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STATUTORY INSTRUMENTS

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**2003 No. 1558**

**New Schools (General) (England) Regulations 2003**

**PART 5**

**Tenure of Office and Qualifications**

**Resignation**

**23.**—(1) Any member of a temporary governing body may resign his governorship by giving written notice to the clerk to the temporary governing body of the school.

(2) An ex officio temporary foundation governor may resign as a temporary governor either permanently or temporarily but his resignation shall not prejudice the temporary governorship of his successor in the office from which the ex officio temporary governorship derives.

(3) The head teacher may withdraw his resignation at any time by giving written notice to the clerk to the temporary governing body.

**Removal**

**24.** Any temporary governor of a new school may be removed from office by the person or persons who appointed him, who must give written notice thereof to the clerk to the temporary governing body and to the governor so removed.

**Procedure for removal of temporary governors by the temporary governing body**

**25.**—(1) This regulation applies in relation to the removal from office of:

- (a) a temporary parent governor appointed by the temporary governing body,
- (b) a temporary staff governor, other than the head teacher or head teacher designate,
- (c) a temporary partnership governor appointed by the temporary governing body, or
- (d) a temporary sponsor governor.

(2) A resolution to remove a temporary governor from office which is passed at a meeting of the temporary governing body will not have effect unless—

- (a) before the temporary governing body resolve to remove the temporary governor from office, the temporary governor or governors proposing his removal, at that meeting, state their reasons for doing so and the governor whom it is proposed be removed is given an opportunity to make a statement in response;
- (b) it is confirmed by a resolution passed at a second meeting of the temporary governing body held not less than fourteen days after the first meeting; and
- (c) the matter of the temporary governor's removal from office is specified as an item of business on the agenda for each of those meetings.

### **Qualifications and disqualifications**

26. Schedule 2 sets out the circumstances in which a person is qualified for or disqualified from holding or continuing in office, or from being appointed or nominated as a temporary governor of a new school.

### **Expenses**

27. Where a temporary governing body is constituted for a new school the local education authority shall be under the same duty to defray the expenses incurred in relation to the temporary governing body as they would be if the relevant proposals had been implemented and the temporary governing body were the governing body of the school.

### **Explanatory information**

28. The local education authority shall secure that the members of the temporary governing body of a new school are, on being appointed, provided (free of charge) with such information as the authority consider they require to enable the temporary governing body to discharge its functions effectively.