

2007 No. 1330

EDUCATION, ENGLAND

**The School Governance (Parent Council) (England) Regulations
2007**

<i>Made</i>	- - - -	<i>25th April 2007</i>
<i>Laid before Parliament</i>		<i>3rd May 2007</i>
<i>Coming into force</i>	- -	<i>25th May 2007</i>

The Secretary of State for Education and Skills makes the following Regulations in exercise of the power conferred by sections 23A(2), (4), (5), (6) and 210(7) of the Education Act 2002(a).

Citation, commencement and application

1.—(1) These Regulations may be cited as the School Governance (Parent Council) (England) Regulations 2007 and come into force on 25th May 2007.

(2) These Regulations apply only in relation to England.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Education Act 2002;

“parent council” means the body to be established by a governing body pursuant to section 23A(2) of the Act;

“parent governor” or “parent governors” means the person or persons elected or appointed as a member of the governing body in accordance with regulation 4 of and Schedule 1 to the School Governance (Constitution) (England) Regulations 2007(b);

“parent” includes any individual who has or has had parental responsibility for, or cares or has cared for, a child or young person under the age of 18; and

“pupil” means a pupil registered at a school to which these Regulations apply.

(2) Any reference in these Regulations to the governing body or to the governing body of a school is a reference to the governing body of a school to which these Regulations apply.

Membership of the parent council

3.—(1) As far as practicable, the parent members of the parent council must include—

(a) the parent or parents of at least one pupil in each year group;

(a) 2002 c.32. Section 23A is inserted by section 34 of the Education and Inspections Act 2006. By virtue of the definition of “regulations” in section 212(1) of the Act, these Regulations made by the Secretary of State apply only in relation to England.

(b) S.I. 2007/957.

- (b) at least one parent to represent—
 - (i) any pupil, and
 - (ii) any group of pupils or parents, identified by the governing body as requiring special consideration; and
- (c) the parent governor or parent governors.

(2) For the purposes of paragraph (b), individual pupils or parents, and groups of pupils or parents may be considered to require special consideration where they have such characteristics that particular regard should be had to their needs.

(3) The governing body must determine the manner in which parent members are appointed or elected to the parent council and the term for which they should serve as members.

(4) Subject to paragraph (5), the parent members may appoint any person who is not the parent of a pupil as a member of the parent council where the majority of the parent members so agree.

(5) Where the parent council is to include persons who are not parents of registered pupils, the parent members must always outnumber such other persons by at least one.

Meetings and proceedings of the parent council

4. The quorum, proceedings and place of meetings of the parent council are to be such as the parent council, in consultation with the governing body, may determine.

Functions of the parent council

5.—(1) The governing body must consult the parent council on such matters and in such manner as they consider appropriate in relation to—

- (a) the governing body's conduct of the school, and
- (b) the exercise by the governing body of their powers under section 27 of the Act.

(2) The governing body must have regard to any advice given or views expressed to them by the parent council in relation to the governing body's conduct of the school and the exercise by them of their powers under section 27 of the Act, whether under paragraph (1) or otherwise.

Support of the parent council

6.—(1) Without prejudice to regulation 13 (*Minutes and papers*) of the School Governance (Procedures) (England) Regulations 2003(a), and to the extent that they are not otherwise required to secure the provision of such information to parents, the governing body must secure that the parent council is provided with such information as they may reasonably require in relation to—

- (i) the governing body's conduct of the school, and
- (ii) the exercise by the governing body of their powers under section 27 of the Act.

(2) The governing body must provide the parent council with such support and assistance as they may reasonably require.

25th April 2007

Jim Knight
Minister of State
Department for Education and Skills

(a) S.I. 2003/1377, as amended.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the arrangements for the composition, role and support of the parent council. Under section 23A of the Education Act 2002 (as inserted by section 34 of the Education and Inspections Act 2006), the governing body of a “qualifying school” (as defined in subsection (1) of section 23A) must establish a body to be known as a “parent council”.

Regulation 3(1) sets out the persons that the parent members (as defined in section 23A(9) of the Education Act 2002) must, so far as is practicable, include. Regulation 3(3) confers discretion upon the governing body as to the manner in which persons are appointed or elected to the parent council and the term for which they should serve as members. Regulation 3(4) and (5) provide for persons other than parents of registered pupils to be members of the parent council provided that the majority of members are parent members.

Regulation 4 provides that it is for the parent council, in consultation with the governing body, to determine their proceedings and where meetings should take place.

Regulation 5 sets out the functions of the parent council.

Regulation 6 places a duty on the governing body to provide such information to the parent council as they may reasonably require and to provide such support and assistance to the parent council as they may reasonably require.

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