



THE ARCHDIOCESE *of* BIRMINGHAM

Diocesan Directives issued by the Diocesan Bishop for the General Regulation of all Catholic Schools in the Archdiocese of Birmingham pursuant to canon 806.

General

1. Catholic schools are always to support and promote the mission of the Church in the Diocese and assist parents whose duty it is to educate their children, as expressed, co-ordinated and directed by the Diocesan Bishop. Accordingly, they are to respond generously to Diocesan initiatives and co-operate by actively and constructively engaging with them.
2. In these Directives 'school' means any Catholic school (including its Senior Leadership and Governing Body) and includes maintained schools, independent schools and academies.

Interpretation, revocation and commencement

3. In these Directives:
 - a) any communication required with the Diocesan Bishop or the Diocese is to be undertaken via the Diocesan Education Service;
 - b) unless the context requires otherwise, 'Diocesan Bishop' includes Vicars General and Episcopal Vicars, and includes officers of the Diocesan Education Service under the direction of the Director of Education;
 - c) The principal representative of the Diocesan Bishop in matters relating to education is the Diocesan Director of Education;
 - d) 'Ecclesiastical Property' means any property (including all temporal goods and contents) which is regulated by the Code of Canon Law, whether by virtue of the law itself, by particular statutes or by the provisions of a Decree of Recognition;
 - e) 'Governing Body' refers to the legal entity which has the authority to make decisions on behalf of the school, including any other body to which that authority has been delegated;
 - f) 'Trustees' means the Public Juridical Person on behalf of which the Governing Body conducts the school within the meaning of canon 803 (whether a Diocese, an Institute of Consecrated Life, a Society of Apostolic Life or any other ecclesiastical body). In the case of a school exceptionally recognised by the Diocesan Bishop under canon 803, it shall be interpreted in accordance with the Decree of Recognition in force for the school.
4. All previous Diocesan Directives for the general regulation of Catholic schools are hereby abrogated.
5. These Directives come into force one month after publication in the Diocesan Education Service newsletter and on the Diocesan Education Service website.

Admissions

6. The admission arrangements of Catholic schools shall always give priority to Catholic applicants above all other applicants.
7. The definition of Catholic for the purposes of school admission shall be defined in accordance with guidance from the Diocesan Education Service. If any question arises in relation to membership of the Catholic Church or the practice of the Faith, it is to be determined authoritatively by the Diocesan Bishop or his delegate in accordance with the norms of Canon Law.



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8. The governing bodies of Catholic schools are to co-operate with each other and with other Catholic admission authorities to ensure that the maximum number of Catholic parents are able to take advantage of a Catholic Education for their children.
9. The membership of any admissions committee is not to include any person who is likely to be involved in the provision of Certificates of Catholic Practice for any applicants to the school.
10. In maintained schools and academies:
 - a) no function relating to the admission process or admission appeals is to be delegated to any other person (including any local authority) without the written consent of the Diocesan Education Service;
 - b) the admission policies shall follow (or follow as closely as circumstances allow) the diocesan model admission policy; and
 - c) the Published Admissions Number (PAN) shall not be changed without written consent from the Diocesan Education Service.

Staffing

11. In accordance with the *Bishops' Memorandum on the Appointment of Staff in Catholic Schools*:
 - a) the posts of head teacher, deputy head teacher and head or co-ordinator of religious education shall be reserved for practising Catholics;
 - b) where a school does not have a post designated as deputy head teacher, the term "deputy head teacher" in this paragraph shall be held to include the most senior member of staff whose duties include deputising for the head teacher in his or her absence;
 - c) where leadership is shared across more than one school, both the person who has responsibility for the day-to-day management of the school and the person who is the next most senior person in the leadership team are to be treated in the same way as posts set out in sub-paragraph (a) above;
 - d) any other posts directly affecting the Catholic mission of the school are to be treated in the same way as posts set out in sub-paragraph (a) above: this includes the Catholic Senior Executive Leader (or equivalent) of a Multi Academy Company, any person with line management responsibility for the RE Department or the RE Co-ordinator, the person with responsibility for Catholic Life (Person in Charge of Catholic Life - PICCL) and pastoral posts including lay chaplains.
 - e) Paragraphs 11 (a), (b), (c), (d) apply equally to both full time and part time posts, as well as any posts which are interim, 'acting' or fixed term.

The posts falling within this paragraph shall be known as Catholic Posts. In case of doubt whether a post is a Catholic Post, the question is to be determined by the Diocesan Bishop.

12. Wherever a vacancy occurs in an existing Catholic Post, or a new Catholic Post is created, the Governing Body of a school shall:
 - a) give reasonable notice to the Diocesan Education Service of the vacancy, or proposed new post, before taking any steps to agree a job description, person specification or job advertisement;
 - b) agree the date and time of every meeting of the Governing Body, or any of its committees or panels, where the filling of that vacancy is to be an item of business;
 - c) permit a representative of the Diocesan Bishop to be present to advise the Governing Body, committee or panel during each of those meetings and facilitate the attendance of any representative nominated to attend any such meeting;



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d) have regard to any advice given by the representative.

The provisions above also apply to the recruitment to any teaching post where the principal activity of the post is the teaching of religious education.

13. Where a post is one which includes the teaching of religion, the approval of the Diocesan Bishop, one of the Vicars General or an Episcopal Vicar is also required (canon 805). In the case of a post falling under paragraphs 11 or 12 above, any representative of the Diocesan Bishop advising the Governing Body, committee or panel is also empowered to give that approval. In any other case, a foundation governor or foundation director is empowered to give that approval.
14. 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). Appointments are not to be made to any other chaplaincy post (generally referred to as 'lay chaplains') without the authority of the Diocesan Bishop. Schools are not to take any steps towards the appointment of a lay chaplain without the prior approval of the Diocesan Education Service (in accordance with paragraph 11(d) above).
15. Schools are to use the model employment documentation produced from time to time by the Catholic Education Service. In some cases, this documentation may be adapted by the Diocesan Education Service for bespoke use where necessary. Any change to the model documentation proposed by any school requires the consent of the Diocesan Education Service.
16. Schools are to ensure that all new members of staff participate in an appropriate induction programme which emphasises the distinctive nature of Catholic education. All staff appointed to posts as defined in paragraph 11 above must attend induction and training provided by the Diocesan Education Service. Schools should encourage and support all teaching members of staff who do not already hold the Catholic Certificate of Religious Studies (CCRS), or equivalent, to obtain it as part of their ongoing professional development. Schools are to ensure that all members of staff participate regularly in appropriate ongoing formation as Catholic educators.

Governance

17. Before making or consenting to any amendments to a school's governing documents, the Governing Body shall submit the proposed amendments to the Diocesan Education Service and request confirmation in writing that the amended governing documents comply with the requirements of canon law and that the school will continue to be a Catholic school. The school shall not make or consent to any such amendments until it receives the consent of the Diocesan Education Service in writing to do so.
18. When accounting for any assets owned by its Trustees, a school shall follow any accounting and auditing requirements established by the Diocese or its Trustees.
19. In the light of the common good, all schools shall pay the diocesan levy which contributes towards the expenses of the Diocesan Education Service provided to support all Catholic schools.
20. Schools shall submit to and co-operate with any inspections or visitations carried out in the name of the Diocesan Bishop (or any other Ordinary) and shall defray the expenses of the same. The school shall comply with and implement any findings of the Diocese or Visitor following an inspection, visitation or review of governance.
21. A school shall notify the Diocesan Education Service immediately if:
 - a) any formal notices are received from the local authority, the Department for Education, the ESFA, Ofsted, or ISI;



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- b) a complaint is received relating to the school's Catholic character, ethos and mission, religious education, collective worship or relationships and sex education; or
- c) a serious incident takes place (as defined in Charity Commission Guidance).

In the case of (c) above, or in any other circumstances which might harm the reputation of the school, its Trustees, the Diocese or the Church generally the school shall co-operate with the Diocesan Education Service in managing the content and method of any public response, including any media strategy.

22. A school shall notify its Trustees immediately if a request is made by any body for information which relates to the property of the Trustees, or any communication is received relating to the Trustees' property.

Curriculum and Religious Education

23. Schools shall implement a broad and balanced Catholic curriculum which follows the teachings of the Church and which has Catholic Religious Education at its core. Religious Education is to be given no less than parity with other core subjects and is to inform all other subjects on the school's curriculum. At least ten per cent of curriculum time (five per cent at key stage 5) is to be devoted to it.
24. The teaching of Catholic Religious Education is subject to the authority of the Church. It is for the Bishops' Conference to issue General Norms on the subject and for the Diocesan Bishop to regulate and watch over it (canon 804). It is to be carried out in accordance with the *Bishops' Conference Religious Education Curriculum Directory*.
25. In conformity with the decision of the Bishops' Conference in 2016, any Catholic school in the Diocese is only to select a GCSE Religious Studies examination specification which requires:
- a) A study of Catholic Christianity as the primary religion;
 - b) A 50% study of Catholic Christianity, covering all four topics:
 - i. Beliefs and Teachings,
 - ii. Practices,
 - iii. Sources of Wisdom and Authority,
 - iv. Forms of Expression and Ways of Life;
 - c) A study of Judaism as the second religion.

This paragraph, unless revoked, remains in force during the period that the criteria document entitled: *Religious Studies GCSE Subject Content* published by the DfE in February 2015 remains effective.

Any Key Stage 4 pupil who is expected to secure a GCSE pass at grade 1 or above in a core subject will be entered for GCSE Religious Studies. Those pupils will be entered for certification in GCSE Religious Studies in Year 11.

26. General Religious education provided at key stage 5 is to be an academic subject at a level commensurate with the level of study of the student's other courses, taught on the normal curriculum plan, assessed and recorded.
27. Only materials approved by the Diocesan Bishop are to be used in the teaching of Relationships and Sex Education.
28. Schools delivering to primary-aged pupils are to teach only the Diocesan approved scheme of work in its entirety to those pupils as the Religious Education curriculum.



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Ecclesiastical Property

29. Governing Bodies are to comply with any requirements which the Trustees may from time to time set out for the stewardship of ecclesiastical property occupied or used by the school.
30. Governing Bodies shall diligently discharge in their entirety the responsibilities of dutyholder under any relevant health and safety regulation, whether the Governing Body is the dutyholder by virtue of the law itself or is appointed to discharge the responsibilities of dutyholder on behalf of its Trustees. Each Governing Body shall appoint a competent person to assist it in discharging the responsibilities of dutyholder and all other requirements of the relevant statutory provisions.

Censuses and Data Sharing

31. Schools shall complete the annual Catholic Education Service school census each year and shall do so by the requested date. This includes any supplementary questionnaire issued alongside the annual census.
32. Each school shall provide the following data to the Diocesan Education Service and to its Trustees:
 - a) details of applicants for, and those appointed to, Catholic Posts;
 - b) details of all governors and associate members of any Governing Body;
 - c) any details necessary to enable the Diocese or the Trustees to assist, support or advise the school on any matter.
33. In addition to the data collected in connection with the annual Catholic Education Service school census, each school shall provide the following data to the Catholic Education Service:
 - a) any details necessary to enable the Catholic Education Service to assist, support or advise the Diocese or the Trustees on any matter relating to the school;
 - b) any details necessary to enable the Catholic Education Service to assist, support or advise the school directly on behalf of the Diocese or the Trustees.