**Archdiocese of Liverpool**

**Education Department**

**Recruitment Guidance for Protected Posts
Section A – General guidance and key documents for Catholic Education Trusts and Governors**

(last updated January 2023)

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# Introduction

For some senior posts in a Catholic school or Trust there is a requirement for the postholder to be a practising Catholic. Such posts are sometimes called ‘protected/reserved posts’. These senior Catholic posts are the CEO, Deputy CEO, Headteacher, Deputy Headteacher, Head of RE, RE teacher and School Chaplain, and any other posts that involves leadership of Catholic ethos, e.g., Director of Ethos.

In a Catholic Education Trust (CET) the responsibility for the appointment of these protected posts is in line with the scheme of delegation.

This recruitment guidance and related documentation has been produced by the Education Department to provide support to the board[[1]](#footnote-2) in the appointment of those protected posts in our Diocesan schools[[2]](#footnote-3) and Trusts.

1. **General Guidance and Key Documents** (this document)
	* Provides an overview of the appointment process, which the appointing board should read prior to the initial meeting. It contains information on appointments from the Catholic Education Service (CES) on behalf of the Bishops’ Conference of England and Wales. In particular, it makes explicit the requirement that applicants for protected posts must be practising Catholics and it clarifies what this means. It also includes a key interview question on this point that must be asked in all such interviews.
2. **Procedural Guidance** includes:
	* Agendas and supporting documentation to enable the board to plan and carry out the appointment process, and specifically the initial meeting and shortlisting meeting.
	* Information about post-interview tasks that must be carried out by the board.
	* Proformas including reference requests, presentation/interview working sheets.
3. **Job Descriptions, person specifications shortlist working sheets:**
	* C1 Recruitment to Executive Headteacher and Headteacher posts in Catholic schools
	* C2 Recruitment to Deputy Headteacher posts in Catholic schools
	* C3 Recruitment of Heads of Religious Education
	* C4 Recruitment of School Chaplains

It is recommended that this document and document B, and the appropriate document C, are given to the board prior to each meeting. Individual documents and pro formas for use during the appointment process are available for request via h.blabey@rcaol.org.uk

All protected posts should be externally advertised. In some limited cases, it is possible for a post not to be externally advertised. However, this will only be permitted where the board can demonstrate there is a good reason not to and with consent from the Director of Education.

Why is it a requirement for some posts to be held by practising Catholics?Catholic schools are at the heart of the Church’s wider educational mission. Their senior leaders[[3]](#footnote-4) are responsible, together with the board and local governing committee, for ensuring that the school’s Catholic mission and life are at all times promoted and developed. This includes direct accountability for assuring high quality in the provision of Religious Education and prayer and liturgy. To meet this responsibility, leaders in Catholic schools need an excellent understanding of the unique aims and purposes of Catholic education and in particular of the Archbishop’s vision for Diocesan schools. A strong personal faith and witness is essential to sustain them in their demanding but ultimately fulfilling role. These will be tested at interview.

# The role of the board

Foundation directors and foundation governors are the stewards of the school’s distinctive Catholic character and are accountable for this to the Church and community. To fulfil this special responsibility, the board has a duty under both Canon Law and statute to ensure that they appoint senior leaders who will not only excel in their professional responsibilities, but who will enhance and develop the distinctive nature of the school, promoting high standards in the quality of Religious Education and provision for prayer and liturgy, For this reason, the Bishops’ Conference of England and Wales has specified the Church’s expectations[[4]](#footnote-5) that these posts are reserved for Catholic teachers[[5]](#footnote-6) who combine personal conviction and the practice of their faith with the required professional qualifications and experience. This, too, applies to school chaplains, although the expectation is not that the postholder holds a teaching qualification. ? what about those appointed specifically as RE teacher?

**Diocesan recruitment advisors**

Trusts and schools must seek the assistance of a Diocesan recruitment advisor for the appointment of a Headteacher, Deputy Headteacher, Heard of RE and School Chaplain, and any other senior leadership posts that involves leadership of Catholic education. This assistance must be arranged through the Diocesan Education Department. A Headteacher cannot act as a Diocesan recruitment adviser in his/her own school or Trust.

# Equal opportunities

The principles of justice and of fair practice in the selection of staff must be of key concern to Catholic employers who have a duty to recognise the dignity and worth of all who apply to work in our schools and Trusts. Failure to do so would not only leave the board open to legal challenge on grounds of discrimination but would be morally wrong.

Key points are:

* Selection processes must aim to select the best applicant assessed against the criteria for the post;
* No candidate should be treated unfavourably or discounted for a post on grounds which are arbitrary or irrelevant to the post. This applies to acting/temporary appointments as well as those which are permanent;

# Acting senior leadership positions

If an acting position arises, the Diocese must be notified so that guidance can be given about how to proceed with the acting appointment, in response to the specific circumstances.

# Who is responsible for the appointment of senior Catholic leaders?

The board of directors is responsible for the recruitment of **CEOs and Deputy CEOs**. The Diocesan Director of Education and Episcopal Vicar for Education will be present for the whole process from the initial meeting to appointment as advisors to the board.

The board of directors/Governing Board is responsible for the appointment of **Headteachers**. This must not be delegated to the local governing committee. The chair of the Governing Boardand the priest with pastoral responsibility are invited to take part in the process in an advisory capacity. The board may include other members of the Governing Board in the process in an advisory capacity. The Diocese will be represented for the whole process from the initial meeting to appointment in an advisory capacity.

The Governing Body is responsible for the appointment of **Deputy Headteachers**. This may be delegated to the local governing committee. If it is not delegated, the chair of the Governing Body and the priest with pastoral responsibility are invited to take part in the process in an advisory capacity. The Diocese will be represented for the whole process from the initial meeting to appointment in an advisory capacity.

The local governing committee is responsible for the appointments of **Heads of RE**. The Diocese will be represented for the whole process from the initial meeting to appointment in an advisory capacity.

The local governing committee is responsible for the appointments of **School Chaplain**. The Diocese will be represented for the whole process from the initial meeting to appointment in an advisory capacity. Whilst the Diocese is not the employer, the position of chaplain is a canonical appointment by the Archbishop.

For any **other protected post**, the Diocese will be represented for the whole process from the initial meeting to appointment in an advisory capacity.

# Bishop’ Conference Memorandum on Appointment of Teachers in Catholic Schools

Memorandum on Appointment of Teachers in Catholic Schools
The Bishops’ Memorandum sets out the Catholic Bishops’ Conference of England and Wales’s expectations about the appointment of staff in Catholic schools.

Throughout this document the term ‘Catholic school’ means all Catholic schools and colleges, including schools in the trusteeship of a religious order. This includes maintained schools, academies in England, independent schools. Sixth form colleges and non-maintained special schools.

Purpose of the Guidance

Its purpose is to help and guide governing boards[[6]](#footnote-7) to fulfil their responsibilities, including statutory responsibilities, top preserve and develop the Catholic character of the school in relation to the appointment of staff.

The Governing boards are the employers of the staff, to whom they should give clear guidelines about the Catholic character of education and life in their school.

As employers the governing board must ensure that the appropriate contract of employment and associated documentation, as published by the Catholic Education Service (CES), is issued. It is because the contracts reflect the Archbishops’ requirements that the Catholic character of school is preserved and developed that the Archbishops expect all schools to use CES model contracts of employment for their staff. The CES model contracts ensure, in the context of the role within the school which the employee is employed to perform, the preservation, maintenance and development of the Catholic character of the school.

Appointment of Teachers in Catholic Schools

The preservation and development of the quality and distinctive nature of Catholic schools depends upon the faith, practice and commitment of the teachers in the schools, working with their governing body. The Catholic Church understands the vocation of a teacher as a form of ministry within the Church[[7]](#footnote-8). All teachers in Catholic schools are employed to participate in the Church’s teaching office, exercising this ministry in accordance with the Church’s teachings. This requires teachers to be witnesses in word and deed to the Divine Teacher, Jesus Christ[[8]](#footnote-9).

To find Catholic teachers who combine personal conviction and practice of the faith with the required professional qualifications and experience, especially in specialist subjects, is always a high priority.
The recognition of the role that Catholic teachers play stands alongside the value we place on teachers of other Christian denominations, other fairs and other teachers who contribute to and support the Catholic ethos in our schools. We recognise the great contribution they make in helping to ensure that our pupils are equipped to communicate with and participate in contemporary society. ? Could this not go at the top of the document and applicable to all posts.?

Governing bodies, as the employers of staff, have a duty to ensure that the Catholic character of the school is maintained and developed. The Archbishops expect that governing bodies will employ Catholic teachers who combine personal; conviction and practice of the faith with the require professional qualifications and experience, in order to ensure this.

Appointment of Leaders in Catholic Schools

As a minimum requirement the Archbishops expect that the posts of headteacher/principal, deputy headteacher/principal and head or coordinator of Religious Education (RE) are to be filled by practising Catholics[[9]](#footnote-10).

Whilst these posts have traditionally been used in schools, other senior leadership posts, and terminology, have come about in practice, often as a result of collaborative working arrangements between schools. Terms which are being used more frequently, and which are not defined in legalisation, include: executive headteacher, associate headteacher and head of school. The principle to be applies is that this minimum requirement will apply to the most senior leadership post, i.e., the person with overall responsibility for the day-to-day management of the school, and the person who is the second most senior person in the leadership team.

The Archbishop also expect that certain posts that directly affect the Catholic mission of the school are to be filled by practising Catholics. This would include, for instance, the chief executive or equivalent of a multi-academy trust company. Lay chaplains also come within this description, but schools must in any case follow any specific procedures set down by their diocese before the appointment of any chaplain.

Other Leadership posts that directly affect the Catholic Mission of the school should, wherever possible, be staffed by skilled practitioners who are committed Catholics. All staff must respect and support the aims and objective of a Catholic school.

Appointment of Leaders of Religious Education

Religious Education is the core subject in every Catholic school and informs every aspect of the curriculum.

*Primary:* The governing body must ensure that RE is properly organise, coordinated, taught and resourced. The governing body must ensure that the school has a coordinator of RE and that the coordinator should have at least parity in status and remuneration with those of the other core curriculum areas.

*Secondary:* The Religious Education department in our secondary schools is of particular importance and should have at least parity of status and resourcing with any other core subject department. Governing bodies are urged to give the highest possible status to the department and to the person leading that department and this should be reflected in their status and remuneration.

Representation at Shortlisting and Interview

Interview procedures approved by governing bodies for teacher recruitment must be open to scrutiny. They must be clear, objective and transparent.

The Archbishop is entitled to be represented at all proceedings relating to the appointment of senior leaders and teachers of RE.

Governing bodies must facilitate the attendance of the Director of Education (or his/her nominee), either by affording them advisory rights or otherwise. These may be in relation to all appointments at the school, or more usually, to the appointment of the senior posts to which the requirement to be a practising Catholic are applied.

Governing bodies must give sufficient advanced notification to the Director of Education of a vacancy for any senior post, to which the requirement to be a practising Catholic is applied, before taking any action, including appointing an acting headteacher or principal, acting deputy headteacher or deputy principal, or advertising vacancy. It is particularly important to agree all meeting and interview dates with the Archdiocese in advance, to allow Diocesan officers to be involved from the beginning of the process, including drawing up job descriptions and person specifications.

Furthermore, a Diocesan representative may be invited whenever senior posts with pastoral responsibilities are being considered.

For appointments to which the requirement to be a practising Catholic is applied, the governing body will meet to draw up a shortlist of candidates, conduct interviews and make an appointment. The governing body may appoint a selection panel to undertake these functions. These appointments may need ratification by the full governing body.

In addition, the appropriate Diocesan officer must always be invited to the interview of heads of Religious Education and school chaplains.

Delegation of Power of Appointment

When the governing body delegates its power and right of appointment of staff to a committee and/or to the headteacher or principal, it is essential that the terms of reference for such dilatation are made explicit.

Induction and Continuing Professional Development

The governing body should ensure an appropriate induction programme, emphasising the distinctive nature of Catholic education, is in place and that continuing professional development for all staff helps to statin this understanding.

Archbishop Malcolm McMahon
Chairman, Department for Catholic Education and Formation

(11 September 2014)

# Catholic Education Service Guidance Note on Recruitment of Staff for Governing Bodies



Governing Bodies are advised that references to School/College in this Note includes Academies and references to the Governing Body includes and Academy Trust Company, a Multi Academy Trust company and/or its Governing Body/Board of Directors/Local Governing Body as appropriate and means the employer of staff or the body responsible for recruiting staff in all cases.

This Note is intended for use by persons involved in the recruitment of staff in Catholic schools/colleges in England and Wales. It is for guidance purposes only – appropriate HR and/or legal advice should be sought where governing bodies have specific queries arising from this Note.

Diocesan Advice and the Bishops’ Memorandum

Governing Bodies should seek advice from their diocese as soon as is practicable after the identification of the requirement to recruit for a Senior Leadership post and, in any case, before any recruitment procedure or process begins.

Governing Bodies should also ensure that they have read the Bishops’ Memorandum on the Appointment of Staff in Catholic Schools in order to ensure that the requirements of the Memorandum are met. The Memorandum can be viewed by following this link: [Bishops' Memorandum (catholiceducation.org.uk)](https://www.catholiceducation.org.uk/employment-documents/bishops-memorandum)

Advertising a vacancy

The Memorandum on the Appointment of Staff in Catholic Schools requires that dioceses are involved in recruitment processes. Governing Bodies must give sufficient advance notification to the Director of Education of a vacancy for any senior post to which the requirement to be a practising Catholic is applied before taking any action, including appointing an acting Headteacher or Principal, acting Deputy Headteacher or Deputy Principal, or advertising the vacancy.

It is particularly important to agree all meeting and interview dates with the Diocese in advance, to allow Diocesan Officers to be involved from the beginning of the process, including drawing up job descriptions, person specifications and advertisements.

Shortlisting for Interview

Once application forms have been submitted and the closing date has expired, the application forms must be reviewed in order that a shortlist can be drawn up listing those people the Governing Body wish to interview.

Shortlisting will usually be performed by reference to the job description and person specification applicable to the role as well as any other relevant, pre-determined criteria set by the school/college for the purposes of recruitment.

Once a shortlist has been complied, contact should be made with the shortlisted applicants to invite them to interview. The CES provide a model Invitation Letter that may be used and can be accessed by the following link: [Model Recruitment Documents & Guidance (catholiceducation.org.uk)](https://www.catholiceducation.org.uk/recruitment-process/item/1000051-model-recruitment-documents-guidance)

Applicants should be reminded to bring the Rehabilitation of Offenders Act 1974 – Disclosure Form with them in a sealed envelope when they attend for interview.

Governing Bodies should read the CES Guidance not on Model Application Forms and GDPR Compliance for more information about the processing of criminal records information. Guidance for this can be found via the link below: <http://www.catholiceducation.org.uk/recruitment-process/item/download/60724_d2aa9b591c9805ebf1606ff86533c36b>

Gathering References

Governing Bodies should consider destroying the application forms and any data provided by unsuccessful applicants unless they have a lawful basis for retaining the information.

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. Most important are the decisions based on the Governing Body’s own robust recruitment process. Common advice is therefore that the panel as a whole refer to the references towards the *end* of their decision-making process. The application forms state that references may be taken up prior to interview and so contact will need to be made with the referees listed.

References should be requested for all candidates shortlisted for interview and enough time allowed between shortlisting and interview for referees to receive the request, write the reference and return it. Safeguarding advice (Keeping Children Safe in Education) provides that references should be obtained before interview so that any issues of concern they raise can be explored further with the referee and taken up with the applicant at interview. For further information about taking up references Governing Bodies should read the CES Guidance on Employment References which can be accessed by using the following link:

<http://www.catholiceducation.org.uk/recruitment-process/item/download/60722_ec238757dbeca743a28edaed2be190e8>

Governing Bodies should also be familiar with Keeping Children Safe in Education, and this can be accessed by following the link below. It is important that Governing Bodies are particularly familiar with the safer recruitment requirements set out in section 3 of Keeping Children Safe in Education:
[Keeping children safe in education - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

References should always be requested directly from the referee and Governing Bodies should not rely on open references, for example in the form of ‘to whom it may concern’ testimonials. If an applicant for a teaching post is not currently employed as a teacher, Governing Bodies should check with the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving. It is good practice for one panel member who has completed safer recruitment training to gather references, supported, if applicable, by any local authority, HR or Diocesan adviser. This allows the rest of the panel to judge the recruitment process unencumbered by external opinions. All interview panels should contain at least one person who has undertaken safer recruitment training and this training should be refreshed at regular intervals (every three years is the suggested timescale).

Applicants are asked to complete a Consent to Obtain References Form which should be provided with the application form and this can be used in order to demonstrate to referees that appropriate consent has been obtained.

Invitation to Interview

The CES model Invitation to Interview Letter makes reference to reasonable adjustments that may be made for attendance at interview in the event that the applicant has a disability. Stating this to all applicants at this stage confirms that the Recruitment Monitoring Form has not been seen by the person dealing with recruitment (as that may already disclose whether the applicant has a disability) and also ensures that reference to reasonable adjustments being made for interview does not feature in the application form itself (which contravenes good practice guidance issued by the Equality and Human Rights Commission which prefers the recruiter to have had no indication whether or not an applicant has a disability). The CES provide a model Reasonable Adjustments Statement as an enclosure to the Invitation to Interview Letter.

Interviews
The person(s) conducting the interview will need to ensure that certain information and documentation has been provided by the applicant at this stage. The information required to be provided at interview is identification documentation and proof of entitlement to work in the UK. An employer is under a strict legal duty to ensure that it has carried out the relevant checks with regard to entitlement to work in the UK.

Governing Bodies are referred to the Home Office guidance entitled “An employer’s guide to right to work checks” which provides examples of the types of documents which will need to be provided by applicants in order to evidence their right to work (see Annex A of the guidance). Where Governing Bodies are unsure what documents are required to prove entitlement, they should seek appropriate advice.

If the information is not provided at the interview stage, or where further checks relating to a right to work in the UK are required, any offer of employment must be made conditional upon receipt of the correct documentation and/or receipt of satisfactory results from the checks required to be made.

If documentary evidence of qualifications, courses attended etc, is required to be provided at interview, the applicant should be notified in advance – good practice suggests this should be requested in the Invitation to Interview Letter (and is so requested in the CES model).

Post-Interview Selection
After the interviews have taken place, the Governing Body will need to consider all the applicants in light of their applications, personal statements, references, supplementary documents, results of checks and performance at interview as against the job description, the person specification and any other relevant national standards for the post with the aim of determining which applicants should proceed to the next stage of the recruitment process.

Making an Offer of Employment
In many cases there may be several rounds of interviews but, for the purposes of this Note, it is assumed that a selection can be made following the first interview. The Governing Body may, at this stage, make an offer of employment to the preferred applicant but it must stipulate that such offer is conditional upon receipt of a satisfactory DBS check (if appropriate to the role for which they are hiring) and a teacher services check (if appropriate to the role for which they are hiring). Where an applicant has lived or worked outside of the UK, the offer will also be conditional on satisfactory overseas checks, including, where necessary, the provision of a letter of professional standing. The offer may also need to be expressed to be conditional upon receipt of a current employer reference once the Governing Body has the applicant’s consent to make a request and/or satisfactory results of health checks (see paragraph C below).

Things that Governing Bodies need to look out for during the recruitment process

1. At the application stage, Governing Bodies should make sure that applicants have fully completed the application forms and provided all relevant documentation / information required at that stage. If not, an application may be rejected on the grounds that it has not been fully completed.
2. Members of the selection panel should make sure that they do not, as the reviewer of application forms, have sight of the completed Recruitment Monitoring Forms. The Recruitment Monitoring Form should only be used as a tool for the school / college to analyse the types of application that they receive which may assist them to comply with their public sector equality duty.

For more information see the Equality Act 2010 guidance available from the Equality & Human Rights Commission which can be found by following this link: [Equality Act guidance | Equality and Human Rights Commission (equalityhumanrights.com)](https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-guidance)

Further, the Recruitment Monitoring Form should be anonymous so that the school / college can demonstrate that the information collected from applicants is being used to monitor equality and diversity and not to discriminate, inadvertently or otherwise.
3. Generally speaking, employers are not allowed to ask prospective employees questions relating to disability or health during the recruitment process. This is, however, slightly different for those in the education sector. The current legal position with regard to the asking of health-related questions of job applicants is a balancing act between two pieces of legislation; namely the Equality Act 2010 and the Education (Health Standards) (England) Regulations 2003 (“the 2003 Regulations”). Ultimately, the school should ensure that any “fitness to practice” questions they ask (which is a permissible requirement under the 2003 Regulations) comply with the restrictions in the Equality Act 2010 which do not allow disability or health related questions to be asked during the recruitment process.

Keeping Children Safe in Education requires that as part of pre-employment checks, an employer “verify the candidate’s mental and physical fitness to carry out their work responsibilities”. The guidance goes on to note that “a job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role”[[10]](#footnote-11).

The current DfE ITT guidance notes that ITT providers “should not ask all-encompassing health questions but should ensure they only ask targeted and relevant health related questions which are necessary”[[11]](#footnote-12). This is also a sensible approach for managing job applications and we would suggest that it is followed by Governing Bodies.

An offer of employment must be made conditional upon satisfactory answers which comply with the provisions of the 2003 Regulations and Keeping Children Safe in Education. Schools / colleges, will, therefore, need to decide whether it is appropriate to ask health related questions in each individual case depending on the role required to be filled and, if in doubt, should seek legal advice.

Governing Bodies are reminded of their duties in respect of the public sector equality duty (the CES has provided guidance on the Public Sector Equality Duty which can be downloaded from our website: http://www.catholiceducation.org.uk/guidance-for-schools/equality). Further, any data collected as a result of health-related enquiries is likely to be ‘Sensitive Personal Data’[[12]](#footnote-13) within the meaning of the General Data Protection Regulation (GDPR) and must be processed in accordance with the requirements of that Regulation[[13]](#footnote-14).

1. Discrimination – Schools / colleges designated with a religious character in England and Wales are permitted by law[[14]](#footnote-15) to give preference to practising Catholics for certain posts (what is permissible is explained further below). In certain specific circumstances, it is possible that a temporary post may be filled by a person who is not a practising Catholic and there is no intention to deter suitable applicants from expressing their interest. Temporary appointments should only be used in limited circumstances and Governing Bodies should seek advice from their diocese where they are having difficulty recruiting a practising Catholic where that is required.

**Senior Leadership posts** – The ‘Memorandum on the Appointment of Staff in Catholic Schools’ provides that ‘the posts of Headteacher or Principal, Deputy Headteacher or Deputy Principal and Head or Coordinator of Religious Education are to be filled by practising Catholics’. The Memorandum may be viewed by visiting the CES’s website at: [Memorandum On Appointment Of Staff In Catholic Schools (catholiceducation.org.uk)](http://www.catholiceducation.org.uk/employment-documents/bishops-memorandum/item/1000049-memorandum-on-appointment-of-teachers-to-catholic-schools)

**The application forms make it clear that all applications for senior leadership posts where there is a requirement to be a practising Catholic must include the details of a priest who can provide a reference. The purpose of this reference is to verify that the applicant is a practising Catholic.**
**Teacher posts** – Schools / colleges are entitled to give priority to Catholic applicants. A higher degree of priority may be given to practising Catholic applicants but applications from all Catholic applicants (whether practising or not) are eligible to be given priority over applicants who are not Catholic. Where Catholic applicants do not consider themselves to be practising, they may provide a copy of their baptismal certificate or details of the date and place of their baptism rather than the details of a parish priest who can give a reference. Applicants who are not Catholics are welcome to apply and should not be discouraged.

**Support Staff posts** – Schools / colleges (in England only) are entitled to give priority to Catholic applicants where it can be demonstrated that attaching this requirement to a particular post is a proportionate means of achieving a legitimate aim (commonly known as a “genuine occupational requirement”). The recruitment documentation should make clear whether this requirement applies to the post. Governing Bodies should seek HR and/or legal advice before determining that there is a genuine occupational requirement. Governing Bodies should note that no priority can be given to Catholic applicants for support staff posts in Wales.

In summary, all suitably qualified Catholic applicants, regardless of the teaching post for which they are applying, are eligible to be given preference over applicants who are not Catholic. Practising Catholic applicants should nominate their Parish Priest as one of their referees. Those applicants applying for the permanent Senior Leadership posts referenced in the Memorandum must provide such details.

Governing Bodies should not deter applications and expressions of interest from Catholics who do not consider themselves to be practising. In the event that the permanent role cannot be filled immediately for example, a Catholic who is not practising would be eligible to receive preference over applicants who are not Catholic in relation to a temporary appointment.

It is for each diocese to provide guidance to schools / colleges regarding the definition of “practising” Catholic either by way of its own guidance or by reference to another source which is recognised as being the definition upon which the diocese relies. A copy of any guidance or other source of information must be provided to the applicant with the Invitation to Interview Letter so that the applicant has a clear understanding of the school’s expectations of a practising Catholic applicant. Applicants should then be asked at interview to confirm that they have read and understood the requirements and that they are able to comply with them. The Notes to Applicants that supplement the CES model Application Forms set out clearly the legal basis upon which a Governing Body is required to recruit, or may exercise a preference to recruit, a practising Catholic. The Notes to Applicants can be viewed by following the link below:
[Model Recruitment Documents & Guidance (catholiceducation.org.uk)](https://www.catholiceducation.org.uk/recruitment-process/item/1000051-model-recruitment-documents-guidance)
2. Rehabilitation of Offenders Act 1974 – Disclosure Form – the answers provided on this form should be kept confidential and seen only by the relevant persons in the course of their specific duties relevant to recruitment and vetting purposes. It is, therefore, for Governing Bodies to determine who sees the form. The Governing Body is under various duties relating to the access, handling, usage, retention, storage and disposal of information provided by the applicant and / or as a result of any DBS checks. The Disclosure Form should be handed to the interviewers in a sealed envelope when candidates attend for interview. The envelope should only be opened if the Governing Body has determined that they wish to make an offer of employment to the individual concerned. If a disclosure is made on the Form, relevant questions about the offence should be asked of the applicant with a view to obtaining contextual information about the offence to enable the Governing Body to determine whether the applicant should be appointed.
3. Disqualification Policy – the applicant is required to sign and return a copy of the school’s / college’s Disqualification Policy if they accept an offer an employment. They should submit the signed policy to the school’s / college’s designated safeguarding lead prior to commencement of employment or as soon as practicable thereafter. The signed policy should be kept on their personnel file. This policy will not be relevant in all circumstances. The CES has published guidance and a model Disqualification Policy for this purpose which can be accessed on our website by following this link: [Model Recruitment Documents & Guidance (catholiceducation.org.uk)](https://www.catholiceducation.org.uk/recruitment-process/item/1000051-model-recruitment-documents-guidance)
4. Data Protection and Privacy – The CES Model Invitation to Interview letter requests that the applicant brings certain documents to the interview. Governing Bodies should ensure that appropriate privacy notices or consents are in place in relation to personal information 13 collected during the interview process[[15]](#footnote-16). All application forms have been updated in line with the provisions of the GDPR and the Data Protection Act 2018.

Please see Governor’s Checklist document.

# Model Equality Act 2010

# Reasonable Adjustments Statement

We understand that some disabled applicants may, due to the nature of their disability, find some parts of the recruitment process challenging. We aim to ensure that all applicants are provided with the same opportunities during the recruitment process, and, to that end, we strive to comply with the duties placed upon us to make reasonable adjustments as prescribed by the Equality Act 2010.

Should you have a disability and require a particular adjustment to be made to allow you to fully participate in the recruitment process, please ensure that this is made known to the person identified in the invitation to interview letter when confirming your availability to attend interview as our duty to make reasonable adjustment only applies where we know about, or ought reasonably to know about, your disability (contact details of the relevant person to contact will be provided in your invitation to interview letter).

Below is a non-exhaustive list of some of the types of adjustments that we may make to ensure that the recruitment process is fair to all applicants, if it is reasonable to do so in all the circumstances:

* Modification to documentation – this may include providing documents in large print, in Braille format or on audio CD and/or providing oral instruction on documentation for those applicants with a learning disability.
* Modification of procedures for testing and/or assessment – this may include allowing an applicant to provide oral answers as opposed to written where the applicant has, for example, a disability which affects their manual dexterity. Conversely, an oral test may be completed in writing where the applicant has a disability which affects their speech.
* Provision of a reader for a visually impaired applicant.
* Provision of auxiliary aids – for example, a person to guide a visually impaired applicant around the interview venue.
* Provision of special equipment – for example, adapted keyboards for applicants whose disability may affect their manual dexterity and/or large screen computers for applicants with visual impairments.
* Provision of a sign language interpreter for an applicant with a hearing impairment.
* Where interviews are being conducted by telephone, provision for interview by textphone for an applicant with a hearing impairment.
* Provision of vehicle parking as proximate to the interview venue as reasonably practicable for an applicant with a mobility impairment.
* Modification of interview premises – for example, in order to ensure that an applicant who uses a wheelchair can gain access to the building where the interview is being held, the school/college may consider using ramps, holding interviews on the ground floor (if there is no adequate lift), considering the placement of furniture and rearranging if necessary etc.

# Briefing Note on the Definition of Practising Catholic

For Appointment to Catholic Leadership Posts in Catholic Schools and to the Office of Foundation Directors and Governors

Introduction

The Archdiocese of Liverpool requires that those appointed to protected posts within Catholic schools and as foundation directors/governors are ‘practising Catholics’. The document **‘Catholic Schools and the Definition of a ‘Practising Catholic’** - **2009 Diocesan Education Service, Archdiocese of Birmingham** sets out in detail what it means to be a practising Catholic for the purpose of these appointments. This document should therefore be read in conjunction with this briefing note.

# Catholic Leadership Posts

In the Archdiocese of Liverpool, it is a requirement that;

* those appointed to the roles of CEO, Deputy CEO, Executive Headteacher, Headteacher, Deputy Headteacher, Religious Education Coordinators, Head of Religious Education and School Lay Chaplains are practising Catholics at the time of application.
* The guidance documentation provided by the Archdiocese of Liverpool is used by foundation directors/governors when appointing to these roles;
* The Education Department is involved with all appointments.

The appointment of Foundation Directors and Foundation Governors

In the Archdiocese of Liverpool, it is a requirement that;

* All foundation governors and directors are practising Catholics.
* the Education Department guidance and process for the appointment of foundation directors and governors are followed

# Practising Catholic Interview Question

Required Interview Question

Applicants for Catholic senior leadership posts must be asked the following question in the final formal interview. This question must be asked by the advisor appointed by the Diocese:

Can you confirm that you are a practising Catholic and that you are able to comply with all of the essential criteria in the job description and with the requirements outlined in the Diocesan Briefing Note and ‘Catholic Schools and the Definition of a ‘Practising Catholic’ - 2009 Diocesan Education Service, Archdiocese of Birmingham on what constitutes a practising Catholic?

# **DfE Governance Handbook – Academy Trusts and maintained school (October 2020)**

Please click on the following link and read sections 6.6 to 6.6.8 inclusive, pp.88-99, of the DfE Governance Handbook.

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925104/Governance_Handbook_FINAL.pdf>



1. The terms ‘board is used for the body responsible for the recruitment process. [↑](#footnote-ref-2)
2. The terms ‘school’ also covers ‘academy’. With regards to academies, any reference to ‘instrument of government’ means ‘articles of association’. [↑](#footnote-ref-3)
3. The term ‘senior leader’ also incorporates executive headteacher, associate headteacher and head of school. The principle to be applied is that this minimum requirement will apply to the most senior leadership post i.e., the person with overall responsibility for the day-to-day management of the school, and the person who is the second most senior person in the leadership team.

Bishop’s Conference 11.09.2014 [↑](#footnote-ref-4)
4. See Memorandum of Bishop’s Conference of England and Wales on appointment of Headteacher and Deputy – Section 4 [↑](#footnote-ref-5)
5. See point 16, section 11 of DfE publication Governors Guide to the Law May 2012 [↑](#footnote-ref-6)
6. In Catholic voluntary aided schools non-maintained special schools and Catholic sixth form colleges the responsibilities of the employer rest with the governing board. In Catholic voluntary academies the responsibilities of the employer rest with the board of directors of the academy trust company, and in other independent schools with the proprietor. For ease of reference the term ‘governing board’ is used throughout this Memorandum to denote the entity or entities within the school or academy trust company that exercises the functions of the employer under the appropriate constitutional arrangements [↑](#footnote-ref-7)
7. Gravissimum Educationis, 8 [↑](#footnote-ref-8)
8. Lay Catholics in Schools: Witnesses to Faith, 32 [↑](#footnote-ref-9)
9. For the definition of ‘practising Catholic’ please refer to guidance from your diocese. [↑](#footnote-ref-10)
10. Pursuant to section 60 oft the Equality Act 2010 [↑](#footnote-ref-11)
11. <https://www.gov.uk/government/publications/initial-teacher-training-criteria/initial-teacher-training-itt-criteria-and-supporting-advice> [↑](#footnote-ref-12)
12. Article 9(1) GDPR sets out the categories of sensitive personal data and *‘data concerning health’* is included as a category. [↑](#footnote-ref-13)
13. See footnote 1 above. [↑](#footnote-ref-14)
14. Ss 60 and 124A of the School Standards and Framework Act 1998 [↑](#footnote-ref-15)
15. See Footnote 1 above. [↑](#footnote-ref-16)