

DIOCESE OF HEXHAM AND NEWCASTLE
SPIRITUALITY, FORMATION AND EDUCATION
SERVICE



ACADEMIES

Report to Schools

16 May 2011

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INTRODUCTION

This paper begins by reiterating why Catholic schools exist and the principles and values upon which Catholic Education is based. It makes clear our non-negotiables; those key features which must be preserved. It briefly reminds us of the current education climate. Critically, it outlines how the Academy debate has moved on in recent weeks.

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Diocesan Spirituality, Formation and Education Service

16 May 2011

WHY DOES THE CHURCH PROVIDE CATHOLIC SCHOOLS?

The starting point for an examination of the Academies question must be the above question. The consideration of a change to Academy status compels us to go right back to the fundamental question of the purpose of Catholic Education and of Catholic Schools. We need to remind ourselves of what we are about, of our mission and then, only in the light of this, commence our deliberation on the Academy issue. This key point is reflected strongly in a number of documents and report that follows.

The Church provides Catholic schools to:

- Assist in its mission of making Christ known to all people.
- Assist parents, who are the primary educators of their children, in the education and religious formation of their children.
- Be at the service of the local Church – the diocese, the parish and the Christian home.
- Be a service to society.

VISION FOR CATHOLIC EDUCATION

The Catholic understanding of the human person is that our humanity has dignity because we share it with God.

“The dignity of the human person is rooted in his creation in the image and likeness of God”.

Catechism of the Catholic Church 1992 Par 1700

Jesus Christ is both the model and example on whom we, as Christians, aim to shape our lives. The beliefs and values which are established in this discipleship provide a governing spirit which helps to shape our personal response to the whole of life in a relationship with others. We are an Easter people redeemed and made whole by the life, death and resurrection of Jesus Christ, working through our experiences in the search for a kingdom of love and salvation. This faith in Jesus Christ provides the Christian with his blueprint for living.

Our Catholic understanding of what it means to be human is expanded more fully in an important Catholic Education Service statement of 1993.

- We believe that human beings have a divine origin and an eternal destiny. All are created in the image of God.
- We believe that each individual is both unique and equal to others regardless of sex, nationality, colour, creed, class, intellectual ability or emotional, social, physical handicap.
- We believe that the whole person includes the dimensions of body, mind and spirit. These are fully realised in community and not in isolation.
- We believe that all people are formed, sustained and affirmed through a process of love and relationship with others.
- We believe that education is a moral transaction between one generation and the next. It takes place in communities, the home, the school, the parish and the locality.

Our Catholic understanding of the human person leads onto a Catholic understanding of the nature and purpose of education. Jesus was a teacher and his teaching ministry embraced the whole of the person and the whole of society. His mandate therefore requires the church to serve both the person and the community.

Our vision of Catholic education is summed up accurately in the following quotation from Pope John Paul II.

“The Catholic school is a witness to the truth that genuine education seeks to do more than simply impart knowledge, or train people to perform an economically productive task. All education worthy of the name seeks to bring forth as it were a full person, a person in whom moral excellence is no less developed than are theoretical or productive abilities.”

The same point is made by the Bishops of England Wales in their 2007 Pastoral letter on Catholic Schools.

“Catholic schools are guided in all they do by an important and coherent vision of education. This vision is based on the truth revealed by God about ourselves, our life together in community and our ultimate destiny with God. This gives rise to an educational endeavour centred on the person of Jesus Christ who is our Way, Truth and Life.”

Catholic education is Christ-centred.

“Catholic Education is above all a question of communicating Christ, of helping to form Christ in the lives of others. The cause of Catholic Education is the cause of Jesus Christ and of his Gospel at the service of man

Pope John Paul II 1982

“Catholic schools exist to teach as Jesus taught – so that all in them may learn as his disciples. Their purpose is to transmit the vision and the values of the Catholic tradition in its fullness while ensuring that all pupils and students are extended to achieve their true intellectual, moral, physical and spiritual potential.

A Catholic school forms its living culture on the Gospel. It does so by striving to live the Gospel and not merely by how it is taught and learnt”.

CES “Catholic Schools and Colleges: Their Role and Purpose” 2004

In his introduction to our own diocesan “Governing a Catholic School” the late Bishop Kevin Dunn states unequivocally:

“As Catholic schools we are called to be centred on the person and message of Jesus Christ. This message is grounded in the scriptures, the teachings and traditions of faith and prayer of the Catholic Church and witnessed by Saints and scholars of this and past ages.”

The vision for the education of children in Catholic schools is based on answering the fundamental question, posed by Pope Benedict XVI: *“What kind of person would you really like to be?”* Education in the Diocesan family of schools is about enabling children and young people to grow as human persons; working together, the aim is to provide a rounded education for the whole person.

Catholic education is inspired by a vision of life seen whole, embracing the fullness of human experience and its expression in the life of the individual, in the family, in the local

community and in society at large. We are created for goodness; we want to help children and young people fulfil that promise and enrich the world as they grown from childhood to mature citizenship.

Governors, Headteachers, senior leaders and all staff must reflect the image of Christ and go about their work with children, families, parishes and local communities in a manner that gives witness to the Catholic faith in Our Lord Jesus Christ and Gospel values in action.

The Core values of both Christ's teaching and of Catholic Education are summed up in one of the most famous, best known and best loved sections of the New Testament – **the Beatitudes**.

"Blessed are the poor in spirit, for theirs is the Kingdom of heaven"

Values: Faith and integrity

"Blessed are those who mourn, for they shall be comforted"

Values: Dignity and Compassion

"Blessed are the meek, for they shall inherit the earth"

Values: Humility & Gentleness

"Blessed are those who hunger and thirst for righteousness, for they shall be satisfied"

Values: Truth & Justice

"Blessed are the merciful, for they shall obtain mercy"

Values: Forgiveness and Mercy

"Blessed are the pure in heart, for they will see God"

Values: Purity and Holiness

"Blessed are the peacemakers, for they shall be called children of God"

Values: Tolerance and Peace

"Blessed are those who are persecuted for righteousness' sake, for theirs is the kingdom of heaven. Blessed are you when they insult you and persecute you and utter every kind of slander against you because of me. Be glad and rejoice for your reward is great in heaven; they persecuted the prophets before you in the very same way"

Values: Service and Sacrifice

In Autumn 1996 the Bishops of England and Wales published a short (6 pages only) document on Catholic Education. One page was given over to "The Distinctive Nature of Catholic Education" and is a masterly and succinct summing up of what Catholic Education is about.

The search for excellence

The search for excellence is seen as an integral part of the spiritual quest. Christians are called to seek perfection in all aspects of their lives. In Catholic education, pupils and students are therefore, given every opportunity to develop their talents to the full.

The uniqueness of the individual

With Catholic schools and colleges each individual is seen as made in God's image and loved by Him. All students are, therefore, valued and respected as individuals so that they may be helped to fulfill their unique role in creation.

The education of the whole person

Catholic education is based on the belief that the human and the divine are inseparable. In Catholic schools and colleges, management, organisation, academic and pastoral work, prayer and worship, all aim to prepare young people for their life as Christians in the community.

The education of all

Their belief in the value of each individual leads Catholic schools and colleges to have the duty to care for the poor and to educate those who are socially, academically, physically or emotionally disadvantaged.

Moral principles

Catholic education aims to offer young people the experience of life in a community founded on Gospel values. In religious education in particular, the Church aims to transmit to them the Catholic faith. Both through religious education and in the general life of the school, young people are prepared to serve as witnesses to moral and spiritual values in the wider world.

Bishops' Statement on Education, 1996

And the following principles recorded in *The Common Good in Education* (Bishops' Conference 1996) also apply:

- **Subsidiarity** – which means decisions being taken as close to the grass roots as government allows;
- **Solidarity** – which means we are all responsible for each other, with willingness to see others as self.

A key line in the earlier, fuller description of our Catholic understanding of the human person, echoed in the 1996 Bishops' statement, concerns the significance of community. Once again we find the Catechism of the Catholic Church very clear on this point in the section devoted to the Communal Character of the Human Vocation.

Love of neighbour is inseparable from love of God. The human person needs to live in society. Society is not for him an extraneous addition but a requirement of his nature. Through the exchange with others, mutual service and dialogue with his brethren, man develops his potential; he thus responds to his vocation.

Par 1879

The Second Vatican Council had signalled a significant change of emphasis in this regard with reference to the Catholic School.

School no longer seen as INSTITUTION but as COMMUNITY.

Declaration on Christian Education, Gravissimum Educationis 1965

The concept of community is fundamental to our Catholic understanding of education and the human person.

Community is a fundamental part of what it means to be a Catholic. In each unique person we see Jesus Christ. This gives us an awesome responsibility to develop everyone's talents to the full, seeing and responding to Christ in one another. Our vision views the person as inherently a community being. The deeper truth of every person is that

they come into the world in the context of a community and they flourish and prosper only in the context of community.

Promoting community cohesion is neither new to us nor an optional extra – we enhance our Catholic identity by committing ourselves to working for a more cohesive world.

Archbishop Vincent Nichols – 2008

- Thus, Catholic schools must continue to look outwards and work in partnership with **all** other schools in the wider community, to the benefit of all children in society.

ENSURING CATHOLICITY

NON-NEGOTIABLES – in statute + Catholic Bishops’ Conference policy

- Trustees ownership
- Instrument of Government
- Foundation Governors
- RE, liturgy, collective worship, prayer and the curriculum
- Headteacher/ deputy headteacher/ RE leader must be practising Catholics
- Admission policy which gives priority to baptised Catholic children

CURRENT CLIMATE

- Category 3 & 4 schools ‘at risk’ of forced conversion (i.e. not on our terms - diocesan concern over ‘predatory’ academy chains)
- Local Authority (LA) role is changing - many education service staff have already been made redundant due to government cuts (likely that more will follow)
- LAs charging for more and more services
- Some LAs very small and/or actively encouraging academy route
- Government agenda – academies the ‘norm’
- Concerns over school transport, DFC (10%), etc

POSITION: APRIL 2011

A) WINKWORTH SHERWOOD REPORT 7 APRIL 2011

Winkworth Sherwood had been commissioned by the CESEW and a number of Dioceses, via the Financial Secretaries, "to advise on a range of areas of concern to the Trustees arising from the implications for Trustees of schools seeking to become Academies".

Main points in the report:

- The conclusion of this recent work is that there are now no legal barriers to conversion.
- Whilst there might be advantages in conversion for Catholic schools which alone might prompt a discussion about conversion, given the impact now on Local Authorities of non Catholic schools converting and the increasing difficulty that Local authorities are having meeting their statutory duties and providing services with reducing funds, schools can no longer avoid having to consider the question of conversion. A decision to convert must be considered in light of the general changes in the sector and the Government's stated purpose that they expect to see all schools convert to becoming Academy at some stage.
- The company is still a Catholic undertaking which will operate under the jurisdiction of the Bishop. Directives might be used to resolve any particular governance issues at an Academy and being an obligation having the force of company law as well as canon law, the position of the Bishop in relation to his schools that become Academies may be strengthened.
- Article 104 of the Articles of association states that the Principal (the headteacher) shall be appointed by the Governors, but only after consultation with the Trustees and the Bishop. It may be possible to extend this principle to the appointment of other key staff members, enabling the right to select with faith in mind to be enshrined in the Academy's constitution.
- Conclusion: Catholicity is preserved by using the model Articles of Association which state that the academy will be a Catholic school, by the Academy's designation as a Catholic school, through selective admissions criteria and through the appointment of key staff members.
- Opinion of Counsel was received and happily supported our view that consolidation with the Diocesan Trust accounts was not appropriate.
Conclusion: There is no requirement to consolidate the accounts of the Academy with those of the Diocesan Trusts even if the Trustees exercise accounting control over the Academy.
- LAND – Whilst there is a presumption by the Department that a long lease will be granted by the Trustees to the new Academy, the SoS has accepted in principle that the current arrangements between the Trustees and the schools should be able to continue once the school has become an Academy.
- INSURANCE AND MAINTENANCE OF SCHOOLS BUILDINGS – The cost of insurance will be paid by the Academy, who will receive an additional grant from the DfE for such purpose.

- **ENSURING THE TRUSTEES ARE NOT LIABLE FOR THE DEBTS OF THE ACADEMY**
The Academy company is a company limited by guarantee, which means the liability of its members is limited to the extent of their guarantee of the company's debts. Typically the guarantee is £10. The Trustees will not be expected to (nor should they do so in fact) underwrite any liabilities of the academy. If anyone, this would be the responsibility of the SoS.

KEY CONCLUSIONS

These can be summarised as follows:

1. There are no legal barriers for Catholic schools converting to become academies.
2. The Trustees consent to conversion must be obtained; this can be given subject to conditions.
3. There is a wide discretion for Trustees and Governing Bodies in putting in place new governance arrangements.
4. Governance is not the same as support and the Trustees should consider their approach to the long term support of the Catholic schools in the Diocese.
5. It is assumed that the Trustees will continue to appoint the majority of the Governors of the new Academy.
6. The Academy will continue to be designated as a Catholic school.
7. Employment protections for Catholic schools are preserved and the Admissions Code will continue to apply.
8. There does not need to be any transfer or lease of land by the Trustees to the Academy.
9. The Trustees are not liable for any debts of the Academy.

B) DIOCESAN ACADEMY CONFERENCE – 13 APRIL 2011

Around 300 Headteachers, Chairs of Governors, Governors and Priests attended the above conference held in St Robert of Newminster School, Washington. The main input came from Oona Stannard, Director of CESEW, and Christine Fischer, Legal Adviser. Oona provided a masterly overview of the "journey" of the Academy debate over the past year. She stated clearly:

"For some schools academy conversion may be the best/right option"

She suggested that we (the Catholic sector) "may be better served by being a force for good on the inside".

Christine, in the light of the Winkworth Sherwood report, stated, "We have bottomed out the legal and financial concerns".

The conference, which was attended by the Bishop, certainly provided an up-to-the-minute picture of where the academy debate has moved to and allowed us, as a Diocese, to be informed together and to reflect together. It also allowed a number of delegates to put questions to the panel. Feedback has been that it was very worthwhile.

C) CESEW NATIONAL SYMPOSIUM – 19 APRIL 2011

The Symposium was attended by some 50 participants representing every Diocese. Attendees included Bishops (5), Schools' Commissioners and Financial Secretaries. Hexham and Newcastle was represented by Kathleen Smith and me.

Symposium Aims

1. Review and appraisal of where we have reached nationally;
2. Intelligence sharing and networking re Diocesan progress and positions on academies policy;
3. Helping to action other planning nationally and for Dioceses.

The opening session was led by Oona Stannard and Christine Fischer, CESEW. They largely reiterated their inputs at our Diocesan Conference of the previous week.

Oona stated, "Some schools could be fettered and disadvantaged if not allowed to proceed to academy status". She added, "We do not have a simple dual system anymore. The reality in 2011 is one of a multiplex of types of school".

Christine Fischer made the point that the time has now come for each Diocesan Bishop to "lead the way forward" with his trustees. In his closing comments Bishop Malcolm McMahon made much the same point. He reiterated that there would not be a major announcement from the Bishops at their Low Week Conference. Instead it would be down to each Bishop to decide upon the appropriate way forward for his diocese.

After lunch five dioceses shared their "journey" so far.

Diocese A

The Bishop and Trustees have given "in principle" consent. The diocese is exploring a multi-academy model under a diocesan-wide umbrella trust/school company. They will not allow any single academy models to be established.

Diocese B

The diocese will review its position in July/August when the Archbishop returns to active duty. Until then no school will be given permission to proceed.

Diocese C

The diocese has submitted models (both single and multi) to the DfE. They see Academy status as a positive opportunity to strengthen Catholicity, distinctiveness and the Diocesan Family of Schools. Interestingly their model involves linking with two other dioceses.

Diocese D

They are working on a diocesan-wide trust incorporating all 37 schools.

Diocese E

They think it might be for the right route for some schools. They are exploring the multi-model approach operating under an umbrella company.

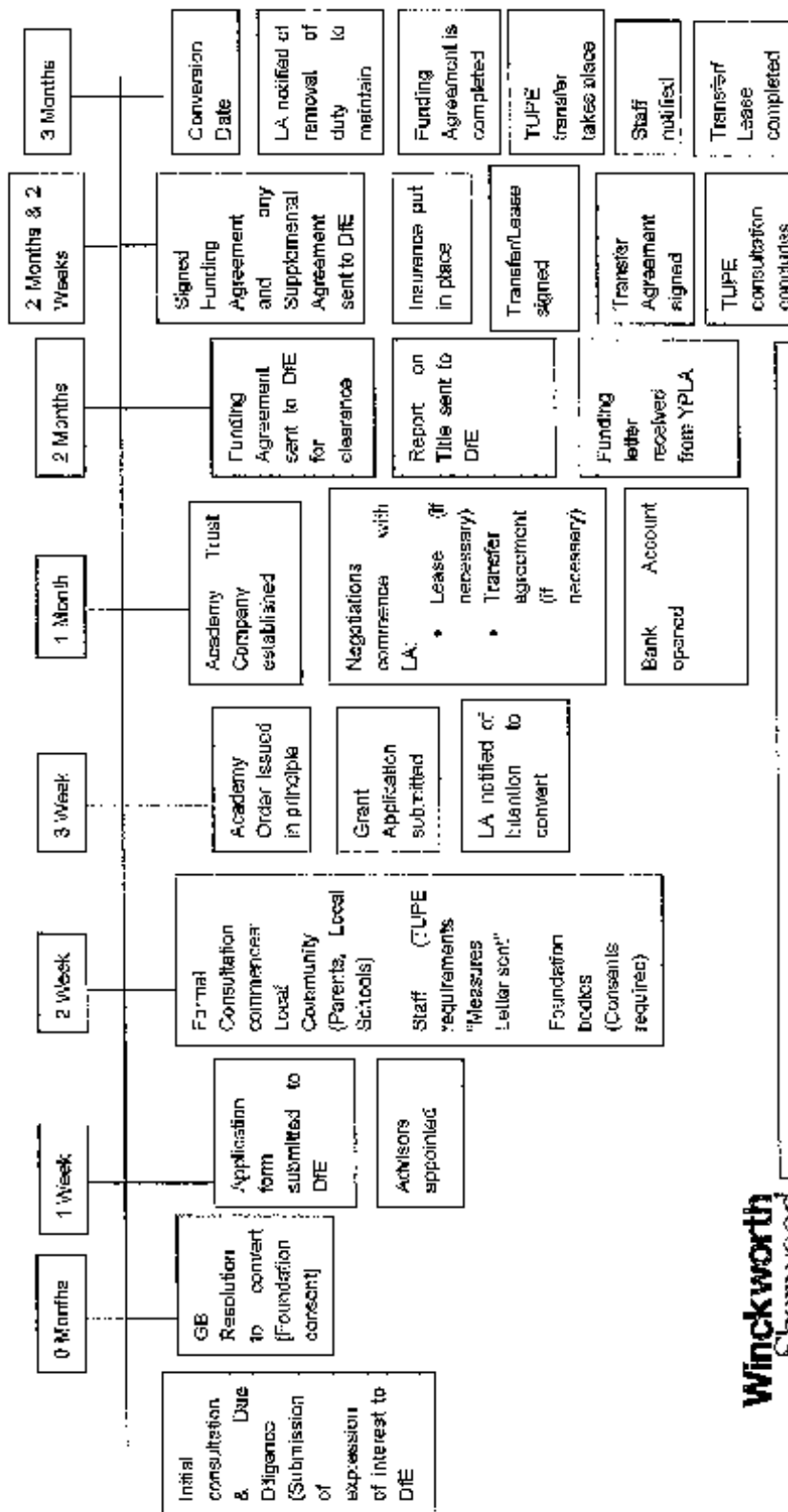
APPENDIX 1

Conversion to Academy Status
The Advantages and Disadvantages of Becoming an Academy

The advantages of becoming an Academy	The disadvantages of becoming an Academy
<p>More Freedom - In practical terms, this means that Academies will have flexibility over the following areas:</p> <ul style="list-style-type: none"> • Pay and terms and conditions of staff; • National Curriculum; • Length of terms and school days; and • Admissions 	<p>Financial Responsibility-Although the Funding Agreement between the Secretary of State and the Academy Trust Company (ATC) contains a number of protections should the ATC find itself in financial difficulties, there is an element of uncertainty about the future of the Academy if it is unable to resolve its financial problems.</p>
<p>Financial Autonomy - Academy Schools will receive their General Annual Grant (GAG) directly from central Government, instead of receiving funds via the Local Authority. In addition, they receive money which would previously have been held back by the Local Authority, so Academies will be free to choose whether to buy in services from the Local Authority or other providers. Schools may choose to invest any extra funding in making School improvements.</p>	<p>More Responsibility and Accountability - The Governors of the Academy Trust Company will face more responsibility than they do as a normal state school. For example, they will need to ensure that the company's accounts are filed at Companies House on time and that the ATC complies with various legal requirements. Academies will need to be organised and capable of coping with the scrutiny that is likely to follow as a result of becoming an Academy. Schools that do not already have sophisticated processes in place may struggle to keep up with the pace of life as an Academy.</p>
<p>Empowering Schools - One of the arguments in favour of allowing Schools to become Academies is that it empowers governors and teachers to take control of the running of the School, which, in turn, will help to improve standards in Schools.</p>	<p>No support from the LA - When a School becomes an Academy, it can no longer rely on the services which are provided by the LEA with the top slice of funding. Governors will therefore need to think carefully about where they purchase these services and plan their budgets to take into account all of the peripheral services that the Academy requires.</p>
<p>Political Will - Academies are a key part of the Government's Education policy so there is a lot of political will for Schools to convert and for the Academies programme to be a success. In addition, some may question the ability of the Local Education Authorities (LEA) to continue to support state Schools, particularly where some Schools within the LEA have already become Academies.</p>	<p>The conversion process can be time consuming and stressful - Becoming an Academy can be a stressful and time-consuming process for Schools and it often requires the commitment of staff and governors to ensure the project progresses in accordance with the desired timescale.</p>

APPENDIX 2

**CONVERSION TO ACADEMY
TIMELINE AND KEY MILESTONES**



If you would like to discuss this structure, please contact Andrea Squires on: 0207 834 6020
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