

Status: Point in time view as at 06/04/2016.

Changes to legislation: Education Act 1996, SCHEDULE 24 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 24

Section 222.

CATEGORIES OF GOVERNORS

PART I

INTRODUCTORY

Application

- 1 (1) This Schedule applies, in relation to the governing body of a grant-maintained school, for the purposes of Part III.
- (2) Part II of this Schedule applies for the purpose of determining who are to be the initial governors of a grant-maintained school.
- (3) Part III of this Schedule applies for the purpose of determining who are to be the governors of a grant-maintained school on and after the incorporation date.

General interpretation

- 2 References to an initial governor are to any person who becomes a member of the governing body on the incorporation date.
- 3 References to a governor of an elected category are to a person who is a parent or teacher governor as defined by section 78(3) or (4) or is such a governor within the meaning of this Schedule.
- 4 In relation to any proposals for acquisition of grant-maintained status in respect of a school, a person who is a governor of an elected category on the existing governing body of the school is an eligible governor of that category if—
 - (a) his term of office as a governor is due to end after the date of implementation of the proposals, and
 - (b) he has notified the existing governing body that he is willing to serve on the proposed governing body and has not withdrawn that notification.

PART II

INITIAL GOVERNORS

Parent governors

- 5 (1) In relation to a governing body to be incorporated under Chapter II of Part III, “parent governor” means—

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- (a) a person who, immediately before the incorporation date in relation to the school, is a parent governor (as defined by section 78(3)) in relation to the school, or
 - (b) a person elected or appointed under section 234, or elected, appointed or nominated under section 237, to hold office as an initial parent governor on the governing body.
- (2) A person elected under section 234 to hold office as an initial parent governor must be elected by registered parents of registered pupils at the school and a person elected or appointed under that section to hold such office must when he is elected or appointed be such a parent.
- (3) A person elected, appointed or nominated under section 237 to hold office as an initial parent governor—
- (a) in the case of an election, must be elected by registered parents of registered pupils at the school and must when he is elected be such a parent, and
 - (b) in the case of an appointment or nomination, must be a registered parent of a registered pupil at the school at the time of his appointment or nomination.

Teacher governors

- 6 (1) In relation to a governing body to be incorporated under Chapter II of Part III, “teacher governor” means—
- (a) a person who, immediately before the incorporation date in relation to the school, is a teacher governor (as defined by section 78(4)) in relation to the school, or
 - (b) a person elected under section 234, or elected or nominated under section 237, to hold office as an initial teacher governor on the governing body.
- (2) A person elected under section 234 to hold office as an initial teacher governor must be elected by teachers at the school and must when he is elected be such a teacher.
- (3) A person elected or nominated under section 237 to hold office as an initial teacher governor—
- (a) in the case of an election, must be elected by teachers at the school and must when he is elected be such a teacher, and
 - (b) in the case of a nomination, must be a teacher at the school at the time of his nomination.

First governors

- 7 (1) In relation to a governing body to be incorporated under Chapter II of Part III, “first governor” means a person who is selected under section 236(1), or nominated under section 238(1), and appears to the persons selecting or nominating him to be committed to the good government and continuing viability of the school.
- (2) In relation to a governing body to be incorporated under Chapter IV of Part III, “first governor” means a person appointed by the funding authority who appears to them to be committed to the good government and continuing viability of the proposed school.

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Foundation governors

- 8 (1) In relation to a governing body to be incorporated under Chapter II of Part III, “foundation governor” means—
- (a) a person who is selected under section 236(2) or nominated under section 238(2),
 - (b) where the statement annexed (under paragraph 2 of Schedule 20) to the proposals for acquisition of grant-maintained status describes the religious character of the school, a person who is appointed for the purpose of securing that (subject to the approval or adoption under section 261 of any proposals) the religious character of the school is such as is indicated in the statement, and
 - (c) where there is a trust deed relating to the school, a person who is appointed for the purpose of securing that the school is conducted in accordance with the deed.
- (2) In relation to a governing body to be incorporated under Chapter IV of Part III, “foundation governor” means—
- (a) a person who is appointed by the promoters,
 - (b) where the statement annexed under paragraph 8 of Schedule 20 to the proposals for the establishment of a new grant-maintained school describes the religious character of the school, a person who is appointed for the purpose of securing that (subject to the approval or adoption under section 261 of any proposals) the religious character of the proposed school is such as is indicated in the statement, and
 - (c) where there is a trust deed relating to the proposed school, a person who is appointed for the purpose of securing that the proposed school is conducted in accordance with that deed.

Sponsor governors

- 9 In relation to a governing body to be incorporated under Chapter II of Part III, “sponsor governor” means a person appointed by a person named as a sponsor of the school in the proposals for acquisition of grant-maintained status.

PART III

GOVERNORS OTHER THAN INITIAL GOVERNORS

Parent governors

- 10 (1) “Parent governor” means a person who—
- (a) is elected by registered parents of registered pupils at the school,
 - (b) is appointed under a provision of the instrument of government made by virtue of section 223(3),
 - (c) is appointed by virtue of section 223(6), or
 - (d) is an initial parent governor.
- (2) To qualify for such election, the person must when he is elected be a registered parent of a registered pupil at the school.

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Teacher governors

- 11 (1) “Teacher governor” means a person who—
- (a) is elected by teachers at the school,
 - (b) is appointed by virtue of section 224(4), or
 - (c) is an initial teacher governor.
- (2) To qualify for such election, the person must when he is elected be a teacher at the school.

First governors

- 12 “First governor” means—
- (a) a person appointed by the governing body who appears to them to be committed to the good government and continuing viability of the school,
 - (b) a person appointed under a provision of the instrument of government made by virtue of section 227 who appears to the person appointing him to be committed to the good government and continuing viability of the school, or
 - (c) an initial first governor.

Foundation governors

- 13 “Foundation governor” means a person who—
- (a) is appointed otherwise than by a [^{F1}local authority] or the funding authority,
 - (b) where paragraph 8(1)(b) or (2)(b) applies, is appointed for the purpose there referred to, and
 - (c) where there is a trust deed relating to the school, is appointed for the purpose of securing that the school is conducted in accordance with that deed.

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))

Sponsor governors

- 14 “Sponsor governor” means—
- (a) a person appointed by a person named in the instrument of government as a sponsor of the school,
 - (b) while the instrument of government is the initial instrument, a person appointed by a person named as a sponsor of the school in the proposals for acquisition of grant-maintained status or, as the case may be, the proposals for the establishment of a new grant-maintained school, or
 - (c) an initial sponsor governor.

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