



York Diocesan Board of Education (YDBE) - Guidance on member and director/trustee appointments in academy trusts

The YDBE's vision for its schools is one of flourishing Church school communities, committed to providing education of the highest quality that is deeply Christian and seeks to serve the common good for their own locality.

Foundation appointments at all levels of the academy trust's governance are an important mechanism for supporting the flourishing of Church of England academies. As well as having the same role as any other member/director/trustee, foundation members/directors/trustees have a special role in, and responsibility for, ensuring that the Christian Character of the academies they are responsible for is secured, preserved and developed. Further details of these important roles are outlined in the YDBE's [Trust Governance guidance](#).

All foundation appointments in academy trusts must be made in accordance with the academy trust's Articles of Association (Articles) and any Church School Oversight Agreement (CSOA) in place between the trust and the Diocese. Where appointments are to be made by the YDBE and/or the Diocese of York Educational Trust (DYET), the YDBE's appointment processes must be used.

Appointing individuals/bodies are, subject to any specific requirements in the Articles or CSOA, entitled to appoint individuals of their choosing to these roles, without recourse to the academy Trust or the YDBE. However, the YDBE/DYET will generally do so in close consultation with the academy trust and would encourage other appointment individuals/bodies to do the same. In making appointments, the YDBE would also encourage appointing individuals/bodies to do so in light of the [YDBE's Trust Governance guidance](#) and to consider using the YDBE's application form.

For many YDBE/DYET appointments, the YDBE/DYET will request the support of the academy trust in identifying suitable candidates and seek a recommendation from them. In such cases, the academy trust is asked to work with their partners, harnessing the support of their Church schools and their local Church links as appropriate, to identify suitable individuals, and to test out their suitability for the role through discussion (see further below).

All YDBE/DYET appointments will require completion of the [YDBE's application form](#). Other appointing individuals/bodies associated with the Diocese of York may also use the YDBE's application form if they deem it appropriate. For YDBE/DYET and Archbishop of York appointments, academy trusts should return application forms to the YDBE. For all other appointments where the form is requested, the form should be returned to the relevant appointing individual/body.

Identifying foundation appointments

Normally, foundation members or directors/trustees will have a link with the Church of England. To this end, we would encourage academy trusts to use their Church of England networks/those of the academies they serve to identify individuals to serve in these roles. However, the YDBE recognises that this will not be possible in all cases. Guidance and resources to support identifying potential individuals for foundation roles can be found [here](#). Academy trusts may also wish to explore whether an existing member or director/trustee might be a suitable individual to move over into a foundation role.

In all cases, academy trusts should explore with the individual their suitability by reference to the following before putting forward an individual for appointment:

- a) commitment to upholding the Christian ethos of the Church of England academies in the academy trust and helping to secure, preserve and develop their Christian character;
- b) ability to make an effective contribution to the governance and success of the academy trust;
- c) commitment to supporting the non-designated status of non-Church of England academies;
- d) Any potential conflicts of interest, including existing links with the academy trust/schools; and
- e) commitment to undertaking all training necessary to fulfil the role and including the YDBE's introductory training on Church school governance.

In general, the YDBE would discourage the appointment of those who have a close link with the academy trust/an academy in the academy trust, particularly where there are a number of individuals involved in the governance of the academy trust who do have such links.

**Summary process for appointment of foundation members and directors/trustees in academy trusts -
York Diocesan Board of Education and Diocese of York Educational Trust appointments**

If you have any questions about the process, please email education.governance@yorkdiocese.org or call 01904 699511.

Vacancy identified and process triggered

- Where the Education team is aware of a vacancy for a YDBE/DYET appointed foundation member or foundation director/trustee or such a foundation member or director/trustee coming to the end of their term of office, the YDBE will:
 - (a) Decide whether it wishes to identify an individual to fulfil the role itself; or
 - (b) Request the support of the academy trust in sourcing a potential individual to fulfil the role.

Identifying potential foundation appointments

- Where the support of the academy trust has been requested, the academy trust is asked to work with their partners, harnessing the support of their Church schools and their local Church links as appropriate, to identify suitable individuals.
- Those involved in identifying potential candidates should be aware of the YDBE's [Trust Governance guidance](#) and should share it with potential candidates.

Exploring potential appointments

- Prior to an application form being submitted, a discussion should take place between a potential applicant, the Chief Executive, the Chair of the Trust Board and (where possible) a foundation member or director/trustee (as applicable).
- The discussion should cover the general role of being a director/trustee/member and the specific role of being a foundation director/trustee/member and explore the individual's:
 - (a) Commitment to upholding the Christian ethos of the Church of England academies in the academy trust and helping to secure, preserve and develop their Christian character;
 - (b) ability to make an effective contribution to the governance and success of the academy trust; and
 - (c) commitment to undertaking all training necessary to fulfil the role and including the Diocese's introductory training on Church school governance.
- The need to enter into an ethos undertaking and (for Members) a deed of adherence to the Church School Oversight Agreement/similar (Deed of Adherence) (where applicable) should also be discussed.

Completion and return of form to Diocese/other appointing body/individual

- Once in a position to proceed with the application, the [application form](#) should be completed and the academy trust should return the form to education.governance@yorkdiocese.org.
- All forms need to be completed electronically and must be fully completed by all relevant parties prior to submission. Only one form should be submitted per vacancy.

Diocesan approval – appointment/consent confirmed

- Once an application form is received, the Education team will ensure that (a) the form is fully completed; (b) all requirements in the Articles of Association and any Church School Oversight Agreement (or similar) have been met; and (c) the YDBE's guidance has been adhered to.
- Application forms will be considered by/on behalf of the YDBE/DYET (as applicable) and, where approved, the YDBE will confirm the appointment to the individual, the academy trust and others as deemed appropriate.
- Appointments will be for four-year terms and will be expressed as being subject to the individual satisfying all necessary safeguarding and other checks/confirmations as required under the academy trust's policies and the relevant ethos undertakings and (where applicable) the Deed of Adherence being completed.

Process requirements completed

- The academy trust must obtain an ethos undertaking in the agreed form, secure completion of the Deed of Adherence (where applicable) and conduct all required background and eligibility checks/reference checks/confirmations in accordance with current Department for Education/academy trust requirements prior to the appointment being confirmed: the YDBE does not carry out any suitability checks on applicants.
- Following completion of the ethos undertaking, Deed of Adherence (where applicable) and all relevant checks and formalities, the academy trust must write to the individual to confirm the unconditional appointment. In the event an appointment is not confirmed, the academy trust must notify the YDBE.