
STATUTORY INSTRUMENTS

1999 No. 1287

The Education (Head Teachers) Regulations 1999

Transitional modifications to school government provisions under the 1998 Act

6.—(1) This regulation applies in relation to any relevant school, until the date when there is a single post of head teacher of the school.

(2) Schedule 9 to the 1998 Act, to the extent that it is at any time in force⁽¹⁾, shall have effect as if—

- (a) paragraph 8 provided that, at any time when a head teacher is a governor, he shall be treated for all purposes as being an ex officio governor; and
- (b) any other reference to “the head teacher” were a reference to each head teacher of the school.

(3) Subject to paragraphs (4) to (7) below, any reference in the First Transitional Regulations or the Second Transitional Regulations to “the head teacher” or “a head teacher” shall have effect as if it were a reference to each head teacher of the school.

(4) The references in regulation 21(3)(a) of the First Transitional Regulations and regulation 19(3) of the Second Transitional Regulations to “the head teacher of the school” shall have effect as if they were references to any head teacher of the school.

(5) In paragraphs (6) and (7), “pro-forma instrument” means a pro-forma instrument of government for a community, community special, voluntary controlled or voluntary aided school set out in Schedule 2 to the First Transitional Regulations or Schedule 2 to the Second Transitional Regulations.

(6) Each pro-forma instrument shall apply (in accordance with regulation 10 of the First Transitional Regulations⁽²⁾ or regulation 12 or 46 of the Second Transitional Regulations, as the case may be) with the following modifications—

(a) in paragraph 4, for the words—

“the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor)”;

there shall be substituted—

“(i) if there is more than one post of head teacher of the school, x head teachers (except at any time when one or more head teachers have given written notice to the clerk to the governing body of the school that they choose not to be a governor when the number of head teacher governors shall be reduced accordingly); otherwise

(ii) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).”;

(b) for paragraph 5 there shall be substituted—

(1) Schedule 9 to the 1998 Act is currently in force for limited purposes only. See section 145(5) of the 1998 Act.

(2) Regulation 10 has been amended by regulation 61 of S.I. 1999/362.

- (a) If there is more than one post of head teacher of the school, the total number of governors will be ... (except at any time when one or more head teachers have given notice as above that they choose not to be a governor when the total number of governors will be reduced accordingly).
- (b) If there is a single post of head teacher of the school, the total number of governors will be ... (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be ...).”.

(7) In addition to the modifications referred to in paragraph (6), the pro-forma instruments for voluntary aided schools shall apply subject to the substitution for paragraph 4(a) in those instruments of the following–

- “(a) (i) if there is more than one post of head teacher of the school, x foundation governors (except at any time when one or more head teachers have given notice that they choose not to be a governor when the number of foundation governors will be reduced accordingly); otherwise
- (ii) x foundation governors (except at any time when the head teacher has given notice that he chooses not to be a governor, when the number of foundation governors will be x);”.