
STATUTORY INSTRUMENTS

2012 No. 1034

The School Governance (Constitution) (England) Regulations 2012

PROSPECTIVE

PART 4

Notification of appointments, term of office, removal and disqualification

Term of office

18.—(1) Subject to paragraphs (2) to (5), a governor holds office for a fixed period of four years from the date of that governor's election or appointment.

(2) A person who is a governor by virtue of being head teacher of the school or who is an ex officio foundation governor may not hold office for longer than the position from which the governorship derives is held by that person.

(3) Any additional governor or additional foundation governor appointed under Part 4 of the Education and Inspections Act 2006(1) may hold office for such period up to a maximum of four years as is determined at the time of appointment by the person making the appointment .

(4) The instrument of government may specify a shorter term of office for a particular category of governor, not being less than one year.

(5) A substitute governor holds office until the earlier of the following—

- (a) the expiry of four years from the date when the appointment of the substitute governor takes effect;
- (b) the date when the original governor ("O"), not having been removed from office under regulation 21, gives written notice to the clerk to the governing body to the effect that O is able and willing to act as a foundation governor; or
- (c) the date when a person other than the original governor takes the office by virtue of which the ex officio foundation governorship exists.

(6) This regulation does not prevent a governor from—

- (a) being elected or appointed for a further term, save as otherwise provided in these Regulations;
- (b) resigning from the office of governor in accordance with regulation 19(1);
- (c) being removed from office under regulations 20 to 25; or
- (d) being disqualified, by virtue of any provision of these Regulations, from holding or continuing to hold office.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The School Governance (Constitution) (England) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(7) An associate member may 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 at the date of the appointment.

(8) Nothing in this regulation prevents an associate member from being reappointed at the expiry of the associate member's term of office.

(9) In this regulation "the original governor" means the ex officio foundation governor in whose place the substitute governor is appointed to act.

Commencement Information

11 Reg. 18 in force at 1.9.2012, see [reg. 1](#)

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Changes and effects yet to be applied to :

- reg. 16-31 applied (with modifications) by [S.I. 2012/1035 reg. 23](#)[Sch. 5](#)
- reg. 18 coming into force by [S.I. 2012/1034 reg. 1](#)
- reg. 18(1) word substituted by [S.I. 2015/883 reg. 7\(2\)\(a\)](#)
- reg. 18(4) substituted by [S.I. 2015/883 reg. 7\(2\)\(c\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 12 inserted by [S.I. 2014/1257 reg. 2\(8\)](#)
- Sch. 4 para. 13(ba) inserted by [S.I. 2014/1257 reg. 6](#)
- Sch. 4 para. 12A inserted by [S.I. 2017/487 reg. 2\(6\)\(a\)](#)
- reg. 9(a)(v) inserted by [S.I. 2014/1257 reg. 2\(6\)\(b\)](#)
- reg. 16A inserted by [S.I. 2016/204 reg. 2\(3\)](#)
- reg. 18(1A) inserted by [S.I. 2015/883 reg. 7\(2\)\(b\)](#)
- reg. 24A inserted by [S.I. 2017/487 reg. 2\(3\)](#)
- reg. 28(1)(ea) inserted by [S.I. 2015/883 reg. 7\(3\)](#)