

SCHEDULES

SCHEDULE 10

TRANSITION FROM TEMPORARY GOVERNING BODY TO GOVERNING BODY CONSTITUTED UNDER AN INSTRUMENT OF GOVERNMENT

Role of temporary governing body as regards constitution of governing body

- 3 (1) Before making an order under section 76 as to the instrument of government for a new school, the local education authority shall consult the temporary governing body and the head teacher.
- (2) Before making such an order in respect of a new school which will be a voluntary school, the authority shall—
- (a) secure the agreement of the temporary governing body to the terms of the proposed order; and
 - (b) secure the agreement of the temporary foundation governors to any provisions which are of particular concern to those governors.
- (3) Where a local education authority propose to make an order under section 76 as to the instrument of government for a new school but cannot secure any agreement required by this paragraph, they or (as the case may be) the temporary governing body or temporary foundation governors may refer the matter to the Secretary of State.
- (4) On a reference under sub-paragraph (3), the Secretary of State shall give such direction as he thinks fit.
- 4 (1) A temporary governing body shall recommend (with reasons) persons who belong to the community served by the new school and who are, in their opinion, suitable for appointment as co-opted members of the governing body who will succeed them.
- (2) Before making any recommendations under this paragraph, a temporary governing body shall consult representatives of the local business community.