SCHEDULE 4   Regulation 16

Appointment of community governors in federations which include community special schools

1. Subject to paragraphs 2 and 3, the governing body of a federation which includes a community special school or a foundation special school must appoint community governors in accordance with regulation 16(1).

2.—(1) In relation to a community special school or a foundation special school established in a hospital, the authority must designate either—

  (a) one or more primary care trusts,

  (b) the National Health Service Trust, or

  (c) the NHS foundation trust,

with which the school is most closely connected as the appropriate body.

  (2) The governing body of a federation must invite the appropriate body to nominate (and if more than one, jointly) a person to be appointed as one of the community governors in accordance with regulation 16(2).

  (3) For the purposes of this Schedule—

  "National Health Service Trust" means a body established by the Secretary of State under section 25 of the National Health Service Act 2006(**1**);

  "NHS foundation trust" has the same meaning as in section 30(1) of the National Health Service Act 2006; and

  "primary care trust" means a body established or continuing under section 18 of the National Health Service Act 2006.

3. The governing body of a federation which includes a community special school or a foundation special school not established in a hospital must appoint as one of their community governors—

  (a) if a voluntary organisation is designated by the authority, in relation to the school, as the appropriate voluntary organisation concerned with matters in respect of which the school is specially organised, a person (if any) nominated by that organisation; or

  (b) if two or more voluntary organisations are so designated, a person (if any) nominated by those organisations acting jointly.

(**1**) 2006 c.41.