school hours in an efficient and effective way and the Archdiocese supports all Schools in developing activities

²³ S21(4) Education Act 2002

and services that benefit pupils, parents and staff in the school, the local Catholic community and the wider community.

- Central to any premises use in Catholic schools is a commitment to the Common Good in that they cater for and are accessible, as far as is possible, to the poor and marginalised in the community served by the school.

Archdiocesan Protocols on Use of School Premises:

- Protocol 1** Governing Bodies must conduct any working relationships with third parties using School premises ensuring that:
- they continue to preserve and develop the Catholic character of the school.
 - they have regard to the Catholic character of the school and they do not do anything detrimental or prejudicial to the interests of the same;
 - the assets of the Archdiocesan Trustees are secure; and
 - they collaborate with other parties that are Catholic where possible.
- Protocol 2** Governing Bodies must adhere to any Archdiocesan policy on the use of school premises, including the use of appropriate documentation relation to the hiring of school premises.
- Protocol 3** Governing Bodies must ensure that appropriate arrangements are put in place in relation to matters such as safeguarding, insurance and health and safety when any school premises are hired by third parties.

19. Archdiocesan Protocols on Working with Other Schools

Key Principles:

- Governing Bodies are encouraged to positively communicate and work, (and if possible or necessary collaborate and provide support), with other schools, whether Catholic or not, in order to preserve and develop an excellent quality of Catholic education.

Archdiocesan Protocols:

- Protocol 1** Governing Bodies must conduct any working relationships ensuring that:
- they continue to preserve and develop the Catholic character of the school;
 - they have regard to the Catholic character of the school and do not do anything detrimental or prejudicial to the interests of the same;
 - the assets of the Archdiocesan Trustees are secure; and
 - they collaborate with and provide support to schools and other organisations that are Catholic where possible.
- Protocol 2** Prior to engaging in any working relationship where there may be a compromise of the integrity of governance in accordance with Protocol 1, Governing Bodies must seek direction from the Director of Education.
- Protocol 3** Governing Bodies must accept responsibility for making decisions on creating working relationships and must notify the Archdiocese of all such arrangements.

Protocol 4 If a Governing Body wishes to agree to a member of its Senior Leadership Team to be deployed to another school, it must seek direction from the Director of Education.

20. Archdiocesan Protocols on Complaints

Key Principles:

- **Voluntary Aided Schools**
In accordance with Section 29 of the Education Act 2002, schools must have and must make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.
- **Voluntary Academies**
In accordance with the Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7, all academies must have a complaints procedure.

Archdiocesan Protocols on Complaints:

- Protocol 1** Governing Bodies must determine, implement and publish a complaints procedure and ensure that all complaints are appropriately dealt with in line with the published procedure. Governing Bodies will, in particular, ensure that potential complaints are dealt with in such a way as to avoid a formal complaint if that is possible.
- Protocol 2** Following the outcome of the formal complaint process, Governing Bodies will ensure that a review takes place in order to determine whether there are any lessons that might be learned.
- Protocol 3** Governing Bodies must develop Pupil, Parent and Staff Voice, (particularly in relation to the Catholic character of the school), to pre-empt and resolve issues that may have the capacity to develop into complaints at a later stage.
- Protocol 4** Governing Bodies must notify the Director of Education of all complaints that may have a detrimental impact upon the school in relation to the following areas: Catholic character, ethos and mission; religious education; collective worship; admissions; relationships, sex and health education; denominational inspections; or reputational damage.

21. Archdiocesan Protocols on Public Affairs and the Media

Key Principles:

- Media takes many forms. In the context of these Protocols, references to media include all forms of social media.
- Governing Bodies should have a proactive approach to public affairs and local media in order to promote best practice and the Catholic character of schools.

- Governing Bodies are encouraged to invite local MPs and councillors to schools on a regular basis and should consider releasing positive press stories to local media outlets as and when they occur.
- Governing Bodies should consult the Archdiocese to ensure that positive messages prevail (generally and also when dealing with possible reputational damage to schools, Archdioceses and the wider Catholic education sector).

Archdiocesan Protocols on Public Affairs and the Media:

- Protocol 1** Governing Bodies must follow all Archdiocesan guidance on media and public affairs.
- Protocol 2** Governing Bodies must inform the Archdiocese of all media work in advance of publication. Please email the Communications Team at communications@rcaol.org.uk
- Protocol 3** Governing Bodies must inform the Archdiocese ahead of any visit by a local or national politician especially when schools are visited by a senior member of government or royalty.
- Protocol 4** All public affairs and media work must have regard to the Catholic character of the school, and must not bring the school, the Archdiocese, or the national reputation of Catholic schools into disrepute.
- Protocol 5** Governing Bodies must ensure that a link to the Archdiocese's website is provided on the school's website and that it is clear from the website which Archdiocese the school is situated in.

22. Archdiocesan Protocols on Crisis Management

Key Principles:

- There may be a time when an incident outside the control of a school or the Archdiocese may result in sudden media interest.
- These incidents can take many forms and, if handled well, can result in positive outcomes for both the school and the Archdiocese.
- Key to successful crisis management is working quickly, speaking with authority, and clear communication to all those involved.
- Governing Bodies should consult the Archdiocese to ensure that effective crisis management is implemented.

Archdiocesan Protocols on Crisis Management:

- Protocol 1** As soon as an incident arises which has the potential to cause media attention, Governing Bodies must immediately inform the Director of Education.
- Protocol 2** Following discussions with the Archdiocese, Governing Bodies must follow the agreed sign-off procedure for press handling and any public facing comment or statement.

- Protocol 3** All statements must reflect the Catholic character of the school.
- Protocol 4** Governing Bodies must keep in regular contact with the Archdiocese throughout the period of the crisis, including keeping the Archdiocese abreast of all journalist enquiries coming into the school.
- Protocol 5** Governing Bodies must keep in regular contact with pupils, parents and staff throughout the period of the crisis. The wording of statements to pupils, parents and staff must be agreed in line with the sign-off procedure outlined in Protocol 2.