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STATUTORY INSTRUMENTS

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**2012 No. 1035**

**The School Governance (Federations)  
(England) Regulations 2012**

**PART 6**

**FEDERATED SCHOOLS LEAVING FEDERATIONS**

**Procedure for a school to leave a federation**

**30.**—(1) This regulation applies to a request made to the governing body of a federation for a federated school (“the relevant school”) to leave the federation.

(2) The request must be made in writing and signed by—

- (a) two or more governors;
- (b) the parents of at least one fifth of the registered pupils at the relevant school;
- (c) at least two fifths of staff who are paid to work at the relevant school;
- (d) the local authority;
- (e) the trustees of the relevant school; or
- (f) a body entitled to appoint foundation governors to the governing body of the federation.

(3) The governing body of the federation must give notice of the request to—

- (a) all relevant local authorities;
- (b) the head teacher of the federation and the head teacher of each federated school;
- (c) where the relevant school is a foundation or voluntary school with a religious foundation, the trustees of any trust relating to the relevant school and, in the case of a Church of England or Roman Catholic Church school, the appropriate diocesan authority, or the appropriate religious body in the case of all other such schools;
- (d) all staff paid to work at the relevant school;
- (e) every person known by the governing body of the federation to be a parent of a registered pupil at the relevant school; and
- (f) such other persons as the governing body of the federation consider appropriate.

(4) Notice under paragraph (3)(a) and (b) must be given within the period of one week beginning with the date on which the request was received.

(5) A request under paragraph (1) is to be taken to have been received by the governing body of a federation if given or sent to the chair or to the clerk of the governing body of the federation.

(6) Not less than 14 days after the governing body of the federation has given notice of the request in accordance with paragraph (3), the governing body must consider the request and all responses received from the persons to whom notice of the request was given and must decide whether—

- (a) the relevant school should leave the federation and, if so, on what date it should do so (“the de-federation date”);

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- (b) the federation should be dissolved, and if so, on what date; or
- (c) the relevant school should not leave the federation.

(7) Such a decision does not have effect unless the matter is specified as an item on the agenda for the meeting of which notice has been given in accordance with regulation 11(4) of the Procedures Regulations.

(8) The governing body of the federation must give notice in writing of their decision under paragraph (6) within one week of the decision to those persons referred to in paragraph (3).

(9) Where the governing body of the federation decide under paragraph (6)(a) that the relevant school should leave the federation, the governing body must notify the Secretary of State in writing within one week of that decision.