

## MEMORANDUM OF UNDERSTANDING FOR A CATHOLIC VOLUNTARY ACADEMY IN THE TRUSTEESHIP OF THE DIOCESE OF SHREWSBURY

### Purpose

The Bishop and the Diocesan Trustees together with the school have set out in the Memorandum of Understanding their commitments to each other to ensure that upon conversion the Academy continues to be conducted as a Catholic school in accordance with the canon law and teachings of the Roman Catholic Church and in accordance with the Trust Deed of the Diocese of Shrewsbury so that at all times the Academy may serve as a witness to the Catholic faith in Our Lord Jesus Christ.

The Memorandum refers to schools and this should also be taken to refer to academies wherever appropriate.

### Parties

1. This Memorandum of Understanding signifies a statement of intent to collaborate and expresses the intent of all the parties to work together to achieve their mutual goals.
2. It recognises the intention of the Corpus Christi Catholic Academy Trust, the Shrewsbury Roman Catholic Diocesan Trustees (the "Diocese") and St Mary's Catholic Primary School (Tameside Local Authority), a Voluntary Academy, to co-operate and work together to provide a framework for education which is in accordance with the teachings, doctrines, discipline and norms of the Catholic Church and with any guidelines and policies of the Shrewsbury Roman Catholic Diocesan Education Service (the "Diocesan Education Service")

### Restatement of the Purpose of the Trust and Catholic Distinctiveness

3. The Academy shall be conducted in accordance with the terms of the Trust of the Diocese of Shrewsbury.
4. The Academy is provided for the education of persons who are baptised members of the Catholic Church.
5. The Academy's admission policy must be subject to any and all statutory requirements and common law (as the same are in force from time to time) and comply with the Diocesan Authority's model policy from time to time giving priority to baptised Roman Catholic children above others and only using the criterion of practice of the Catholic faith in cases of oversubscription by Catholics.
6. 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 Shrewsbury.
7. Land held by the Diocesan Trustees is used by the Academy 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

8. The Academy 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 Trustees of the Diocese and the Bishop.
9. The Academy will provide religious education in accordance with the teachings of the Catholic Church.
10. Religious education shall constitute 10% of the weekly timetable in accordance with the tenets and norms of the Catholic Church.
11. The Academy will provide opportunity for regular collective worship in accordance with the rites and tenets of the Catholic Church.
12. Sex and Relationships Education shall be taught:
  - 1) in accordance with the social and moral teachings of the Catholic Church;
  - 2) having all due regard to any policies and / or guidance issued by the Diocesan Education Service; and
  - 3) in consultation with the parents of the pupils at the Academy.
13. The inspection and reporting of Religious Education, Catholic Life and the Collective Worship at the Academy is to be undertaken by persons appointed by the Diocesan Authority.
14. The Academy will be lead, managed and governed according to the Social Teaching of the Catholic Church. It will express a preferential option for the poor and disadvantaged, particularly those with Special Needs and those in Public Care.
15. The Academy will promote an authentic culture of vocation, encouraging pupils and staff to interpret their existence in the light of God's plan, with pupils developing and staff modelling an understanding of communal obligations, personal aspirations and their role as citizens in society.
16. The Academy will assist parents, who are the primary educators of their children, in the education and religious formation of their children.
17. The Academy will ensure that priority is given to promoting good relationships with homes and parishes of the children.
18. The Academy will work in relationship with other Catholic schools and local schools based on the call of the Gospel to serve those in need.
19. The Academy at all times will serve as a witness to the Catholic faith in Our Lord Jesus Christ.

## Governance

20. The Academy will comply with all directives issued by the Bishop and this Memorandum of Understanding has the status of directive issued by the Bishop.
21. The Academy will adopt and will comply with all policies of the Diocese and the Bishop communicated to the Academy from time to time.
22. All governors of the Academy undertake to fulfil and observe the objects and purposes for which the Academy has been established.
23. 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 Academy and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential.
24. The Academy will review its policies and practices on a regular basis, having regard to recommendations made by Diocesan Education Service and the CES, in order to ensure that the governance of the Academy is best able to adapt to the changing political and legal environment.
25. The Chair of Governors and Headteacher/Principal of the Academy will meet annually or as required with the Diocesan Director of Schools or persons nominated by the Bishop to review the performance of the Academy and to share information and best practice.
26. The Academy 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 governors for his appointment.
27. The Academy 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 and Trustees.
28. Unless the Bishop agrees in writing otherwise, Governors will appoint the chair (and vice chair) from amongst the Foundation Governors.
29. The Academy Trust, Executive Committee and Local Governing Bodies shall have all due regard to any guidelines and / or policies issued by the Diocesan Education Service in respect of, but not limited to the appointment, responsibilities and conduct of Directors and Governors.
30. The Foundation Governors of the Academy shall be formally appointed by the Diocese following recommendations from the Diocesan Education Service on behalf of the diocesan Bishop. In carrying out this duty, the Diocesan Education Service shall consult with the Parish Priest who will liaise with the Academy's Principal/Headteacher regarding appropriate appointments.
31. All Foundation Governors:
  - a) shall be practising Roman Catholic;

- b) shall not be an employee or related to an employee of the Academy;
- c) may serve a maximum of 3 consecutive terms of office (one term being 4 years) and after serving the maximum number of terms of office, shall be eligible for recommendation again after a period of 1 year; and
- d) shall not be automatically eligible for re-appointment after the expiry of any term of office.

The Parish Priest shall not be subject to the restriction in 4c) and shall be able to serve such terms as are required.

32. The Chair of the Governors of an Academy must be a Foundation Governor.

33. The Governing Body shall govern the Academy in accordance with any advice, guidelines or policies relating to education published by the diocesan Bishop from time to time, and in accordance with the teachings, doctrines, discipline and norms of the Catholic Church.

### **Financial Management**

34. The Academy acknowledges that the Diocesan Trust has no financial responsibility for the Academy in any situation.

35. The Governing Body will meet in full the costs incurred by the Diocese in the management, approval and subsequent support of the school's application to convert to academy status.

36. The Academy 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 Education Service

37. The Academy will provide to the Diocesan Education Service 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.

38. Whilst it is acknowledged that the Diocesan Trust has no responsibility for such matters, nevertheless, the Academy will notify the Trustees of any significant financial liability that the School is contemplating taking on (other than expenditure mentioned in paragraphs 46 and 47 below, in respect of which separate conditions apply).

39. The Academy will inform and keep the Diocesan Education Service informed of any matter which is likely to be a cause for concern to the Trustees and / or the Bishop (generally but not exclusively this will involve matters affecting the Catholic life of the Academy, matters affecting key personnel, financial matters, matters affecting buildings and the business plan for the Academy).

40. The Academy will inform the Diocesan Education Service of any need for significant unplanned expenditure and will discuss with the Diocesan Education Service options for identifying available funding.

41. The Academy will provide copies of minutes of all meetings of Governors including minutes of the meetings of Finance and Premises Committees, and will share

with the Diocesan Education Service following a reasonable request any educational and financial data which the Academy has, including the use of any capital or revenue reserves.

42. The Academy will contribute a portion of its funding, agreed from time to time with the Diocesan Education Service, to assist the Diocesan Education Service to carry out its functions and in respect of services the Diocesan Education Service may provide to the Academy.

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

43. The governors will ensure that at all times any land used by the Academy 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 Academy premises shall be in accordance with any policy issued from time to time by the Diocese.

44. The Academy will financially support the work of the Diocesan Schools Property Manager and will distribute a portion of its funding to meet its contribution to the Diocesan Schools Building Fund as agreed from time to time.

45. The Diocese undertakes to assist the Academy in the financial management of grant funded building works. The Academy agrees to voluntarily place with the Diocese any grant funding it receives and in turn the Diocese undertakes to ensure that monies are separately managed and accounted for, that invoices are paid as they fall due and to assist with any returns or reports required to grant funding bodies.

46. The Academy will consult with the Diocesan Education Service and share information about any planned significant maintenance and replacement of buildings and facilities used by the Academy and will not undertake any capital works to the buildings or any part of the Academy site without first obtaining the written consent of the Diocese.

47. The Academy shall develop in conjunction with the Diocesan Education Service 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 Academy's responsibility to ensure the buildings are maintained to a good standard.

48. The Academy shall follow the procedures set out in Diocesan Building Guidelines for Voluntary Aided Schools and Academies in relation to all planned significant maintenance and replacement of buildings or facilities used by the Academy

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

49. Any Chief Executive Officer; Executive Headteacher; Headteacher; Deputy Headteacher; Chaplain and Head of Religious Education / Religious Education Subject Leader, shall be a practising Roman Catholic in full communion with the Church.

50. When the Academy does not have a post designated as a Deputy Headteacher, the term "Deputy Headteacher" in the proposal above shall be held to include the most senior member of staff whose duties include deputising for the Headteacher/Principal in his or her absence.

51. Where there are two or more Assistant Headteachers, at least 50% should be practising Roman Catholic.
52. When appointing a teaching or non-teaching member of staff or issuing a new contract for an existing member of staff, the Academy Trust and Executive Committee shall endeavour to use the appropriate Catholic Education Service ("CES") contract available at that time and shall have all due regard to CES policies in force at that time including, but not limited to, policies on the employment, capability and discipline of staff.
53. The Academy shall adopt the School Teachers' Pay Conditions for all teaching staff, both established and newly appointed from time to time, such conditions to be tracked as long as they are in existence.
54. The Academy shall adopt the existing terms and conditions for all non-teaching staff transferred to an Academy Trust and when reviewing such terms and conditions, the Academy shall have regard to the terms and conditions adopted by foundation and voluntary aided maintained schools in the Academy's area for their non-teaching staff.
55. All employees of the Academy shall have access to the Teachers' Pension Scheme and Local Government Pension Scheme as applicable.

#### **Admissions**

56. The Academy shall always adopt the current diocesan model policy for admissions to implement its admissions policy, giving priority to baptised Roman Catholic children above all others and only using the criterion of practice of the Catholic faith in cases of oversubscription by Catholics.
57. The Academy will not change its admissions criteria without the consent of the Diocesan Education Service.

#### **Support for other Schools**

58. The Academy is part of a family of Catholic schools and the governors acknowledge that this means they have a responsibility which may extend beyond the Academy.
59. The Academy 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.

60. Where a diocesan school commences academy status via a single academy trust model and the Diocese asks the Academy to join a nominated multi academy trust the Academy is willing to move from a single to multi academy arrangement.

61. The Academy is willing to accept direction from the Diocese regarding the admittance of any other diocesan school into the multi academy trust of which the Academy may already be a member.

## **Commitments by the Diocese to the School**

### **Catholic Character**

62. The Bishop together with the Diocesan Trustees acting through the Diocesan Education Service will continue to support the development of a strong Catholic ethos in the Academy and in the community of Catholic schools, supporting a collective voice on national issues affecting the Academy and helping to communicate the Academy's concerns and needs to those with the responsibility for the funding and regulation of schools.

63. The Bishop will provide guidance on the teachings of the Catholic Church in order to support the teaching of others.

### **Governance**

64. The Bishop will ensure that any directive issued by him will be in writing and be clearly communicated to the Academy.

65. 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 Academy in the pursuit of excellence and high quality education.

66. The Diocesan Education Service will continue to support regular meetings of representatives of the Catholic schools in the Diocese to encourage the transfer of knowledge and the sharing of best practice. The Head of RE / RE Co-ordinator is expected to attend Diocesan Heads of RE meetings / area RE Co-ordinator meetings.

67. 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 Academy and will remove foundation governors in the event of misconduct and / or a failure to support the high ideals of the Academy and the Bishop together.

68. Where the Diocesan Education Service 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 Education Service will discuss the matter with the governors honestly and in good faith with the aim of formulating a plan to address such concern.

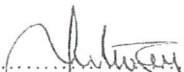
### **Building Maintenance and Capital Expenditure**

69. The Diocesan Education Service will not unreasonably withhold permission for the Academy to improve or maintain the Academy site.

70. In so far as the Diocesan Education Service feels is prudent given competing requests from other schools in the Diocese, the Diocesan Education Service will support the Academy in any grant application to the Secretary of State and will provide advice and support in the procurement of capital works. No financial responsibility is assumed.

71. The Diocese shall obtain primary insurance to cover, at the least, all capital matters, from an approved insurer.

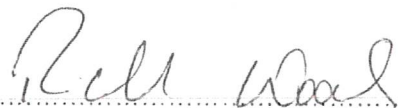
**Signed on behalf of the Governing Body of St Mary's Catholic Primary School**

Name .....  .....

Position ..... CHAIR of GOVERNORS .....

Dated 1st. OCTOBER 2024.

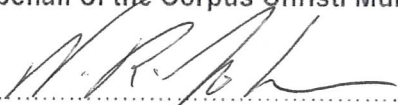
**Signed on behalf of the Diocese of Shrewsbury**

Name .....  .....

Position ..... Acting Director of Schools .....

Dated 22-11-24

**Signed on behalf of the Corpus Christi Multi Academy Trust**

Name .....  .....

Position ..... Chair of Board .....

Date 25/11/24.