
WELSH STATUTORY INSTRUMENTS

2005 No. 3200

The School Councils (Wales) Regulations 2005

Associate Pupil Governors: Amendments to the Government of Maintained Schools (Wales) Regulations 2005

8.—(1) The Government of Maintained Schools (Wales) Regulations 2005 are amended as follows.

(2) After regulation 12 insert:

“Associate pupil governors

12A.—(1) In these Regulations “associate pupil governor” means a registered pupil nominated by the school council to be a member of the governing body and appointed as such by the governing body in accordance with regulation 7 of the School Councils (Wales) Regulations 2005.

(2) The maximum number of associate pupil governors on any governing body is two.

(3) After regulation 20 insert:

“20A. Any associate pupil governor is in addition to the numbers of governors set out in Regulations 13 to 20 and Schedule 8.”

(4) After regulation 25(5) insert:

“(5A) Paragraph (1) does not apply to any associate pupil governor who is to hold office for a period of one year from the date of his or her appointment. Nothing in this paragraph prevents an associate pupil governor from being re-appointed at the expiration of his or her term of office.”

(5) For regulation 29 and its heading substitute:

“Removal of appointed parent governors, partnership governors and associate pupil governors:

29. Any parent governor appointed by the governing body under paragraphs 10 to 12 of Schedule 1, any partnership governor and any associate pupil governor may be removed by the governing body in accordance with the procedure set out in regulation 30.”

(6) At the beginning of regulation 33(1)(d) insert “subject to paragraph (5).”

(7) After regulation 33(4), add:

“(5) Sub-paragraphs (d) and (e) of paragraph (1) do not apply to associate pupil governors.”

(8) In regulation 44, substitute “regulations 44A and 63” for “regulation 63”.

(9) After regulation 44, insert:

“Exclusion of associated pupil governors from meetings

44A.—(1) The governing body may exclude associate pupil governors from any governing body discussion relating to:

- (a) staff appointments, staff pay, staff discipline, performance management of staff, grievances submitted by staff or dismissal of staff;
- (b) admissions;
- (c) individual pupil discipline;
- (d) election, appointment and removal of governors;
- (e) the budget and financial commitments of the governing body;
- (f) in the case of a voluntary aided school, the Trust Deed; or
- (g) any other matter that, by reason of its nature, the governing body is satisfied is and should remain confidential.”

(10) In regulation 46(1) insert “any associate pupil governors,” before “any vacancies.”

(11) In regulation 46(2) insert “(excluding any associate pupil governors)” after “and voting on the question.”

(12) After regulation 46(2) insert:

“2A. Associate pupil governors may not vote on any question to be determined at a meeting of the governing body.”.

(13) In regulation 54(7) insert “associate pupil governors and” after “may include”.

(14) At the end of regulation 54(8) add “excluding associate pupil governors.”.

(15) For regulation 55(7), substitute:

“(7) Neither the head teacher of the school nor an associated pupil governor may be a member of the staff disciplinary and dismissal committee or the disciplinary and dismissal appeal committee.”.

(16) In regulation 56(2) insert “or any associated pupil governor” after “the head teacher”.

(17) In regulation 57(2)(b) insert “(excluding associate pupil governors)” after “other governors”.

(18) For regulation 58(2) substitute:

“(2) Neither the head teacher of the school nor an associate pupil governor may be appointed as a clerk under paragraph (1).”

(19) In regulation 60(5) substitute “, 57(4) and 60(9)” for “and 57(4)”.

(20) At the beginning of regulation 60(6) insert “Subject to regulation 60(8),”.

(21) At the beginning of regulation 60(7) insert “Subject to regulation 60(9),”.

(22) After regulation 60(8), insert:

“60.—(9) For the purposes of paragraphs (5), (6), (7) and (8) above, the governing body shall determine whether associate pupil governors shall be treated as governors.”

(23) At the beginning of paragraphs 1 and 11(1) of Schedule 5 insert “Save in the case of associated pupil governors,”.