



# Education Act 1980

## 1980 CHAPTER 20

### *School government*

#### **4 Governors' proceedings and tenure of office**

- (1) The Secretary of State may make regulations—
  - (a) as to the meetings and proceedings of the governors of county and voluntary schools and of special schools maintained by local education authorities and as to the publication of information relating to those meetings and proceedings;
  - (b) subject to section 21(1) of the Education Act 1944 (resignation and removal of governors), as to the tenure of office and disqualification of the governors of such schools.
- (2) Regulations under subsection (1) above shall make provision for the election of a chairman by the governors of any such school.
- (3) The instrument of government of any such school and any arrangement made under section 3 above may contain provisions with respect to the matters mentioned in subsection (1) above but any provision relating to a matter dealt with by regulations under that subsection shall have effect subject to the regulations.
- (4) Where an aided or special agreement school has an instrument of government made after the coming into force of section 2 above, any decision taken at a meeting of the governors shall, if it is of the kind specified in subsection (5) below, require confirmation at a second meeting of the governors held not less than twenty-eight days after the first.
- (5) The decisions referred to in subsection (4) above are—
  - (a) any decision that would result in the submission of proposals under section 13 below ;
  - (b) any decision to serve a notice under section 14(1) of the Education Act 1944 (discontinuance of school);
  - (c) any decision that would result in an application under section 15(4) of that Act (revocation of order whereby school is an aided or special agreement school);

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*Status: This is the original version (as it was originally enacted).*

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- (d) any decision to request the making of an order under subsection (2) of section 16 of that Act (discontinuance of school for which another school is substituted) or as to the submissions to be made to the Secretary of State in any consultations under subsection (3) of that section;
  - (e) any decision to make an agreement under Schedule 2 to that Act (agreement for transfer of interest in school to local education authority).
- (6) Section 21(2) of the said Act of 1944 and Schedule 4 to that Act (which are superseded by subsection (1)(a) above) shall cease to have effect; and in section 2(5) of the Education (No. 2) Act 1968 (which applies those provisions to special schools) for the words from " section 21 " to " voluntary schools) " there shall be substituted the words " section 21(1) and (3) of the Education Act 1944 (provisions as to governors of county and voluntary schools) ".