



Education Reform Act 1988

1988 CHAPTER 40

PART I

SCHOOLS

CHAPTER IV

GRANT-MAINTAINED SCHOOLS

Procedure for acquisition of grant-maintained status

66 Determination of the initial governors

- (1) This section applies to any school in respect of which proposals for acquisition of grant-maintained status are required to be published under section 62 of this Act.
- (2) Where in the case of any such school the number of eligible governors of an elected category is the same as the number of governors of that category proposed for the initial governing body of the school, the eligible governors of that category shall be named in the proposals as the proposed initial governors of that category.
- (3) Where in the case of any such school the number of eligible governors of an elected category is greater than the number of governors of that category so proposed, such of the eligible governors of that category as may before the date of publication of the proposals be determined by agreement between them or, in default of agreement, by drawing lots, shall be named in the proposals as the proposed initial governors of that category.
- (4) It shall be the duty of the existing governing body of any such school to secure that the persons required to be named in the proposals in accordance with subsection (3) above are determined before the date of publication of the proposals.
- (5) Where in the case of any such school the number (if any) of eligible governors of an elected category, together with the number (if any) of outstanding vacancies for

Status: This is the original version (as it was originally enacted).

governors of that category on the existing governing body, is less than the number of governors of that category proposed for the initial governing body of the school, it shall be the duty of the authority responsible for election arrangements under the 1986 Act in relation to the school to secure that such number of persons are elected to hold office on the initial governing body as governors of the category concerned as is required to make up the number of governors of that category so proposed.

- (6) In any case to which subsection (5) above applies, the persons to be named in the proposals as the proposed initial governors of the category concerned shall be—
 - (a) any eligible governor of that category; and
 - (b) any person elected under this section to hold office as a governor of that category on the initial governing body before the date of publication of the proposals.
- (7) In the case of any such school which is required to have first governors, the existing governing body shall before the date of publication of the proposals select the persons who are to be the first governors on the initial governing body; and the persons so selected shall be named in the proposals as the proposed initial first governors.
- (8) In the case of any such school which is required to have foundation governors, the persons who are to be the foundation governors on the initial governing body shall be selected before that date by the person or persons named in the instrument of government relating to the existing governing body as being entitled to appoint foundation governors (within the meaning of the 1944 Act) to that governing body; and the persons so selected shall be named in the proposals as the proposed initial foundation governors.
- (9) It shall be the duty of the existing governing body to secure that any selection required by subsection (8) above is carried out in accordance with that subsection.