



**To: Heads,  
Clerks and  
Chairs of Governors**

(by email to heads who are asked to ensure that the two hard copies forwarded by post are received by the Chair and the Clerk)

**NEWSLETTER NO. 86**

**March 2006**

Dear Colleague,

### 1. Advisory Support for Primary Schools

At the time of writing, **Trisha Antolik**, our primary school adviser, is preparing to go into hospital for major hip operations. Because of the nature of the operations she will be unable to visit schools for some time. **During her initial convalescence, it will be important that she has complete rest and we would therefore ask colleagues NOT to contact her at home or on her mobile. Please make your RE co-ordinator aware of this.** Other members of the team will do their best to provide advice and support and all enquiries should be directed through this office. As soon as Trisha feels able to respond to telephone enquiries from home we will inform schools of this. We are sure you will join us in wishing Trisha a speedy and complete recovery.

### 2. Diocesan Committee for Schools and Colleges

The Diocesan Committee for Schools and Colleges met on 21 March 2006 and

- ◆ received reports from the Co-Directors and Primary and Secondary Advisers
- ◆ received reports from the Autumn 2005 meetings of the sub-committees, including the new sub-committee for independent schools
- ◆ formally approved the capital programme for schools and colleges for 2006/7
- ◆ discussed the likely implications for Catholic education and Diocesan schools and colleges of the Education and Inspections Bill 2006
- ◆ reviewed the departmental budget for 2005 and agreed that the Service Level Agreement charge to schools and colleges should remain unchanged for 2006

### 3. Governor Training

Further governor training is being provided in May. It will take place at the following venues

**Tues 9 May                    19.30 - 21.00 at St George's Primary School, Warminster**  
**Weds 10 May                19.30 - 21.00 at Alexander House, Bristol**

Governors will be able to attend one of the following workshops:

- A. The Role of the Governor in a Catholic School** – this session will examine the role and responsibilities of the governing body and of individual governors. It is especially appropriate for recently appointed governors and will be led by **Peter Bradshaw**.

Co Directors: Mr David W Byrne MSc & Mr Peter G Bradshaw MA  
Primary Schools Adviser: Mrs Trisha Antolik BA DipEd, Secondary Schools Adviser: Mrs Ann Fowler BSc MA  
Administrator: Mrs Jennifer Fitzgerald

**B. Every Child Matters and The Extended School Agenda** – this topic is particularly appropriate for governors who are interested in establishing extended school activities and exploring the opportunities provided by the Every Child Matters agenda in their schools. This session will be led by **David Byrne**.

**C. Relationship Education in Catholic Schools** – the Bishop has recently approved guidelines for relationship education in the Catholic schools and colleges of the Diocese and recommended resources which are suitable for an appropriate teaching and learning programme. This is a sensitive area for governors and one we believe that they will wish to fully acquaint themselves with. **Ann Fowler**, the Diocesan secondary adviser, will lead the session which will be suitable for both primary and secondary school governors.

**Would Clerks please circulate this information promptly to ALL governors and request that the attached booking slip is returned to Jenny in the office as soon as possible in order that we may cater appropriately.**

#### **4. 2006 Education Bill and its Implications**

In autumn 2005 the Government published the Schools White Paper '*Higher Standards, Better Schools For All*' which it declared to be a major step forward in their aim of ensuring that every child in every school in every community gets the education they need to enable them to fulfill their potential. Many of these changes did not require new legislation; others are being taken forward by the Education and Inspections Bill which was published on the 28 February 2006. The Bill also includes some provisions which were not included in the White Paper, for example those on inspectorate reform. Some of the main provisions in the Bill are as follows:

##### *Trust schools*

Trust schools are not a new category of school. They are simply Foundation Schools with a Trust Deed or Foundation. The Bill will enable all schools to become Trust schools by forming links with external partners who will be able, should the school choose, to appoint the majority of the Governing Body. Trust schools will own their own assets, employ their own staff, set their admission arrangements and be able to apply for additional flexibilities. There will be safeguards around the acquisition of Trusts. Trust Schools would not be able to reserve posts for members of a particular denomination or to teach denominational RE (they would have to deliver the SACRE syllabus)

##### *Local authorities*

Local authorities will take on a new strategic role including duties to promote choice, diversity and high standards for every child, to respond to parental concerns about the quality of local schools, to act as decision-maker on school organisation matters and to have responsibility for making sure young people have a range of exciting things to do in their spare time.

##### *Fair access*

The Bill will tighten the admissions framework by reaffirming the ban on new selection by ability, banning pre-admission interviewing, strengthening the status of the Code on School Admissions (schools will have to act in accordance with rather than have due regard for the Code), granting new powers to admissions forums and placing an extended duty on local authorities to provide free transport for the most disadvantaged families.

The Bill will also create a power for staff to discipline pupils, extend the scope of parenting orders and contracts, improve provision for excluded pupils, put in place a new entitlement to specialised Diplomas for young people, establish new nutritional standards for food and drink served in maintained schools and merge several existing inspectorates into a single inspectorate to cover the full range of services for children and young people, as well as life-long learning.

The Bishops' Conference held a symposium, organised by the CES, in London in early March which was attended by Bishop Declan, with David Byrne in attendance, to discuss the implications of the Bill. The matter was subsequently discussed by Diocesan Commissioners and Advisers at their spring conferences. The general feeling was that existing Catholic schools should remain in the voluntary aided sector which should be stoutly defended as one that leads to high standards and secures values based education. However, it was felt that there was a need for a re-evaluation of what a Catholic school is and how the Church can best pursue its wider role in education. The CES was asked to explore the possibility of the establishment of new Trust Schools with a Catholic involvement which would provide the Church with the opportunity to reach communities not presently served by our schools and to work with partners of other faiths within the new framework without accruing additional property costs.

The issues affecting voluntary aided schools causing concern to the conferences were those around admissions, transport and LA's powers of intervention. Although Catholic authorities, both local and national, were against interviewing and selection by ability, it was clear that governors' autonomy on admissions was being constantly eroded. The provision of denominational transport was being attacked across the country and it was not yet clear how the provisions of the Bill would affect this situation. There was concern expressed about the ease with which LAs would be able to intervene in Catholic schools they judged to be underperforming and how LAs in this situation would interact with governing bodies and Dioceses.

## **5. First Preference First/ Equal Preference in Admission Arrangements**

In the recent round of sub-committee meetings we were asked to provide some explanation of the issues associated with first/equal preference systems with regards to school admissions. We hope the following is helpful.

When a governing body of a particular school determines its oversubscription criteria, it is required to indicate how it will deal with those who have, through the co-ordinated admissions system, stated a preference for the school. The governors can either decide to give priority to parents who have stated on the application form that the school is their first preference (known as "first preference first") or to consider all applications against their published admission criteria without any reference to the ranking the school was given on the common application form (known as an 'equal preference' or 'blind preference' scheme).

Where all the admission authorities within a LA operate the same approach, co-ordinated admission arrangements have generally worked smoothly. However, where the LA has itself adopted the 'equal preference' preference and other admission authorities within it have adopted the 'first preference first' system, considerable practical difficulties have arisen.

In the draft School Admissions Code of Practice published last October, admission authorities operating a 'first preference first' system within an LA operating an 'equal preference' system was deemed to be 'poor practice'. In effect this means that, if the policy were to be referred to the Adjudicator, he would find against it and order it to be changed. However, the draft Code has not yet been adopted and we know that this

interpretation was one that many Dioceses, Foundation and VA schools were unhappy about and said so in the consultation.

There is little doubt that the 'equal preference' system is more parent friendly in that all other options are not closed down if the parent fails to get their first choice of school. For this reason it appears to be the government's favoured option. However, operating the system can cause genuine practical problems for some admission authorities who feel that they do not get the same level of commitment, particularly to the religious character of the school, from those for whom the school is seen as second (or third) best. Others, however, believe that many Catholics are denied an available place in a Catholic school because they chose another type of school first and were unsuccessful in gaining a place in it. In that situation a governing body will be forced to place such Catholic applicants behind non-Catholic applicants who have put the Catholic school as their first choice.

The Diocese does not have a particular view on the issue and believes that governors are best placed to look at their local circumstances and make the appropriate judgement as to how they can best meet the terms of their Trust Deed with regards to admissions to their school. We do, however, believe that it is wrong for that judgement to be fettered simply because a LA has decided in its co-ordinated scheme to adopt a particular model. We have said this often and loudly in our dealings with them and the DfES.

## 6. Pupils from the 'New and Arriving Communities'

The round of sub-committee meetings also highlighted the extent to which the population of our schools is changing as a result of the arrival of Catholic families new to this country. Again, we were asked to provide support and are pleased to be able to offer the following:

- a. **Meeting the needs of those from the new and arriving communities – a workshop to highlight and exchange good practice. 1.30-3.30pm Tuesday 13 June at Alexander House.**

Jackie McCarthy, Head of St Nicholas of Tolentine in Bristol, and Sally Inskip, Head of Holy Rood Junior in Swindon, will present case studies of the good practice in their schools to stimulate an exchange of ideas and good practice between others in attendance. Judith Longstreth of the Ethnic Minority Achievement Support Service will also be on hand to provide a wider perspective and to display some of the resources available to support this work. ***One place per school is available for which there is no charge. Please use the attached booking form and return to Jenny Fitzgerald as soon as possible and by no later than Wednesday 7 June.***

- b. **Dealing with applications for pupil admissions**

We are grateful to Jane Penrose of Bristol LA for permission to attach an edited version of guidance concerning the procedures to be followed when processing applications for admission to the school from those from overseas.

## 7. Extended Schools - A Guide for Governors I

The DfES has just published a document '*Extended Schools – A Guide for Governors*' which explores the opportunities and challenges of the government's extended schools programme and looks at what it means for governors and governance. It gives an overview on extended schools and sets it in a strategic context of different government initiatives. The guide also looks at the governance issues of delivering extended services – including community consultation, finance, and operational implications. Different models of delivery are examined in detail and supported by case studies describing the

approaches being applied in schools around the country. The DfES guidance complements that issued to schools by the Department. It can be downloaded by pressing the Ctrl button and clicking on the paragraph heading if you are reading an electronic version of the newsletter.

## **8. Improving recruitment practices, safeguarding children**

The Secretary of State, Ruth Kelly, has outlined plans to bar any individual cautioned or convicted for sexual offences against children from working in schools. New regulations, to be introduced within weeks, will ensure that any individual working with children, who is convicted or cautioned for sex offences against children, will be automatically entered on List 99 and barred from working in schools.

It will also be mandatory for all schools, supply agencies and other employers in the education sector to perform Criminal Records Bureau checks on all newly-appointed teachers and school workers. Governors, as the employers in our Catholic voluntary aided schools will need to ensure that they comply fully with this obligation.

## **9. Appointment of Staff**

The guidance given by the DfES to governors, following the issuing of the School Staffing Regulations 2003, made it clear that Headteachers should be responsible for the appointment and dismissal of staff outside the Leadership Group. Church Schools were given an exemption with regards to staff appointments in order that governing bodies could protect the religious character of the school. In their scheme of delegation, which should be reviewed annually, governing bodies should clearly stipulate where the power of appointment lies. In the spirit of the guidance, governors should restrict their powers with regards to appointments to the suitability of a candidate to teach in a Catholic school rather than to their professional competence which is a matter of judgement for the Headteacher.

However, in view of difficulties which have presented themselves nationally since, the CES has reminded us of advice they gave in 2004. This is that, in order to protect themselves from false or malicious allegations which might be made by an unsuccessful candidate, under no circumstances should Headteachers interview or appoint new members of staff, whether teaching or support staff, without there being at least one other person, preferably a governor, also present. If Headteachers interview in isolation, experience has demonstrated that such allegations are difficult to refute in the absence of an independent witness.

## **10. 'Prior Park College – The Phoenix', an Illustrated History by Father Peter Cornwell**

Father Peter Cornwell, the former Chaplain of Prior Park College, has written a frank but sympathetic portrait of Prior Park College, an institution which has shaped the lives of thousands since its foundation in the nineteenth century. In it he highlights the many characters who have left an indelible mark on the school, both teachers and pupils. Cardinal Cormac Murphy O'Connor, an old boy, 'recommends it warmly' to 'those who simply want a good book to read' and as a 'well-written book which helps explain where the school is today'. The book is published at £19.99 by Halsgrove and can be ordered through the College or at <http://www.halsgrove.com>.

## **11. Dulverton Residential Centre**

Dulverton Residential Centre, a large self-catering facility sleeping groups of up to 36 people in the centre of Dulverton, on the edge of Exmoor, belongs to the Diocese and offers a subsidised rate for Diocesan schools and colleges. It has recently undergone a

major programme of refurbishment in response to the considerable increase in the number of school and other groups using it. However it is underused by the Catholic community and Fr Miller, the Warden, would warmly welcome more of our schools to the centre since it was primarily established for the benefit of the young people of the Diocese. Leaflets are available from the Centre at 6, High Street, Dulverton, Somerset TA22 9HB – phone and fax 01398 324217.

## 12. Headteachers' Conference 2006

The Annual Headteachers Conference will be held on **5/6 October at the Menzies Waterside Hotel, Widcombe, Bath**. The theme of the Conference will be '*On the Way to Life*'. We are fortunate to have secured the services of *Kevin Quigley*, former Head and Sixth Form College Principal, who has established an international reputation for facilitating and contributing to conferences concerning Catholic Education. Two keynote speakers on the theme will be *Bishop Declan* and we also hope to have *Tina Beattie*. Tina is a writer and theologian, now working at St Mary's, Twickenham, with a profound interest in education.

Following the success of the two-day format at last year's event, we have negotiated a package which includes overnight accommodation and all meals between lunch on the first and second days plus the speaker's costs. The cost is yet to be finalised but is likely to be in line with last year. The Department is conscious of pressures on school budgets but we would ask governors to understand the importance of this conference in ensuring the continuing professional development of our Headteachers, in facilitating the vital networking of Catholic school leadership and in reinforcing the central mission of Catholic education. It will be money well spent. Full details and a booking form will be issued shortly.

## 13. Forthcoming events

A Department calendar of 2005/06 events was issued to schools last July. The following are of importance to all schools in terms 5 & 6 (old summer term)

Sat	22 April	Co-Directors meeting Catholic teachers not currently working in Catholic schools, Alexander House, 10 a.m.
Tues	9 May	Governor training – 7.30 p.m. St George's Primary, Warminster
Wed	10 May	Governor training -7.30 p.m. Alexander House, Bristol
Wed	17 May	Diocesan Secondary School Mass, Clifton Cathedral, 11 a.m.
Tue	13 June	Workshop concerning pupils from new and arriving Communities, 1.30 p.m., Alexander House
Thurs	22 June	Diocesan Primary School Mass, Clifton Cathedral, 11 a.m.
Weds	28 June	Committee for Schools & Colleges – 10.30 a.m. at Alexander house
Fri	30 June	Secondary Heads Conference, Alexander House

### Diocesan Sub-Committee meetings

Mon	15 May	14.00 Somerset at SS Joseph & Teresa
Mon	22	14.30 N Somerset at Corpus Christi
Tues	23	10.45 B&NES at St John's Presbytery
Tues	23	16.00 Wiltshire at St Augustine's
Tue	6 June	14.00 Bristol at Alexander House
Wed	7	14.00 Gloucestershire at
Thu	8	14.00 S Gloucestershire at
Wed	14	19.30 Swindon at Holy Rood Infants

## 14. Congratulations and good wishes

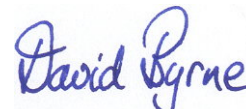
Congratulations and best wishes to the following colleagues who have been recently appointed to Diocesan Headships

St. Pius X	Bristol	Mr. Tony Halloran
St. Joseph's	Devizes	Mrs Sheila Jones
Holy Family	Patchway	Mrs Dawn Breeze
St. Mary's	Swindon	Mrs Clare Marie Burchall
St. Joseph's	Malmesbury	Mr Tony McAteer

On behalf of all in the Department, may we wish you a well-deserved and relaxing Easter break



Peter Bradshaw  
Co-Directors



David Byrne

## **DEALING WITH REQUESTS FOR A SCHOOL PLACE FOR CHILDREN FROM OVERSEAS**

These notes are intended to give practical advice to frontline staff dealing face to face with parents/carers of non-EEA children. They should allow schools to deal with the majority of cases, but the LA or DfES should be contacted for advice on cases not covered. In any event schools should be aware of the provisions of Annex B of the Code of Practice for School Admissions issued by the DfES. Available on-line at [www.dfes.gov.uk/sacode/index.shtml](http://www.dfes.gov.uk/sacode/index.shtml). It is important to remember that each case must be considered on its merits. This advice is based on the premise that children arriving at schools have been processed correctly by the Immigration/Home Office Services.

The following notes apply to non-EEA nationals (the European Economic Area (EEA) comprises European Union (EU) states plus Iceland, Norway and Liechtenstein)

### **2. Children not yet in UK**

Unless there are very exceptional circumstances you should not offer a place to a non-EEA child who is not yet resident in the UK. Advice should be sought from the LEA.

### **3. Children resident in UK**

In the majority of cases children are covered by the provision of the Education Act 1996 which states that "All children of compulsory school age in the UK have a right of access to education".

You need to see the child with his or her 'relevant' adult and look at the child's birth certificate and passport.

In most cases the child will have a six month visitor's visa stamp in the passport, note expiry date in case of circumstances outlined under Section 3.

In a **very** few cases, the visa will specifically preclude a child from access to state education. This is different from a more common exclusion from 'access to public funds' stamp which does not cover state education.

However, each application should still be considered on its merits, balancing the educational welfare of the child against the 'practicality' of enrolling the child having regard to the likely length of stay in the UK and any considerations of the visa.

Practicality relates to the issues of introducing a child into the school for a short period. If there is only a short time remaining on the visa you can refuse to offer a place as disruption to school and other children outweighs the benefit to the child in question. This decision should be taken by the Head teacher in the light of the unique operational circumstances of the school, and a note should be kept of the reasons for the decision. It is possible that different schools will make different decisions on what seem to be similar cases, or even for the same child.

### **4. Requests for a letter of support from Parent/Carers**

If schools receive requests to help parents/carers by providing letters of support to be used in Immigration applications/appeals they should provide a letter confirming the date of admission to the school, stating that they were aware that the visa was due to expire on..... and explaining the reason for decision to admit.

March 2006

# TRAINING FOR GOVERNORS IN CATHOLIC SCHOOLS

*Please return to Jenny Fitzgerald, Clifton Diocesan Department for Schools and Colleges,  
Alexander House, 160 Pennywell Road, Bristol BS5 0TX as soon as possible*

The following Governors will be attending the Training for Governors indicated below:

**Tues 9 May                    19.30 -21.00 at St George's Primary, Warminster**                   

*(please tick one)*

**Wed 10 May                    19.30 -21.00 at Alexander House, Bristol**                   

Names .....

.....

.....

.....

.....

.....

.....

School .....

(Please indicate the geographical area of your school as we have several schools with the same name)

Please enter the number of governors attending each session below

- The Role of the Governor in a Catholic School**
- Every Child Matters and the Extended Schools Agenda in Catholic Education**
- Relationship Education in a Catholic School**

Thank you