

**Diocese of Arundel & Brighton**  
**Memorandum of Understanding – Catholic Multi Academy Trusts**  
**January 2022**

**Background**

- B. Each school  
common law (as the same are in force from time to time) and comply with the Diocesan Policy on Admissions.
- 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 Diocesan Bishop as articulated from time to time by the Diocesan Education Service.
- D. Land held by the Diocesan Trustee is used by the schools at the discretion of the Bishop and must be used for purposes which are consistent with the objects of the Diocesan Trust.

Changes to this Memorandum of Understanding may be made by the Bishop at any time and at his discretion. It is issued as a directive of the Bishop and as such it is binding on the schools and any Catholic multi academy trust established by the Bishop and must be complied with.

### **Section A: Purpose**

This Memorandum of Understanding (MoU) sets out the understandings and conditions that apply to the formation and operation of the two Catholic Multi Academy Trusts (MATs) established by the Bishop, being Xavier Catholic Education Trust and Bosco Catholic Education Trust. It identifies the catholic distinctiveness that must apply to the academies within the MAT and identifies the commitments that must be made to secure the success of the MAT and its constituent schools by the MAT Trust Board, the Diocesan Trustee and the Academy Partnership Committee, established by the Bishop to support the Diocesan Education Service in providing support and having the necessary oversight of the MATs established in the Diocese. All these organisations or bodies have a duty to operate within the guidance of the Bishop of Arundel & Brighton and it is

Set out below are the characteristics of catholic distinctiveness which must be evident in any school that is within the responsibilities of the MAT, which characteristics are intended to mirror those applicable to voluntary aided Catholic schools.

1. Each school in the MAT must be conducted in accordance with the principles, practices and tenets of the Catholic Church and all Catholic canon law applying thereto including the terms of the trust of the Diocese of Arundel & Brighton, so that at all times the school may serve as a witness to the Catholic faith in Our Lord Jesus Christ. The establishment of Catholic schools in the Diocese is a matter for the sole discretion of the Bishop of Arundel & Brighton.
2. Each school in the MAT (as with all Catholic schools in the Diocese) is primarily provided



the Diocesan Trustee and the MAT will have regard to any guidance issued by the Catholic Education Service as to the question of whether the land and buildings should be recognised as an asset on the balance sheet of the MAT.

9. No significant capital works will be carried out on any school site by the MAT (or its schools) without the prior written consent of the Diocesan Trust

wish to ensure that the addition of the school to the MAT will be in the best interests of the school, the MAT and the Diocese;

- b. review of the financial performance of the MAT, including in particular any issues leading to a failure to achieve a balanced budget or a failure to achieve budgeted outturns;
- c. oversight with regard to the performance of the Academies in the MAT,

- e. ensure that when the MAT is established the Directors of the MAT fully understand their responsibilities and together have the full range of skills and experience needed;
  - f. review on a periodic basis the skills and experience of the MAT Directors, advising the Bishop and making recommendations as may be necessary as to the appointment and in some cases replacement of those serving as foundation directors;
  - g. support the Diocesan Education Service in developing a programme of training for those who serve as foundation Directors where it has been identified that this might best be done on a diocesan wide basis rather than within an individual MAT.
8. The Partnership Committee may seek from the MAT any assurances, supported by evidence if requested, it believes necessary and appropriate to undertake its role and responsibilities.
9. Where the Partnership Committee believes educational or business management standards within a MAT are below those that have been identified as consistent with the standards and aspirations expected by the Bishop and the Diocesan Trustees (with the support of the Diocesan Education Service and the Partnership Committee), including as a minimum in circumstances when the Secretary of State for Education has identified serious weakness and an intention to serve a warning notice on the MAT or when a complaint has been received by the Bishop, the Partnership Committee will make recommendations to the Bishop through the Director of Education as to any action that should be taken including

**Principles and specifics of the relationship between the Partnership Committee and the MAT Trust Board**

12. Notwithstanding the high-level oversight role undertaken by the Partnership Committee, the relationship between the Partnership Committee and the MAT Trust Board should be based on one of mutual respect and appropriate question and challenge in an open and transparent manner consistent with the Catholic nature of the organisations. It is expected that both boards will subscribe to the Seven Principles of Public Life identified by the Nolan Committee and detailed in Appendix B of this document.

13.



### **Governance and Management**

3. The MAT Trust Board must comply with, and must ensure processes are in place to ensure all governors and employees of the MAT comply with, all directives issued by the Bishop of Arundel & Brighton including this Memorandum of Understanding, giving effect to the matters addressed within it.

and the MAT Trust Board and its local governing committees, the composition of the local governing committees (and the appointment of Foundation Governors by the Bishop) and the key responsibilities delegated to the local governing committees. The Partnership Committee will have regard to any views of any local governing committee that is affected by a change.

10. The MAT Trust Board and any local governing committees shall provide the Diocesan Education Service with copies of all board/committee meetings should they be requested.
11. The MAT Trust Board shall provide the Diocesan Education Service with copies of any returns provided to the Education and Skills Funding Agency (or any other body set up by the Secretary of State to oversee the finances of schools).
12. The MAT Trust Board shall provide the Diocesan Education Service and the Chair of the Academy Partnership Committee with copies of any Annual Report and the audited Annual Accounts for the MAT at the same time as submission of the same to the Education and Skills Funding Agency.
13. The MAT Trust Board shall ensure that it has systems in place for the proper conduct and oversight of the management of the Trust and the leadership of the schools, having regard

No guarantees or assurances in respect of the financial affairs of the MAT will be provided by the Bishop or the Arundel & Brighton Roman Catholic Diocesan Corporation.

14. Whilst the overall strategic report of the MAT to be provided to the Partnership Committee) will address financial risks, should the MAT Trust Board identify through its own regular monitoring of the

18. The MAT Trust Board will not determine any changes to the admissions criteria of any of its schools without the written consent of the Bishop of Arundel & Brighton.

**Employment of Senior Staff and Key Teaching Staff**

19. The MAT Trust Board (in conjunction with the local governing committees) will ensure that the Chief Executive Officer for the MAT, the headteachers and deputy headteachers for all schools, as well as any key teaching staff, responsible for co-ordinating religious education and any chaplain or reserved post, shall be practicing Catholics. Any departure from this must be approved in writing in advance by the Bishop and is to be reviewed on any future appointments.
20. The MAT Trust Board will make sure that the employment of all staff by the MAT shall be consistent with the policies from time to time notified to Catholic schools by the Bishop of Arundel & Brighton.

## Appendix A

### Cluster MAT - Responsibility, Accountability, Consultation, Information (RACI) Chart

Ref	Task	MAT	Academy Partnersh ip Committe e	Diocesan Education Service	Bishop of Arundel & Brighton
<b>Governance and Management</b>					
1	Appointing Foundation Directors under Article 50 (who must be in the majority by at least 2)	C	C	C	R
2	Recruiting and Appointing MAT Directors under Article 50A (i.e. by the MAT Trust Board)	R	C	C	I
3	Recruiting and Appointing reserved posts	R		C	
4	Religious Designation	A		C	R
5	Vision and Values	R	C	C	A
6	Strategic Expansion required through DAPC)	R	C	C	
7	Strategic Leadership	R	C	C	
8	Strategic Organisation/Delegated Responsibilities	R		C	
9	Statutory Policies	R		I	
10	Risk Management Reviews	R	I	I	
11	Recruitment of non-reserved posts	R			
12	Staff Performance Management process	R			
13	Staff Professional Development	R			
14	Staff Spiritual Development	R			
15					



## **Appendix B**

### **Seven Principles of Public Life**

These are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

#### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

#### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

## Appendix C



- d. At least 14 days before any such Terms of Reference are to be adopted by the MAT, the CEO shall send copies of the proposed draft Terms of Reference along with a note identifying the changes being made to the DAPC and the DES for review and comment.
- e. The DAPC and/or the DES may, acting reasonably, request that changes are made to the draft Terms of Reference before they are adopted. Without limitation to the powers to request changes, the DAPC and the DES anticipate asking for such changes in circumstances where the Catholic life and ethos of the MAT is at risk or where the Terms of Reference do not reflect good governance practice or otherwise represent a breach of the Academies Financial Handbook.

### **3. Key Personnel**

The MAT is required to appoint a CEO to provide strategic and operational leadership of the MAT. The MAT must also appoint a CFO who will provide financial leadership for the MAT.