



## **THE DIOCESE OF BRENTWOOD**

### **SCHOOLS MEMORANDUM OF UNDERSTANDING**

#### **PURPOSE**

The Bishop and the Diocesan Trustees together with the School have set out in this Memorandum of Understanding their commitments to each other to ensure that the School continues (irrespective of any change in status from voluntary aided to academy) to be conducted as a Catholic school in accordance with the canon law and teachings of the Roman Catholic Church so that at all times the School may serve as a witness to the Catholic faith in Our Lord Jesus Christ.

This Memorandum acknowledges and conforms with the Diocesan Protocols that the School must observe and the Memorandum must be read in light of those protocols, which as with this Memorandum are regularly reviewed and updated and are available on the Diocesan website.

#### **RESTATEMENT OF THE PURPOSE OF THE TRUST AND CATHOLIC DISTINCTIVENESS**

- A. The School shall be conducted in accordance with the terms of the trust of the Diocese of Brentwood.
- B. The School is provided for the education of persons who are baptised members of the Catholic Church and the admittance of any other persons shall be made only in conformity with any direction of the Bishop of Brentwood.
- C. The provision of religious education and collective worship will be undertaken in accordance with the teachings, rites and liturgical norms of the Catholic Church and will be subject to the authority and direction of the Bishop of Brentwood.
- D. Land held by the Brentwood Roman Catholic Diocesan Trust (the corporate trustee of the Diocese) is used by the School at the discretion of the Bishop and must be used for purposes which are consistent with the objects of the trust.

#### **COMMITMENTS BY THE SCHOOL TO THE BISHOP**

##### **Catholic Character**

1. The School will maintain and develop the religious character of the School as a Catholic School and no alteration shall be made to the religious character of the School or conduct as a Catholic school without the consent of the Corporate Trustee of the Diocese and the Bishop.
2. The School will provide religious education in accordance with the teachings of the Catholic Church.
3. The School will provide opportunity for regular collective worship in accordance with the rites and tenets of the Catholic Church.
4. The School will submit to the canonical inspections and visitations of the Bishop of Brentwood and any person appointed by him for the purpose of ensuring that the School is being conducted in accordance with canon law and is following the practices and teachings of the Church and in order to allow the Bishop to assess how well the School is being managed in light of the additional responsibilities and expectations of schools which are academies.

## **Governance**

5. The School will comply with all directives issued by the Bishop and this Memorandum of Understanding and the Diocesan Protocols have the status of directives issued by the Bishop.
6. The School will adopt and will comply with all policies of the Diocese and the Bishop communicated to the School from time to time by the Diocesan Education Service.
7. All Governors of the School undertake to fulfil and observe the objects and purposes for which the School has been established.
8. All Governors have a duty to act independently and not as agents of those who may have appointed them and will act with integrity, objectivity and honesty in the best interests of the School and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential. Governors are required to comply with the Governors Code of Conduct.
9. The School will review its policies and practices on a regular basis, having regard to recommendations made by the Diocesan Schools' Commissioner, in order to ensure that the governance of the School is best able to adapt to the changing political and legal environment.
10. The School will consider on an ongoing basis the need for training and skills development of Governors as well as considering succession planning to ensure robust practices are maintained and supervised particularly in light of the increasing autonomy of schools, making recommendations to the Bishop with regard to the nomination of Foundation and Non Foundation Governors as may be appropriate including ensuring that Foundation Governors are practicing Catholics in full communion with the Catholic Church.
11. At the request of the Diocesan School Commissioner, the Chair of Governors will meet annually with him and other schools in the Diocese to assess threats to schools generally and Catholic schools in particular and to share best practice.
12. The School will not implement any proposals for a change in status or for the expansion or contraction of the School without the written consent of the Bishop, which may be issued by the Diocesan Education Service.
13. Unless the Bishop agrees in writing otherwise, Governors will appoint the chair and vice chair from amongst the Foundation Governors, ensuring such persons are and continue to be practising Catholics in full communion with the Catholic Church.
14. Other than the principal or head teacher or parish priest, Governors will not seek re-election or reappointment as a Governor if to do so would mean that they will be entering a 4<sup>th</sup> term of office (each term being 4 years).

## **Financial Management**

15. The School acknowledges that the Corporate Trustee has no financial responsibility for the School in any situation.
16. The School will develop appropriate risk management strategies adopting financial prudence and will comply with both legal requirements and guidance issued by or on behalf of the Secretary of State for Education and any recommendations made by the Diocesan Schools' Commissioner.
17. The School will provide to the Diocesan Schools' Commissioner copies of any return provided to the Department for Education (or any body set up to oversee the finances of schools) including the Annual Report and Annual Return.
18. Whilst it is acknowledged that the Corporate Trustee has no responsibility for such matters,

nevertheless, the School will notify the Corporate Trustee of any significant financial liability that the School is contemplating taking on (other than expenditure mentioned in paragraph 23 below, in respect of which separate conditions apply).

19. The School will inform and keep the Diocesan Schools' Commissioner informed of any matter which is likely to be a cause for concern to the Corporate Trustee and/or the Bishop (generally but not exclusively this will involve matters affecting the Catholic life of the School, any significant safeguarding concern, matters affecting key personnel, financial matters, matters affecting buildings and the business plan for the School).
20. The School will inform the Diocesan Schools' Commissioner of any need for significant unplanned expenditure and will discuss with the Diocesan Schools' Commissioner options for identifying available funding.
21. If requested, the School will provide copies of minutes of meetings of Governors including minutes of the meetings of the Finance and Premises sub-committees, and will share with the Diocesan Schools' Commissioner following a reasonable request any educational and financial data which the School has, including the use of any capital or revenue reserves.

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

22. The Governors will ensure that at all times any land used by the School will not be used for purposes which would not be consistent with the teachings and practices of the Catholic Church and that any lettings of School premises shall be in accordance with any policy issued from time to time by the Diocese. The School's occupation of Diocesan land is governed by the Diocesan Protocols and the Property Occupation Document.
23. The School will consult with the Diocesan Schools' Commissioner and share information about any planned significant maintenance and replacement of buildings and facilities used by the School and will not undertake any capital works to the buildings or any part of the School site without first obtaining the written consent of the Corporate Trustee. Decisions about land and buildings will be referred to the Diocesan Land and Buildings Committee which makes decisions on VASCA funding, monitors works, liaises with the DfE regarding capital programmes, arranges condition surveys of school sites and will consider the implications of any "significant change" or "prescribed alteration" to a school.
24. The School shall develop in conjunction with the Corporate Trustee a 5 year estate management strategy that will identify the suitability of facilities in light of long term curriculum needs and the need for and availability of capital investment to meet the School's responsibility to ensure the buildings are maintained to a good standard.
25. The School is expected to arrange insurance or risk cover through the DfE's "Risk Protection Arrangements" (RPA) scheme (or any alternative scheme approved by the Diocesan Education Service), which also provides cover for any losses incurred by the Corporate Trustee.

### **Admissions**

26. The School will not change its admissions criteria without the consent of the Diocesan Schools' Commissioner and the Bishop.

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

27. The head teacher or principal of the School as well as any deputy head teachers and the head or co-ordinator of religious education shall be practising Catholics in full communion with the Catholic Church.
28. It is the Bishop's expectation that the coordinator of pastoral care within the School shall (unless otherwise agreed in writing with the Diocesan Schools' Commissioner) be a practising Catholic in

full communion with the Catholic Church.

29. Governors will ensure that the employment of staff in the School shall be consistent with the policies from time to time notified to Catholic schools by the Catholic Education Service and the Bishop.

### **Support for Other Schools**

30. The School is part of a family of Catholic schools and the Governors acknowledge that this means they have a responsibility which may extend beyond the School.
31. The School is expected to actively engage with the Bishop's academy strategy and vision. This acknowledges the growth and development of Catholic multi academy trusts in the Diocese.
32. The School will work collaboratively with the other Catholic schools in the Diocese sharing resources and know how as may be appropriate with the following objectives in mind, to support each other to:
  - achieve consistently high standards of learning and teaching;
  - develop cost effective curriculum design and collaboration which optimises opportunities for students and provides added value progress for them;
  - provide support building upon individual specialisms and/or areas of identified strength between the schools to improve key aspects of performance;
  - achieve best value in service delivery especially where partnership working can add value.

## **COMMITMENTS BY THE DIOCESE**

### **Catholic Character**

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

### **Governance**

3. The Bishop will ensure that any directive issued by him will be in writing and be clearly communicated to the School.
4. Recognising that education is about the formation of young people and creating an environment that enables the development of character and an approach to life in the Catholic faith, the Diocese will continue to provide support to the School in the pursuit of excellence and high quality education.
5. The Diocesan Schools' Commissioner will continue to support regular meetings of representatives of the Catholic schools in the Diocese, including the Catholic Senior Executive Leaders, to encourage the transfer of knowledge and the sharing of best practice and, to avoid any doubt, the head teacher is expected to attend Diocesan head teacher meetings.
6. The Bishop will seek in so far as he is able to ensure that high quality, committed, skilled

individuals are put forward as Foundation Governors to the School and will conscientiously monitor the contribution made by such appointees and will remove Foundation Governors in the event of misconduct and/or a failure to support the high ideals of the School and the Bishop together.

7. Where the Diocesan Schools' Commissioner becomes aware of any matter of significant concern, including any matter which might lead to the Secretary of State exercising his intervention powers, the Diocesan Schools' Commissioner will discuss the matter with the Governors honestly and in good faith with the aim of formulating a plan to address such concern.

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

8. The Corporate Trustee will not unreasonably withhold permission for the School to improve or maintain the School site.
9. In so far as the Corporate Trustee feels is prudent given competing requests from other schools in the Diocese, the Corporate Trustee will support the School in any grant application to the Secretary of State and will provide advice and support in the procurement of capital works. The Corporate Trustee assumes no financial responsibility for any grants or works.

**Dated: July 2024**



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

**COMMITTEE TERMS OF REFERENCE: FINANCE/RESOURCES/AUDIT & RISK**

## **COMMITTEE TERMS OF REFERENCE: FINANCE/AUDIT/RISK**

1. The Trustees have the power to establish any committee to assist in the conduct of the business of the Trust. If a committee is to have decision making authority, the committee board must comprise a majority of Trustees, enabling a quorate decision to be made.
2. Details of the committees established by the Trust are noted in the Trust's Structure Chart appended to the Scheme of Delegation.
3. Where relevant the following functions may be delegated to any committee or committees dealing with matters of finance, audit and risk.

### **Finance**

4. To ensure that the Trust Board is kept informed of all major financial issues concerning the Trust and its Academies, the overall Trust budget and those of the individual Academies, the management of funds against the budget, the benchmarking of financial performance and the heads of expenditure, the way funds are utilised (including value for money) and the way monies are secured.
5. To recommend the annual budget for the Trust and the Academies to the Trust Board for approval, having consulted Headteachers and (if appropriate) Local Governing Committees.
6. To receive reports from the Headteachers regarding the Trust's/Academies' finances. This will include reports on the monitoring of income against expenditure and proposals to revise forecasts for the year. The committee will work with the Trust and the Headteachers to make any recommendations to the Trust Board.
7. To monitor the production, timeliness and accuracy of key financial statements in response to both statutory and local requirements.
8. To support (recommending and advising) the Trust Board in developing and then implementing a reserves policy and to consider the impact of strain in individual Academy budgets.
9. To support (recommending and advising) the Trust Board in developing and then implementing the Financial Regulations Manual and associated procurement policy.
10. To review tenders for major contracts as specified in the Financial Regulations Manual. To approve or reject tender proposals or, where required, make recommendations to the Trust Board.
11. To recommend any changes in the Financial Regulations Manual, where significant, to the Trust Board. To review the operations of the Trust and the Academies in relation to the procedures shown in the Financial Regulations Manual. To work with the Headteachers to resolve breaches and to improve procedures as appropriate.
12. To monitor key financial and accounting systems and reviewing any audits of these or the general finances of the Trust and make recommendations to the Trust Board and/or the Local Governing Committees as appropriate.

### **Audit and Risk**

13. Advise and report to the Trustees in relation any organisational risks which might impede the development and implementation of a long term strategy for the success of the Trust. The Trustees shall consider any such advice given by the Audit Committee.
14. Support the Trustees in developing an organisational structure which reflects the Trust's values and enables the management systems, structures and processes to work effectively in line with legal requirements and to ensure sound financial management.
15. Support the Trustees in the formulation of financial and risk management policies for the Trust and the Academies for achieving the aims and objectives set out in the Trust's Development Plan or long term strategic vision.
16. Advise the Trustees on the adequacy and effectiveness of the Trust's systems of internal control and its arrangements for risk management, control and governance processes and securing economy, efficiency and effectiveness (value for money).
17. Regularly review the statement on internal control and make appropriate recommendation to the Trustees and when appropriate communicate messages and advice to the Local Governing Committee, liaising as necessary with any responsible officer appointed by the Local Governing Committee to be responsible for financial oversight and risk management of the Academy's activities.
18. Support (and challenge when necessary) the Trustees and in particular the Senior Catholic Executive Leader (being the Trust's "accounting officer") to ensure he or she satisfies his or her duty as accounting officer to:
  - 18.1. Ensuring value for money;
  - 18.2. Ensuring regularity and propriety;
  - 18.3. Ensuring prudent and economical administration;
  - 18.4. Avoiding waste and extravagance;
  - 18.5. Ensuring the efficient and effective use of resources;
  - 18.6. Keeping proper accounts;
19. Establish and implement a system of financial and risk reporting by the Academies to the Trustees and to oversee that reporting to ensure that such a system complies with the Trust's legal obligations.
20. Review any financial and risk report submitted by the Academies and advising the Trustees on any issues arising from it as well as making recommendations for future reports to sustain the integrity of the financial and risk management systems.
21. Advise on the formulation and implementation of a policy for the approval and signing of contracts, ensuring all contracts to be entered into by the Academy are appropriate, have been authorised (or are within delegated authority) and do not expose the Academy to undue risk.
22. Advise the Trustees on the appointment, reappointment, dismissal and remuneration of auditors (both external auditors and internal audit).
23. Monitor the effectiveness of auditors, including the use of auditor performance indicators.
24. Ensure effective coordination between auditors ensuring that a consistent method of audit is adopted across all Academies.



25. Ensure that additional services undertaken by auditors are compatible with the audit independence and objectivity.
26. Agree the work programme of internal audit including the checking of financial controls, systems, transactions and risks.
27. Consider the reports of the auditors and, when appropriate, advise the Trustees and the Academies of material control issues.
28. Monitor the implementation of agreed audit recommendations.
29. Advise on policies for the securing of the funds and assets of the Trust including by the prevention of loss through fraud and irregularity.
30. Ensure that all allegations of fraud and irregularity are appropriately investigated and control weaknesses addressed, working with the Trustees and the Headteachers of the Academies, as appropriate.
31. Recommend the annual financial statements to the Trustees for approval.



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

**COMMITTEE TERMS OF REFERENCE: LEADERSHIP GROUP**

## **COMMITTEE TERMS OF REFERENCE: LEADERSHIP GROUP**

32. The Trustees have the power to establish any committee to assist in the conduct of the business of the Trust. If a committee is to have decision making authority, the committee board must comprise a majority of Trustees, enabling a quorate decision to be made.
33. Details of the committees established by the Trust are noted in the Trust's Structure Chart appended to the Scheme of Delegation.
34. The purpose of the Leadership Group is to provide a focus for the setting of policy and to develop the strategic vision of the Trust. The Leadership Group will both support and advise the Trust Board and will facilitate communication between the Trust Board and the Local Governing Committees as well as provide an opportunity for the Academies to explore and develop areas of collaboration and shared working.
35. The Trust Board will consult the Leadership Group regularly and specifically on the matters noted in the Trust's Leadership and Governance Decision Planner as being the responsibility of the Trustees and the Executive Team under the supervision of the Catholic Senior Executive Leader.
36. The Leadership Group will also act as a strategic advisor on educational matters to ensure the long-term success of the Academies and that continuous improvement is made within all Academies.
37. The Leadership Group will assist with succession planning and the building of leadership capacity in the Trust.
38. All Headteachers (including Executive Headteachers and Heads of School) and Chairs of the Local Governing Committees will be invited to participate in the Leadership Group, with the Catholic Senior Executive Leader chairing all meetings and reporting to the Trust Board on matters discussed and agreed within the Leadership Group.
39. The Leadership Group of Headteachers/Heads of School will meet regularly as required by the Catholic Senior Executive Leader. Chairs will be invited on occasion.
40. In the event the Leadership Group becomes unworkable due to size or the location of the Academies, the Trust Board may establish sub-groups based on phase or location, though meetings will still be chaired and attended by the Catholic Senior Executive Leader and members of the Trust's Executive Team.
41. A representative of the Trust Board may be asked to attend any meeting which the Chairs are invited to, and a representative of the Members may attend any such meeting at their discretion.
42. The Trust Board recognises the important role played by the Leadership Group and commits to keeping the Leadership Group informed and to have regard to any advice or guidance provided by the Leadership Group on any matter affecting the Trust or the Academies, including threats and opportunities facing the Academies and the Trust more widely.
43. The Leadership Group will work closely with any Standards Committee, supporting the functions to be carried out by the Standards Committee. If there is no separate Standards Committee, these tasks will be undertaken by the Leadership Group under the guidance of the Catholic Senior Executive Leader.



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

**COMMITTEE TERMS OF REFERENCE: LOCAL GOVERNING COMMITTEE**

## COMMITTEE TERMS OF REFERENCE: LOCAL GOVERNING COMMITTEE

### 1. PURPOSE

- 1.1 A Local Governing Committee (LGC) shall be established for each of the Academies, except where the Trust Board determines in a particular case that more than one Academy should be governed by the same LGC in a federation model.
- 1.2 The purpose of the Local Governing Committee is to provide local accountability and day to day support and oversight of the Academy's leadership team.
- 1.3 The roles and responsibilities of the Local Governing Committee are set out in the Table of Key Delegated Responsibilities.

### 2. CONSTITUTION

- 2.1 Governors appointed to a Local Governing Committee shall be appointed as follows:
  - 2.1.1 such number of **Foundation Governors** appointed by the Diocesan Bishop to ensure that the Foundation Governors outnumber all other Governors by at least 2;
  - 2.1.2 the **Headteacher** of the Academy (or Headteachers where the Academies are federated and there is no Executive Headteacher);
  - 2.1.3 up to 1 **Staff Governor**, elected or appointed through such process as the Local Governing Committee may determine;
  - 2.1.4 up to 1 **Parent Governor** (or up to 2 for any federated Local Governing Committee), elected by parents or carers of registered pupils at the Academy and being a parent or carer of a pupil at the Academy at the time when elected;
  - 2.1.5 up to 1 **Additional Governor** appointed by the Local Governing Committee with the approval of the Trust Board.
- 2.2 There is no power to co-opt Governors to the Local Governing Committee but advisers (including other members of staff in the Academy) may attend meetings provided they do not take part in any decision making.
- 2.3 All Governors must remain eligible to be a Governor according to their status and undertake to uphold the object and mission of the Trust and must comply with the Governor Code of Conduct appended to the Scheme of Delegation.

### 3. TERM OF OFFICE

- 3.1 The term of office for any Governor shall be 4 years (save that this time limit shall not apply to the Headteacher/Head of School, who will serve for as long as he or she remains in office). Subject to remaining eligible to be a particular type of Governor, any person may be re-appointed or re-elected to the Local Governing Committee.
- 3.2 A Governor shall serve for no more than 3 terms of office, except for any parish priest serving as a Foundation Governor who may serve for longer at the discretion of the Bishop.

### 4. RESIGNATION AND REMOVAL OF MEMBERS OF THE LOCAL GOVERNING COMMITTEE

- 4.1 A Governor shall cease to hold office if he or she resigns his or her office or is removed by the Bishop or in the case of any Governor who is not a Foundation Governor by the

Trust Board (which the Trustees reserve the power to do without the need to provide any reasons for removal). Any vacancy on a Local Governing Committee will trigger an appropriate appointment or election and must be notified to the Trust Board and the Diocesan Education Service.

- 4.2 Any person who would not be eligible to be a Trustee in accordance with the Trust's Articles of Association will not be eligible for appointment or election to the Local Governing Committee and must resign from the Local Governing Committee if they become ineligible. Details of eligibility to serve as a Governor are set out in the Governor Code of Conduct and the Diocesan Protocols.
- 4.3 If any Governor is also an employee of the Trust and ceases to be employed to work at the Academy or within the Trust, then he or she shall be deemed to have resigned from the Local Governing Committee and shall cease to serve on the Local Governing Committee automatically on termination of his or her employment.
- 4.4 Where a person who serves on the Local Governing Committee resigns his or her office or is removed from office, that person or, where he or she is removed from office, those removing him or her, shall give written notice thereof to the Chair of the Local Governing Committee, copied to the Clerk to the Local Governing Committee.

## 5. **APPOINTMENT OF THE CHAIR AND VICE-CHAIR**

- 5.1 Subject to any direction by the Trust Board with the approval of the Diocesan Education Service, Governors shall each school year (typically at the first meeting of the year) elect a Chair and Vice-Chair from amongst the Foundation Governors.
- 5.2 The Chair and Vice Chair will cease to hold office if they no longer serve as a Governor. The same person cannot hold more than one office.
- 5.3 The Clerk to the Local Governing Committee shall act as chair during that part of any meeting at which the Chair and Vice Chair are elected.
- 5.4 Any election of the Chair and Vice Chair which is contested shall be held by secret ballot.

## 6. **ROLE OF THE CHAIR**

- 6.1 The Chair is expected to undertake the following:
  - 6.1.1 ensure the Bishop's wishes are fulfilled;
  - 6.1.2 provide a clear lead and direction for the Local Governing Committee;
  - 6.1.3 build an effective team, attracting individuals to the Local Governing Committee with necessary skills and experience, promoting equality and diversity, ensuring priority is given to those who can make a positive contribution to the Academy and the work of the Trust and who will provide a focus for driving up and maintaining high standards in the Academy;
  - 6.1.4 ensure new Governors are properly introduced to the work of the Local Governing Committee and the Trust more widely and to support their development as effective and valued members of the Local Governing Committee maximising their contribution to the Academy and the Trust in doing so;
  - 6.1.5 work closely with the Headteacher of the Academy to ensure there is proper challenge and encouragement of Governors and the Academy's senior leadership team;

- 6.1.6 provide direct support to the Headteacher of the Academy and to both the Trust Chair and the Catholic Senior Executive Leader of the Trust in relation to any recruitment and performance management of the role of headteacher as well as the review of pay and conditions of service;
  - 6.1.7 provide support to the Trust Chair and the Catholic Senior Executive Leader in any decision to suspend or discipline the Headteacher or Head of School of the Academy;
  - 6.1.8 ensure that school improvement is the focus of all policy and strategy for the Academy, reminding Governors of this as often as necessary;
  - 6.1.9 hold the Governors to account, ensuring the business of the Local Governing Committee is conducted efficiently and effectively, chairing meetings, ensuring all Governors have the opportunity to contribute and are listened to with clear decisions being made when necessary, including reporting on the Local Governing Committee's effectiveness to the Trust Board as required;
  - 6.1.10 be available when there is a need to act quickly, taking, or supporting the Academy Headteacher (and if need be the Catholic Senior Executive Leader) in taking, urgent action and making decisions, subject to subsequent ratification by the Local Governing Committee (and/or Trust Board if need be) as necessary;
  - 6.1.11 act as a focal point and advocate for the Local Governing Committee, liaising as necessary with any regulatory body, the Local Governing Committee and those representing the wider community.
- 6.2 More details as to the role and responsibilities of the Chair are set out in the Governor Code of Conduct.

## **7. DUTIES OF THE CHAIR**

- 7.1 As the guardian of the Local Governing Committee's effectiveness, the Chair has a specific responsibility to ensure the following:
  - 7.1.1 that reporting by the Academy Headteacher is clear, concise, appropriate and comprehensive, reducing unnecessary paperwork;
  - 7.1.2 that meetings of the Local Governing Committee are held regularly and there is a clear agenda which has been communicated to all Governors which focusses appropriately on strategic matters, acknowledging that when urgent meetings are required to discuss exceptional business that as much preparation as may be possible is made for these;
  - 7.1.3 that the business of the Local Governing Committee is conducted as openly and transparently as possible;
  - 7.1.4 that decisions taken by the Local Governing Committee are implemented and not circumvented;
  - 7.1.5 that Governors adhere to the Governor Code of Conduct and that appropriate and firm action is taken where this appears not to be the case, including supporting the Trust Chair and the Diocesan Education Service when removal of a Governor is required;
  - 7.1.6 that the Local Governing Committee undertakes regular reviews of any skills gaps or lack of experience and/or capacity and takes active steps to address these;

- 7.1.7 that the Local Governing Committee remains focussed on its strategic purpose and that individual Governors either as a group or committee or as individuals do not seek to become overly involved in operational matters or seek to disrupt the work of the Trust;
- 7.1.8 there is proper and adequate succession planning;
- 7.1.9 that any complaints about the Trust or the Academy, the actions of the Local Governing Committee or an individual Governor or the Headteacher or any member of the Senior Leadership Team are dealt with in a timely and effective manner.

## 8. MEETINGS

- 8.1 The minutes of the proceedings of a meeting of the Local Governing Committee shall be drawn up and entered into a book (electronic or otherwise) kept for the purpose by the person authorised to keep the minutes of the Local Governing Committee and shall be signed (subject to the approval of the members of the Local Governing Committee) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:
  - 8.1.1 all appointments of officers made by the Local Governing Committee; and
  - 8.1.2 all proceedings at meetings of the Local Governing Committee and of committees of the Local Governing Committee including the names of all persons present at each such meeting.
- 8.2 The Chair shall ensure that copies of minutes of all meeting of the Local Governing Committee (and such of the subcommittees as the Local Governing Committee shall from time to time notify) shall be provided to the Catholic Senior Executive Leader and (if requested) the Diocesan Education Service as soon as reasonably practicable after those minutes are approved.
- 8.3 Subject to this Scheme of Delegation, the Local Governing Committee may regulate its proceedings as Governors think fit, provided at all times that there is openness and transparency in matters relating to the Local Governing Committee. The Local Governing Committee is expected to meet at least once a term but may meet more often if felt appropriate or if requested to meet by the Trust Board.
- 8.4 The Trust Board may direct the Local Governing Committee to allow either Trustees, any member of the Trust's Executive Team or a Governor from another Local Governing Committee in the Trust to attend meetings of the Local Governing Committee. Such persons may engage in discussion but will not be permitted to vote on any resolution of the Local Governing Committee.
- 8.5 Meetings of the Local Governing Committee shall be convened by the clerk to the Local Governing Committee. In exercising his functions under this Scheme of Delegation the clerk shall comply with any direction:
  - 8.5.1 given by the Local Governing Committee; or
  - 8.5.2 given by the Chair or, in his absence or where there is a vacancy in the office of chair, the Vice-Chair.
- 8.6 Any three Governors may, by notice in writing given to the clerk, requisition a meeting of the Local Governing Committee; and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.



- 8.7 Each Governor shall be given at least seven clear days before the date of a meeting:
- 8.7.1 notice thereof and sent to each Governor at the email address provided by each Governor from time to time; and
- 8.7.2 a copy of the agenda for the meeting;
- provided that where the Chair or, in his or her absence or where there is a vacancy in the office of Chair, the Vice-Chair, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the notice of a meeting, and the copy of the agenda thereof are given within such shorter period as he or she directs.
- 8.8 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received notice of the meeting or a copy of the agenda thereof.
- 8.9 A resolution to rescind or vary a resolution carried at a previous meeting of the Local Governing Committee shall not be proposed at a meeting of the Local Governing Committee unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.
- 8.10A meeting of the Local Governing Committee shall be terminated forthwith if:
- 8.10.1 the Governors so resolve; or
- 8.10.2 the number of Governors present ceases to constitute a quorum for a meeting of the Local Governing Committee in accordance with paragraph 6.10, subject to paragraph 8.12.
- 8.11 Where in accordance with paragraph 8.10.2 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.
- 8.12 Where the Local Governing Committee resolves in accordance with paragraph 8.10.1 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Local Governing Committee 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 it shall direct the clerk to convene a meeting accordingly.

## 9. **QUORUM**

- 9.1 The quorum for a meeting of the Local Governing Committee, and any vote on any matter thereat, shall be three. The proceedings of the Local Governing Committee shall not be invalidated by any vacancy on the board or any defect in the election, appointment or nomination of any Governor, providing the defect was not dishonestly made.
- 9.2 The Local Governing Committee 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.
- 9.3 Subject to this Scheme of Delegation, every question to be decided at a meeting of the Local Governing Committee shall be determined by a majority of the votes of the

persons present and entitled to vote on the question. Every Governor shall have one vote.

- 9.4 Where there is an equal division of votes, the Chair shall have a casting vote in addition to any other vote he or she may have.
- 9.5 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the Local Governing Committee, shall be valid and effective as if it had been passed at a meeting of the Local Governing Committee 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 Local Governing Committee and may include an electronic communication by or on behalf of the member indicating his or her agreement to the form of resolution providing that the member has previously notified the Local Governing Committee in writing of the email address or addresses which the Governor will use.
- 9.6 Minutes of meetings of the Local Governing Committee shall be published redacting any aspect which is confidential or it would not be appropriate to disclose in light of the Data Protection Act 2018.
- 9.7 Any Governor shall be able to participate in meetings of the Local Governing Committee by telephone or video conference provided that the Governor has indicated prior to the meeting a wish to do so and has provided appropriate details to enable this and the meeting has access to suitable equipment.

## 10. **NOTICES**

- 10.1 Any notice to be given to or by any person pursuant to these Terms of Reference and more generally the Scheme of Delegation (including a notice calling a meeting of the Local Governing Committee) 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.
- 10.2 A notice may be given by the Local Governing Committee to its members either personally or by sending it by post in a prepaid envelope addressed to the member at his or 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 Local Governing Committee by the Governor. A member whose registered address is not within the United Kingdom and who gives to the Local Governing Committee an address within the United Kingdom at which notices may be given to him, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him or her at that address, but otherwise no such member shall be entitled to receive any notice from the Local Governing Committee.
- 10.3 A Governor present, either in person or by proxy, at any meeting of the Local Governing Committee shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
- 10.4 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.



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

**COMMITTEE TERMS OF REFERENCE: TEACHING & LEARNING/  
STANDARDS/INTERVENTION/GOVERNANCE**

## **COMMITTEE TERMS OF REFERENCE: STANDARDS/INTERVENTION**

44. The Directors have the power to establish any committee to assist in the conduct of the business of the Trust. If a committee is to have decision making authority, the committee board must comprise a majority of Directors, enabling a quorate decision to be made.
45. Details of the committees established by the Trust are noted in the Trust's Structure Chart appended to the Scheme of Delegation.
46. The following functions may be delegated to any committee dealing with standards (including governance and resources), school improvement and intervention.
47. It is anticipated that these tasks will be carried out in conjunction with the Trust's Leadership Group where a separate Standards Committee is appointed. If there is no separate Standards Committee, these tasks will be undertaken by the Leadership Group under the guidance of the Catholic Senior Executive Leader and with the support of the Trust's Executive Team.

### **Standards**

48. To consider any appropriate curriculum priorities to be implemented across the Trust.
49. To ensure that any statutory and Diocesan requirements relating to key policies on academy aims, special needs, sex education, charging, religious education, collective worship, attendance and behaviour are implemented.
50. To assist the Senior Catholic Executive Leader and the Headteachers of the Academies, as appropriate, in the formulation of statutory policies. Any statutory policies must be ratified by the Trust Board.
51. To review the performance of the Academies against agreed key performance indicators or progress markers.
52. To support the Trust Board with the development of a strategic plan for any Supported Academy which identifies agreed priorities and targets for improvement, focusing specifically on both standards and resource planning.
53. To work with the Catholic Senior Executive Leader and the Headteachers in developing the awareness of the Local Governing Committee of the Academy's curriculum priorities.
54. Assess the performance of the Academies as a group, developing a benchmarking tool which can be used to drive further improvements, advising the Trust Board on the effectiveness of this and liaising with the Diocesan Education Service to implement any Diocesan guidance or advice.
55. Seek to identify areas where greater collaboration between the Academies can improve standards and outcomes.
56. With the assistance of the Senior Catholic Executive Leader and the Diocesan Education Service, carry out periodic reviews of the standards of teaching and learning in each of the Academies.
57. To review and recommend to the Trust Board personnel procedures such as recruitment, redundancy, discipline, grievance, capability, appraisal and pay policies, having regard at all times to any guidance issued by the Catholic Education Service.
58. To review employment practices across the Trust, recommending to the Trust Board adoption of new practices where appropriate.

59. To ensure that the employment and personnel functions of the Trust remain in line with legal requirements and the conduct of a good employer.
60. To support the Local Governing Committees in reviewing the staffing structure and pay incentives within the Academies from time to time, working with the Catholic Senior Executive Leader and the Leadership Group and the appropriate school leadership teams, ensuring that the Trust structure maintains high performing academies and is recognised as a high quality multi academy trust.
61. To ensure there is a suitable and effective appeals procedures for HR matters.
62. To work with the Catholic Senior Executive Leader in engaging with the trade unions and maintaining good industrial relations, calling on the support of the Diocesan Education Service when needed.
63. To draft and keep under a review a policy statement on staff consultation for approval by the Trust Board and to advise on any formal consultation on personnel matters to be carried out in an Academy.
64. To review and recommend for adoption the procedures for dealing with discipline and grievances and ensure that all staff are informed of them.
65. To advise the Trust Board where it has become necessary to remove or suspend delegated authority to a Local Governing Committee and to establish an intervention or management board for the running of the Academy.

**[Governance**

66. In consultation with the Diocesan Education Service, to monitor the effectiveness of the Scheme of Delegation and to consult with staff and the Local Governing Committees where change is advisable or has been recommended by the Diocesan Education Service.
67. In collaboration with the Diocesan Education Service, to develop and implement a programme of Trustee and Governor training.
68. To undertake a regular skills audit of both the Trust Board and each of the Local Governing Committees and making appropriate recommendations to the Trust Board for appointments and removals where necessary.
69. To vet all nominations for appointments to the Trust Board and the Local Governing Committees
70. To support the Chairs of the Local Governing Committees to ensure they are working effectively.
71. To develop and support the adoption of best practice in governance at all levels in the Trust, having regard to any advice and guidance of the Diocesan Education Service.
72. In consultation with the Diocesan Education Service, to advise the Trust Board on any intervention at Local Governing Committee level where there has been a break down in governance.
73. To advise and lead on the appointments of clerks to the Trust Board and the Local Governing Committees and to support their training to ensure they are knowledgeable about the governance arrangements within the Trust as a Catholic multi academy trust.]



## DIOCESE OF BRENTWOOD – CHRISTUS CATHOLIC TRUST - SUMMARY OF KEY DELEGATED GOVERNANCE RESPONSIBILITIES

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

Further detail is set out in the Diocese of Brentwood template Scheme of Delegation, contact the Diocesan Education Service.



**DIocese OF BRENTWOOD – CHRISTUS CATHOLIC TRUST- SUMMARY OF KEY DELEGATED LEADERSHIP RESPONSIBILITIES**

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

Further detail will be set out in the Diocese of Brentwood template Scheme of Delegation, contact the Diocesan Education Service.



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: [SEPTEMBER 2024]**

**LEADERSHIP AND GOVERNANCE DECISION PLANNER**



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

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

- Approve (App)
- Propose (Pro)
- Develop (Dev)
- Monitor (Mon)
- Consulted (Con)
- Implement (Imp)

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

1. Trust Members (the Bishop, Brentwood Roman Catholic Diocesan Trust and the Episcopal Vicar for Education ( the **“Members”**)
2. Trust Board of Trustees (the **“Board”**)
3. Local Governing Committee (the **“LGC”**)
4. Trust Catholic Senior Executive Leader (or Catholic Accounting Officer) (or assigned member of the Trust’s Executive Team) (**“CSEL”**)
5. Headteacher/Head of School (including Executive Headteacher) (**“HT”**)

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
1.	<b>Governance and Vision</b>						
1.1.	Approve any changes to Trust Articles of Association	App	Pro				
1.2.	Approve any changes to Trust Scheme of Delegation	App	App/Pro	Imp	Imp	Dev/Pro	Imp
1.3.	Establish or merge Local Governing Committees	Con	App/Pro			Pro	Con

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
1.4.	Establish Trust Committees and determine terms of reference		App			Pro	
1.5.	Establish LGC Working Groups		App	Con	Con	Pro	Imp
1.6.	Appoint (and remove) Chair of Trust Board	App/Imp	Pro				
1.7.	Appoint Foundation Directors	App/Imp	Pro/Con				
1.8.	Remove Foundation Directors	App/Imp	Pro				
1.9.	Appoint Co-opted and Non-Foundation Directors	App/Imp	App/Imp				
1.10.	Remove Co-opted and Non-Foundation Directors	App/Imp	Pro				
1.11.	Appoint Chair of LGC	Mon	Con/App	Pro/App	Con	Con	
1.12.	Remove Chair of LGC	Mon	App/Pro	Con	Con	Con	
1.13.	Appoint Foundation Governors	App/Imp	Con	Pro	Pro	Con	Con
1.14.	Appoint Non Foundation Governors (other than elected Governors)	App	App	Pro/Imp	Pro/Imp		
1.15.	Remove Foundation Governors	App/Imp	Pro/Con			Con	

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
1.16.	Remove Non Foundation Governors and Elected Governors)	Mon	Pro/App	Pro	Con	Con	Con
1.17.	Appoint (and remove) Clerk to Trust Board		App			Pro	
1.18.	Appoint (and remove) Clerk to LGC		Pro/Mon	Con	Con	Pro	
1.19.	Director skills audit and governance reviews	Mon	App			Pro/Imp	
1.20.	Governor skills audit	Mon	App	Con	Con	Pro/Imp	Imp
1.21.	Approve Directors/Governor Expenses Policy		App			Pro/Imp	
1.22.	Manage Conflicts of Interest		App	Imp	Imp	Pro/Imp	
2.	<b>Finance</b>						
2.1.	Trust & Academy Financial Regulations and Procedures		App	Imp	Imp	Dev/Pro	Con
2.2.	Appoint Trust auditors		App			Pro/Imp	
2.3.	Approve Trust Budget		App			Dev/Pro	Con
2.4.	Trust Annual Accounts	Mon	App			Pro/Imp	
2.5.	Directors Annual Report	Mon	App			Pro/Imp	Con

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
2.6.	Undertake financial efficiency review (across the Trust)		App			Dev/Imp	Con
2.7.	Undertake financial efficiency review (within the Academy)		App	Mon	Mon	Con/Pro	Imp
2.8.	Compile and review Trust Risk Register		App			Imp	Con
2.9.	Compile and review Academy Risk Register and report on risks to Trust Finance and Resources Committee		Mon	Con	Con	Mon	Pro
2.10.	Trust Academies Accounts Returns to ESFA		App			Imp	
2.11.	Response to Auditor's Management Letter		App			Imp	
2.12.	Academy Budget Plan		App	Pro	Pro	Pro/Imp	Con
2.13.	Academy Accounts Return to ESFA		Mon/App	Con	Con	Imp	Con
3.	<b>Strategy, Performance and Expansion</b>						
3.1.	Trust Strategic Plan	Mon	App	Con	Con	Dev/Pro	Con/Imp
3.2.	New, converter or sponsored academies joining MAT	App	App/Pro			Pro/Imp	Con
3.3.	Academy expansion and/or change in age	App	App	Con	Con	Pro/Imp	Con/Imp
3.4.	Determine overall effectiveness of Academy		App			Pro	Con

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
3.5.	Academy Performance Targets		Mon/App	Con	Con	Pro/Imp	Con
3.6.	Academy Development Plan		Mon/App	App		Pro/Con	Pro/Imp
3.7.	Academy Action Plan/School Improvement Plan		Mon/App	App	Con	Pro/Con	Pro/Imp
3.8.	Intervention/Establish Executive/Management Board		App			Pro/Imp	Con
3.9.	EYFS Policy		Mon	App	App	Con	Pro/Imp
3.10.	EYFS Plan & Quality of Provision		Mon	App	App	Con	Pro/Imp
3.11.	SEN Policy		Mon	App	App	Con	Pro/Imp
3.12.	SEN Plan & Quality of Provision		Mon	App	App	Con	Pro/Imp
3.13.	Teaching & Learning Policy		Mon	App	App	Con	Pro/Imp
3.14.	Curriculum Policy		Mon	App	App	Con	Pro/Imp
3.15.	Sex Education policy	App	Mon	App	App	Con	Pro/Imp
3.16.	Religious Education policy	App	Mon	App	App	Con	Pro/Imp
4.	<b>Staffing</b>						

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
4.1.	Determine Trust executive staff structure and grades	Mon	App			Pro/Imp	
4.2.	Determine Academy staff structure and grades		App	Con	Con	Pro	Imp
4.3.	CEO appointment	Con	App/Pro/Imp				
4.4.	Executive Team appointments	Mon	App			Pro/Imp	
4.5.	Academy Executive Headteacher/Headteacher/Head of School appointments	Con	App/Imp	Con	Con	Pro	
4.6.	Academy teaching and support staff appointments		Mon	Imp	Imp	App	Pro/Imp
4.7.	Performance management of CEO	Con/Mon	Imp				
4.8.	Performance Management of Executive Headteacher/Headteacher	Mon	Mon/Imp	Mon	Mon	Imp/App	Imp
4.9.	Suspension of CEO/Executive Team/Executive Headteacher/Headteacher	Con	App	Con	Con	Pro	
4.10.	Dismissal of CEO/Executive Team/Executive Headteacher/Headteacher	Con	App	Con	Con	Pro	

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
4.11.	Performance Management of Head of School		Mon	Mon	Mon	App/Imp	
4.12.	Performance Management of SLT		Mon	Mon	Mon	Mon	App/Imp
4.13.	Suspension of Head of School	Con	App	Con	Con	Pro	
4.14.	Dismissal of Head of School	Con	App	Con	Con	Pro	
4.15.	Suspension and dismissal of other teaching and support staff		App			App	Pro/Imp
4.16.	Redundancy of staff		App	Con	Con	Pro/Imp	Pro
4.17.	Restructuring of staff		App	Con	Con	Pro/Imp	Pro
5.	<b>Land and Contracts</b>						
5.1.	Asset Management Strategy and insurance	Mon	App	Con	Con	Pro/Imp	Con
5.2.	Health & Safety plus safeguarding Policy & Review		App	Con	Con	Pro/Imp	Con
5.3.	Condition Surveys		App	Con	Con	Pro/Imp	Pro
5.4.	Expansion and Redevelopment Works	App	App	Con	Con	Pro/Imp	Pro
5.5.	Leases	Con/App	App/Pro	Con	Con	Pro/Imp	Pro

	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
5.6.	Lettings and shared use		Mon	Mon	Mon	App/Con	Pro/Imp
5.7.	Strategic support and shared services		Mon	Con	Con	App/Imp	Pro/Imp
6.	<b>HR and Policies</b>						
6.1.	Pay & Remuneration Policy		App	Con	Con	Pro/Imp	Imp
6.2.	Job Role Salary & Grading Policy		App	Con	Con	Pro/Imp	Imp
6.3.	Changes to Employee Terms & Conditions or Collective Agreements		App	Con	Con	Pro/Imp	Imp
6.4.	Performance Management & Appraisal Review Policy		App	Con	Con	Pro/Imp	Imp
6.5.	Disciplinary Policy		App	Con	Con	Pro/Imp	Imp
6.6.	Grievance Policy		App	Con	Con	Pro/Imp	Imp
6.7.	Capability Policy		App	Con	Con	Pro/Imp	Imp
6.8.	Whistle-blowing Policy		App	Con	Con	Imp/Pro	Imp
6.9.	Re-structuring & Redundancy Policy		App	Con	Con	Imp/Pro	Imp
6.10.	Employee Health & Safety Policy		App	Con	Con	Imp/Pro	Imp



	Task	Members	Board	LGC		CSEL	HT
				Effective Academy	Supported Academy		
6.11.	Academy times, terms and holidays	Pro/App	Imp				
6.12.	Adoption and review of Non HR Statutory Policies		App	Con	Con	Pro/Imp	Pro/Imp
6.13.	Exclusions		Mon	Mon/App	Mon/App	Mon	Pro/Imp
6.14.	Appeals against Permanent Exclusion		Mon	App	App	Con	Pro/Imp
6.15.	Complaints	Con	Mon	Mon	Mon	Imp/Mon	Imp



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

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

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

74. Christus Catholic Trust (CCT) (referred to herein as the “**Trust**”) is a Catholic multi-academy trust, which has been established by the **Bishop of Brentwood**. It is responsible for the running of a number of Catholic schools/academies (referred to as the “**Academies**”).
75. The Academies shall at all times remain Catholic schools, conducted in conformity with any trust deed governing the use of land used by the Trust and in conformity with canon law and with the teachings of the Catholic Church. Both the Trust and the Academies must comply with and observe any advice or directive issued by or on behalf of the Bishop. This includes the **Diocesan Memorandum of Understanding** and the **Diocesan Protocols**, as updated from time to time.
76. The Trust is a company limited by guarantee and a charity, whose objects are the advancement of the Catholic religion through the provision of a Catholic education. The Trust is not a registered charity but an “exempt” charity, regulated by the Secretary of State for Education, who acts as the principal regulator.
77. The Trust’s constitution is set out in its **Articles of Association**, which delegate responsibility for the governance and management of the Trust to the **Trustees**.
78. In association with the **Members**, the Trustees have put in place this **Scheme of Delegation** to provide clarity as to the roles and responsibilities of those involved in the governance of the Academies and how decisions are made.
79. The purpose of good governance is to:
  - 79.1. determine the vision and values of the Trust;
  - 79.2. support leadership in determining and fulfilling the strategic direction of the Trust;
  - 79.3. hold leadership to account and ensure staff well-being; and
  - 79.4. oversee the financial performance of the Trust ensuring there are systems in place to manage risk and ensure money is well spent.
80. An overview of the governance structure is set out in the attached structure chart.
81. The Members of the Trust oversee the Board of Trustees (the “**Trust Board**”), holding the Trustees to account and ensuring that the values and ethos of the Trust are upheld and the distinctiveness of the Academies is preserved.
82. The Members are:
  - 82.1. the **Bishop of Brentwood**;
  - 82.2. the **Brentwood Roman Catholic Diocesan Trust** (the corporate trustee of the Diocese); and
  - 82.3. the **Episcopal Vicar for Education**.
83. The Trust Board is made up of both **Foundation Trustees** appointed by the Bishop (who shall always be in the majority by at least 2) and **Co-opted or Non Foundation Trustees** appointed by the Trust Board itself with the approval of the Diocese. Whilst Foundation Trustees are appointed for a term of 4 years, Co-opted Trustees are appointed for a 1 year term and are generally appointed for a specific purpose. In exceptional circumstances, the Trust Board may seek the approval of the Diocese to appoint a “Non Foundation Trustee”, who must uphold the Catholic mission of the Trust but are not expected to be practising

Catholics. If approved, a Non Foundation Trustees will be appointed for a 4 year term. Both Co-opted and Non Foundation Trustees can be removed by the Members on the recommendation and in consultation with the Trust Board.

84. The Trust Board is the accountable body within the Trust and is responsible for the good governance of the Trust and its Academies.
85. The Trust Board delegates aspects of governance and the day to day oversight of school leadership to a local governing committee (referred to as the “**Local Governing Committee**”).
86. To ensure effective collaboration and the dissemination of good practice, headteachers meet as a **Leadership Group** and some strategic decision-making responsibility is vested in this group. It is intended that this group meet regularly and Chairs of Local Governing Committees will be invited to attend occasionally to provide an opportunity to consider the impact of the Trust as a whole and how it is meeting the needs of its communities with the view to supporting the Trust Board in making strategic decisions about the future priorities for the Trust and its Academies.
87. A **Summary of Key Delegated Responsibilities** is attached.
88. A **Leadership and Governance Decision Planner** is attached to aid swift decision making.
89. This Scheme of Delegation applies to each Academy. Its effective date is noted on the first page and it will be reviewed from time to time by the Trust Board in discussion with the Diocesan Education Service. Whilst the Scheme cannot take the form of a legally binding contract and is subject to the overriding duty on the Trustees to act freely and in the best interest of the Trust, in so far as the Trustees are able they agree to abide by the provisions of it and will consult the Local Governing Committees on any significant changes.
90. This Scheme of Delegation is formed of a number of component parts, effectively comprising a Trust governance and leadership handbook. By way of summary, it contains or references the following:
  - 90.1. Part 1 - This Introduction and Executive Summary: Purpose of the Scheme of Delegation;
  - 90.2. Part 2 - The Trust’s Governance Principles: Vision and Values
  - 90.3. Part 3 - Governance and Management Structure: Roles and Responsibilities
  - 90.4. Part 4 - Supervision and Intervention: Accountability
  - 90.5. Trust Structure Chart
  - 90.6. Tables of Key Delegated Responsibilities
  - 90.7. Leadership and Governance Decision Planner
  - 90.8. Financial Regulations Manual/Finance Policy
  - 90.9. Committee Terms of Reference
    - 90.9.1. [Finance & Resources, Audit and Risk]
    - 90.9.2. [Teaching & Learning, Standards and Intervention]
    - 90.9.3. Leadership Group

90.9.4. Local Governing Committee

90.10. Trustee and Governor Codes of Conduct

90.11. Diocesan Memorandum of Understanding



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

**PART 2: GOVERNANCE PRINCIPLES: VISION AND VALUES**

## **GOVERNANCE PRINCIPLES: VISION AND VALUES**

### **11. VISION AND VALUES**

[www.christus.org](http://www.christus.org)

### **12. CATHOLIC ECCLESIOLOGY AND PRINCIPLES FOR EFFECTIVE PARTNERSHIP**

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

### **13. MUTUAL RESPECT AND DISTINCTIVENESS**

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

### **14. TRANSPARENCY**

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

### **15. SUBSIDIARITY AND EARNED AUTONOMY**

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

### **16. SOLIDARITY**

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

17. **THE COMMON GOOD**

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





**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

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

## GOVERNANCE & MANAGEMENT STRUCTURE: ROLES AND RESPONSIBILITIES

### 18. OVERALL STRUCTURE

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

### 19. ROLE OF MEMBERS

19.1 The Members are the guardians of the constitution, determining the governance structure of the Trust and providing oversight and challenge of the Trustees to ensure the charitable object of the Trust is being fulfilled and a Catholic education is provided. In view of the overarching supervisory role of the Members, the Bishop of Brentwood will be a Member and will appoint other Members from within the Diocese of Brentwood, such as the Episcopal Vicar for Education.

19.2 The Members' key responsibilities are:

19.2.1 to secure Catholic education and ensure the Trust remains true to its vision and values;

19.2.2 to ensure the charitable objects of the Trust are met;

19.2.3 to determine the Trust's constitution i.e. the Articles and approve of the governance structure; and

19.2.4 to support the Bishop in appointing and removing Trustees.

## 20. **ROLE OF TRUSTEES**

20.1 The Trustees have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and maintaining of the Academies (which includes making any "[significant change](#)" as determined by the Education & Skills Funding Agency). The Trustees have the power to direct change where required.

20.2 There are no "terms of reference" for the Trust Board as the detail for the organisation of meetings of the Trustees is set out in the Articles of Association. These determine meeting frequency, quorum and the appointment of a chair and vice chair. For ease of reference, the Trust Board is required to meet at least 3 times a year and quorum for any meeting is the greater of 3 and a third of the Trustees appointed at any one time.

20.3 A summary of the key responsibilities of the Trustees is set out in the attached **Table of Key Delegated Responsibilities**.

20.4 All Trustees must comply with the **Trustee Code of Conduct** adopted by the Trust from time to time which, for ease of reference, is appended to this Scheme of Delegation.

## 21. **ROLE OF GOVERNORS**

21.1 The role of a Governor within the Trust is an important one. In developing a governance structure, the Trust has sought to ensure that as much as possible the responsibility to govern is vested in those closest to the impact of decision making and that such responsibility matches the capacity of those assuming responsibility. The Trust Board has established Local Governing Committees for each of the Academies (or in groups where Academies are working closely together), for the most part made up of individuals drawn from the Academy's community, both as elected and appointed members.

21.2 Those serving on the Local Governing Committee are accountable to the Trustees and the Bishop and must ensure that at all times they act in good faith and in the best interests of the Academies and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience.

21.3 The Trustees will work with the Diocese, having regard to any recommendations by the Diocesan Education Service, in making or facilitating the making of suitable appointments of Governors and where removal is deemed in the best interest of the Trust and the Academy.

21.4 As a matter of general principle, the Local Governing Committee will adopt and will comply with all policies adopted by the Trust Board (and those to which the Trustees are subject for example the Diocesan Memorandum of Understanding and the Diocesan Protocols) and will comply with any direction issued by the Trust Board and have regard to any advice given.

21.5 A summary of the key responsibilities of the Governors is set out in the attached **Table of Key Delegated Responsibilities**.

21.6 For the purposes of contracting with third parties, the Local Governing Committee has authority to act to fulfil its responsibilities and make the decisions it is authorised to make as set out in the Leadership and Governance Decision Planner and the Trust's Financial Regulations Manual or Finance Policy (which will be compliant with the Education & Skills Funding Agency's **Academy Trust Handbook**).

21.7 All Governors must comply with the **Governor Code of Conduct** adopted by the Trust from time to time which, for ease of reference, is appended to this Scheme of Delegation.

21.8 Terms of Reference regulating the composition of the Local Governing Committee and how it conducts business are also appended to this Scheme.

## 22. **COMMITTEES AND FURTHER DELEGATION**

22.1 Terms of Reference for the other committees established by the Trustees, including the Leadership Group, are appended to this Scheme of Delegation.

22.2 The Local Governing Committees are not expected to establish any sub-committees but are not prohibited from doing so. The Local Governing Committee is encouraged to form working groups to deliver specific projects if required, whether in conjunction with the Trust Board or alone, and subject to any guidance offered by the Trust Board from time to time.

22.3 Those to whom delegated responsibility is given must acknowledge the limitations on their authority and must not act outside of their authority. Any wilful disregard of the matters expressed in this Scheme and in particular the relevant Terms of Reference is likely to lead to a removal of delegated authority.

22.4 In the event of any serious disagreement between the Trust Board and a Local Governing Committee which cannot be resolved by the Chair of the Local Governing Committee discussing the matter with the Chair of the Trust Board will be referred to the Diocesan Education Service for guidance.

22.5 No alteration of the Articles or change to the Scheme or removal of delegated authority shall invalidate any prior act of the Local Governing Committee (or other committee) which would have been valid if that alteration or withdrawal had not been made.

22.6 As a matter of general principle, the Local Governing Committee and the Academy more generally will adopt and will comply with all policies adopted by the Trust Board and will comply with any direction issued by the Trust Board and have regard to any advice given.

## 23. **EXECUTIVE TEAM**

23.1 As a non-executive body, the Trust Board must rely on others to fulfil the executive or management functions of the Trust. For the most part, this responsibility will fall on the Headteachers of the Academies, supported by the school leadership teams. Certain functions relating to the leadership and management of the Trust itself or which relate to

the activities of more than one Academy will be undertaken by an “**Executive Team**”, led by the “**Catholic Senior Executive Leader**” (or “**Catholic Accounting Officer**”) (the chief executive officer for the purposes of the Academy Trust Handbook) and supported by either or both the “**Chief Operating Officer**” (a senior officer with general operational responsibility) and the “**Chief Financial Officer**” (a senior officer with overall responsibility for the Trust’s financial systems and procedures).

23.2 The Catholic Senior Executive Leader will be the “**Accounting Officer**” for the Trust, responsible to Parliament and to the Education & Skills Funding Agency’s accounting officer for the financial resources under the Trust’s control and to assuring Parliament of high standards of probity in the management of public funds, particularly regularity, propriety and value for money.

23.3 The size and functions of the Executive Team will be determined by the Trust Board, in consultation with the Leadership Group, reflecting the degree of collaboration across the Trust. Where possible, resources will be drawn from the Academies themselves rather than the use of external consultants or through recruitment.

23.4 The cost of the functions undertaken by the Executive Team or actions at the request of the Trust Board are generally funded on a fair and equal basis by the Academies by the contribution of a percentage of the central government funding provided for each Academy. This contribution will be set each year against a budget for the shared costs approved by the Trust Board in consultation with the Leadership Group and may vary according to the level of activities undertaken and costed on a menu type basis. Variations may also reflect any financial vulnerability from time to time, especially in relation to smaller schools. All decisions about the funding of the executive functions will be fully transparent.

23.5 A summary of key leadership responsibilities is set out in the attached Table of Key Delegated Responsibilities.

## 24. **FINANCIAL DELEGATION**

24.1 The Trust’s financial procedures and authorisations are set out in the “**Financial Regulations Manual**” or “**Finance Policy**”, a copy of which is appended to this Scheme of Delegation. Except as provided for in this Scheme of Delegation and subject to the requirements and restrictions set out in the Financial Regulations Manual/Finance Policy, budget responsibility is delegated to the respective Academy and expenditure will be authorised (in so far as necessary) and monitored by the Local Governing Committee.

24.2 No Trust or Academy monies (whether or not authority to expend has been devolved to the Local Governing Committee) shall be paid into any bank account other than a bank account authorised by the Trust’s Chief Financial Officer.

24.3 The Trust is required to have in place systems to identify and properly manage risk. The Local Governing Committee is expected to comply with any policy or guidance issued by the Trust (and the Secretary of State for Education as Principal Regulator) and to ensure that proper procedures are put in place for the safeguarding of funds, including any voluntary funds or charitable funds obtained through fund raising activities.

24.4 The Local Governing Committee is expected to report to the Trust Board on the management of the funds which are its responsibility and will notify the Trust Board (or as directed) as soon as reasonably practicable of the occurrence of any event or happening of any circumstance which might expose the Trust or the Academy to any loss or claim, including but not limited to any event which might be covered by the ESFA’s **Risk Protection Arrangement** scheme.

24.5 The Trust Board will have regard to the interests of all the Academies in deciding and implementing any policy (including any reserves or contingency policy) or exercising any authority in respect of any one or all of the Academies for which it is responsible. Notwithstanding this, the priority for the Trust Board is to put in place measures to ensure that any of the Academies are supported when the need arises and remain financially viable. Where this may have a significant financial impact on the funding of the support provided by or on behalf of the Trust Board, any policy shall first be discussed with the Leadership Group and its views taken into account and considered in relation to the setting and implementation of any such policy.

## 25. PERSONNEL

25.1 All staff employed by the Trust or in connection with any Academy or Academies are employees of the Trust.

25.2 The Trust is required to adopt and ensure the consistent implementation of a series of HR policies and practices, which are expected to mirror those issued from time to time by the Catholic Education Service. The responsibility for the appointment and performance management of staff is set out in the relevant Table of Key Delegated Responsibilities and the Leadership and Governance Decision Planner.

25.3 Any proposed changes to the staffing structure operated within an Academy must be approved first by the Trust Board, who may also require changes to be made, but who will consult first with the Local Governing Committee before consulting more widely on any proposal.

25.4 Whilst the management of any claims and disputes involving staff (other than senior leaders) are expected to be dealt with at the local level in accordance with the Trust's Disciplinary Policy, the Trust Board should be kept informed and any advice or guidance issued by or on behalf of the Trust Board should be followed.

25.5 The Trust Board (in conjunction with the Local Governing Committees) will ensure that the Catholic Senior Executive Leader for the Trust, the Headteachers and Deputy Headteachers for all Academies, as well as any key teaching staff responsible for co-ordinating religious education and any chaplain or reserved post, shall be practising Catholics. The Diocesan Education Service must be consulted on any appointment and if any investigation into wrongdoing is to be carried out.

## 26. PREMISES

26.1 The day to day maintenance and care of the buildings and facilities used in respect of the Academy is the responsibility of the Local Governing Committee (with management responsibility being delegated to the Headteacher), who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Academy Trust and the Brentwood Roman Catholic Diocesan Trust as owners of such buildings and facilities as reflected in the Church Supplemental Agreement and Property Occupation Document issued by the Diocesan Trust.

26.2 The Trust is required to have and to keep under review a long-term estate management strategy that will identify the suitability of buildings and facilities in light of anticipated curriculum needs and projected pupil numbers. The Local Governing Committee will advise the Trust Board of the need for and availability of any capital investment and will work with the Trust Board (and the Diocesan Education Service) to agree any capital priorities and the delivery of any significant capital project.

26.3 Decisions about disposals and acquisitions of school land including relocation will be made by the Diocesan Trust. Temporary use and short-term lettings will be managed by

the Local Governing Committee, subject to any lettings policy issued by the Trust from time to time and observing any regulations issued by the Diocesan Education Service.

27. **REGULATORY MATTERS**

27.1 The responsibility to ensure that the Academy complies with all legal obligations and operates in accordance with any statutory guidance and any guidance issued by the Diocese is a shared responsibility of the Trustees and the Governors, as well as leadership.

27.2 The Local Governing Committee has authority to determine any appeals against admission and any decision by the Headteacher to exclude any pupil. The Executive Team will be kept informed of all significant HR matters and any appeal against any disciplinary decision made by the Local Governing Committee will be referred to the Executive Team for advice or action as determined by the Executive Team.



**CHRISTUS CATHOLIC TRUST**

**SCHEME OF DELEGATION**

**EFFECTIVE DATE: SEPTEMBER 2024**

**PART 4: SUPERVISION AND INTERVENTION: ACCOUNTABILITY**



## SUPERVISION AND INTERVENTION: ACCOUNTABILITY

91. Notwithstanding the level of delegated responsibility to the Local Governing Committee and leadership, the Trustees remain legally responsible and accountable for all matters in connection with the Academies and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Academies.
92. Underpinning this accountability is a requirement for transparency and openness both in terms of the communication of expectations and the reporting of activities and outcomes. It is the responsibility of all to ensure this is achieved, with reporting taking such format as the Trust Board and the Local Governing Committee shall agree from time to time.
93. As well as the legal or financial implications of any failure or wrongdoing, the reputational damage to the Trust and its Academies, as well as the Bishop of Brentwood and the wider Diocese, is a significant risk and concern.
94. As the day to day responsibility for the running of the Academy is delegated to the Local Governing Committee (such responsibility being managed in practice by the Headteacher), the Trustees are removed from the operational risks and thus require the Academy to notify them (or as directed) of the following:
  - 94.1. any event leading to loss of life or critical injury on the premises of the Academy or during an event off the premises organised or supervised by Academy staff;
  - 94.2. any sexual or violent or illegal act against a child committed by any person while on the Academy premises under any circumstances and any matter where the LADO is involved;
  - 94.3. the suspension or summary dismissal of any senior member of staff;
  - 94.4. any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the Academy alleging a breach of fire or health or safety law or regulations;
  - 94.5. any event that requires a formal hearing by a panel of representatives of the Academy or that results in the service of a legal notice on the Academy alleging a breach of employment law or regulations including any early conciliation notification from Acas;
  - 94.6. notification of any Ofsted or Catholic School Inspection (also known as a section 48 inspection) and any independent review commissioned or advised by any regulatory authority;
  - 94.7. any suspected breach of the Academy Trust Handbook or other statutory guidance including the Admissions Code and Keeping Children Safe in Education or communication received from the Education & Skills Funding Agency seeking to investigate any complaint made in relation to the Academy;
  - 94.8. any malicious or vexatious complaints, any referral to the Teaching Regulation Agency or notification from the TRA of the investigation of any employee, any threatened industrial action including the notification of a strike ballot and any collective grievance raised by staff and/or vote of no confidence in the leadership or governance of the Academy;
  - 94.9. any threatened legal action including the service of any pre-action protocol letter warning of legal proceedings.

95. Appropriate steps will then be taken to manage any situation, communicating as appropriate in the circumstances (having regard to the fundamental principle of transparency and openness).
96. The Local Governing Committee acknowledges the need for and submits to any inspection by the Trustees, the Trust Executive Team and the Diocesan Education Service.
97. Where weaknesses are identified, either as a consequence of a fall in standards, a failure of governance and/or leadership or where there is any financial wrongdoing, the Trust Board expressly reserves the unfettered right to review or remove any (or indeed all) power or responsibility conferred on the Local Governing Committee under this Scheme of Delegation.
98. The Trust's Leadership and Governance Decision Planner indicates relevant decision making authority which may be temporarily removed from an Academy which is being formally supported by the Trust. Decisions as to whether an Academy is "effective" or to be formally "supported" (beyond the support which the Trust would normally provide or secure for its Academies) will be made by the Trust Board, who will have regard to any advice issued by the Trust Executive Team and the Diocesan Education Service.
99. If the Trustees resolve to suspend all delegated authority to a Local Governing Committee, an executive or management board will be established (an "intervention board") to undertake the responsibilities of the Local Governing Committee until such time as delegated authority can be restored. Any decision to do so and any appointments to the intervention board will be that of the Trust Board, who shall seek the advice and support of the Members (and in particular the Diocesan Education Service) if any external concerns are raised.
100. Notwithstanding the above, the Trust Board and the Local Governing Committee acknowledge the value of maintaining a good working relationship particularly in light of the levels of delegated responsibility within the Trust and the impact this may have on the ability of the Trust Board or the Local Governing Committee to react when standards are falling and/or there is evidence of financial imprudence exposing the Academy or the Trust to a threat of intervention. The Trust Board and the Local Governing Committee in such circumstances make the following commitments to each other:
  - 100.1. to discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State for Education as the Principal Regulator;
  - 100.2. to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the Academy and to support each other in the implementation of those measures, including involving the Diocesan Education Service who will support and advise on steps to be taken and facilitate additional support if needed;
  - 100.3. to allow each other the opportunity to effect improvements at the Academy provided such steps do not seek to undermine the collaborative and respectful approach being adopted by each;
  - 100.4. the Trust Board shall not exercise any power to suspend or remove the Headteacher without first discussing with the Chair of the Local Governing Committee the need to ensure that such power is being exercised appropriately and proportionately.