

## 12. GOVERNANCE OF CATHOLIC SCHOOLS

*In order for a school to function correctly and to provide quality education to the learners in the school, sound governance must exist. People who are elected or appointed to the governance structure in a Catholic school must understand the responsibilities that this entails.*



According to the definition in the South African Schools Act (SASA) 1996, “school means a public school or an independent school, which enrolls learners in one or more grades from grade R (Reception) to Grade 12”.

Section 16 to 21 of the South African Schools Act legislates that public schools must be governed by a School Governing Body (SGB). While no legislation exists in this Act regarding a Board of Governors (BOG) for Independent schools, it is important for these schools to follow good governance practice as outlined for business.

The Companies Act No 61 of 1973 and the King II Code of Good Governance should be used. Members of either a School Governing Body or a Board of Governors owe the school the duty to act for the school with skill and care.

Governance deals with the legitimate distribution of authority throughout a system or organization. Governance is a collective action. The major role of a School Governing Body or Board of Governors is to ensure the effective and accountable management of all school resources which can be called good stewardship or their fiduciary duty.

A person who serves on a Catholic school governing body or board of governors fulfils a vital role in the school. Such a person needs to have a clear understanding of the purpose and mission of the Catholic school<sup>3</sup>. The ethos of the school must be understood fully in order for governors to fulfil their duty. Every governing body/board should have an Ethos Committee responsible for the development and maintenance of the Catholic ethos of the school.

### **School Governing Body and Board of Governors Members are responsible for:**

- determining the aims and overall conduct of the school
- preserving the distinctive Catholic character of the school and together with the owner of the school are obliged to develop a vision, policy and programme to maintain its ethos
- strategic planning
- developing and reviewing the policies, plans and procedures that will ensure the best possible education for present and future learners
- financial planning and accountability
- managing the resources of the school
- ensuring planned maintenance takes place
- planning for future development

### **Members must:**

- act in good faith in the best interests of the school
- act independently of any outside interest or instruction (e.g. not awarding a contract to a relative or friend)
- act with disregard for their own personal gain
- declare any conflict of interest between personal or school interests
- carry out with care any actions delegated to them for completion
- maintain confidentiality with regard to all school matters that require discretion
- act legally, honestly and with integrity in their dealings on behalf of the school

## Boards of Governors (Independent Schools)

Governors at independent schools are normally appointed. The basis for their governance is regulated by common law and the requirement for Public Benefit Organizations (PBO) and Non Profit Organizations (NPO). They are also required to carefully monitor the ethos of the school. They are also responsible for the financial and strategic future of the school.

### Membership

In order to achieve the vision and mission of the school it is important to have people who can offer particular skills or have experience in specific areas.

### Board Formation

It is essential that governing body/board members understand their roles and responsibilities. The School Management Team is there to run the school and implement the strategy developed together with the board. Board members should not involve themselves in the day-to-day running of the school. The Chairperson speaks for the board and leads the board in areas of strategy and policy. The principal is the leader of professional and operational delivery of day-to-day education. This relationship is therefore very important. Parents who are board members should be aware that their responsibility is to the future of the school and not what would be good for their own children.

### The Board as Employer

The Board of Governors at an Independent school is the employer of staff. In public schools while the majority of staff are state employed, many schools employ additional staff with the designation 'governing body posts.' It is vital that in both cases proper employment practices are followed. Proper payrolls must be kept with correct procedures for the Unemployment Insurance Fund (UIF) and the South African Revenue Services (SARS).

## Fundamental Principles of Good Governance

1. **The Love of Christ:** the fundamental recognition that Catholic education is animated by and based on the Love of Christ for all people.
2. **The Role of Parents:** as parents are the primary educators of their children the Catholic school fulfils its mission in collaboration with them.
3. **Faithfulness to the Mission of the Church:** the mission of the Church is the mission of Christ, to preach the Good News, including faithfulness to Church teachings.
4. **Church Solidarity:** this is the obligation of members and agencies to support those other individuals and agencies in the Church in need and to work for the whole Church community.
5. **Support for the Common Good:** this is the general obligation on members of the Church to support the Church and to ensure that the work of the Church and its agencies contribute to the benefit of the society as a whole.
6. **Embracing the Poor:** this is the obligation on the Church community to continually assess its actions and policies to ensure that they empower the most disadvantaged and marginalized.



7. **Educational Quality:** this obligation means that all involved in Catholic education strive to provide the highest possible quality of education to those attending Catholic schools.
8. **Participation:** this is the principle that powers and functions in any community are exercised. Wherever possible, by those closest to and most accountable to those affected
9. **Inclusiveness:** this is the principle that Catholic education should be open to all those who wish to receive a Catholic education, and all those engaged in Catholic education in whatever capacity will be welcomed and valued in the pursuit of the educational mission of the Church, to the extent that they support that mission.
10. **Unity in Diversity:** this is the recognition that the Holy Spirit inspires different communities in different ways, bestowing on them diverse charisms which provide inspiration for action, all for the same purpose of promoting the Kingdom.
11. **Stewardship of Resources:** all Church agencies are obliged to use financial and other resources responsibly. There must be a particular regard to the well-being of future generations.
12. **Rule of Canon Law:** every agency of the Church is constituted and operates in accordance with Canon Law. Catholic Schools as agencies of the Church are therefore governed by the Canon Law<sup>6</sup>. The diocesan bishop has the right to watch over and inspect any Catholic school within his territory, including those established by institutes of consecrated life (Canon 806).

## Six Qualities of Good Governance

### 1. Be concerned

Those on governing bodies should be guided by what will benefit the school. They should not try to make any gains for themselves, their families or their friends.

### 2. Be honest

Those on governing bodies should not allow outside individuals or organizations to influence them in their duties through financial or emotional pressure. Those on governing bodies have a duty to declare any private interests relating to their duties and to take steps to resolve any conflict of interests.

### 3. Be objective

Those on governing bodies should choose according to merit when they appoint staff, award contracts or make any recommendations.

### 4. Be accountable

Those on governing bodies are accountable to the school and community. They should be prepared to answer any appropriate questions about their activities.

### 5. Be open

Those on governing bodies should be transparent about all the decisions and actions that they take. They should give reasons for their decisions and not restrict information unless there is a valid reason.

### 6. Be an example (Leading together)

Those on governing bodies should promote and support these principles by leadership and example.

# The Distinctive Religious Character

## 1. Description

A Catholic school is a school community, recognized by the local Bishop, which through its general programme of education and especially its Religious Education classes and religious practices, exercises the right to live and learn the values of Jesus Christ, as upheld by the Catholic Church. Such a school provides this values-based education for the Catholic community as well as for those from the wider community who seek an education in harmony with the aims of the school. The following aspects represent dimensions of the distinctive religious character:

## 2. A Religious Dimension to the school's life

### (a) Worship:

The Catholic school expresses its community identity and ideals in its worship – religious assemblies, key events, themes, feast-days and seasons are celebrated, and prayer is built into the rhythm of school life. The quality of participation varies, naturally, with individual faith-life.

### (b) Solidarity with the poor and disadvantaged:

The Catholic school is particularly sensitive to the call for a more just society and it tries to make its own contribution towards its realization. This includes trying to put the demands of justice into practice in the daily life of the school. It also includes educating the learners to a sense of social responsibility and solidarity with the poor, disadvantaged and marginalized. In practice this takes different forms, responding wherever possible to local needs, concerns and outreach.

### (c) Critical reflection:

The Catholic school takes time and trouble to evaluate its life against the challenges of its context, seen in both local and broader terms, and to confront influences that are hostile to human dignity. Both educators and learners are encouraged to acquire the skills of critical reflection and social analysis as helpful tools for the exercise of responsible citizenship.

## 3. Religious Education according to the broad Catholic Approach

A Catholic school curriculum includes a substantial Religious Education programme, the principles, truths and ethics of which permeate whatever the school does. This programme is life-centred, broad and multi-faceted, encompassing personal growth as well as moral formation and explicitly religious exploration and practice. The programme is consistent with the Religious Education Policy for schools as approved by the Southern African Catholic Bishops' Conference. It is rooted in the Catholic tradition but the breadth of this accommodates others from similar religious traditions, while those from different religious traditions participate in ways that nurture their own spiritual development. In general, all learners participate in this programme in ways and at levels that are appropriate for the individual at the time. The right to religious freedom and freedom of conscience is, however, respected and special arrangements may be made in consultation with parents. The Religious Education programme attempts to address educational needs within a Christian framework. Ecclesial initiation may be left to the learners' own families and Church communities, with the school complementing and facilitating the process, or Catholic learners may be prepared for reception of the Sacraments by their school. A learner leaving a Catholic school should have had, at the appropriate level, the opportunity for an experiential grounding in scripture, theology, morality, social justice, philosophy and spirituality of a high educational standard.

## 4. Harmony with the values of the Catholic Church

The Catholic school stands in solidarity with the Catholic Church, sharing in the mission of its Bishop as principal teacher of the local Church. Ultimately, the reason for the Catholic school's existence is to incarnate and teach Gospel values for the good of its members and of the broader community. To do this assumes freedom of conscience in matters of justice and curriculum values.

## 5. An understanding with each member of the school community

The Catholic school aims to be a community. All staff, as well as learners with their parents, freely choose to join, knowing what this community strives to be, what it offers, and what it expects of its members. These things should be made known to all learners' families and all staff when they apply to join the school community. It should be understood that membership of the community depends on the honouring of these terms and that while the right to freedom of religion and conscience of each individual is respected, it would not be fair to join the community simply for selected benefits seen in isolation from the school's total mission. It is not acceptable for any official of the Department, for staff, learners or parents to actively undermine the school's religious and moral values.

This pamphlet is part of a series on aspects of Catholic education for teachers, parents and board members, produced by the Ethos Committee of the Catholic Schools Board of the Archdioceses of Pretoria and Johannesburg



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