



## **Guidance for Governors in Maintained Schools in the Diocese of Salford**

## **Guidance for School Governors in Catholic Maintained Schools in the Diocese of Salford**

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## **1. Summary**

This guidance has been prepared to assist the governors of our Catholic schools to better understand their role particularly in respect of those aspects of the role which are distinctive. The main audience will be the governors of local authority maintained schools, but it will also be of use to all Catholic school governors.

The main aspects of the distinctive role of the governor in a Catholic school are, in summary:

- The duty to ensure that religious education and religious worship is in accordance with the teachings, doctrines and norms of the Catholic Church;
- To ensure that the headteacher, the deputy headteacher, the head of department/subject leader for RE and the chaplain are practising members of the Catholic Church;
- To ensure that priority is given to Catholic children when determining admissions;
- To act as the employer of all staff employed to work at the school;
- To manage the buildings and the site on behalf of the trustees.

These duties are additional to the normal duties of the governing board of all schools which include:

- Oversight of and accountability for the standards and quality of the education provided by the school;
- Managing the performance of the headteacher and senior staff;
- Managing the budget and all other material resources in the most effective manner for the benefit of the school.

This guidance will provide some basic assistance with the understanding of these duties and signpost further sources of information as appropriate.

The guidance also provides:

- A very brief history of Catholic education in England and Wales and an account of the role of the Bishop;
- An outline of the roles and responsibilities of a school governor;
- Some suggested terms of reference for governing board committees;
- A recommended Code of Conduct for the Governing Board;
- A suggested protocol for governors' visits to schools;
- A suggested procedure for handling complaints;
- Extracts from the Code of Canon Law (1983) relevant to the work of the governing board;
- Some suggested prayers for use at governing board meetings.

This guidance will be updated regularly. Suggestions for issues to be covered in future editions are welcomed.

## 2. Introduction

This guidance has been issued to support school governors, in particular foundation governors, in Catholic maintained schools in the Diocese of Salford. It may also be helpful to governors of academies and independent schools, but any legislation referred to will generally apply only to local authority maintained schools. The significant exception to this is the legislation pertaining to the admissions of pupils and appeals, which applies to all publically funded schools unless a specific disaplication has been applied by the Secretary of State for Education.

This guidance does not attempt to reproduce the vast range of guidance available from other sources. A vast range of information will be found by typing any question a governor may have into a suitable internet search engine.

A good starting point is Governornet: <http://www.governornet.co.uk/> which will signpost further useful links to, for example, the National Governors Association (NGA) <http://www.nga.org.uk/Home.aspx>

Advice is also available from the Department for Education, details as follows:

Department for Education  
Cathedral Centre  
Ford Street  
Salford M3 6DP

Tel: 0161 817 2204

E mail [education@dioceseofsalford.org.uk](mailto:education@dioceseofsalford.org.uk)

A designated diocesan schools officer will be able to provide advice.

Governor training is provided. The main contact officer is the Deputy Director of Education.  
[angela.williams@dioceseofsalford.org.uk](mailto:angela.williams@dioceseofsalford.org.uk)

### **3. A Brief History of Catholic Education in England and Wales**

In England and Wales Catholic, (and Church of England) schools enjoy a status unique in the world. In our own times, the principle of state subsidies for Church schools is increasingly under challenge and for this reason, it is vital that the governors in our schools have an outline understanding of how this position came about.

#### **Early history**

The Church was the first provider of schools and universities in England. From the sixth century onwards, schools were established by cathedrals, the larger churches and monasteries. In the post reformation period which saw the suppression of the monasteries, the role of the Catholic Church as a provider of education went underground or relocated abroad for example to Douai, St. Omer and Louvain. These schools returned to England from the late 1700s, and further schools were established, a process greatly assisted by the Roman Catholic Relief Act of 1829.

#### **The Re-establishment of the Catholic Hierarchy**

From approximately 1550 to 1850, although religious tolerance was gradually achieved post-reformation there was no Catholic hierarchy of dioceses and parishes to structure and organize the Church. Largely as a result of the rapidly expanding Catholic community not least as a result of Irish immigration, in 1850, Pope Pius IX issued the bull *Universalis Ecclesiae* restoring the normal diocesan hierarchy. The reasons stated in the bull are: *"Considering the actual condition of Catholicism in England, reflecting on the considerable number of the Catholics, a number every day augmenting, and remarking how from day to day the obstacles become removed which chiefly opposed the propagation of the Catholic religion, We perceived that the time had arrived for restoring in England the ordinary form of ecclesiastical government, as freely constituted in other nations, where no particular cause necessitates the ministry of Vicars Apostolic."*

#### **The Position of Education**

In 1847, the Catholic Poor School Committee was set up to receive and distribute the first Government grants towards the building of Catholic elementary schools and three training schools to train Catholic teachers.

At the time of the re-establishment of the Catholic Church in this country, the Bishops considered the establishment of schools to be more important than churches. The school was commonly the Mass centre rather than the church.

*'Wherever there may seem to be an opening for a new mission, we would prefer the erection of a school, so arranged as to serve temporarily as a chapel, to that of a church without one.'*  
(Westminster Provincial Synod, 17 July 1852)

#### **The Establishment of the First Elementary Schools**

In the second half of the 19<sup>th</sup> Century, the Catholic community worked hard and made great sacrifices to build Catholic schools with the assistance of small grants from the state. Religious Orders in mainland Europe sent nuns, priests and monks to establish more schools.

Initially, these developments were not matched at the same rate outside the Catholic community and political pressure mounted for development in the non-denominational sector. In 1870, the state set up 'school districts' to establish and oversee a network of non-denominational 'Board Schools' paid for by local taxes where there were insufficient voluntary school places. In addition,

the grants for building and maintaining Catholic schools were increased to 50%. Fees were charged for schooling, but School Boards were empowered to give vouchers for free schooling at either Board or voluntary schools. Thus the Education Act, 1870 laid the foundations for the 'dual system' of funding and running schools which remains in place today.

Voluntary schools were controlled by 'managers' appointed by those who built and owned the schools. In Catholic schools, the managers were appointed by the local bishop or the superior of the appropriate religious order

### **Funding**

Despite government grants, finding the necessary funding was a major challenge for the Catholic community. The Education Act 1902 set up new local education authorities (LEAs) which took on the responsibility for paying teachers' salaries. In return, the LEAs were given the right to appoint a proportion of the managers and Her Majesty's Inspectors (HMI) were given the right to inspect the schools.

By this time, the Churches were providing over 70% of the available school places and the political opposition to public funding ('Rome on the Rates!') became increasingly vocal.

### **The Education Act 1944**

The 'Butler Act' of 1944 established a national system of free primary and secondary education funded partly by local rates and partly by government grants. Religious education and a daily act of worship were, for the first time, made compulsory in all schools.

Government contributions towards the cost of building and maintaining schools remained at 50% until 1972 when the raising the school leaving age would have created an unmanageable burden had the contribution not been raised to 75%. It was raised again to 80% in 1967 and to 85% in 1975. It rose to its present level of 90% in April 2002.

Whilst there are many who will argue that state funding should rise to cover the full cost, there is a strong case to say that making a contribution to the capital costs gives the Church the right to retain its essential freedoms:

- To give priority to Catholic children seeking places;
- To give priority to Catholics when appointing staff;
- To deliver a Catholic religious education programme;
- To provide Catholic acts of worship and
- To appoint the majority of governors to each governing board to preserve the Catholic character of the school.

The struggle to create the provision we have now has been long and, at times difficult. As it was in 1850, it remains a key responsibility of all within the Catholic community to protect and develop this hard won provision.

#### **4. The Role of the Bishop**

Catholic schools continue to provide an integral part of the state's provision in England and Wales although the proportion has now dropped to around 10%. There are some 2000 state primary schools, 450 secondary schools 40,000 teachers and 30,000 governors. In addition, there are approximately 190 independent schools and 18 non-maintained special schools.

Catholic schools are provided by the Trustees for the purpose set out in the Trust Deed. In summary, this is to advance the Catholic religion in the diocese, to serve and support any lawful charitable purpose whether educational or otherwise promoted or supported by the Church, to make or agree any Instruments or Articles of Government as may be required, to appoint governors and to do all other things as may be requisite or appropriate to give effect to any acts of Parliament or Regulations relating to education.

The school is regulated by its Trust Deed and the provisions of the Code of Canon Law (see annex 3). The school's instrument of government reflects this requirement.

Whilst schools not in diocesan trusteeship and independent schools have their own trustees and specific requirements, all Catholic schools fall under the authority of the Bishop. There can be no Catholic school without the express authority of the diocesan Bishop.

The diocesan bishop or anyone exercising Ordinary jurisdiction on his behalf appoints the foundation governors in schools in diocesan trusteeship and also has the power to remove them.

Under Canon Law, the bishop is the first teacher of religious education in Catholic schools in his diocese and has the right:

- To determine what should be taught in religious education;
- To agree the appointment of those responsible for religious education ;
- To inspect all aspects of religious education in catholic schools and colleges.

The diocesan Bishop has a further canonical duty to ensure there are sufficient Catholic places for those who require them, making full use of state funding where available and to ensure that the buildings are properly maintained.

In the Diocese of Salford, from day to day the Bishop is assisted in these tasks by the Diocesan Department for Education.

## **5. The Composition of the Governing Board.**

As a result of changes introduced by Regulations in 2012 and 2014, the governing bodies of Catholic maintained schools normally consist of:

- At least two parent governors;
- One staff governor;
- The Headteacher;
- One governor nominated by the local authority;
- Seven foundation governors.

The total number of governors is normally therefore 12.

The number of governors in each category is set out in the Instrument of Government (IOG).

The governing board acts corporately: no individual governor has the authority to act independently unless specifically authorised to do so by the governing board. The balance of numbers is therefore important.

The number of foundation governors must always outnumber the total number of all other governors by two. Thus if there are three elected parents, there must also be an additional foundation governor to retain the majority, bringing the total to 14.

The parent governors are elected by the parent board. It is for the governing board to decide how the election is organised, but vacancies should be openly advertised and parents should be invited to put their names forward.

The Regulations of 2014 introduced a requirement for governing boards to give careful consideration to the skills required to carry out its functions effectively. These are normally identified by carrying out a skills audit. Before an election of parent governors takes place, the governing board should therefore set out what skills it needs at that time, and parents should be invited to say what skills they can offer.

Where the governing board has genuinely attempted to fill a parent governor vacancy by election, it has the power to appoint a person who is a parent, not necessarily of a child at the school.

The staff governor is elected by the staff employed at the school. Other members of staff may be invited to attend meetings or parts of meetings of the governing board or committees to give professional advice.

The local authority governor is a person nominated by the local authority and appointed by the governing board. There is no requirement for the governing board to appoint a person who, with good reason, the governing board does not consider suitable. The local authority will normally enquire what skills are needed before making a nomination and will often be prepared to consider nominating a person suggested by the governing board. Local authority nominations are no longer linked to political affiliation and there is no requirement on a local authority governor to attend any other meetings of the authority.

In exceptional cases, the governing board has the power to co-opt a person to be a governor. As this position must be specified in the IOG, it will normally arise because of some permanent or long



standing association, rather than the skills and qualities of an individual. Examples might be long standing sponsorship arrangements, or links with a particularly significant local business or enterprise offering training or potential future employment opportunities for pupils. Any such co-option must be matched by the appointment of an additional foundation governor to retain the overall majority.

The governing board should make every effort to ensure that the skills they require are available from the smallest possible number of governors, particularly since our Catholic schools have the benefit of seven additional governors not available to the governing bodies of community and voluntary controlled schools.

The governing board may, if it sees fit, appoint 'Associate Members'. They may be asked to become an Associate Member in order to address a short term needed skill set. They are not, therefore, long term members of the governing board. Associate Members are not governors, are not named as a category in the Instrument of Government and may not vote in full governing board meetings. They may, however, be allowed to vote as a member of any committee to which they are appointed by the full governing board.

### **The Clerk to the Governing Board**

The position of clerk to the governing board is crucial. It should be thought of as being comparable to the position of company secretary in a commercial environment, not a person in attendance to take notes.

The clerk is normally not a governor and is not entitled to vote. The clerk should however, be able to give or obtain advice on all aspects of governance and ensure that statutory requirements are being met.

A clerking service may be offered by the local authority under the terms of a service level agreement (SLA). Alternatively, the governing board may appoint its own clerk. In some schools this may be the school business manager or bursar. In others, it may be a person appointed to the role for this purpose only. In every case, the clerk must be a person with substantial administrative and organisation skills.

If the clerk is also an employee, a memorandum or contract variation note should be kept to make clear when the clerk is under the direction of the headteacher and when under the direction of the governing board to avoid any potential conflict of interest.

The clerk to the governing board must:

- a) attend meetings of the governing board and ensure minutes of the proceedings are produced in accordance with regulation 15(1);
- b) maintain a register of members of the governing board and of associate members and report any vacancies to the governing board; and
- c) perform such other tasks as may be determined by the governing board from time to time.

### **The Chair of the Governing Board**

The chair of the governing is elected by the governing from amongst its members. An employee may not serve in the role of chair.

The term of office for the chair is set by the governing board: it may be longer than one year, but an annual election is recommended as good practice.

The chair can be any governor other than an employee, but is recommended that the chair should be a foundation governor whenever possible.

The chair may be removed at any time by vote of the full governing board provided this is specified as an item on the agenda. This may require a special meeting in circumstances of urgency.

### **Term of Office**

The term of office is four years from the date of appointment, except for the head teacher who holds the position for as long as he or she holds the position of headteacher unless the Instrument of Government specifies a different term.

### **The Removal of Governors**

With good cause, governors may be removed by the person or board who makes the appointment. Foundation governors may be removed by the person named in the IOG. LA governors, co-opted governors and **appointed** parent governors may be removed by the governing board. Elected governors cannot be removed unless their removal is required to match the number of governors specified by the IOG.

Governing bodies are urged to adopt a Code of Conduct which will define clearly instances where misconduct may result in removal or suspension. An example is attached as Annex 3.

### **Joint Schools and Federations**

Specific variations to the composition of the governing board may be required in the case of joint Anglican and Catholic Schools and Federations where there is more than one person holding the office of headteacher.

## **6. The Roles and Responsibilities of the Governing Board**

In a Catholic school, all governors, not just foundation governors, have a duty to uphold the distinctive Catholic ethos of the school. The IOG, which each governor must have, sets out this ethos succinctly. For schools in Diocesan trusteeship the ethos statement is as follows;

*The School was founded by and is part of the Catholic Church. The School is to be conducted as a Catholic School in accordance with Canon Law and the teachings of the Catholic Church and in accordance with the Trust Deed of the Diocese of Salford and, in particular:*

- (a) religious education is to be in accordance with the teachings, doctrines, discipline and general and particular norms of the Catholic Church;*
- (b) religious worship is to be in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church;*  
*and at all times the schools are to serve as a witness to the Catholic faith in Our Lord Jesus Christ.*

The ethos statement for schools in the trusteeship of religious orders is likely to be very similar in intent, but will name the relevant trustee and any particular provisions.

Foundation governors have the particular responsibility of representing the Bishop his role as teacher and leader of the diocese. They must be practising Catholics fully committed to the Bishop's vision for education across the diocese. This applies equally to schools not in diocesan trusteeship.

### **Mission, Aims and Objectives**

A clear sense of purpose is essential in a school. This is generally expressed succinctly in the school's mission statement and set out in more detail in the aims and objectives. Setting the tone in this way is the responsibility of the governing board.

Exactly how, in detail, the mission will be lived out in school from day to day will be set out in the school improvement plan and school policies and this is one of the key responsibilities of the headteacher and other senior leaders.

The governing board should not engage in day to day, operational matters.

## **Holding the School to Account**

Achieving coherence between the strategic vision and the routine activities requires a knowledge of the school. This knowledge is acquired in numerous different ways. For example:

- **Reporting to the governing board**

The headteacher and other members of staff should be encouraged to report to governors. The legal requirement placed on them to do this is minimal and much depends on good will and a shared sense of purpose. It is the responsibility of the governing board to negotiate with its staff regarding the content and frequency of reports. Superfluous and onerous reporting should be avoided, as should lengthy descriptions of school activities. Good practice suggests that the template for reporting should be modeled on the current requirements of the diocesan and civil bodies responsible for inspection.

- **Newsletters and letters to parents**

Correspondence should be routinely copied to governors, preferably electronically.

- **The school website**

The website should be a good source of information for all members of the school community, not least governors. Governors are responsible for ensuring that all statutory information required by the Department for Education is on the school website.

- **Visits to school**

Not all governors will be able to visit school while it is in session but some may be able to do so. Official visits should be logged and a very brief note kept regarding the purpose and any conclusions reached. These should be reported to the full governing board by the governor making the visit. Governors' visits should be covered by a policy and an example policy is attached as Annex 1.

Governors must be prepared to *ask challenging and difficult questions* which relate specifically to their key functions, such as *'why are the girls doing so much better than the boys in English but the maths scores are the same?'* or *'Why is the progress pupils make Years three and four slower than elsewhere?'* or *Why are so few pupils entered for GCSE in modern foreign languages?'*

It is never appropriate to ask questions about individual pupils, members of staff or parents in a formal meeting.

## Employer of Staff

In a Catholic school, the governing board employs staff working at the school unless there is a contract of employment in place specifying another employer.

Governing bodies should ensure that arrangements are in place to secure good quality advice on all employment issues. This may be secured under cover of a SLA with the local authority (LA), but other service providers are available. If a provider other than the local authority is engaged, care must be taken to ensure that legal cover is included since LA Legal Services may not be prepared to provide cover in cases where the LA has not provided the advice.

The Bishops of England and Wales expect that certain posts will be always be filled by practising Catholics. These posts are headteacher, deputy headteacher, head of RE/RE subject leader and chaplain.

Detailed guidance on the appointment of head and deputy headteacher appointments is available by e mail from the Diocesan Department for Education. This guidance includes a memorandum from the Bishops' Conference explaining in more detail why the bishops make this requirement.

All teachers in Catholic schools whether Catholic or not should be employed under a Catholic Education Service (CES) contract of employment. These are available from the CES website and should be downloaded every time an appointment is made to ensure the most up to date version is being used. It is strongly recommended, although no longer required, that the governing board also adopts CES policies and procedures for discipline and grievance.

In most cases, local authority HR services are content to use CES documentation when working with a Catholic school governing board. Governors should check that this is the case and seek an alternative provider if it is not.

## The Admission of Pupils

The governing board of all publically funded Catholic schools is the admissions authority for the school. They are required to follow the statutory *Code of Practice on Admissions*.

The Code may be accessed on the Salford Diocesan website.

Governing bodies should be aware of the timetable for setting the schools admissions policy and arrangements. The following are the key dates for admissions in 2019 and subsequent years:

- Consultation on proposed changes must be for a minimum of **6 weeks** and must be take place between **1 October and 31 January**;
- The governing board must determine the policy no later than **28 February**;
- The policy must be published (as a minimum on the school website) and copied to the local authority no later than **15 March**;
- Any objections to the policy must be submitted to the Schools Adjudicator by **15 May**;
- The governing board must supply all the information needed by the local authority by **8 August**;
- The composite prospectus compiled by the local authority must be published on line and in hard copy by **12 September**.

Further guidance, including the standard admissions policy widely used this diocese can be found on the website.

## **The Management of Premises**

### **General Responsibilities**

Although the majority of school buildings are owned by the Trustees the responsibility for making sure that buildings are maintained in good order is devolved to the school governing board. The trustees, as owners, are however entitled to know about any building work being carried out in the school, even if there is no financial liability falling to the trustee. All building work, regardless of the source of funding must be reported to the diocesan Schools Department.

The headteacher, school business manager or other appropriate senior member of staff will normally be the point of contact for day to day matters in respect of school buildings and grounds.

### **Guidance Available to Schools**

All schools will have the services of an **Area Surveyor** appointed by the diocese. The Area Surveyor will advise in respect of any building work that the Governors deem to be necessary including diocesan and Department for Education (DFE) procedures.

The Area Surveyor will deal with the initial enquiry, arrange for the development of plans if required, undertake any tendering process, act as Construction, Design and Management (CDM) coordinator, ensure all requirements of current legislation are met and make all the necessary arrangements for documentation to be submitted as required.

A list of Area Surveyor for each area can be found on the diocesan website.

The first point of contact at the Diocese is John Corrigan, 0161 817 2203. The Senior Buildings Development Officer is John Corrigan and the Buildings and Development Officer is Matthew Barnes.

## Sources of Funding

**Devolved Formula Capital (DFC)** – This is an annual allocation calculated by formula, based on a lump sum plus an amount per pupil. Schools are notified by letter of the allocations and this is ring-fenced for the individual school. It is expected that DFC is used initially to deal with those items of work identified as urgent in a school's asset management plan or capital development plan. Some things to note with regard to DFC funding are:

- It can be used for:
  - All capital work in excess of £2,000 (excluding fees and VAT);
  - The purchase of ICT equipment and infrastructure. It may also be used to purchase equipment and loose furniture;
- It cannot be used for:
  - Spending deemed to be revenue items, such as leased equipment or consumables;
  - Work on playing fields or buildings on playing fields.
- Schools must meet the 10% Governors' contribution for all DFC-funded projects. This funding must be drawn from a separate bank account (which can include schools revenue budgets) for audit purposes
- VAT cannot be claimed on DFC.
- DFC is delegated directly to schools. In turn the overwhelming majority of schools have instructed the Schools Department to hold the funds on their behalf. The DFE has effectively delegated the responsibility for organising and approving work to be carried out in diocesan schools using the DFC allocation. The Schools Department monitors the projects and expenditure on behalf of the schools and meet the DFE annual monitoring requirements on behalf of schools, including an annual return detailing DFC expenditure and a detailed audit on a randomly selected sample of schools.

Further advice on how schools can access their DFC is available on the website.

**Local Authority Co-ordinated Voluntary Aided Programme (LCVAP)** – This is an annual allocation given by the DFE to local authorities for use by the VA Schools. It is generally used for larger capital schemes that schools would find difficulty funding from DFC. LCVAP is a global allocation distributed to specific schemes identified through the Asset Management Plan and may include condition, suitability, sufficiency schemes or a combination of all three.

The distribution of LCVAP funding is undertaken through the Schools Department capital programme and schools have the opportunity to submit requests for funding for consideration in the capital programme

Given the larger size of projects and the limited funding available it is expected that DFC will be used to supplement the LCVAP funding required for any project; this enables projects to be undertaken more quickly and also enables the capital programme to support more projects than would otherwise be the case. The Salford Diocesan School's Building Project normally provides the 10% liability for this through the Levy.

The current capital programme can be viewed on the website.

### **Governing Bodies' Contribution to Capital Works**

In most all cases capital funding for our schools is provided at the rate of 90%. Payment of the remaining 10% of work funded through DFC will be the responsibility of the school governors.

In the case of LCVAP funding the remaining 10% will normally be met from the diocesan Central School Building Fund (see below). Where a school's delegated budget is used to support a scheme, this must be fully funded (100%) by the school; funding in this circumstance is referred to as Governors' Non Aided (GNA).

In some cases a project may have a mix of funding streams i.e. DFC, GNA, LCVAP or external sponsorship. Any scheme approved by the Building Projects Committee must clearly identify the source of any grant-aided funding and the source of the 10% contribution. Any Governor liability must be paid into the Archdiocesan account before any work begins.

### **Salford Diocesan School's Building Project (The School Levy)**

The Salford Diocesan School's Building Project is used to support the 10% contribution for large capital projects. In recent years this fund has come under increasing pressure, largely as a result of successful bidding.

As a result schools are now asked for a contribution equivalent to £16 (2017/18) per pupil (per family) based on the January Form 7 return of the previous academic year. The collection of this Levy, which is also supplemented by a Parish donation, is the only method of funding the large capital schemes that need to be undertaken at our schools. It is important that the Levy is collected and banked since for every £10 that is not collected, £100 worth of work cannot be carried out. Schools are invoiced for their respective levy contribution every April.

Part of the LCVAP approval process includes confirmation of a school's contribution to the levy.



## **7. Religious Education and Collective Worship**

Patty Ganley is the Primary Adviser for RE and Anna Nuttall is the Secondary Adviser for RE. Both Anna and Patty can be contacted through the Department at;

Diocesan Department for Education

Cathedral Centre

Ford Street

Salford M3 6DP

[pattyganley@hotmail.com](mailto:pattyganley@hotmail.com) and [anna.nuttall@btinternet.com](mailto:anna.nuttall@btinternet.com)

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### **The 'Section 48' Inspection of Catholic Schools**

The Bishop of Salford is entitled to inspect all Catholic schools located in his diocese, whether or not they are in diocesan trusteeship.

Inspections are conducted under section 48 of the Education Act 2005. The responsibilities of the governing board can be summarised as follows:

- The Catholic life of the school: The mission statement and its review;
- Improvement planning: The link governor for RE and liaison with the RE subject leader/HoD;
- Monitoring of the quality of religious education;
- Analysis of the standards achieved in religious education;
- Curriculum time devoted to classroom RE;
- The resources available for the delivery of RE;
- Collective worship, policy and practice;
- Spiritual and moral development; policies and monitoring;
- Community cohesion: Policy and monitoring.

## **8. Committees of the Governing Board**

The following tasks and duties must be carried out by the full governing board and may not be delegated to a committee:

- Decisions concerning the content, preparation or variation of the Instrument of Government;
- Appointing, co-opting or removing governors;
- Appointing the chairman and vice chairman and removing the chairman;
- Suspension of governors;
- Regulating governing board proceedings or proceedings of committees;
- Decisions about delegation to or the setting up, membership, proceedings and review of committees, including selection panels;
- The approval of the annual budget plan;
- Deciding arrangements for collective worship;
- Ensuring that sex education is given in a way that encourages pupils to have due regard to moral considerations and the value of family life;
- Prohibiting political indoctrination and securing balanced treatment of political issues;
- Determining and reviewing policies on charges and remissions; and
- Making arrangements for staff dismissal appeals.

For other tasks and duties, the governing board may wish to establish committees.

With effect from 1 September 2015, many governing boards are smaller than they were previously. In consequence, the number, size and remit of committees is under review.

**There is no statutory requirement for governing bodies in maintained schools to establish any permanent committees.**

The governing board must determine the constitution, membership and terms of reference of any committee it establishes and review them annually.

There is no requirement for committees to be comprised solely of governors. The committee may invite anyone it wishes to its meetings to advise, but not vote. The governing board may appoint Associate Members to committees who may be accorded the right to vote.

Committee work is an excellent way of involving staff, or individuals with particular skills or interests in the work of governance without the need to be appointed or elected as members of the governing board. To be quorate, however, a committee must have three governors in attendance. Any committee with fully delegated powers, for example a discipline committee with the power to dismiss staff, must have three governors in attendance to exercise the power.

Each committee must appoint a clerk. However if the clerk is not present, it may appoint one of its number to assume the clerk's duties. Chief amongst these is to record the proceedings and ensure that the record is presented to a full meeting of the governing board.

### **Possible Committee Structure**

The following guidance is offered as a starting point for discussion within governing bodies. It will be reviewed regularly as good practice emerges.

There is no requirement for a school governing board to delegate anything to a committee other than disciplinary or grievance hearings and appeals which are governed by the relevant procedures.

It makes pragmatic sense however to delegate functions to a smaller group which may have more flexibility over when it is able to meet, will develop expertise in its area of responsibility, will be able to have more detailed and focused discussions and which has the power to appoint associate voting members to add to its skills and knowledge base.

An effective and well-functioning committee structure will significantly enhance the effectiveness of the governing board and ensure that full governing board meetings are no longer than they need to be.

### **Outline/Model Terms of Reference for Committees**

The following will apply to all committees:

#### **Membership**

- The governing board will appoint at least three governors to serve on the committee, plus the headteacher;
- The quorum for each meeting shall be three governors;
- The committee may if appropriate appoint associate members and may accord such members the right to vote. The committee may not appoint members of staff as associate members;
- The committee may in addition invite any person to attend its meetings or proceedings where such a person has knowledge skills and/or experience which would be of assistance to the committee;
- The committee will appoint a clerk who may be a member of the committee.

#### **The Duties of the Clerk**

- To arrange meetings of the committee at least once in each term (or three times per year) with additional meetings as required;
- To prepare an agenda for the meeting and keep a note of proceedings;
- To prepare a report on the work of the committee for each governing board meeting;
- To maintain a record of the work of the committee.

#### **Training and Development**

The committee will ensure that its members attend training and development events relevant to its remit to ensure that their knowledge and skills are kept updated and relevant.

#### **Delegation**

The governing board delegates to the committee the authority to make decisions on its behalf unless not so authorised in the terms of reference.

The work of the governing board could be organised under the following broad headings. This will not be appropriate in every case:

**Finance and Resources Committee**

- Budgets
- Financial management
- Premises
- Staffing
- Business management

**Pupil Support Committee**

- Mission and Ethos
- Parents
- Attendance and punctuality
- Personal development and well being
- EYFS outcomes
- Safeguarding
- Community cohesion
- Equalities

**Standards Committee**

- Standards/data/outcomes for pupils
- Teaching and learning
- Narrowing the gap
- Leadership and management
- Target setting

In more detail:

**Finance & Resources Committee**

The Committee will take responsibility for:

- monitoring and evaluating the budget allocated to the school to achieve best value;
- ensuring the governing board and the headteacher comply with local authority financial regulations;
- reviewing staff pay and conditions;
- agreeing procedures for staff conduct and discipline;
- setting priorities for improvement and monitoring and evaluating the impact of improvement plans which relate to the committee's area of operation;
- developing and reviewing policies identified within the school's policy review programme and in accordance with its delegated powers.

**The committee will accept full delegated responsibilities for the following duties:**

- Preparation and presentation of an annual budget to the full governing board for approval;
- Agree the level of financial delegation to the Headteacher;
- Ensure that the principles of 'best value' are adhered to;
- Review, monitor and evaluate the annual maintenance programme;
- Project manage maintenance, repairs and redecoration within the budget allocation;
- Recommend an appropriate staffing structure to the full governing board for approval;
- Recruit, select and appoint staff;
- Secure the effective implementation of performance management procedures;
- Monitor and evaluate the effectiveness of partnerships in securing improved pupil outcomes.

**The committee will provide guidance to the full governing board for the following, which cannot be delegated:**

- Approval of the annual budget;
- Appointment of Headteacher, and Deputy Headteacher;
- Approval of the staffing structure for the school.

### **Standards Committee**

The committee will take the lead on:

- monitoring and evaluating rates of progress and standards of achievement by pupils, including any underachieving groups;
- ensuring that the curriculum is balanced, broadly based, meets the needs of all pupils and complies with statutory requirements;
- setting priorities for improvement and monitoring and evaluating the impact of improvement plans which relate to the committee's area of operation ;
- developing and reviewing policies identified within the school's policy review programme and in accordance with its delegated powers.

**To accept full delegated responsibilities for the discharge of the following duties:**

The committee will monitor and evaluate:

- the effectiveness of leadership and management;
- the impact of quality of teaching on rates of pupil progress and standards of achievement;
- the impact of continuing professional development on improving staff performance;
- the effectiveness of provision for children with special educational needs;
- the quality of the curriculum in securing high standards of achievement;
- the impact of any actions or interventions taken to address differential standards of achievement or rates of progress within groups of pupils (eg SEN, gender, free school meals, BME, EAL, children in care etc);
- pupil achievement.

**The committee will advise the governing board on the following, which are not delegated:**

- Setting realistic and sufficiently challenging statutory end of key stage targets;
- The school's curriculum statement;
- Approval of school policies on sex and relationships education and religious education

### **Pupil Support Committee**

The committee will take the lead on:

- ensuring the health, safety and well-being of staff and pupils;
- promoting community cohesion and inclusive practice relating to race, gender and disability equality;
- overcoming barriers to learning;
- parental and community liaison;
- setting priorities for improvement and monitoring and evaluating the impact of improvement plans which relate to the committee's area of operation;
- developing and reviewing policies identified within the school's policy review programme and in accordance with its delegated powers.

**The committee will accept full delegated responsibility for the discharge of the following duties:**

- To agree annual attendance targets and monitor progress towards achieving these;
- To gather the views of stakeholders and report on these, in order that outcomes are effectively used to inform planning;
- To monitor and evaluate:
  - the impact of the school's punctuality, attendance and behaviour policies;
  - the quality of the school's provision for personal development and well-being;
  - the effectiveness of care, guidance and support for learners;
  - the extent to which pupils feel safe;
  - the extent to which pupils adopt healthy lifestyles;
  - the extent to which pupils contribute to the school and wider community;
  - the extent to which pupils develop workplace and other skills that will contribute to their future economic well-being;
  - the extent of pupils' spiritual, moral, social and cultural development;
  - the effectiveness with which the school promotes equal opportunity and tackles discrimination;
  - the effectiveness with which the school promotes community cohesion;
  - the effectiveness of safeguarding policies and procedures and ensure that the school complies with all health and safety and other safeguarding regulations (including child protection and safe recruitment).

## 9. Improving Governance

Since September 2012, OFSTED has focussed increasingly on governance, although it is no longer the subject of a discrete judgement. The chief criticism in reports is that governing bodies rely too heavily on the information provided by the headteacher.

Governing bodies should therefore reflect regularly on how they can improve their own effectiveness. This section suggests some questions governors may wish to ask themselves.

*Do you know what OFSTED said about governance in your most recent inspection? What has been done in response?*

*What other ways in addition to listening to the head does your governing board use to find out what is going on in school?*

OFSTED reports that governing bodies do not provide sufficient challenge to headteachers and other senior leaders.

*How does your governing board balance the undoubted need to provide support but at the same time to challenge effectively?*

Many headteachers' reports to governors are lengthy and detailed. A lot of work goes into their preparation. The head may be resentful of any suggestion that they are not sufficient.

*How does your governing board identify what information it requires from the headteacher and why it is needed?*

Strong and effective governing bodies:

- Understand their role and how it complements that of the headteacher;
- Have a clear understanding of the key issues facing the school;
- Have a range of skills that bring something extra;
- Work on enhancing their ability to understand data and what needs to be done where indicated by the data;
- Wish to hear from middle leaders about their work and future plans and how these link to the larger school improvement plan;
- Are a visible and welcome presence in the school;
- Set challenging targets for performance at all levels and have high expectations;
- Do not rely solely on information provided by the headteacher.

*Evaluate your governing board against these measures:*

The All Party Parliamentary Group on Educational Governance and leadership has prepared a list of 20 'self-evaluation' questions for governors.

## **Governing board effectiveness**

### **Right Skills: Do we have the right skills on the governing board?**

1. Have we completed a skills audit which informs the governor specification we use as the basis of governor appointment and interview?

### **Effectiveness: Are we as effective as we could be?**

2. How well do we understand our roles and responsibilities, including what it means to be strategic?
3. Do we have a professional clerk who provides legal advice and oversees the governing board's induction and development needs?
4. Is the size, composition and committee structure of our governing board conducive to effective working?
5. How do we make use of good practice from across the country?

### **Role of the chair: Does our chair show strong and effective leadership?**

6. Do we carry out a regular 360° review of the chair's performance and elect the chair each year?
7. Do we engage in good succession planning so that no governor serves for longer than two terms of office and the chair is replaced at least every six years?
8. Does the chair carry out an annual review of each governor's contribution to the board's performance?

## **Vision, ethos and strategy**

### **Strategy: does the school have a clear vision and strategic priorities?**

9. Does our vision look forward three to five years, and does it include what the children who have left the school will have achieved?
10. Have we agreed a strategy with priorities for achieving our vision with key performance indicators against which we can regularly monitor and review the strategy?
11. How effectively does our strategic planning cycle drive the governing board's activities and agenda setting?

### **Engagement: are we properly engaged with our school community, the wider school sector and the outside world?**

12. How well do we listen to, understand and respond to our pupils, parents and staff?
13. How do we make regular reports on the work of the governing board to our parents and local community?
14. What benefit does the school draw from collaboration with other schools and other sectors, locally and nationally?

## **Effective Accountability**

### **Accountability of the executive: do we hold the school leaders to account?**

15. How well do we understand the school's performance data (including in-year progress tracking data) so we can properly hold school leaders to account?
16. Do governors regularly visit the school to get to know it and monitor the implementation of the school strategy?
17. How well does our policy review schedule work and how do we ensure compliance?
18. Do we know how effective performance management of all staff is within the school?
19. Are our financial management systems robust so we can ensure best value for money?



**Impact: are we having an impact on outcomes for pupils?**

20. How much has the school improved over the last three years, and what has the governing board's contribution been to this?

**Continued Professional Development for Formation for Governors**

It is essential that all governors attend relevant training for the role and this is highlighted as one of the requirements on the Governor Application Form. Both the Local Authority and the Diocese offer governor training. **All governors are expected to attend the Level 1 and Level 2 training offered by the Diocese.**

## **Annex 1**

### **Suggested Protocol for Governors Visits**

The professional school staff welcome visits from individual governors. This policy explains why such visits are valuable and sets out a framework of reasonable expectations for all parties for the conduct of visits.

#### **Why should a governor visit the school?**

The governing board as a collective whole has many essential duties and responsibilities, principal amongst which are:

- To ensure that education at the school is conducted in accordance with the teachings of the Catholic Church and that the school serves as witness at all times to the Catholic faith in Our Lord Jesus Christ;
- To ensure that the school strives, at all times, to achieve excellence in all its pursuits;
- To ensure that all activities in the school are conducted in accordance with the school's Mission Statement.

In the main, the governing board achieves this by receiving reports at its meetings on specific aspects of the school's work from the relevant professionals, including the staff of the school and appropriately qualified and skilled external partners, such as School Effectiveness Partners, the Diocese of Salford and various government agencies such as Ofsted.

In order to evaluate and understand fully the reports presented to the governing board, it is essential for individual governors to experience the context in which the school works from day to day. This experience and understanding can only come from visits to the school whilst it is in session.

It is important that governors remember the purpose of governor visits is not to assess the quality of teaching or to pursue issues that relate to the day-to-day management of the school other than as agreed with the head teacher. Such visits must be viewed by staff as a genuine interest on the part of the governor rather than an inspection or judgement of the work of an individual.

The most effective visits will be those which form part of a strategic programme to:

- Improve governor knowledge of the school, its staff, needs, priorities, strengths and areas for improvement;
- Monitor and assess the priorities as outlined in the development plan;
- Assist the governing board in fulfilling its statutory duties.

The purpose of this policy is to ensure that visits are constructive and are valued as an important part of the school's self-evaluation process.

## **Planning the visit**

A carefully planned visit by a governor can generate evidence that will inform decision-making by the whole governing board or its committees. It is essential that governors and staff are clear about the reasons for such visits and have agreed the way in which the particular visit should be conducted.

### **1. Before the visit**

Every visit should have a clearly defined focus and should be pre-arranged. This focus may be prompted by:

- A specific responsibility for an area of work delegated by the governing board to an individual governor, for example, special educational needs;
- A monitoring activity arising from an action plan;
- A suggestion from the headteacher;
- An issue arising from a discussion within a governing board or committee meeting;
- The need to review a specific policy.

The member of staff who will accompany the governor during the visit should be identified at an early stage and early conversation should take place to discuss and clarify the focus and the practicalities, formalities and courtesies.

### **2. During the visit**

The visiting governor is expected to comply with all normal rules applying to visitors including being punctual, reporting to reception on arrival, signing in and wearing a badge. Be aware that schools run to a very strict timetable. Arriving early or late for an appointment may be disruptive or difficult to manage. Do not expect a member of staff to break off from another activity to accommodate arrival or departure at other than the agreed times.

During the visit, the governor should:

- Be discrete, courteous and respectful to all staff and pupils;
- Avoid communicating any judgements or giving any impression that the visit is an inspection;
- Be open minded and prepared to learn;
- Be prepared to think in ways that may differ from previous experience;
- Engage with pupils if and when invited to do so;
- Show interest in the work;
- Remain objective.

### **3. After the visit**

- Discuss your observations with the relevant member of staff as soon as possible;
- Make notes while the visit is still fresh in your mind;
- Never include comments about individual children – if you have concerns, discuss them privately with the teacher and the Headteacher;
- Remember that monitoring and making judgements about the performance of staff is the role of the headteacher, not the governors. It is a professional matter;
- Prepare a draft report of your observations and share it with the member of staff and the Headteacher;
- If appropriate, and taking their comments into account, prepare a final brief written report to be circulated to the governing board before the next meeting.

### **4. Preparing a Report to the Governing Board**

It will not always be either appropriate or necessary to prepare a report for the governing board (or committee) after each visit, but this could be valuable evidence to inform the governing board's decision making processes, for example if a decision is needed about the investment of significant sums of money.

The report should be written, brief and may be in a very simple note form. It should always include a brief evaluation summarising the benefits of the visit. Where a report concerns the work of a specific member of staff, for example a subject co-ordinator, it is essential it is shared with the relevant person and the headteacher before it is issued to other governors.

Governor's visits will be a fixed item on the agenda for the termly full governing board meeting.

## **Annex 2**

### **General Complaints Procedure**

#### **Informal Procedure**

As a matter of daily routine, schools have many contacts with parents and other interested parties some of which have the potential to result in a dispute. The overwhelming majority of these potential disputes are dealt with by exchanging information, by clarification, by explanations or by offering a simple acknowledgement that something has gone wrong. In some cases, in order to settle a dispute, there may be a need to arrange a meeting with a more senior or experienced member of staff. If the matter is resolved at this early stage, it is usually regarded as closed. If a meeting with a senior member of staff has been deemed necessary, a note of the meeting should be kept in case the difficulty recurs in future.

#### **Scope of the Formal Procedure**

Where a matter is more serious, it may be raised as a formal complaint to be dealt with under this procedure.

This procedure is designed to be used in the case of formal complaints from parents, neighbours and the public as well as any other third party. It should not be used in circumstances where other specific procedures such as the Safeguarding, Grievance or Discipline Procedures are more appropriate. The general principles of the procedure are, however, likely to be applicable in a wide variety of circumstances.

Child protection or safeguarding issues, however apparently trivial, must be addressed to the Local Authority Designated Officer for Safeguarding (LADO) in the first instance. In such cases, if the LADO is satisfied that no external agency such as Police or Social Services needs to be involved, the complaint may be referred back to the school to be dealt with under this General Complaints Procedure.

Other statutory procedures are in place to deal with complaints about admissions, exclusions or SEN provision. These procedures incorporate a course of appeal to an authority beyond and independent of the school.

#### **Principles**

The aim is always to resolve complaints as quickly as possible and at the lowest possible level. Discretion is strongly recommended and only those who need to be involved to help settle the matter should be involved in the discussions.

At every stage, the procedure should be regarded as investigatory to establish facts so that the appropriate decision makers have the information needed to take the appropriate action.

Anonymous complaints will not normally be investigated under this procedure unless there is substantial independent evidence provided at the instigation of the complaint and/or it is in the public interest to pursue the complaint and/or it is clear that a conclusion might be reached without the evidence of the complainant.

In the first instance, wherever possible, the complainant should raise his or her complaint with the person against whom it is made and every effort should be made to find a resolution without recourse to any further procedure. The person complained about should always have the right to reply as soon and as simply as possible to avoid any unnecessary distress.

If this fails or is not appropriate because of the serious nature of the complaint, it should be raised with the headteacher. The headteacher may decide that it can be referred back to another senior member of staff depending on the nature of the complaint.

The headteacher will respond in writing to complainant in writing without unreasonable delay. The timescale cannot be prescribed because some investigations will be more complex than others, but if there is to be a delay, the complainant should be informed and given reasons as soon as possible.

Where a complaint has been addressed in writing and the complainant remains dissatisfied, s/he should write to the chairman of the governing board setting out the reasons. The chairman of the governing board (or another person on his or her behalf, such as an officer from the Local Authority) will investigate and report back to the complainant in writing. This investigation should normally include an interview with both the complainant and the headteacher as well as any other relevant witnesses.

Any person interviewed as part of this investigation may be accompanied by another person who may be a friend, relative, workplace colleague or Trade Union representative. Any additional necessary personal support you may need, for example an interpreter or carer will always be allowed.

If any pupil needs to be interviewed as part of this procedure, the child's parents must be informed and be given the right to attend.

Representation by a solicitor will not be allowed. Tape recording of the interview will not be allowed.

### **Review Process**

If the complainant is not satisfied with the manner in which the complaint has been addressed, the complainant may request that the governing board reviews the process followed by the school in handling the complaint. This review will be conducted by a panel of three members of the governing board normally within ten working days of receipt of the submission. The review will normally be conducted through a consideration of the written evidence and submissions, but reasonable requests to make oral representations will normally be allowed.

### **Summary of Key Steps**

Try to resolve the difficulty informally with the person most directly involved. If necessary, ask for a meeting at a mutually convenient time.

**Formal stage one:** Raise the matter with the headteacher. Request a meeting. It is preferable to set out the complaint in writing before the meeting whenever possible. A pro forma can be provided to help with this, but is not essential.

**Formal Stage two:** Raise the matter with the chair of the governing board. At this stage, the complaint must be in writing and both the written complaint and the headteacher's written response must be made available to the chairman. The chairman will respond to you in writing.

**Formal stage three:** Review by a panel of three governors. The panel will need the original complaint, the headteacher's written response, the chairman's response and a final representation from the complainant.

## **Annex 3**

### **Code of Canon Law**

Whilst the governing bodies of Catholic schools must comply with all civil statutes, they must also comply with the *Code of Canon Law (1983)*.

The *Code* includes a substantial section relating to Catholic Education. All governors, but in particular foundation governors, should have a general understanding of its main provisions.

#### ***Canon 795***

Education must pay regard to the formation of the whole person so that all may attain their eternal destiny and at the same time promote the common good of society. Children and young persons are therefore to be cared for in such a way that their physical, moral and intellectual talents may develop in a harmonious manner, so that they may attain a greater sense of responsibility and a right use of freedom, and be formed to take an active part in social life.

#### ***Canon 798***

Parents are to send their children to those schools which will provide for their catholic education. If they cannot do this, they are bound to ensure the proper catholic education of their children outside the school.

#### ***Canon 800***

&1. The Church has the right to establish and to direct schools for any field of study or of any kind or grade.

&2. Christ's faithful are to promote catholic schools doing everything possible to help in establishing and maintaining them.

#### ***Canon 802***

If there are no schools in which an education is provided that is imbued with a christian spirit, the diocesan Bishop has the responsibility of ensuring that such schools are established.

#### ***Canon 803***

&2. Formation and education in a catholic school must be based on the principles of catholic doctrine and the teachers must be outstanding in true doctrine and uprightness of life.

&3. No school, even if it is in fact catholic may bear the title 'catholic school' except by the consent of the competent ecclesiastical authority.

#### ***Canon 806***

The diocesan Bishop has the right to watch over and inspect the catholic schools situated in his territory, even those established or directed by members of religious institutes. He also has the right to issue directives concerning the general regulation of catholic schools; these directives apply also to schools conducted by members of a religious institute, although they retain their autonomy in the internal management of their schools.

Those who are in charge of catholic schools are to ensure, under the supervision of the local Ordinary, that the formation given in them is, in its academic standards, at least as outstanding as that in other schools in the area.

## **Annex 4**

### **Prayers for a Governors' Meeting**

Father, encourage and sustain us in our endeavor to move forward in partnership for the good of the people you have placed in our care.

In your name, let us befriend, support and encourage each other in the challenge and demands of our shared responsibilities.

Help us to work together in a spirit of charity and cooperation accepting wholeheartedly that it is in collaboration that we best live out your example and best serve our school community.

We make this prayer through Christ Our Lord. Amen.

Lord Jesus Christ, Son of the living God, teach us to walk in your way more trustfully, to accept your truth more faithfully, and to share your life more lovingly; that by the power of the Holy Spirit we may come as one family to the kingdom of the Father; Amen

With confidence and trust, we gather in the presence of God who loves us.

In the name of the father who created us; in the name of the son who calls us to the fullness of life and in the name of the Holy Spirit who guides us with wisdom.

Spirit of God,

Guide us with your wisdom as we seek to take responsibility for the education of our young people.

May each of us give generously of our talents growing to know one another.

Show us how to build a community sharing a deep concern and common purpose.

May we find together the inspiration which is and always will be Jesus, Christ Our Lord.

Father, we seek the guidance of your Holy Spirit in the business that is before us.

In planning for the future, give us vision;

In matters of finance, give us responsibility;

In dealing with people, give us love.

Help us, and all Christians whatever their settings and circumstances, in all things to honour your name, to advance your kingdom, and to carry out your will.

We ask this through Christ Our Lord