



Leicester Diocesan Board of Education

Church House, St Martin's East, Leicester. LE1 5FX
Tel No: 0116 248 7450 Fax No: 0116 251 1638
Registered Charity Number: 527812

CHURCH SCHOOLS

**Information and Guidance for
Headteachers and Governors of church
schools in the Diocese of Leicester**

CONTENTS

General Synod Board of Education/National Society	3
The 1991 Boards of Education Measure	3
The Leicester Diocesan Board of Education	3
Structure of the Board of Education	4
Charitable Trusts/Trusteeship	6
Differences Between Voluntary Aided and Voluntary Controlled	7
RE and Collective Worship	8
SIAS Inspection of Church Schools	9
Foundation Governors	10
Role of the Chair of the Governing Body	11
Appointment of Staff in Schools	12
Aided Schools Buildings	13
The Aided School Governing Body as Employer	14
Aided School Contracts	14
Pastoral Support for Church School Staff	15
The Governing Body as Admissions Authority	15
Admissions Appeals	15
Governor Training	17
Legal Advice	17
The Church School and the Local Church	17
The Role of the Church School Headteacher and the Incumbent of the Parish	18
Advisory Support for Schools	18
Contact Details	19
Foundation Governor Nomination Form	APPENDIX A
The Role of the Foundation Governor	APPENDIX B
Admissions Appeal Form	APPENDIX C

The Church of England has been involved in education for more than 150 years

Appointment to a position in a Church School carries with it certain responsibilities different from those in community schools. This document is intended to outline some of those responsibilities and differences and to enable both teachers and governors to understand their role.

The Leicester Diocesan Board of Education is proud of its family of Church of England Schools – Primary and Secondary, Voluntary Controlled and Voluntary Aided, and seeks to support and serve headteachers, staff, governors, clergy and parishes for the benefit of all children, young people and their families.

Our church schools are a precious gift to our diocese and the parishes in which they are built.

Our Church of England schools offer an opportunity for children, and adults, to explore, in an unpressured way, the Christian heritage of faith that inspires us.

The members of the Leicester Diocesan Board of Education, together with the officers of the Board, work in partnership with Leicestershire County Council and Leicester City Council, to build effective relationships so that the provision of education within our church schools may be enhanced by the mutual support that sustains us all.

Thank you for your efforts in our unique inheritance.

Rt Revd. Tim Stevens
Bishop of Leicester

Revd. Michael Asquith
Asst. Diocesan Director of Education

Mr Gwynne Jones
Chairman of the Board of Education

General Synod Board of Education and the National Society

The Board of Education of **the General Synod** is concerned with all education activity throughout all the dioceses. This of course includes all Church Schools. The General Secretary of the General Synod Board of education is the Reverend Janina Ainsworth. The same officers service the **National Society**, which is the resource centre and education arm of the Church of England. The National Society was founded in 1811 for the support of church schools and still does a great deal of work, both in supporting church schools, providing legal advice and providing literature to back up the work of a church school.

The 1991 Boards of Education Measure

The work of the Diocesan Board of Education (DBE) is controlled by Measures of the General Synod of the Church of England. Measures of the General Synod have the same weight as an Act of Parliament. They are part of the arrangement between church and state where matters specific to the church are delegated to the care of the General Synod, but adopted by Parliament. The 1991 Measure is, therefore, part of the country's statute law.

The make-up of the Board of Education is determined by that document and the matters relating to governing bodies, headteacher appointments and many other matters are covered by the Measure.

The Measure seeks to empower governing bodies and to define their relationship with the diocese. It also seeks to empower Diocesan Boards of Education in their relationships with governors and trustees. The 2002 Education Act and subsequent acts amended the 1991 Measure increasing the DBE's responsibility and authority in its guidance to governing bodies.

Copies of the Diocesan Board of Education Measure can be obtained from the Diocesan Board of Education.

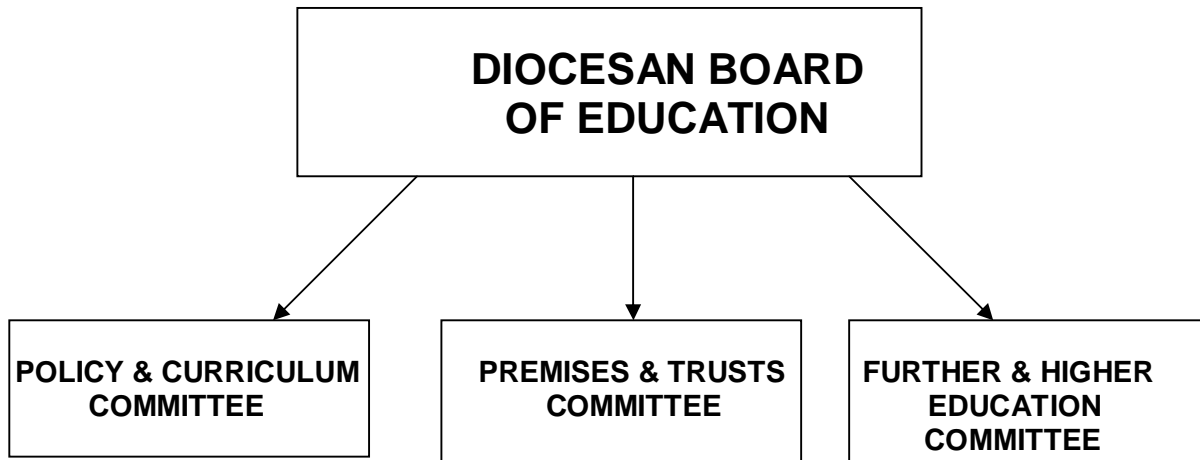
The Leicester Diocesan Board of Education

The Diocesan Board of Education consists of people with an interest in education who come from different schools and churches throughout the diocese. Currently the Chairman is Mr Gwynne Jones who was formerly Senior Assistant Director of Education at Leicester County Council.

The Diocesan Board of Education seeks to support church schools in every aspect of their work and is concerned to be a resource for all the 97 Church Schools and one academy in the diocese.

The Board values all its Church Schools and sees them as equal members of the diocesan family. The DBE does, however, have specific statutory responsibilities in relation to the Voluntary Aided Schools. An Aided School is strictly a diocesan school that is aided by the Local Authority. All details concerning the headteacher and deputy headteacher appointments, admissions, appeals, discipline and grievance procedures and a host of other matters, need reference to the diocese.

STRUCTURE OF THE DIOCESAN BOARD OF EDUCATION



Policy and Curriculum Committee:

Through the work of this committee the board:

- i. provides an advisory and support service to church schools;
- ii. approves foundation governors
- iii. provides support and training to foundation governors;
- iv. provides guidance on policy and curriculum issues;
- v. provides INSET support to teachers in church schools;
- vi. responds to resolutions from General Synod in relation to church schools;
- vii. promotes and pursues partnerships with LAs, its officers and members;
- viii. monitors and supports the SIAS Inspection [Section 48]

Premises & Trusts Committee

The committee is responsible for:-

- The monitoring of the maintenance and regular repair of the Voluntary Aided Schools in the Diocese
- The support and organisation of minor and major works of the Voluntary Aided Schools in the Diocese
- The management of School houses
- The management of non-school trusts and properties, including St Nicholas Trust and the Robinson Trust.
- Making recommendations for 554 orders
- The committee is required to oversee the scrutiny of the DBE financial position at each meeting and to notify the DBE of any difficulties or envisaged problems

The Higher and Further Education Committee

The committee is responsible for:

- Increasing the level of understanding and practical support on the part of Christian churches for the Further and Higher Education sector
- Keeping itself informed of current issues and disseminating that information to the wider church
- Supporting the chaplains as they engage in:-
 - the nurture of young people through a time of transition and change
 - working with the structures of their institutions helping to promote the moral, spiritual and cultural development of students
 - the inter-faith dialogue within their institutions
- Responding to government consultations and initiatives on behalf of the DBE
- Sharing good practice
- Reflecting theologically on current F&HE issues
- Encouraging good relationships and mutual respect between adherents of the various faith communities and racial groups in F&HE institutions
- Supporting the development of pastoral support services for all staff and students

Working in Partnership

The Diocesan Board of Education expects that headteachers will work in a partnership with foundation parishes, and that incumbents and the parishes will work with their Church of England School. We believe this to be the baseline for a successful working relationship, and it is the values of the gospel that should be at the heart of this relationship.

The Board expects that any new headteacher will be welcomed into the parish just as a new incumbent, or assistant, would be welcomed into the life of the school. It is the responsibility of the foundation governors to ensure these events take place.

What can schools expect from the Board of Education?

- Support the school in the execution of its trust deed and in its distinctive Christian character
- To take the lead in all areas of work covered by the Statutory Inspection of Anglican Schools
- Support for governing bodies, especially in appointing a new headteacher
- Guidance in matters pertaining to religious education and collective worship
- In relation to VA Schools:
 - Admissions
 - Sites and Buildings
 - Management of headteacher appointment process
 - Religious Education
 - Employment

For all other aspects, advice may be sought from the Local Authority [LA]

What the Board expects from its schools?

- Involvement in the family of Leicester Diocesan church schools
- Involvement in the life of the diocese as a whole
- Consultation and policy formulation.

Partnership with the LA

Working in partnership with the Local Authority is of paramount importance at both strategic and operational levels. The Board seeks to support and where possible enhance the services offered by the LA.

Charitable Trusts/Trusteeship

Every church school is a charitable trust. The trustees, in most instances, are the incumbent [be he/she vicar, rector or priest-in-charge] and churchwardens for the time being and the trust deed is the document to which they must pay close attention. However, it is not always possible to trace a copy of the trust deed, although it is true that all trust deeds will exist somewhere.

If you have any query concerning the Trust Deed and its provisions, or are unable to find a copy of your deed, please do not hesitate to contact the DBE.

All Trust Deeds contain a phrase that has a meaning similar to these words:

Education should be conducted in accordance with the doctrines and practices of the Church of England."

This is the important phrase, but mention of the National Society and the principles of the Church of England are also common in Trust Deeds.

Most trust deeds date from the nineteenth century, although some are much older. The 1841 Schools Sites Act governs the work of Church Schools and Church School sites, but is also governed by the provisions of later legislation including the 1944 Act, the 1964 Act, the 1988 Act, the 1993 and the 1998 School Standards and Framework Act.

It should be noted that trustees must always act in a manner that is reasonable for the education work of the school and that if they fail to act in such a manner, the Diocesan Board of Education has power under the 1991 Boards of Education Measure to direct that they act in a reasonable manner. This means that Education Trustees in a local parish who have funds, should always make those funds available for the school as a first priority. If building work is being undertaken in the school, then it is the duty of the trustees to ensure that, as far as is within their means, they provide money for the building work which is being undertaken.

Trustees hold a very important role in schools. It is good that there is common membership between the trustees and the governing body and the incumbent covers this, to some extent, being an ex officio member of the governing body.

Further legal details are available from the Diocesan Director of Education and in cases of dispute or doubt, the solicitors of the Board, Lee, Bolton, Monier Williams are able to give a ruling. They can be contacted through the DBE office at Church House.

Differences Between Voluntary Aided and Voluntary Controlled

	VOLUNTARY AIDED	VOLUNTARY CONTROLLED
Buildings	Church Schools are owned by the trustees and founded by their Trust Deeds which determine the basis on which the school is run	
	New building and repairs are the responsibility of the Governing Body supported by grant from the DCSF currently 90% of approved expenditure.	Building costs are the responsibility of the LA through delegated budgets.
Teaching Staff	Appointed and employed by the governors, paid by the LA. Under the new School Standards and Framework Act Part II Chapter 5 paragraph 60, governors may seek evidence of Christian commitment from applicants for Headteacher and other teaching posts.	Appointed by the governors, employed and paid by the LA. Under the new School Standards and Framework Act Part II Chapter 5 paragraph 60, governors may seek evidence of Christian commitment from applicants for Headteacher posts.
Worship	Is wholly Christian and must reflect the rites and practices of the Church of England. Acts of collective worship may be held in the local church and, in such circumstances, they are deemed as being in accordance with statutory requirements.	
RE	Governors determine a syllabus that reflects the Church of England traditions.	The school must follow the LA Agreed Syllabus, additionally the parents may request a denominational one.
Membership of the Governing Body	Church (foundation) governors: <ul style="list-style-type: none"> • have an absolute majority over all other governors; • the parish priest is usually an ex officio member of the governing body; • all governors combine to elect the chair; • a proportion of foundation governors should also be parents. 	Church (foundation) governors: <ul style="list-style-type: none"> • are in a minority; • the parish priest is usually an ex officio member of the governing body; • all governors combine to elect a chair. • a proportion of foundation governors should also be parents.
Funding	LA delegated funding. Government funding direct to schools. All schools, Church and community, are treated in the same way by the LA and direct government funding.	
Admissions	Governors determine the admissions criteria and policy. The Governors Admissions Committee make the decisions.	The LA is responsible for admissions.
Appeals	Handled by the Diocese.	Handled by the LA.
Inspection	OfSTED Inspectors look at the school in the light of the SEF. SIAS inspectors (church inspectors) inspect RE, worship, school ethos and leadership and management of the school as a church school.	OfSTED Inspectors look at the school in the light of the SEF. SIAS inspectors (church inspectors) inspect worship, school ethos and leadership and management of the school as a church school.

RE and Collective Worship

In all church schools, the acts of collective worship are different from that in other schools. Collective worship has to be delivered in accordance with the provision of the trust deed, i.e. in accordance with the rites and practices of the Church of England. RE in a Voluntary Controlled School follows the LA Local Agreed Syllabus, but in a Voluntary Aided School the RE is delivered in accordance with the Trust Deed; that is "in accordance with the rites and practices of the Church of England". In order to achieve this, the Diocesan Board of Education has compiled its own diocesan RE syllabus and this was done with a working group of headteachers from the Aided Schools. That syllabus is available in school, but if any headteacher wishes to obtain extra copies, these are available from the DBE, price £5, or it can be downloaded from the education pages of the diocesan website.

It is a syllabus that follows the same pattern as the Agreed Syllabus for the LA, but is more Christian in content. It refers to the LA syllabus as a cross-reference, for example with regard to the provision of teaching about other faiths. Some Aided Schools use part of the RE time to teach about other faiths, some teach about other faiths in what they regard as Personal and Social Education and enable the time given to RE to be devoted to Christianity. This is a decision for the governing body, because, in an Aided School, the governing body is responsible for the delivery of Religious Education.

When inspecting a school, OFSTED will require a Church School, Aided or Controlled, to ask for a **SIAS Inspection**, which will look specifically at the distinctive Christian character of the school – its ethos and values, at the leadership and management of the school as a church school, at the collective worship and at the impact that all three are having on all learners. In addition, in an Aided school, the teaching of Religious Education is inspected.

SIAS or Section 48 inspectors are separately trained and accredited by the National Society. The Diocesan Board of Education holds a register of those in this diocese who are authorized to undertake such inspections.

The Diocese has an **RE Adviser**, Mrs Janet Ingram, who is available to speak to governing bodies or school staff about the act of collective worship and the delivery of RE and would be pleased to be approached.

Timetable for SIAS / Section 48 Inspections

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Prior to Inspection</p>	<ol style="list-style-type: none"> 1. Ofsted informs school of inspection and identifies Lead Inspector, giving the school at least two working days' notice. 2. The diocese will contact the school giving the name of the nominated Section 48 Inspector. (any conflict of interest regarding the allocated inspector should be raised at this time) 3. The agreed inspector will then contact the school, in order to arrange a mutually convenient time for the SIAS Inspection to take place. Where possible, the first visit should be within two weeks of the OfSTED inspection. 4. Pre-Inspection Visit and Briefing The inspector will collect the documentation required, see an act of collective worship and leave the inspection contract for signing. <p>The inspector will prepare a Pre-Inspection Briefing which will be shared with the school at least three working days prior to the inspection. This will provide a clear focus for the inspection.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">During the Inspection</p>	<p><u>Inspection Day</u> This will involve meeting with the headteacher, as well as possibly meeting with pupils, governors, parents, staff and other personnel as requested by the SIAS Inspector. The inspector will attend assembly, observe school etc (and will give continual verbal feedback during this process)</p> <p>NB. The school inspection timetable has some flexibility and can be adjusted to suit the activities of both the school and the inspector.</p> <p>The inspection should last for about 8 hours, which will usually be one full day.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">After the Inspection</p>	<ol style="list-style-type: none"> 1. The Section 48 Inspector will send the draft report and the JRF, to the diocese for critical reading, within ten working days of the last inspection visit. (unless otherwise agreed) 2. The critical reading will usually be completed within one week of receipt. 3. The diocese will then send the approved report to the school to be checked for factual accuracy. 4. If everything is acceptable and agreed, this document now becomes the FINAL report. Schools are responsible for distributing this report to the parents/carers of all registered learners. <p>5. The agreed final report will be available on the Board of Education website (The document will also be made available on The National Society website)</p>

From 2009 some schools may qualify, subject to certain very specific criteria, for a reduced tariff inspection which will be no more than half a day. Where this is the case the Diocesan Board of Education will inform both the inspector and the school

Foundation Governors

- **Numbers**

Every church school has foundation governors. They are in a minority in Controlled Schools and in a majority in Aided Schools. In an Aided School the number of Foundation Governors must exceed the total of the other Governors by two. In addition $\frac{1}{3}$ of all governors must be the parents of children in the school.

The Board of Education is responsible for the appointment of foundation governors with the exception of a small number who are appointed by local trusts. The Board of Education is also required to carry out pre-appointment checks in accordance with DCSF guidelines.

- **Appointment Procedure**

The procedure for the appointment of foundation governors is as follows:

Nomination Forms (see Appendix A) will automatically be sent out to the Incumbent when a vacancy occurs. The PCC should identify one or more people who wish to be nominated. The form should be completed and then presented to a meeting of the PCC for endorsement. It should then be returned to the Diocesan Board of Education for the appointment to be made. The Board of Education delegates the task of appointing foundation governors to the Policy and Curriculum Committee. If more than one nomination is made for a post, the Policy and Curriculum Committee will make a decision based on the information given and the references obtained.

- **Role**

The role of the foundation governor is extremely important. He or she is there to represent the Trust Deed or foundation of the school with its Christian emphasis. This is the reason why there is a majority of foundation governors on an Aided school governing body. The foundation governor is also the link between the Board, which has made the appointment, and the governing body. The foundation governors, therefore, represent the role of the Diocesan Board of Education on the governing body.

In addition, the foundation governor represents the local church on the governing body. This is, in practical terms, perhaps the most significant of his or her roles. The foundation governor will be concerned to ensure that the local church is fully aware of all that is happening in the school and is regularly praying for what is happening. He/she will also be concerned to represent the interests of the church on the governing body.

It will be the foundation governors' role to remind the governing body that it has a corporate responsibility to uphold the church foundation and to see that all decisions that are made are in accordance with the Trust Deed. It is also important for the foundation governor to be a person who prays regularly. He or she will need to hold the school, its parents, its governing body, its teachers and above all its children before God in prayer on a regular basis.

The foundation governor has a deeply spiritual and highly significant role to play in the life of the church school. For this reason a paper setting out the role of the foundation governor is given to all those that the PCC identifies for the position. A copy of this is enclosed (see Appendix B).

The role of the Chair of governors

The role of the Chair of Governors will be informed by “The Governors Guide to the Law” . However a diocesan perspective in some areas is also vital. The Chair of the Governors’ role is crucial in the development, maintenance and enhancement of the distinctive character of the Church of England School.

The following specific points outline areas to be considered by the Chair of the Governors:

The Instrument of Government

This should be available from the clerk to the governing body and will detail:

- The name of the school
- The category of the school
- The name of the governing body of the school
- The number of governors on the governing body
- The group that is responsible for appointing them
- Where the ex-officio and foundation governors are to be drawn from
- A statement of the religious ethos of the school.

Buildings and Trust Deeds

The chair needs to know	Which category schools does this apply to	Information is available from
Who owns what	VA and VC	Local Authority & Diocesan Board of Education [DBE]
Process for buildings & maintenance work	VA	DBE
Process for buildings & maintenance work	VC	Local Authority
Funding streams available	VA and VC	Local Authority & DBE
The school’s trust deed	VA and VC	DBE
Guidance about lettings	VA	DBE
Guidance about lettings	VC	DBE and LA

Employment

In VA schools all staff are appointed by and are employees of the governing body. Contracts for all staff are obtainable from the Diocesan Board of Education.

In Voluntary Controlled Schools all staff are employees of the Local Authority

The chair needs to know	Which category schools does this apply to	Information is available from
Governing Body responsibilities	VA and VC	Guide to the Law / DBE/ National Society
Contracts of Employment	VA	National Society / DBE
Contracts of Employment	VC	Local Authority
Regular review of contracts	VA and VC	Governors Guide to the Law

Policies

The chair needs to know	Which category schools does this apply to	Information is available from
Which policies are statutory	VA and VC	Guide to the Law
Non statutory policies	VA and VC	DBE and Local Authority
Church School Distinctiveness	VA and VC	DBE
Governor Training	VA and VC	DBE & Local Authority

In addition the Board of Education officers are only too happy to advise headteachers, governors, teachers and all staff of schools or show them where information can be found from.

Appointment of Staff in Schools

It is a policy of the Diocesan Board of Education that, as far as possible, staff who are appointed to Aided Schools in teaching and non-teaching capacities should at least be in sympathy with the aims of the Trust Deed and preferably be committed and practising Christians. Above all, the Board of Education has a policy that all headteachers should be "able and fit persons to preserve and develop the religious character of the school" (School Standards and Framework Act Part II, Ch 5, para 60(4)).

The appointment of headteachers to Voluntary Aided schools, is the responsibility of the governing body who have a statutory responsibility to invite the Diocesan Director of Education, or his representative, who must be present at the Governing Body meeting where the process begins. He will give advice at that meeting, prepare the governing body for the process and guide the governors selected to appoint the new headteacher throughout the process. The Diocesan Director of Education encourages the governing body to invite the LA to be involved.

In Voluntary Controlled School headteacher appointments, the LA encourages the governing body to invite the Diocesan Director of Education or his representative to be involved.

The Diocesan Director of Education, or his representative, will always be present at short-listing meetings and at appointments. At such appointments the Diocesan Director of Education, or his representative, may also be representing the LA Director. The whole process is complicated, but the skills and experience of Board of Education staff can ease the situation greatly.

All church schools with senior appointments to be made are advised to contact the Board of Education office at Church House as soon as they know there is to be a vacancy.

Following that contact, arrangements will be made, in partnership with the LA, for a governing body meeting when the whole process will be explained and the options reviewed. It should be emphasised that Board of Education staff are continually appraising the processes of appointment in order to achieve the best results. The work is done in conjunction and in partnership with the LA so that the procedures in all church schools and in community schools are identical. The same criteria should underpin all appointments across the whole of the LA and that is recognised as we share in partnership in this work.

Aided School Buildings

The responsibility for maintenance of school buildings and grounds in Aided Schools can be split into three main areas:

i. Governors Grant Aided

This term covers repair work to the external fabric of the school building, for example, roof, walls, doors and windows. Grant aid is available to help meet the cost of these repairs (the current level of grant is 90%). The school will be allocated a budget by the DCSF, against which this grant can be claimed. This is called the **Devolved Formula Capital** and is calculated based upon pupil numbers. Major works are carried out through the LCVAP Allocations – this is funding delegated to the LA for Voluntary Aided Schools.

Under the new arrangements from April 1st 2006 the Board has offered VA schools the opportunity of pooling its Devolved Formula Capital allocation. All the VA primary schools have decided upon this option

From April 1st 2006 Devolved Formula Capital is allocated to schools in two amounts. 40% around the end of April and 60% around the end of July. The DFC now includes funding for ICT. The Aided Heads agreed at their meeting in May 2006 that schools would identify at the beginning of each financial year the amount of DFC that they intended to allocate to ICT. This amount will be transferred from the pooled fund directly to schools

The funding can be spent on capital expenditure which requires a governing body's contribution of 10%. All governing bodies under the new arrangements require the approval of the DBE before work can proceed. Governing bodies are required to inform the LA of all capital work carried out.

At the end of each year the governing body is required to inform the DCSF of projects and how the funding has been spent and also give valid reasons for carrying forward funds.

The following years funding will be dependent on this annual declaration.

The Board, through YMD Boon offers a pooling service to VA schools. By pooling Devolved Formula Capital the following advantages are achieved:

- Cash flow benefits – schools are not having to wait for the second payment before work can start
- Accounting and reporting procedures are carried out for the governing body
- Linked with this the pooled delegated budget allows cost savings
- By using the pooling scheme the governing body are guaranteed that building regulations and planning issues are secure and Health and safety is assured.

ii Delegated Maintenance Budget

A school has, once every three years, the option to be responsible for their own day to day maintenance and repairs to items that were historically the responsibility of the Local Education Authority. In order to fund these repairs the school is allocated, via the LA, a delegated maintenance budget (again calculated on pupil numbers). This is 100% funded and covers repairs and servicing of electrical and mechanical installation, internal finishes, playgrounds, fencing etc. The Diocesan Board of Education runs a pooling scheme to support its work in schools.

LA Retained Items

Currently all Voluntary Aided schools use this delegated funding to purchase the support for this work from the DBE.

If a school opts to stay with the LA, all the items maintained in ii above are paid for directly by the LA. However, regardless of whether the school opts out or not, responsibility for large-scale replacement of items such as boiler plant, electrical installations etc, is still retained by the LA.

iii Tenant Items

These are items that should be funded directly from the schools internal budgets and will cover such things as grounds maintenance and minor day to day repairs carried out by school personnel.

The Board of Education, through close partnership with YMD Boon, will monitor the condition of the school buildings by undertaking regular surveys and will endeavour to obtain funding where possible to rectify any problems that are highlighted by these surveys. Day to day repairs are dealt with through YMD Boon who will organise any repair work required and obtain the necessary grant on your behalf. The DBE is represented on the Asset Management Plan forum of both the City and County LAs. The Governing Bodies of Voluntary Aided schools are required to complete a 5 year building plan which the DBE will use to assess future work and funding priorities.

The Aided School Governing Body as Employer

One fundamental difference between Voluntary Aided and Voluntary Controlled schools is that the governing body is the employer. The wages are paid through the school budget, in the same way as other schools. The governing body, in an Aided School, is, however, responsible for the employment and control of all staff: teaching and non-teaching. As employer, it is responsible for the equal opportunities policy, for discipline and grievance procedures and for appointments.

In its role as employer, the governing body needs to have regard to the Employment Legislation and all the implications of such legislation. Personnel advice is available through the Diocesan Director of Education, who works in close partnership with the LA personnel departments. Aided schools are encouraged to buy in to the LAs Three-Star Personnel Service. In addition, detailed personnel advice is available from Lee, Bolton Monier Williams, the Board's solicitors. Normally such advice through solicitors will be the responsibility of the governing body, but should it be impossible for the governing body to fund this, then the Diocesan Board of Education should be consulted. Governing bodies in Aided Schools should use the Voluntary Aided contractual documents for their staff. They should also use the Diocesan application forms for new appointments.

Aided School Contracts

In Aided Schools the diocese has contracts both for teaching and non-teaching staff, along with grievance and discipline procedures which have been worked out jointly with the personnel department of the LA. There are particulars of employment for headteachers and deputy headteachers and a separate one for assistant teachers. There is a further document for use with non-teaching staff. The professional associations concerned have been consulted in all these matters and the documents have been accepted by the Board of

Education and by the headteachers. These are the documents, which should be used for all staff employed by the governing Body in an Aided School. A copy of each contract needs to be retained by the governing body, one copy sent to the LA and one to the Diocesan Board of Education.

Where schools employ staff in the running of the extended schools programme, separate contracts for employment are needed.

Pastoral Support for Church Schools and their Staff

The Board of Education is very anxious that through its Director and RE Adviser, support and help should be given to all staff who face pastoral difficulties. Headteachers and governing bodies are advised that the telephone number of the Leicester Diocesan Board of Education should be used for these matters and that confidential support can be given to those teachers who request a personal appointment. Support can also be given to the school and particular members of staff, including the headteacher, in times of crisis and distress amongst the school community [such as when, unfortunately, a pupil or member of staff dies tragically]. Neither headteachers, teachers or governors should feel backward in coming forward to ask for such help.

It is part of our role as ministers of the gospel to support each other in the work we are doing in education and the least we can do in our Church Schools is to ensure that every person who needs support receives it.

Governing Body as Admissions Authority

Another difference between Voluntary Aided and Voluntary Controlled is that the governing body in an Aided School is the Admissions Authority. It is important, therefore, that each governing body has its own individual admissions policy and that high on that policy is the criterion of denominational or Christian choice. Governing bodies should ensure that all parents who choose their school because of its Christian character should have their own Christian commitment supported by a letter from the Minister at the church where they worship. The governing body is required by law to consult with the Diocesan Board of Education, taking notice of their advice before consulting with all admissions authorities within a two-mile radius.

For those who choose Aided Schools on denominational grounds and for whom the Aided School they have chosen is the nearest Aided School to where they live, and they live more than two miles away from the school, then home to school transport is the responsibility of the family. However, the County Council makes a grant available towards this cost for families who are on a low income. Details are available from the Board of Education.

Admissions/Appeals

Nationally, the Church of England Board of Education set out the following principles in respect of Admissions policies for Church of England Voluntary Aided schools:-

- The Admissions Policy should seek to ensure that the school is a distinctively Christian community, whilst being rooted in the local community in all its diversity.
- In compliance with the Children Act 1989 and subsequent legislation all church schools should stipulate, in their admissions policy, that “looked after children” are the first priority for admission.

- All Church schools should enable children of other faiths, or none and/or the local community, as appropriate to local circumstances to gain access to places at the school. This should be achieved either through catchment or proportion.
- All Church schools should regularly consider how they are responding to the needs of the local community, including the families who live near the school.
- All schools are required to give places to children with a statement of special needs that names the school as being the most appropriate school. Governors need to be confident that they can provide a good quality of education for these children.
- In any new Voluntary Aided primary or secondary school, it should be the policy to establish within measurable time – if it is not possible from the outset – a substantial number of pupils with a Christian background.
- In a new Voluntary Aided school, the aim over time should be to achieve an appropriate balance of ‘Open’ and ‘Foundation’ places sufficient to ensure that the school is a distinctively Christian institution whilst being grounded in the diverse local community.
- Where Admissions Policies recognise applications from other Christian denominations, these should be full members of Churches Together in Britain and Ireland or of The Evangelical Alliance (or their local equivalents).

Voluntary Controlled Schools

- In a Voluntary Controlled school, the LA is responsible for admissions, but should consult the governing body every year. *The Way Ahead* [the report compiled by Lord Dearing in 2000] recommends that Voluntary Controlled schools should periodically review their distinctiveness as Christian institutions. Leicester and Leicestershire LAs include a Christian admissions criteria in their policies, this does not compromise the tradition and responsibility of the school as a neighbourhood school.

Consultation with the Diocesan Board of Education

Diocesan Boards of Education give guidance to schools on Admissions Policies, and governing bodies should use this guidance as an aid to their discussions. The governors of Voluntary Aided schools **must** review their Admissions Policy every year even if no change is proposed and consult with the LA and all other admissions authorities in the area. As amended by the Education Act 2003, the Diocesan Board of Education Measure 1991 now empowers the DBE to give advice on admissions to Church of England Schools within the diocese, to which advice they must ‘have regard’. **The School Admissions Code of Practice requires the governing body to consult the DBE before consulting others** (ie. the LA and other admission authorities) when reviewing its Admissions Policy.

The governing body of a Voluntary Aided school should therefore ensure that the DBE is consulted about admissions *in advance* of any wider consultation, and that it has regard to the advice received from the DBE. In practice, this will require a formal minute of the governing body acknowledging the advice received, and setting out the governors’ response to that advice. Where the governors decline to accept the advice given by the DBE, they must be able to justify their decision.

Every school should stringently apply the criteria in the admissions policy. If, after doing so, the school is full and unable to take any more pupils, the parents of any pupils refused a place should be informed of their statutory right of appeal. Those parents should be referred to the Diocesan Board of Education who will provide them with a form for this purpose (see Appendix C). Admissions appeals for Aided Schools are set up and managed by the Diocesan Board of Education Office, according to the current legal framework.

Governor Training

Governor training is available through the diocese for all church schools, but governing bodies are encouraged to take part in the LA training. Some courses are run jointly by the LA and the diocese in an attempt to cover those areas that are common to all governing bodies and at the same time to take account of those differences that are pertinent to a governing body in an Aided School.

Training is absolutely essential and the advice of the Board is that all governors in church schools should undertake training. Those governors who are very experienced should seek training just as much as those who have no experience, because legislation is changing constantly and new issues are coming to the surface all the time. The Diocesan Board of Education thinks it is important particularly that foundation governors are well trained. They can then not only undertake the roles that have been described, but also act as full members of the governing body. They should commit themselves fully to the whole work of the governing body, in the interests of the children in the school.

Legal Advice

Governing bodies are likely to come across a whole host of legal matters in their duties as governors of church schools. Personnel matters and other employment matters will be high on the agenda. Trust law will be important, as will equal opportunities and health and safety legislation.

In all these areas, the Diocesan Board of Education is able to offer advice and support and when the Diocesan Director of Education or any of his officers does not know the answer, then advice will be taken from the DBE's solicitors, Lee, Bolton Monier Williams.

The first port of call for an Aided School, when a legal matter arises, is the Diocesan Board of Education. Governors are advised strongly not to take decisions in complex legal matters until they have consulted the Board.

The Church School and the Local Church

The most important factor in the Christian nature of the school is the relationship with the local church. This matter has already been referred to in talking about foundation governors. It is very important that the local incumbent of the parish be well known in the school, play his or her part in the governing body where possible and be able to give support for religious education, collective worship the curriculum in general and the spiritual development of pupils within that curriculum.

However, relationships with the local church should not be limited to foundation governors and the incumbent. Members of the congregation should be warmly welcome in the school. The school should be prepared to use the church for many of its important services and children from the school should be regular visitors to the church. We have a unique opportunity in our Church Schools of enabling our children to have an experience of

Christianity, which is way beyond that experienced by most children and young people. It should be possible for them to be regularly conversant with the interior of the church, to be used to taking part in church services, to seeing clergy around the school and to talking with people who are Christians in the local congregation. Thus, we prepare the way for them to become disciples of Christ later in their lives.

The working relationship between the church school headteacher and the incumbent of the parish

There is an important relationship to be established between the incumbent of the parish and the headteacher of the church school. The headteacher is in a position somewhat similar to that of the incumbent. The incumbent has a church which is open to all and which welcomes everyone. He/She seeks to set high standards both in the life of the church and in his/her own personal life. The headteacher runs a church school which is Christian in nature but open to all and he or she will seek to set high standards for that school and its members and in his or her own personal life. The ministries of the two are complementary to each other and the relationship between the two is therefore vital.

It would be good if Christian parents in the church school, along with the incumbent and members of the church, were to form a regular prayer meeting to support the work of the school as well as the work of the parish. Common interests between the church and the school should be jointly supported and jointly prayed for. In this way, the two complement each other and the result should be that the school brings the dimension of education into the church and the church brings an even greater dimension of spirituality into the school.

Advisory Support for Schools

The Board of Education officers offer advisory support to all the Church Schools.

The Board of Education, the teachers and the Governors in Church Schools work together for the education of the children in our care to enable them, within the context of the Christian faith, to understand the world in which they live and to be educated in accordance with the principles and doctrines of the Church of England.

Contact Details

Please note that the Diocesan Director of Education and his staff are available to all church schools in all the ways described above and in any other matters that may arise. The contact details are given below:

Leicester Diocesan Board of Education

Church House
St Martin's East
Leicester
LE1 5FX

Tel: 0116 2487450

Fax: 0116 2511638

e-mail addresses:

Revd. Michael Asquith, Assistant Diocesan Director of Education

michael.asquith@leccofe.org

Mrs Kerry Miller, Schools Officer & Departmental Secretary

kerry.miller@leccofe.org

Mrs Janet Ingram, RE Adviser

janet.ingram@leccofe.org

Mrs Helen Van Roose, SIAS Inspections Co-ordinator & RE Administrative Support

helen.vanroose@LecCofE.org

Website: www.leicester.anglican.org

YMD Boon

York House
Fernie Road
Market Harborough
Leicestershire
LE16 7PH

Telephone: 01858 464482

The National Society

www.natsoc.org.uk