



Bishops' Memorandum on the Appointment of Staff in Catholic Schools

Introduction

This Memorandum sets out the expectations of the Catholic Bishops' Conference of England and Wales about the appointment of staff in Catholic schools. This Memorandum applies to all Catholic maintained schools, academies, independent schools, sixth form colleges and non-maintained special schools, including those that are in the trusteeship of a religious order (referred to in this Memorandum as 'Catholic schools').

The Bishops' Memorandum was last issued in 2014, when the Catholic school sector looked very different to the way it looks today. It has therefore been updated to ensure that the Bishops' requirements are clear in the current context. This version does not include any additional requirements to those in the 2014 version, it simply sets out the requirements in a way which reflects the organisation of Catholic schools today. This version of the Bishops' Memorandum supersedes all previous versions.

All Catholic schools must ensure that they are providing an authentic Catholic education as part of the Church's education mission. All staff are part of the Church's mission and are therefore expected to support their employer in this aim, and Governing Boards¹ are required to ensure that their expectations are made clear.

Governing Boards are required to comply with the provisions in their Governing Documents (e.g. Instrument (and Articles) of Government or Articles of Association), and with the requirements of their Trust Deed, which includes the provisions of canon law, are incorporated into these documents. The Diocesan Bishop is responsible for exercising canonical oversight over all Catholic schools, and the issuing of this Memorandum is part of that oversight.

Who should read this Memorandum?

This Memorandum must be consulted prior to all appointments to Catholic schools. Governors, directors, and Catholic school leaders should ensure that they are familiar with the contents of this Memorandum and that all recruitment processes comply with its requirements. Governors, directors and Catholic school leaders should also ensure that their HR advisers and all members of staff involved in recruitment are properly trained and line-managed, that they are familiar with the contents of this Memorandum, and that they use CES contracts and associated documentation. Use of CES contracts and associated documentation is important because these documents contain provisions which help to ensure that the Catholic character of Catholic schools is preserved, maintained and developed.

¹ 'Governing Board' is the term used in this Memorandum to denote the entity or entities within the school or multi-academy trust company that exercises the functions of the employer under the appropriate constitutional arrangements.

There is an expectation that all suppliers on the Churchmarketplace framework will have received appropriate training on the matters set out in this Memorandum.

Purpose of this Memorandum

This Memorandum has been provided to help and guide Governing Boards to fulfil their responsibilities. Governors and directors have a legal responsibility to preserve and develop the Catholic character of the Catholic schools for which they are responsible, and following the processes set out in this Memorandum will help to ensure that this legal responsibility is complied with in relation to the appointment of staff. Compliance with this Memorandum is also a requirement of the Diocesan Protocols.

The Bishops of England and Wales require the following:

- Governing Boards must give clear guidelines about the Catholic character of the Catholic schools for which they are responsible, to employees and prospective employees. It must be clear to all employees that they are required to respect and support the aims and objectives of a Catholic school.
- Governing Boards must ensure that they issue CES contracts of employment and associated documentation, these contracts include provisions which require the employee to preserve and develop the Catholic character of the Catholic school.
- Governing Boards must ensure that CES model employment policies are used as these ensure that the ethos of Catholic schools as Catholic employers is clearly articulated.
- Governing Boards must comply with this Memorandum and the requirements set out below in relation to the need for certain senior roles to be occupied by Practising Catholics.
- Governing Boards must ensure that they are familiar with the guidance issued by the Diocese which sets out the definition of a “Practising Catholic”.

Appointment of Leaders in Catholic Schools

The Bishops of England and Wales require the following posts to be filled by Practising Catholics:

- Headteacher / Principal / Head of School (which includes Executive Headteachers)
- Deputy Headteacher / Principal / Head of School
- Chief Executive Officer
- Deputy Chief Executive Officer
- Head or Co-Ordinator of Religious Education (at both school and multi-academy trust company level)
- Chaplain (including Directors of Chaplaincy)
- Members of multi-academy trust company central teams with responsibility for Catholic Life / Mission / Ethos
- Any role which requires the individual to have responsibility for the spiritual and/or liturgical life of the Catholic school or multi-academy trust company (for example, Prayer and Liturgy Co-ordinator and Director of Primary Education or Secondary Education where it would involve oversight of collective worship and Religious Education).

All of the posts listed above require the postholder to be a Practising Catholic because the roles directly affect the Catholic mission of a Catholic school, and the individual post holders will be responsible for the spiritual leadership and Catholic character of a Catholic school or multi-academy trust company. Such individuals must therefore participate fully in the liturgical life of the Church and be able to

articulate their faith, whilst living it out on a daily basis, in order to have oversight of the formation of others.

Whilst the leadership posts listed above are generally in use in Catholic schools the list above is not exhaustive and other senior leadership posts may exist in relation to which there is a requirement to be a Practising Catholic. The principle to be applied is that the requirement applies to the most senior leadership post i.e. the person with overall responsibility for the day-to-day management of the Catholic school or multi-academy trust company, the person who is the second most senior person in the leadership team whose duties include deputising for the most senior post, and any other person with responsibility for the Catholic life of the Catholic school or multi-academy trust company.

Other Leadership posts that directly affect the Catholic Mission of the school should, wherever possible, be staffed by skilled practitioners who are committed Catholics.

The appointment of chaplains of any kind requires the authority of the local Ordinary. Canonical (priest) chaplains are appointed by the local Ordinary (canon 565). The appointment of a lay chaplain also requires the authority of the Church, and Governing Boards should therefore consult their Diocese in advance and follow any recruitment process set for the appointment of lay chaplains by the Diocese. In the case of Catholic schools under the trusteeship of a religious order, the Governing Board should also consult with the Religious Superior.

Appointment of Leaders of Religious Education

Religious Education is the core subject in every Catholic school and informs every aspect of the curriculum.

Primary: The Bishops of England and Wales require the following:

- The Governing Board must ensure that Religious Education is properly organised, co-ordinated, taught and resourced.
- Governing Boards must ensure that Catholic primary schools have a Co-ordinator of RE.
- Co-ordinators of RE should have at least parity in status and remuneration with those of the other core curriculum areas.

Secondary: The Bishops of England and Wales require the following:

- The Religious Education department in Catholic secondary schools is of particular importance and should have at least parity of status and resourcing with any other core subject department.
- Governing Boards are urged to give the highest possible status to the department and to the person leading that department, and this should be reflected in their status and remuneration.

Recruitment Process

Interview procedures approved by Governing Boards for recruitment must be open to scrutiny. They must be clear, objective and transparent and Governing Boards should follow the process set out in the CES Guidance for Governing Boards which is available on the CES website.²

In relation to the leadership appointments listed above, the Bishops of England and Wales require the following:

² For schools in Wales, see the CES Guidance for Welsh Governing Bodies.

- The diocesan bishop should be represented at all proceedings relating to the appointment of senior leaders and teachers of Religious Education unless his officer has confirmed in writing that he does not wish to exercise this right in relation to a particular appointment. In the case of the appointment of senior leaders and teachers of Religious Education at Catholic schools under the trusteeship of a religious order, the diocesan bishop has the discretion to exercise this right through a representative of the relevant religious order.
- Governing Boards must facilitate the attendance of the Diocesan Director of Education (or his or her nominee), either by affording them advisory rights or otherwise. These rights may be in relation to all appointments at the school or, more usually, to the appointment of the leadership posts to which the requirement to be a Practising Catholic is applied.
- Governing Boards must give sufficient advance notification to the Diocesan Director of Education of a vacancy for any leadership post to which the requirement to be a Practising Catholic is applied before taking any action, including making an acting or temporary appointment, appointing an acting Head Teacher or Principal, acting Deputy Head Teacher or Deputy Principal, or advertising the vacancy. It is particularly important to agree all meeting and interview dates with the Diocese in advance, to allow Diocesan Officers to be involved from the beginning of the process, including drawing up job descriptions and person specifications. Many Dioceses provide recruitment guidance which should be followed.
- Governing Boards must meet to draw up a shortlist of candidates, conduct interviews and make an appointment.
- Governing Boards may appoint a selection panel to undertake these functions, but appointments may need ratification by the full Governing Board.

A Diocesan representative may also be invited whenever senior posts with pastoral responsibilities are being considered.

Appointment of Teachers in Catholic Schools

The preservation and development of the quality and distinctive nature of Catholic schools depends on the faith, practice and commitment of the teachers in the schools, working with their Governing Board. The Catholic Church understands the vocation of a teacher as a form of ministry within the Church.³ All teachers and leaders in Catholic schools are employed to participate in the Church's teaching office, exercising this ministry in accordance with the Church's teachings and as a collaborator of the Diocesan Bishop.⁴ This requires teachers to be witnesses in word and deed to the Divine Teacher, Jesus Christ.⁵

To find Catholic teachers who combine personal conviction and practice of the faith with the required professional qualifications and experience, especially in specialist subjects, is always a high priority.

The recognition of the role that Catholic teachers play stands alongside the value we place on teachers of other Christian denominations, other Faiths and other teachers who contribute to and support the Catholic ethos in Catholic schools. We recognise the great contribution they make in helping to ensure that our pupils are equipped to be at the service of and contribute to society.

Governing Boards have a duty to ensure that the Catholic character of Catholic schools is maintained and developed. The Bishops of England and Wales expect that Governing Boards will employ Catholic teachers who combine personal conviction and practice of the Faith with the required professional

³ *Gravissimum educationis*, Declaration on Christian Education (Vatican II, 1965) 8.

⁴ *Apostolorum Successores*: Directory for the Pastoral Ministry of Bishops (Congregation for Bishops, 2004).

⁵ Lay Catholics in Schools: Witnesses to Faith (Congregation for Catholic Education, 1982), 32.

qualifications and experience, in order to ensure this. Governing Boards should be aware that legislation allows them to prefer Catholic teachers for roles in Catholic schools and to prefer them in terms of their pay and promotion prospects.

Delegation of Power of Appointment

When a Governing Board delegates its power and right of appointment of staff to a committee and/or to the Head Teacher or Principal, it is essential that the terms of reference for such delegation state explicitly the requirements in relation to appointments.

Induction and Continuing Professional Development and Formation

Governing Boards should ensure an appropriate formation and induction programme is in place, which emphasises the distinctive nature of Catholic education, and ensures that staff understand the Church's mission and their part in it.

Appropriate and tailored ongoing formation is both an entitlement and an expectation for all staff for the whole of the duration of their employment in a Catholic School. Governing Boards should ensure that all members of staff participate regularly in an appropriate ongoing formation for their work in Catholic education.

Questions

Questions relating to the implementation of the requirements in this Memorandum should be addressed to your Diocese.

Bishop Marcus Stock

Chairman, Department for Catholic Education and Formation

24th September 2024