

Status: Point in time view as at 24/07/1998. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: School Standards and Framework Act 1998, SCHEDULE 11 is up to date with all changes known to be in force on or before 26 June 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 11

Section 36(3).

MEMBERSHIP AND PROCEEDINGS ETC. OF GOVERNING BODIES

Commencement Information

- II** Sch. 11 wholly in force at 1.9.1999; Sch. 11 Pts. I and III in force at Royal Assent see s. 145(4); Sch. 11 in force at 1.9.1999 in so far as not already in force by S.I. 1999/2262, art. 2(1), Sch. 1 (with arts. 3-5, Schs. 5-7).

PART I

MEMBERSHIP AND PROCEEDINGS

Modifications etc. (not altering text)

- C1** Sch. 11 Pt. I (paras. 1-5) modified (20.11.1998) by S.I. 1998/2670, reg. 3(1)(3)

Regulations about governing bodies

- 1 Regulations may make in relation to governing bodies of maintained schools such provision as is authorised by the following provisions of this Part of this Schedule.

Election or appointment of governors

- 2 (1) The regulations may make provision—
- (a) as to the procedures to be followed in connection with the election or appointment of persons as governors of such schools or in connection with the nomination of persons to be so appointed;
 - (b) imposing requirements which must be complied with in relation to the appointment or nomination of persons as governors of any prescribed category;
 - (c) as to the circumstances in which persons are qualified or disqualified—
 - (i) for being elected, appointed or nominated as governors of any such category, or
 - (ii) for voting in an election of such governors.
- (2) The regulations may make provision—
- (a) for enabling the local education authority or (as the case may be) the governing body to determine, for the purposes of any such election, whether any person is a person of such a description as is specified in the regulations;

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- (b) for requiring appointments falling to be made by persons acting jointly to be made, in any prescribed circumstances, by or in accordance with a direction given by the Secretary of State.

Qualifications and tenure of office

- 3 The regulations may make provision as to—
 - (a) the circumstances in which persons are qualified or disqualified for holding office as governors;
 - (b) the term of office of governors (subject to any provision made by virtue of sub-paragraph (a));
 - (c) the resignation or removal of governors from office.

Meetings and proceedings

- 4 (1) The regulations may make provision as to the meetings and proceedings of governing bodies.
- (2) The provision authorised by sub-paragraph (1) includes, in particular, provision—
 - (a) for the election by the governors of a school of one of their number to be chairman, and one to be vice-chairman, of the governing body;
 - (b) for the period for which the chairman and vice-chairman are to be elected and for the removal from office of either of those persons;
 - (c) for the establishment by a governing body of committees (which may include persons who are not members of the governing body) and for the constitution, meetings and proceedings of committees so established;
 - (d) for the delegation of functions of a governing body, in such circumstances as may be specified, to committees established by that body, to any member of that body or to the head teacher;
 - (e) for the chairman, or such other member of a governing body as may be specified, to have power in specified circumstances to discharge any of the governing body’s functions as a matter of urgency;
 - (f) as to the quorum required in any specified circumstances;
 - (g) for securing that proceedings of a governing body, or of any committee established by them, are not invalidated by any vacancy among the governors, or among the members of any such committee, or in any other specified circumstances;
 - (h) requiring decisions taken by a governing body in any specified circumstances to be confirmed at a second meeting of that body held within such period as may be specified.
- (3) In sub-paragraph (2) “specified” means specified in the regulations.
- (4) The regulations may authorise or require governing bodies to make provision with respect to any matters relating to their meetings or proceedings (including any of the matters mentioned in sub-paragraph (2)).
- (5) Subject to the regulations, a governing body may regulate their own procedure and that of any of their committees.

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Information as to meetings and proceedings

- 5 (1) The regulations may make provision requiring a governing body—
- (a) to make minutes (including draft minutes) of their proceedings available for inspection by the local education authority;
 - (b) to make available—
 - (i) to such persons or classes of person as may be specified, and
 - (ii) in such form, and at such times, as may be specified,such documents and information relating to their meetings and proceedings as may be specified.
- (2) In sub-paragraph (1) “specified” means specified in the regulations.

VALID FROM 01/09/1999

PART II

OTHER PROVISIONS ABOUT GOVERNORS

Modifications etc. (not altering text)

C2 Sch. 11 Pt. II modified (3.12.1998) by [S.I. 1998/2670](#),

Governors' expenses

- 6 (1) A governor shall be entitled to receive such allowances, payable at such rates, as the governing body may determine in accordance with regulations.
- (2) Sub-paragraph (1) does not apply at any time when the school does not have a delegated budget, and the payment of allowances to a governor at any such time shall instead be in accordance with a scheme made by the local education authority for the purposes of section 519 of the ^{M1}Education Act 1996.

Modifications etc. (not altering text)

C3 Sch. 11 para. 6 modified (20.11.1998) by [S.I. 1998/2670](#), [reg. 3\(1\)](#)

Marginal Citations

M1 [1996 c. 56](#).

Training and support of governors

- 7 The local education authority shall—
- (a) (to the extent that they are not otherwise required to secure the provision of such information) secure that every governor is provided, free of charge, with such information as they consider appropriate in connection with the discharge of his functions as a governor; and

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| (b) secure that there is made available to every governor, free of charge, such training as they consider necessary for the effective discharge of those functions. |
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PART III

CLERK TO THE GOVERNING BODY

Appointment etc. of clerk

- 8 Regulations may make provision—
- (a) requiring the appointment of a clerk to the governing body of a maintained school and authorising or requiring the appointment of clerks to committees of the governing body;
 - (b) prescribing the body by whom any such appointment is to be made and any restrictions or other requirements relating to any such appointment;
 - (c) as to the dismissal of any such clerk and the procedure to be followed in connection with his dismissal;
 - (d) authorising the governing body or a committee of the governing body, where the clerk fails to attend a meeting of theirs, to appoint one of their number to act as clerk for the purposes of that meeting.

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