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STATUTORY INSTRUMENTS

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**2003 No. 1965**

**The Federation of Schools (Community Schools, Community Special Schools, Voluntary Controlled Schools and Maintained Nursery Schools) (England) Regulations 2003**

**PART 3**

**CATEGORIES OF GOVERNOR**

**Parent governors**

**13.**—(1) In these Regulations “parent governor” means—

- (a) a person who is elected in accordance with paragraphs 4 to 7 of Schedule 2 as a member of the governing body of a federation by parents of registered pupils at a federated school and is himself such a parent at the time when he is elected, or
- (b) a person appointed as a parent governor in respect of a federated school in accordance with paragraphs 8 to 10 of Schedule 2.

(2) Schedule 2 shall apply to the election and appointment of parent governors.

(3) A person is not disqualified from election or appointment as a parent governor of a federation if he is—

- (a) an elected member of the authority;
- (b) paid to work at the federation or a federated school for more than 500 hours in any twelve month period commencing on 1st August and finishing on 31st July.

(4) A person is not disqualified from continuing to hold office as a parent governor when he ceases to be a parent of a registered pupil at a federated school or to fulfil any of the requirements set out in paragraphs 9 and 10 of Schedule 2 (as the case may be) unless he is otherwise disqualified under these Regulations.

**Staff governors**

**14.**—(1) In these Regulations “staff governor” means—

- (a) the head teacher of a federation or of a federated school who is a staff governor by virtue of his office, unless he resigns in accordance with regulation 22(1) of the Constitution Regulations;
- (b) a person who is elected in accordance with Schedule 3 as a member of the governing body of a federation by persons who are paid to work at the federation or at a federated school and is himself a person so working at the time when he is elected.

(2) At least one staff governor (in addition to the head teacher or head teachers) shall be a school teacher unless no school teacher stands for election.

(3) Where the federation's instrument of government(1) specifies that there shall be three or more staff governors, at least one staff governor shall be a person who is not a school teacher, unless no such person stands for election.

(4) Upon ceasing to work at a school within the federation, a staff governor is disqualified from continuing to hold office as such a governor.

### **LEA governors**

**15.**—(1) In these Regulations “LEA governor” means a governor appointed to be a member of the governing body of a federation by the authority that maintains the federated schools.

(2) Where the federation includes schools which are maintained by two or more local education authorities, those authorities shall agree amongst themselves who shall appoint such governors and, if more than one governor is to be appointed, in what proportion.

(3) A person is disqualified from appointment as an LEA governor if he is eligible to be a staff governor.

### **Community governors**

**16.**—(1) In these Regulations “community governor” means a person who is appointed as such by the governing body of a federation and who is—

- (a) a person who lives or works in the community served by the federation; or
- (b) a person who, in the opinion of the governing body, is committed to the good government and success of the federation.

(2) If one or more of the federated schools is a community special school(2) the governing body of the federation shall appoint as one of the community governors a person nominated in accordance with Schedule 4 in respect of each such school.

(3) A person is disqualified from appointment as a community governor if he is—

- (a) a registered pupil at one of the federated schools;
- (b) eligible to be a staff governor; or
- (c) an elected member of the authority.

### **Foundation governors**

**17.**—(1) In these Regulations—

“foundation governor” means a person who is appointed to be a member of the governing body of a federation, otherwise than by the authority, and who—

- (a) where the federation includes a federated school which has a particular religious character(3), is appointed for the purpose of securing that that character is preserved and developed at that federated school;
- (b) where the federation includes a federated school to which a trust relates, is appointed for the purpose of securing that the federated school is conducted in accordance with that trust; or
- (c) where the federation includes a school which has neither a religious character nor a trust, is appointed as a foundation governor of the federation by a person previously

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(1) As defined by section 20 of the 2002 Act.

(2) Within the meaning of section 20 of the 1998 Act.

(3) As designated by Order of the Secretary of State under section 69(3) of the 1998 Act.

named in the federated school’s instrument of government as having the power to appoint foundation governors;

“ex officio foundation governor” means a foundation governor who is the holder of an office by virtue of which he is entitled to be a foundation governor;

“substitute governor”(4) means a foundation governor appointed to act in the place of an ex officio foundation governor who is unwilling or unable to act as a governor or has been removed from office under regulation 23(2) of the Constitution Regulations.

(2) An ex officio foundation governor is, upon ceasing to hold the office from which his governorship derives, disqualified from continuing to hold office as such a governor.

### **Sponsor governors**

**18.** In these Regulations “sponsor governor” means a person nominated as a sponsor governor and appointed as such by the governing body of a federation in accordance with Schedule 5.

### **Associate members**

**19.—**(1) In these Regulations “associate member” means a person appointed by the governing body of a federation as a member of any committee established by it but who is not a governor.

(2) An associate member shall hold office for a period of four years or such shorter period (not being less than one year) as may be determined by the governing body of a federation at the date of his appointment.

(3) Nothing in this regulation shall prevent an associate member from being reappointed at the expiration of his term of office.

(4) Any person who is disqualified from holding office as a governor of a school under Schedule 6 to the Constitution Regulations is likewise disqualified from appointment as, or from continuing as, an associate member of the governing body of a federation, save as provided in paragraph 1 of Schedule 6 to the Constitution Regulations.

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(4) Referred to in regulation 21 of the Constitution Regulations as it applies to federations pursuant to regulation 24 of and Schedule 6 to these Regulations.