

SCHEDULE 1

Regulations 10, 28 and 45

ADDITIONAL CO-OPTED GOVERNORS

1. In this Schedule:

- (a) the “governing body” without more means—
 - (i) for the purposes of Part II of these Regulations, the temporary governing body or the transitional governing body as the case may be, according to whether the instrument of government is made before the appointed day or on or after that day;
 - (ii) for the purposes of Part III, the GM governing body;
 - (iii) for the purposes of Part IV, the grouped governing body or the grouped transitional governing body as the case may be, according to whether the instrument of government is made before the appointed day or on or after that day;
- (b) “school” means the new LEA maintained school, the new GM school or the grouped school, as the case may be;
- (c) “sponsor” means a person who gives, or has given, substantial financial assistance (which for these purposes includes benefits in kind other than the provision of services) to a school other than pursuant to any statutory obligation.

2. Where the school has one or more sponsors, the governing body may determine that the instrument of government shall provide for the governing body of the maintained school to include such number of additional co-opted governors, nominated in accordance with paragraph 3, as may be determined by the governing body, not exceeding two.

3. Nominations for such appointments shall be sought from the school’s sponsor, or (as the case may be) from any one or more of the school’s sponsors.

4. Where the school is a participating school in relation to an education action zone, the governing body may determine that the instrument of government shall provide for the governing body of the maintained school to include one additional co-opted governor nominated by the Education Action Forum for the zone in relation to which the school is a participating school.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 2

Regulations 12, 29 and 46

INSTRUMENT OF GOVERNMENT PRO-FORMAS

PART I

INSTRUMENT OF GOVERNMENT: COMMUNITY SCHOOLS

1. The name of the school is
2. The school is a community school.
3. The name of the governing body is
4. The governing body shall consist of:
 - (a) parent governors;
 - (b) LEA governors;
 - (c) teacher governors;
(if applicable
 - (d) one staff governor;)
 - (e) co-opted governors (*including any governors referred to in paragraph 6, 7 or 8 below*);
 - (f) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).
5. Total number of governors..... (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).
(If applicable
6. One co-opted governor will be a governor for whose appointment nominations are to be sought from the minor authority or (as the case may be) from one or more of the minor authorities in relation to the school.)
(If applicable
7. co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)
(If applicable
8. One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.)
9. *Set out the date or dates, and for what purposes, the instrument of government comes into effect in accordance with regulation 7(2), 26(2) or 42(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable.*
10. This instrument was made by order ofLocal Education Authority on

PART II

INSTRUMENT OF GOVERNMENT: COMMUNITY SPECIAL SCHOOLS

1. The name of the school is
2. The school is a community special school.
3. The name of the governing body is

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4. The governing body shall consist of:
 - (a) parent governors;
 - (b) LEA governors;
 - (c) teacher governors;
(if applicable)
 - (d) one staff governor;
 - (e) co-opted governors (*including any governors referred to in paragraph 6 or 7 below*);
 - (f) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor);
(If applicable)
 - (g) one representative governor appointed by [or and jointly].
5. Total number of governors..... (except any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).
(If applicable)
6. co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)
(If applicable)
7. One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.)
8. *Set out the date or dates, and for what purposes, the instrument of government comes into effect in accordance with regulation 7(2) or 42(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable.*
9. This instrument was made by order ofLocal Education Authority on

PART III

INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOLS AND FOUNDATION SPECIAL SCHOOLS

1. The name of the school is
2. The category to which the school belongs is
3. The name of the governing body is
4. The governing body shall consist of:
 - (a) parent governors;
 - (b) LEA governors;
 - (c) teacher governors;
(if applicable)
 - (d) one staff governor;
(if applicable)
 - (e) foundation governors;
(if applicable)
 - (e) partnership governors;
 - (f) co-opted governors (*including any governors referred to in paragraph 6 or 7 below*);
 - (g) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).
5. Total number of governors..... (except any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).
(If applicable)
6. co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)
(If applicable)

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7. One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.)

Where the school is to have foundation governors

8. *If regulation 33 of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999 applies (providing for the continuation in office of certain governors) set out the name of any foundation body or person entitled to appoint foundation governors subject to that regulation. If there is more than one such person set out the basis on which such appointments are made both on transition to the new framework and thereafter when there are vacancies to be filled.*

If regulation 33 of those regulations does not apply, set out the name of any foundation body or person entitled to appoint foundation governors. If there is more than one such person, set out the basis on which such appointments are made.

(If applicable)

9. (a) The holder of the following office shall be a foundation governor ex-officio:

name of office

(b)..... [or and jointly] shall appoint a foundation governor to act in the place of the ex officio foundation governor whose governorship derives from the office named in (a) above, in the event that that ex officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists.

Repeat 9(a) and (b) as necessary where there is more than one ex officio foundation governorship.)

10. *Set out procedure for eliminating any excess in the number of foundation governors(a).*

11. *Subject to regulation 27(4) or 43(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable, where the school is, or it is anticipated that the school will be, a foundation school with a religious character, describe the ethos of the school.*

12. *Set out the date or dates, and for what purposes, the instrument of government comes into effect in accordance with regulations 26(2) or 42(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable..*

13. This instrument was made by order ofLocal Education Authority on

PART IV

INSTRUMENT OF GOVERNMENT: VOLUNTARY CONTROLLED SCHOOLS

1. The name of the school is

2. The school is a voluntary controlled school.

3. The name of the governing body is

4. The governing body shall consist of

(a) parent governors;

(b) LEA governors;

(c) teacher governors;

(if applicable)

(d) one staff governor;

(e) foundation governors;

(f) co-opted governors (*including any governors referred to in paragraph 6, 7 or 8 below*);

(g) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).

5. Total number of governors..... (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).

(If applicable)

(a) Under regulation 34(6) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, this procedure will not apply on transition to the new framework.

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6. One co-opted governor will be a governor for whose appointment nominations are to be sought from the minor authority or (as the case may be) from one or more of the minor authorities in relation to the school.)

(If applicable)

7. x co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)

(If applicable)

8. One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.)

9. *If regulation 33 of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999 applies (providing for the continuation in office of certain governors) set out the name of any foundation body or person entitled to appoint foundation governors subject to that regulation. If there is more than one such person set out the basis on which such appointments are made both on transition to the new framework and thereafter when there are vacancies to be filled.*

If regulation 33 of those regulations does not apply, set out the name of any foundation body or person entitled to appoint foundation governors. If there is more than one such person, set out the basis on which such appointments are made.

(If applicable)

10. (a) The holder of the following office shall be a foundation governor ex-officio:

name of office

(b)..... [or and jointly] shall appoint a foundation governor to act in the place of the ex officio foundation governor whose governorship derives from the office named in (a) above, in the event that that ex officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists.

Repeat 10(a) and (b) as necessary where there is more than one ex officio foundation governorship.)

11. *Set out procedure for eliminating any excess in the number of foundation governors(a).*

12. *Subject to regulation 8(5), 9(5), 27(4) or 43(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable, where the school is, or it is anticipated that the school will be, a voluntary school with a religious character, describe the ethos of the school.*

13. *Set out the date or dates, and for what purposes, the instrument of government comes into effect in accordance with regulation 7(2), 26(2) or 42(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable.*

14. This instrument was made by order ofLocal Education Authority on

PART V

INSTRUMENT OF GOVERNMENT: VOLUNTARY AIDED SCHOOLS

1. The name of the school is
2. The school is a voluntary aided school.
3. The name of the governing body is
4. The governing body shall consist of:
 - (a) x foundation governors (except at any time when the head teacher has given notice that he chooses not to be a governor, when the number of foundation governors will be x);
 - (b) x parent governors;
 - (c) x LEA governors;

(a) Under regulation 34(6) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, this procedure will not apply on transition to the new framework.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) teacher governors;
(if applicable
- (e) one staff governor);
(if applicable
- (f) co-opted governors (insert total number of governors referred to in paragraphs 6, 7 or 8 below, if any);
- (g) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).

5. Total number of governors..... (except any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).
(If applicable

6. One co-opted governor will be a governor for whose appointment nominations are to be sought from the minor authority or (as the case may be) from one or more of the minor authorities in relation to the school.)
(If applicable

7. co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)
(If applicable

8. One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.)

9. If regulation 33 of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999 applies (providing for the continuation in office of certain governors) set out the name of any foundation body or person entitled to appoint foundation governors subject to that regulation. If there is more than one such person set out the basis on which such appointments are made both on transition to the new framework and thereafter when there are vacancies to be filled.

If regulation 33 of those regulations does not apply, set out the name of any foundation body or person entitled to appoint foundation governors. If there is more than one such person, set out the basis on which such appointments are made.
(If applicable

10. (a) The holder of the following office shall be a foundation governor ex-officio:
name of office

(b)..... [or and jointly] shall appoint a foundation governor to act in the place of the ex officio foundation governor whose governorship derives from the office named in (a) above, in the event that that ex officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists.

Repeat 10(a) and (b) as necessary where there is more than one ex officio foundation governorship.)

11. Set out procedure for eliminating any excess in the number of foundation governors(a).

12. Subject to regulation 8(5), 9(5), 27(4) or 43(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable, where the school is or it is anticipated that the school will be a voluntary school with a religious character, describe the ethos of the school.

13. Set out the date or dates, and for what purposes, the instrument of government comes into effect in accordance with regulation 7(2), 26(2) or 42(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, as applicable.

14. This instrument was made by order ofLocal Education Authority on

(a) Under regulation 34(6) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999, this procedure will not apply on transition to the new framework.

SCHEDULE 3

Regulations 16, 36 and 48

CO-OPTED GOVERNORS

1. In this Schedule:
 - (a) “the governing body”, without more, means—
 - (i) for the purposes of Part II, the temporary governing body where appointments are made before the appointed day and the transitional governing body where appointments are made on or after that day;
 - (ii) for the purposes of Part III, the GM governing body where appointments are made before the appointed day and the GM transitional governing body where appointments are made on or after that day;
 - (iii) for the purposes of Part IV, the grouped governing body where appointments are made before the appointed day and the grouped transitional governing body where appointments are made on or after that day;
 - (b) “the relevant governors” means the members of the governing body who were not themselves appointed as co-opted governors or temporary co-opted governors;
 - (c) “the local community” includes the local business community.
2. In appointing a person to be a co-opted governor, the relevant governors—
 - (a) shall have regard to the extent to which the governing body of the maintained school will include members of the local community;
 - (b) shall have regard to any representations made to the governing body as to the desirability of increasing the connection between the governing body of the maintained school and the local community; and
 - (c) where it appears to them that no member of the governing body of the maintained school will otherwise be a member of the local community or that it is desirable to increase the number of governors who will be members of the local community, shall co-opt a person who appears to them to be a member of that community.
3. For the purposes of paragraph 2(a) and (c), in considering the extent to which the governing body of the maintained school will include members of the local community, the following governors shall not be regarded as members of the local community—
 - (a) LEA governors;
 - (b) parent governors;
 - (c) staff governors;
 - (d) teacher governors;
 - (e) partnership governors;
 - (f) additional co-opted governors nominated by minor authorities; and
 - (g) the head teacher.

SCHEDULE 4

Regulations 16, 36 and 48

PARENT GOVERNORS

1. In this Schedule—
 - (1) for the purposes of Part II:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) “appropriate authority” has the same meaning as in regulation 19(2) (elections);
 - (b) “school” means the new LEA maintained school;
 - (c) “governing body” means the temporary governing body where appointments are made before the appointed day and the transitional governing body where appointments are made on or after that day;
- (2) for the purposes of Part III:
- (a) “appropriate authority” has the same meaning as in regulation 38 (elections);
 - (b) “school” means the new GM school;
 - (c) “governing body” means the GM transitional governing body
- (3) for the purposes of Part IV:
- (a) “appropriate authority” has the same meaning as in regulation 51 (elections);
 - (b) “school” means the grouped school;
 - (c) “governing body” means the grouped governing body where appointments are made before the appointed day and the grouped transitional governing body where appointments are made on or after that day.

2.—(1) This paragraph applies to any school which will be or is a maintained school, other than a community or foundation special school established in a hospital.

(2) In the case of a school to which this paragraph applies, parent governors shall be appointed by the governing body if—

- (a) at least 50 per cent. of the registered pupils at the school are boarders; and
- (b) it would, in the opinion of the appropriate authority, be impracticable for there to be an election of parent governors.

3. In the case of a school which will be or is a community or foundation special school established in a hospital, parent governors shall be appointed by the governing body, where, in the opinion of the appropriate authority, it is likely to be impracticable for there to be an election of parent governors.

4. At any school which will be or is a maintained school, the number of parent governors required shall be made up by parent governors appointed by the governing body if—

- (a) one or more vacancies of parent governors are required to be filled by election; and
- (b) the number of parents standing for election is less than the number of vacancies.

5. Except where paragraph 6 applies, in appointing a parent governor under this Schedule the governing body shall appoint—

- (a) a person who is the parent of a registered pupil at the school; or
- (b) where it is not reasonably practicable to do so, a person who is the parent of a child of compulsory school age.

6.—(1) Where the school will be or is a community or foundation special school not established in a hospital, in appointing a parent governor under paragraph 2(2) or 4, the governing body shall appoint—

- (a) a person who is the parent of a registered pupil at the school;
- (b) a person who is the parent of a child of compulsory school age with special educational needs;
- (c) a person who is the parent of a person of any age with special educational needs; or
- (d) a person who is the parent of a child of compulsory school age.

(2) The governing body shall only appoint a person referred to in sub-paragraph (1)(b), (c) or (d) if it is not reasonably practicable to appoint a person referred to in the provision in that sub-paragraph which immediately precedes it.

SCHEDULE 5

Regulations 36 and 48

PARTNERSHIP GOVERNORS

1. In this Schedule—
 - (a) for the purposes of Part III—
 - (i) “school” means the new GM school;
 - (ii) “governing body” means the GM transitional governing body;
 - (b) for the purposes of Part IV—
 - (i) “school” means the grouped school;
 - (ii) “governing body” means the grouped governing body before the appointed day and the grouped transitional governing body on or after that day.
2. Where a partnership governor is required, the governing body shall seek nominations from parents of registered pupils at the school, and from such other persons in the community served by the school as they consider appropriate.
3. No person shall nominate for appointment, or appoint, a person as a partnership governor unless—
 - (a) in the case of a person nominating himself, he considers himself to be from the community served by the school and committed to the good government and success of the school; and
 - (b) in any other case, he is satisfied that the nominee or appointee appears to be from the community served by the school and committed to the good government and success of the school.
- 4.—(1) In the case of a school which will be or is a foundation special school without a foundation, the governing body shall in appointing partnership governors secure that at least one partnership governor is a person with experience of education for children with special educational needs.

(2) In seeking nominations for partnership governors for a school within sub-paragraph (1) the governing body shall take such steps as are reasonably practicable to secure that persons making nominations are aware of the requirement in that sub-paragraph.
5. Where a partnership governor is required, the governing body shall take such steps as are reasonably practicable to secure that every person who is known to them to be a parent of a registered pupil at the school is—
 - (a) informed that he is entitled to nominate persons for appointment as partnership governors; and
 - (b) informed about the procedures to be followed in making nominations.
6. Subject to paragraph 8(2), no member of the governing body may nominate a person for appointment as a partnership governor.
7. The governing body shall make all necessary arrangements for, and determine all other matters relating to, the nomination of partnership governors.

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8.—(1) The governing body shall appoint such number of partnership governors as are required by the instrument of government from among eligible nominees.

(2) If—

- (a) the number of eligible nominees is less than the number of vacancies; or
- (b) in the case of a foundation special school at which a partnership governor with experience of education for children with special educational needs is required, no eligible nominee has such experience,

the number of partnership governors required shall be made up by persons selected by the governing body who are eligible and meet the requirements for appointment.

9. Where the governing body make an appointment under paragraph 8(2) having rejected any person nominated by a parent or the community served by the school they shall explain the reason for that decision to the local education authority and the person rejected.

SCHEDULE 6

Regulations 21, 40 and 53

QUALIFICATIONS AND DISQUALIFICATIONS

1. In this Schedule, unless the context otherwise requires, any reference to a maintained school means a maintained school to which Part II, III or IV of these Regulations applies and at which the governing body is constituted under an instrument of government (and consequently does not include a maintained school with a transitional governing body, a GM transitional governing body or a grouped transitional governing body).

2.—(1) No person shall be qualified for membership of a governing body of a maintained school unless he is aged 18 or over at the date of his election or appointment.

(2) No person shall at any time hold more than one governorship of the same maintained school.

(3) Subject to paragraphs 6 and 9, the fact that a person is qualified to be elected or appointed as a governor of a particular category at a maintained school does not disqualify him for election or appointment or from continuing as a governor of any other category at that school.

3.—(1) A person who would otherwise continue in office as, or be appointed or elected to be, a member of the governing body of a maintained school shall not so continue as or be so appointed or elected if this would mean that he would be a member of the governing body of more than two relevant schools.

(2) For the purposes of sub-paragraph (1) no account shall be taken of ex officio governorships or additional governorships under section 27 of the School Inspections Act 1996(1) or section 16 or 18 of the 1998 Act.

(3) Sub-paragraph (4) applies to a person who continues in office as, or becomes, an ex officio member of the governing body of a maintained school and is an ex officio member of the governing body of more than two relevant schools.

(4) A person to whom this sub-paragraph applies shall be disqualified for continuing to hold office as an ex officio governor of any maintained school unless that school is for the time being a designated school.

(5) For the purposes of sub-paragraph (4), a designated school is a school designated by the ex officio governor, in accordance with sub-paragraph (6), by notice in writing to the clerk to the

(1) 1996 c. 57.

governing body of the school and to the clerk to the governing body of any other relevant school whose instrument of government provides for him to be an ex officio member.

(6) A person to whom sub-paragraph (4) applies may designate one or two maintained schools provided that the number of governing bodies of relevant schools of which he will be an ex officio member shall be no more than two.

(7) For the purpose of this paragraph, a relevant school is a maintained school at which the governing body conducting the school are constituted or partly constituted under an instrument of government made under Schedule 12 to the 1998 Act, whether or not these Regulations apply to that school.

4.—(1) Subject to the following provisions of this paragraph, a person shall be disqualified for holding or for continuing to hold office as a governor of a maintained school if he has been adjudged bankrupt or has made a composition or arrangement with his creditors; and a member or proposed member of the governing body of a maintained school on becoming so disqualified, shall give written notice of that fact to the clerk to the governing body of the school which will be or is a maintained school.

(2) Where a person is disqualified by reason of his having been adjudged bankrupt, that disqualification shall cease—

- (i) on his discharge from bankruptcy; or
- (ii) if the bankruptcy order is previously annulled, on the date of the annulment.

(3) Where a person is disqualified by reason of his having made a composition or arrangement with his creditors and he pays his debts in full, the disqualification shall cease on the date on which the last such payment is made and in any other case it shall cease on the expiration of three years from the date on which the terms of the deed of composition or arrangement are fulfilled.

5.—(1) Subject to sub-paragraph (6), a person shall be disqualified for holding, or for continuing to hold, office as a governor of a maintained school where any of sub-paragraphs (3) to (5) or (7) apply to him.

(2) In cases where a member of a GM transitional governing body has continued in office as a governor of a maintained school, in this paragraph, a reference to a person's appointment or election as governor, or becoming a governor ex officio, is a reference to his original appointment or election as a governor, or becoming a governor ex officio, within the meaning of the 1996 Act.

(3) This sub-paragraph applies to a person if—

- (a) within the period of five years ending with the date immediately preceding the date on which his appointment or election as governor would otherwise have taken effect or, as the case may be, on which he would otherwise have become a governor ex officio; or
- (b) since his appointment or election as governor or, as the case may be, since he became a governor ex officio,

he has been convicted, whether in the United Kingdom or elsewhere, of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

(4) This sub-paragraph applies to a person if within the period of 20 years ending with the date immediately preceding the date on which his appointment or election as governor would otherwise have taken effect or, as the case may be, on which he would otherwise have become a governor ex officio, he has been convicted as aforesaid of any offence and has had passed on him a sentence of imprisonment for a period of not less than two and a half years.

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(5) This sub-paragraph applies to a person if he has at any time been convicted as aforesaid of any offence and he has had passed on him a sentence of imprisonment for a period of not less than five years.

(6) For the purposes of sub-paragraphs (3) to (5) above, there shall be disregarded any conviction by or before a court outside the United Kingdom of an offence which, if the facts giving rise to the offence had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom.

(7) This sub-paragraph applies to a person if—

- (a) within the period of five years ending with the date immediately preceding the date on which his appointment or election as governor would otherwise have taken effect or, as the case may be, on which he would otherwise have become a governor ex officio; or
- (b) since his appointment or election as governor or, as the case may be, since he became a governor ex officio,

he has been convicted under section 547 of the 1996 Act (nuisance and disturbance on education premises) of an offence which took place on the premises of a school maintained by a local education authority or a grant-maintained school, and has been sentenced to a fine.

(8) Where, by virtue of this paragraph—

- (a) a person becomes disqualified for holding, or for continuing to hold, office as a governor of a maintained school; and
- (b) he is, or is proposed, to become such a governor,

he shall upon becoming so disqualified give written notice of that fact to the clerk to the governing body of the school which will be or is a maintained school.

6. A person shall be disqualified for appointment as a co-opted governor of a maintained school other than an additional co-opted governor if he is—

- (a) a registered pupil at the school;
- (b) eligible to be a staff governor or a teacher governor of the school; or
- (c) an elected member of the local education authority.

7. A person shall be disqualified for appointment as a parent governor of a maintained school if he is—

- (a) an elected member of the local education authority;
- (b) an employee of the local education authority; or
- (c) an employee of the governing body of any school maintained by the local education authority, or any grant-maintained school or grant-maintained special school situated in the area of the local education authority;

unless he is a parent of a registered pupil at the school.

8. A person shall not be disqualified for continuing to hold office as a parent governor when he ceases to be a parent of a registered pupil at the school.

9. A person shall be disqualified for nomination or appointment as a partnership governor of a maintained school if he is—

- (a) a parent of a registered pupil at the school;
- (b) eligible to be a staff governor or a teacher governor at the school; or
- (c) an elected member or employee of the local education authority.

10. A teacher governor or a staff governor of a maintained school shall, upon ceasing to be employed at the school, be disqualified for continuing to hold office as such a governor.

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