
STATUTORY INSTRUMENTS

1993 No. 3102

EDUCATION, ENGLAND AND WALES

**The Education (Grant-maintained Schools)
(Initial Governing Instruments) Regulations 1993**

Made - - - - - *8th December 1993*
Laid before Parliament *10th December 1993*
Coming into force *1st January 1994*

**THE EDUCATION (GRANT-MAINTAINED SCHOOLS)
(INITIAL GOVERNING INSTRUMENTS) REGULATIONS 1993**

1. Citation and commencement
2. Initial instrument of government
3. Initial articles of government
4. Provisions of the initial articles of government having effect on incorporation

SCHEDULE 1 — INITIAL INSTRUMENT OF GOVERNMENT

PART I — INTRODUCTORY

1. Interpretation
- PART II — PROVISIONS APPLYING ONLY TO SCHOOLS WHICH WERE FORMERLY COUNTY SCHOOLS OR WHICH WERE ESTABLISHED BY THE FUNDING AUTHORITY**
2. Application of Part II
3. First governors
4. Power of Secretary of State to replace first governors and to make provision with respect to the filling of vacancies
5. Disqualification for holding office as first governor
- PART III — PROVISIONS APPLYING ONLY TO SCHOOLS WHICH WERE FORMERLY VOLUNTARY SCHOOLS OR WHICH WERE ESTABLISHED BY PROMOTERS**
6. Application of Part III
7. Foundation governors
- PART IV — PROVISIONS APPLYING TO ALL GRANT-MAINTAINED SCHOOLS**

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8. Parent governors
9. Teacher governors
10. Procedure for the election of parent and teacher governors
11. Appointment of parent governors by the Governing Body
12. Head teacher
13. Sponsor governors
14. Appointment of additional governors
15. Tenure of office: first and foundation governors
16. Tenure of office: parent and teacher governors
17. Tenure of office: sponsor governors
18. Tenure of office: general
19. Resignation and removal from office
20. Disqualification for holding office: persons under 18 years of age
21. Disqualification for holding office: bankruptcy etc.
22. Disqualification for holding office: criminal convictions
23. Disqualification for holding office: absence from meetings
24. Notification of appointments and vacancies
25. Chairman and Vice-chairman of the Governing Body
26. Removal from office of the Chairman of the Governing Body
27. Clerk to the Governing Body
28. Convening of meetings of the Governing Body
29. Termination and adjournment of meetings
30. Quorum
31. Minutes of meetings etc.
32. Public access to meetings
33. Publication of minutes and papers
34. Proceedings of the Governing Body
35. Restrictions on persons taking part in proceedings
36. Establishment and constitution of committees of the Governing Body
37. Proceedings and meetings of committees
38. Restrictions on persons taking part in proceedings of the Admissions, Discipline and Staff Committees
39. Delegation of functions
40. Delegation of functions to the Chairman and Vice-chairman in cases of urgency
41. Reporting to Governing Body following the exercise of delegated functions
42. Constitution of appeal committees dealing with admissions and exclusions of pupils
43. Constitution of appeal committees dealing with staff discipline matters

APPENDIX 1 — RESTRICTION ON PERSONS TAKING PART IN PROCEEDINGS OF THE GOVERNING BODY

1. (1) In this Appendix— (a) any reference to a person...
2. (1) Subject to sub-paragraph (4) below, if a person has...
3. (1) This sub-paragraph applies where a person is present at...
4. (1) Where the Clerk to the Governing Body is present...
5. If a person who is a relative (other than a...
6. (1) This paragraph applies where a person employed at the...

APPENDIX 2 — PROCEEDINGS AND MEETINGS OF COMMITTEES

The provisions of this Instrument listed in the first column...

APPENDIX 3 — CONSTITUTION OF APPEAL COMMITTEES

1. An appeal pursuant to arrangements made by the Governing Body...

2. An appeal committee shall consist of— (a) one person nominated...
3. The Governing Body shall not nominate under paragraph 2(a) above...
4. In an appeal committee— (a) three members shall be nominated...
5. Sufficient persons may be appointed by the Governing Body to...
6. A person is eligible to be a lay member for...
7. (1) Subject to sub-paragraphs (2) and (3) below, the persons...
8. A person shall not be a member of an appeal...
9. (1) Subject to sub-paragraph (2) below, the members of an...
10. The members of the appeal committee shall select a person,...
11. The Governing Body shall have power to pay to the...
12. An appeal pursuant to joint arrangements made by virtue of...

SCHEDULE 2 — INITIAL ARTICLES OF GOVERNMENT

1. Interpretation
2. Transitional provisions in connection with the commencement of the 1993 Act
3. General responsibilities of the Governing Body and the Head Teacher with respect to the conduct of the School
4. Curriculum: general
5. Curriculum: complaints.
6. Admissions: reduction of approved admission number
7. Admissions: arrangements for admission of pupils to the School
8. Admissions: determining applications for admission
9. Discipline: general duties in relation to pupils
10. Exclusion of pupils
11. Reinstatement of excluded pupils
12. Appeals against admissions decisions and decisions permanently to exclude pupils
13. Annual report to parents
14. Annual parents' meeting
15. Terms, holidays and sessions
16. School premises
17. Appointment of the head teacher and deputy head teacher
18. Appointment of staff other than the head teacher and deputy head teacher
19. Staff: discipline
20. Staff: suspension
21. Staff: dismissal
22. Staff: grievance procedures
23. Staff: induction and training of teaching staff
24. Duty to make available copies of the instrument and articles of government

APPENDIX 1 — TRANSITIONAL PROVISIONS IN CONNECTION WITH THE COMMENCEMENT OF THE 1993 ACT

1. Curriculum: provision of sex education
2. Admissions
3. Exclusion of pupils

APPENDIX 2 — APPEAL COMMITTEES: PROCEDURE

1. This Appendix shall have effect with respect to the procedure...
2. An appeal shall be made by notice in writing setting...
3. (1) An appeal committee shall afford the appellant the opportunity...
4. In the event of a disagreement between the members of...
5. The decision of an appeal committee and the grounds on...
6. All appeals shall be held in private except when otherwise...

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7. Subject to paragraphs 2 to 6 above, all matters relating...
8. (1) Subject to sub-paragraph (2) below, where joint arrangements for...

Explanatory Note