

SCHEDULE 2

Regulation 13

Election and appointment of parent governors

1. Subject to paragraph 2(2), in this Schedule “appropriate body” means—
 - (a) the authority where the federated school is a community school, community special school, a voluntary controlled school or a maintained nursery school; or
 - (b) the governing body of the federation where the federated school is a foundation school, foundation special school or voluntary aided school.

- 2.—(1) Where an authority is the appropriate body in relation to a school, that authority may delegate to the head teacher of the school, or to the head teacher of the federation, any of its functions under this Schedule.
(2) The authority are the appropriate body in relation to a school within paragraph 1(b) if the governing body of the federation and the authority so agree.

3. Subject to paragraphs 4 to 7, the appropriate body must make all necessary arrangements for the election of parent governors.

4. The duty conferred by paragraph 3 does not include power to impose any requirements as to the minimum number of votes required to be cast for a candidate to be elected.

5. Any election which is contested must be held by ballot.

- 6.—(1) The arrangements made under paragraph 3 must provide for every person who is entitled to vote to have an opportunity to do so by post.
(2) For the purposes of sub-paragraph (1), “post” includes delivery by hand.
(3) The arrangements made under paragraph 3 may provide for every person who is entitled to vote to have an opportunity to do so by electronic means.

7. Where a vacancy for a parent governor arises, the authority must 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 of the vacancy and that it is required to be filled by election;
 - (b) informed that he is entitled to stand as a candidate and vote in the election; and
 - (c) given the opportunity to do so.

8. The number of parent governors required must be made up of parent governors appointed by the governing body of a federation if one or more vacancies for parent governors arises and either—
 - (a) the number of parents standing for election is less than the number of vacancies;
 - (b) at least 50 per cent of the registered pupils at the school are boarders and it would, in the opinion of the authority, be impractical for there to be an election of parent governors; or
 - (c) in the case of a school which is a community special school established in a hospital, it would, in the opinion of the authority, be impractical for there to be an election of parent governors.

- 9.—(1) Except where paragraph 10 applies, in appointing a parent governor to represent a federated school, the governing body of a federation must appoint—
 - (a) a parent of a registered pupil at the school (or, in respect of any maintained nursery school in the federation, a parent of a child for whom educational or other provision is made on the premises of the school (including any such provision made by the governing body under section 27 of EA 2002)),

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- (b) a parent of a registered pupil at another school within the federation;
- (c) a parent of a former registered pupil at the school;
- (d) a parent of a former registered pupil at a school within the federation; or
- (e) a parent of a child.

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

10.—(1) Where the school is a community special school or a foundation special school, in appointing a parent governor the governing body of a federation must appoint—

- (a) a parent of a registered pupil at the school;
- (b) a parent of a former pupil at the school;
- (c) a parent of a child with special educational needs for which the school is approved; or
- (d) a parent with experience of a child with special educational needs.

(2) The governing body of a federation may 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 sub-paragraph which immediately precedes it.