

2003 No. 1921

EDUCATION, ENGLAND

**The Annual Parents' Meetings (Exemptions) (England)
Regulations 2003**

<i>Made</i> - - - -	<i>21st July 2003</i>
<i>Laid before Parliament</i>	<i>30th July 2003</i>
<i>Coming into force</i> - -	<i>1st September 2003</i>

In exercise of the powers conferred upon the Secretary of State by sections 33(3) and 210(7) of the Education Act 2002(a), the Secretary of State for Education and Skills hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Annual Parents' Meetings (Exemptions) (England) Regulations 2003 and shall come into force on 1st September 2003.

Revocations

2. The Education (Annual Parents' Meetings) (England) Regulations 1999(b) are hereby revoked.

Interpretation

- 3.—(1) In these Regulations “the 2002 Act” means the Education Act 2002.
- (2) Any reference in a provision of these Regulations to—
- (a) the governing body or to the governing body of a school is a reference to the governing body of any school to which the provision applies;
 - (b) a parent(c) is a reference to a parent of a registered pupil at the school to which the provision applies;
 - (c) a school is a reference to a maintained school within the meaning of section 39(1) of the 2002 Act.

Exemption for hospital special schools and boarding schools

4. A governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting if—

(a) 2002 c.32; by virtue of the definition of “regulations” in section 212(1), these Regulations made by the Secretary of State apply only in relation to England.
(b) SI 1999/2104.
(c) Defined by section 576 of the Education Act 1996 (c. 56).

- (a) the school is a community special school or a foundation special school^(a) which is established in a hospital and the governing body is of the opinion that it would be impracticable to hold such a meeting in that school year; or
- (b) the school is a maintained school other than one within paragraph (a), the governing body is of the opinion that it would be impracticable to hold such a meeting in that year, and at least 50 percent of the registered pupils at the school are boarders at the time when they form that opinion.

Exemption for schools that hold a post-inspection meeting

5. If—

- (a) the school has been inspected under section 10 of the School Inspections Act 1996^(b) by a registered inspector, and
- (b) the governing body has, within the period prescribed by regulation 8(1) of the Education (School Inspections) Regulations 1997^(c) for the preparation of the action plan^(d), held a meeting to which all parents have been invited to discuss the registered inspector's report,

the governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting for the period of twelve months after the date of the meeting referred to in paragraph (b).

Exemption for schools that hold other meetings

6. If, in any school year, the governing body holds a meeting to which all parents are invited, or a series of meetings and all parents are invited to at least one of the series, and—

- (a) parents have the opportunity at the meeting or at each of the series of meetings (as the case may be) to discuss the manner in which the school has been, and is to be, conducted and the performance of the school, and
- (b) two or more governors, at least one of whom is not a staff governor, attend the meeting or each meeting of the series (as the case may be),

the governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting for the school year in which the meeting is, or (as the case may be) series of meetings are, held.

Exemption if parents do not respond to the notice of meeting

7. The governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting in any school year in which it gives to parents with the governors' report^(e) a notice asking parents to state in writing within a specified period of not less than 7 days if they require the governing body to hold an annual parents' meeting and the parents of fewer than 15 registered pupils respond within the specified period.

David Miliband
Minister of State

21st July 2003

Department for Education and Skills

^(a) Within the meaning of section 20 and Schedule 2 of the School Standards and Framework Act 1998 (c.31).

^(b) 1996 c.57; amended by paragraph 59 of Schedule 21 of the 2002 Act.

^(c) SI 1997/1966

^(d) As defined by regulation 3 of the Education (School Inspection) Regulations 1997.

^(e) Defined by section 30 of the 2002 Act. By regulation 5 of the Education (Governors' Annual Reports) (England) Regulations 1999 (made under that section), the governing body is required to secure that parents of all registered pupils at the school are given a copy of the governors' report and, where there is an obligation on the governing body to hold an annual parents' meeting, copies of the report are to be given to parents not less than two weeks before that meeting.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under section 33(3) of the Education Act 2002, provide for school governing bodies to be exempt from the general requirement to hold an annual parents' meeting ("APM") in certain circumstances. The Regulations come into force on 1st September 2003. Regulation 2 revokes the Education (Annual Parents' Meetings) (England) Regulations 1999.

The circumstances in which a governing body is exempt from the requirement to hold an APM are as follows:

Regulation 4 – if, in the case of a community special or foundation special school, the school is established in a hospital or the school is a boarding school and the governing body considers it would be impractical to hold an APM;

Regulation 5 – if the school has been inspected by Ofsted and a parents' meeting has been held to discuss the inspector's report before the governing body draws up its action plan;

Regulation 6 – if the governing body has held a meeting or series of meetings to which all parents have been invited, which has or (as the case may be) have been attended by two or more governors, at least one of whom is not a staff governor, and parents have had the opportunity to discuss the past and future conduct of the school; and

Regulation 7 – if the governing body gives to parents with its Report a notice asking parents to respond within not less than 7 days if they wish the governing body to hold the annual parents' meeting and the parents of fewer than 15 pupils respond.

STATUTORY INSTRUMENTS

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