
WELSH STATUTORY INSTRUMENTS

2014 No. 1132

The Federation of Maintained
Schools (Wales) Regulations 2014

PART 1

INTRODUCTION

Title, commencement and application

1.—(1) The title of these Regulations is the Federation of Maintained Schools (Wales) Regulations 2014 and they come into force on 22 May 2014.

(2) These Regulations apply in relation to Wales.

Revocation, transitional provisions and savings

2.—(1) Subject to paragraph (3) Parts 1 to 13 of, and Schedules 1 to 10 to, the Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010⁽¹⁾ (“the 2010 Federation Regulations”) are revoked.

(2) A school federated in accordance with the 2010 Federation Regulations must reconstitute its governing body in accordance with these Regulations when the first of the following occurs—

- (a) a school joins the federation; or
- (b) within one year of the coming into force of these Regulations.

(3) Until the first of the events specified in paragraph (2) the composition of the governing body of a school federated may continue to be in accordance with Part 4 of the 2010 Federation Regulations.

Interpretation

3.—(1) In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996⁽²⁾;

“the 1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998⁽³⁾;

“the 2002 Act” (“*Deddf 2002*”) means the Education Act 2002;

“the 2011 Measure” (“*Mesur 2011*”) means the Education (Wales) Measure 2011⁽⁴⁾;

“the 2013 Act” (“*Deddf 2013*”) means the School Standards and Organisation (Wales) Act 2013⁽⁵⁾;

(1) 2010/638 (W.64).
(2) 1996 c.56.
(3) 1998 c.31.
(4) 2011 nawm 7.
(5) 2013 anaw 1.

“acting head teacher” (“*pennaeth dros dro*”) means a person appointed to carry out the functions of the head teacher of the federation or of a federated school, pending the appointment of a head teacher or in the absence of the head teacher;

“appropriate diocesan authority” (“*awdurdod esgobaethol priodol*”) has the meaning given by section 142(1) and (4) of the 1998 Act;

“appropriate religious body” (“*corff crefyddol priodol*”) in relation to a school designated under section 69(3) of the 1998 Act as having a religious character that is not a Church in Wales school or a Roman Catholic Church school, means the body that the Welsh Ministers consider appropriate in relation to the religion or religious denomination to which the school belongs;

“day” (“*diwrnod*”) means school day as defined by section 579 of the 1996 Act;

“the federation date” (“*y dyddiad ffedereiddio*”) means the date on which governing bodies federate;

“governing body” (“*corff llywodraethu*”) means a governing body incorporated under section 19(1) of the 2002 Act or these Regulations as appropriate;

“the Government of Maintained Schools Regulations” (“*y Rheoliadau Llywodraethu Ysgolion a Gynhelir*”) means the Government of Maintained Schools (Wales) Regulations 2005(6);

“local authority” (“*awdurdod lleol*”) means the local authority in Wales by which a maintained school is, or a proposed school is to be, maintained; and where a federation includes schools maintained by different local authorities in Wales, “relevant local authority” (“*awdurdod lleol perthnasol*”) means the local authority by which a maintained school is, or a proposed school is to be, maintained;

“local authority federation” (“*ffederasiwn awdurdod lleol*”) means a federation containing at least one federated school that has been federated by virtue of section 11 of the 2011 Measure (proposal by local authorities to federate schools) and by these Regulations;

“the New Maintained Schools Regulations” (“*y Rheoliadau Ysgolion a Gynhelir Newydd*”) means the New Maintained Schools (Wales) Regulations 2005(7);

“new school” (“*ysgol newydd*”) has the same meaning as in regulation 3 of the New Maintained Schools Regulations;

“pupil” (“*disgybl*”) has the meaning given by section 3 of the 1996 Act;

“school council” (“*cyngor ysgol*”) means a council established in accordance with regulation 3 of the School Councils Regulations;

“the School Council Regulations” (“*y Rheoliadau Cyngorau Ysgol*”) means the School Councils (Wales) Regulations 2005(8);

“school teacher” (“*athro neu athrawes ysgol*”) is to be interpreted in accordance with section 122 of the 2002 Act;

“small school” (“*ysgol fach*”) is to be interpreted in accordance with an Order made under section 15 of the 2011 Measure;

“school organisation proposal functions” (“*swyddogaethau cynigion trefniadaeth ysgolion*”) means the functions in sections 42, 43, 45, 53 and 80 of the 2013 Act;

(6) [S.I. 2005/2914 \(W.211\)](#) as amended by the School Councils (Wales) Regulations 2005 ([S.I. 2005/3200 \(W.236\)](#)); and by the Staffing of Maintained Schools (Wales) Regulations 2006 ([S.I. 2006/873 \(W.81\)](#)) and by the Staffing of Maintained Schools (Miscellaneous Amendments) (Wales) Regulations 2007 ([S.I. 2007/944 \(W.80\)](#)), and by the Education (Miscellaneous Amendments relating to Safeguarding Children) (Wales) Regulations 2009 ([S.I. 2009/2544 \(W.206\)](#)), and by the Local Education Authorities and Children’s Services Authorities (Integration of Functions) (Subordinate Legislation) (Wales) Order 2010 ([S.I. 2010/1142 \(W.101\)](#)), and by the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 ([S.I. 2013/2124 \(W.207\)](#)).

(7) [S.I. 2005/2912 \(W.209\)](#) amended by [S.I. 2010/1142 \(W.101\)](#).

(8) [S.I. 2005/3200 \(W.236\)](#).

“the Staffing Regulations” (“*y Rheoliadau Staffio*”) means the Staffing of Maintained Schools (Wales) Regulations 2006⁽⁹⁾ and;

“working day” (“*diwrnod gwaith*”) means any day other than a Saturday, a Sunday or a day which is a bank holiday within the meaning of section 1 of the Banking and Financial Dealings Act 1971⁽¹⁰⁾.

(2) Any reference in these Regulations to—

- (a) the governing body or governors of a school is to be construed, in relation to a federated school, as a reference to the governing body or governors of the federation;
- (b) the instrument of government of a school is to be construed, in relation to a federated school, as a reference to the instrument of government of the federation; and
- (c) a head teacher includes a reference to an acting head teacher.

⁽⁹⁾ [S.I. 2006/873 \(W.81\)](#) as amended by the Staffing of Maintained Schools (Miscellaneous Amendments) (Wales) Regulations 2007 ([S.I. 2007/944 \(W.80\)](#)) and by the Staffing of Maintained Schools (Wales) (Amendment) Regulations 2009 ([S.I. 2009/2708 \(W.226\)](#)) and by [S.I. 2009/2544 \(W.206\)](#) and by the Staffing of Maintained Schools (Wales) (Amendment No. 2) Regulations 2009 ([S.I. 2009/3161 \(W.275\)](#)) and by [S.I. 2010/1142 \(W.101\)](#).

⁽¹⁰⁾ 1971 c.80.