
STATUTORY INSTRUMENTS

2012 No. 1035

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

PART 6

FEDERATED SCHOOLS LEAVING FEDERATIONS

Decision to permit federated school to leave a federation

31.—(1) Where a governing body of a federation have resolved that a federated school should leave the federation paragraph (2) or (3) applies.

(2) Where one of only two federated schools is to leave a federation, regulations 35 and 36 apply to the governing body.

(3) Where a governing body have given notice to a local authority pursuant to regulation 30(8) that a decision has been made that a federated school should leave the federation,

(a) the local authority, on receipt of that notice, must—

(i) establish a temporary governing body in respect of the school leaving the federation in accordance with Parts 3 and 4 of the New Schools Regulations; and

(ii) make a new instrument of government for that school in accordance with Part 5 of the Constitution Regulations 2012; and

(b) the governing body of the federation must review the instrument of government of the federation in accordance with regulation 30 of the Constitution Regulations 2012.

(4) On the de-federation date the temporary governing body of the de-federated school are incorporated as the governing body of that school under the name given in the school's instrument of government.

(5) For the purpose of paragraph (3)(a)(ii)—

(a) the reference in regulation 27 of the Constitution Regulations 2012 to “governing bodies” is treated as a reference to “temporary governing bodies”; and

(b) references in regulation 29 of the Constitution Regulations 2012 to—

(i) “governing body” are treated as references to “temporary governing body”, and

(ii) “foundation governors” are treated as references to “temporary foundation governors”.