



Diocese of Westminster

EDUCATION SERVICE

Director of Education: Paul Barber

The Appointment Process for Foundation Governors

Foundation Governor – A Diocesan Ministry

The ministry of Foundation Governor in the Diocese of Westminster is an important one, because the Catholic character of our schools depends on committed Catholics being willing to undertake this service. The Archbishop is therefore very appreciative of all those who offer to assist him in this vital task. Because of the importance of the task, the appointment process can take some time. Set out below the various stages of the process, so that it can be appreciated why this is the case.

The appointment process reflects the unique nature of the foundation governor. Unlike other types of governor, the primary purpose of the foundation governor is to ensure that a Catholic school is governed in accordance with the directives of the Bishop. This is why it is the Diocese that appoints foundation governors, not individual schools. To be appointed as a foundation governor, a person must be willing to take decisions in the interest of Catholic education in the Diocese as a whole, rather than the interest of one particular school.

Foundation Governors are appointed in the name of the Archbishop and form the majority of the governing body of a Catholic school. They have a legal duty to preserve and develop the Catholic character of the school and to ensure that the school is conducted in accordance with its trust deed. This includes:

- being familiar with, and supportive of, the policies and procedures of the diocese
- representing those policies to the governing body
- considering not only the interests of the individual school or college, but the interests of other schools and colleges and of Catholic education throughout the diocese
- responding to the needs of the Catholic community as a whole as represented by the Archbishop.

The Two-part Process: Stage One

The appointment process consists of two parts. The first part is to inform the potential governor information about the role and to judge whether he or she:

- is a practising and committed Catholic, in communion with the Church
- is willing and able to put the wider interests of the Catholic community, as set out by the Archbishop, before that of a single institution
- is not disqualified by law from being a governor
- fulfils the diocesan criteria (set out below), in relation to their appointment generally.

This part of the process begins with an information session at which the functions and responsibilities of foundation governors are outlined. As part of the Church's commitment to the safety and welfare of young people, this part of the process also contains safeguards to prevent the appointment of anyone who might be unsuitable. This includes the taking up of confidential referees, CRB and 'List 99' checks.

This part of the process can take as little as a few weeks, but it can take a lot longer, particularly if referees do not return references promptly. This is the most common cause of delay at this stage. If a referee fails to respond after being chased several times, we may contact the candidate to ask for an alternative referee.

In due course a potential governor will be informed whether his or her offer to serve the diocese as a foundation governor has been accepted. Whether or not a person is accepted as a candidate is entirely at the discretion of the Archbishop or Vicar-General appointing in his name (known as the "Ordinary") based on information gained during consultations. Because all consultations are confidential, the Ordinary does not enter into correspondence about how this discretion has been exercised.

General Diocesan Criteria for appointment as a Foundation Governor

1. To become or remain a foundation governor, a person must be and remain:

- a practising Catholic;
- providing education for his or her own children, if of school age, in a Catholic school or college (unless exceptional circumstances apply);
- able to give priority of attendance at meetings of the governing body to ensure representation of the Archbishop.

2. To become or remain a foundation governor, a person must not be disqualified from becoming or remaining a governor in accordance with:

- the current School Government Regulations (or the college's Instrument of Government);
- the Charities Acts; and
- the Criminal Justice and Court Services Act 2000.

3. A person (other than the parish priest) will not normally be appointed as a foundation governor if he or she is over 75 years of age.

The Two-part Process: Stage Two

If offer to serve has been accepted, then the second stage of the process begins. This entails matching successful candidates to vacancies in governing bodies. In reaching a decision, the Ordinary will consider, amongst other things, the need to have a balanced range of governors on each governing body, both in terms of particular skills and in terms of their overall representation of the Catholic community. Where the Ordinary is minded to make an appointment, he will often consult the parish priest or dean where a possible school is situated, the chair of governors, the head teacher of that school and any one else he considers appropriate. This is to ensure that the candidate fulfils the specific diocesan criteria in respect of that particular school (see below) and that the appointment would not be in any other way inappropriate. Again, the results of this consultation are strictly confidential.

Depending on the time of year, the number of candidates and the number of vacancies, this part of the procedure can take some time, varying from a few weeks to a number of months. No inferences should be drawn from the length of time taken.

This part concludes with the candidate being offered an appropriate foundation governorship. To accept, the candidate is required to sign an undertaking to discharge the duties set out above. If an appointment is declined, the Ordinary will consider the reasons before deciding whether an alternative appointment should be offered.

A Decree of Appointment will be drawn up and sent to the new Foundation Governor or presented at a suitable occasion, and the Clerk will be informed. Induction and training will be provided for Foundation Governors.

Appointment is normally for four years. Re-appointment as a governor after four years (at the same or another school) is not automatic, but most governors are considered for re-appointment if they wish. The *Nolan* principle (that continued re-appointments to the same governing body should be the exception rather than the rule) is applied in the Diocese.

Specific Diocesan Criteria for appointment as a Foundation Governor at a school

In respect of the school or college for which a person is or is to be a foundation governor, he or she must not at any time be:

- related to any member of the school or college staff, teaching or non-teaching;
- related to any governor whether elected, appointed or *ex-officio*, of the school or college;
- employed (whether as a teacher or otherwise) at the school or at any other Catholic school or college in the same deanery or maintained by the same London Borough.

A person (other than the parish priest) will not normally be re-appointed as a foundation governor of a particular school or college if he or she has just completed three consecutive terms on that particular governing body.