
STATUTORY INSTRUMENTS

2010 No. 1918

The School Governance (Transition from an Interim Executive Board) (England) Regulations 2010

PART 3

Establishment of a Shadow Governing Body

Arrangements for the establishment and removal of a shadow governing body

11.—(1) Where the notice given under section 65(1) or 69(1) of the Act specifies the duration of the period at the end of which the governing body will become a normally constituted governing body, the local authority may at least six months before the end of that period make arrangements providing for the establishment of a governing body for the school in anticipation of the transition to a normally constituted governing body.

(2) Where the notice given under section 65(1) or 69(1) of the Act does not specify the duration of that period and a notice has been given under paragraph 17(1) of Schedule 6 to the Act, the local authority may at least six months before the date given in the notice on which the governing body are to become a normally constituted governing body, make arrangements providing for the establishment of a governing body for the school in anticipation of the transition to a normally constituted governing body.

(3) In these Regulations, a governing body so established is referred to as a shadow governing body and members of the shadow governing body are referred to as shadow governors.

(4) Nothing in these Regulations prevents the appointment of an interim executive member as a shadow governor.

(5) Before appointing a person to be a shadow partnership governor under Regulation 6(1)(a) or a shadow foundation governor under Regulation 10(a), the local authority must consult—

- (a) any person who would be entitled to appoint a partnership governor or a foundation governor under the instrument of government of the school if the governing body were a normally constituted governing body, and
- (b) in the case of a Church of England school or a Roman Catholic school, the appropriate diocesan authority (if different).

(6) Before appointing a person to be a shadow foundation governor in accordance with Regulation 10(b) the local authority must consult—

- (a) the trustees of any foundation relating to the school, and
- (b) any other person who would be entitled to appoint foundation governors or partnership governors under the instrument of government of the school if the governing body were a normally constituted governing body.

(7) In calculating the number of shadow governors required in each category in accordance with regulations 13 to 18, the numbers shall be rounded up or down to the nearest whole number.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

12. A shadow governor may at any time be removed from office by the local authority for incapacity or misbehaviour.