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STATUTORY INSTRUMENTS

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**2012 No. 1035**

**EDUCATION, ENGLAND**

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

*Made* - - - - - *14th April 2012*  
*Laid before Parliament* *19th April 2012*  
*Coming into force* *1st September 2012*

**THE SCHOOL GOVERNANCE (FEDERATIONS)  
(ENGLAND) REGULATIONS 2012**

PART 1

1. Citation, commencement and application
2. (1) These Regulations apply to governing bodies of maintained schools...
3. Revocation, saving and transitional provisions
4. (1) Regulations 1 to 3 and 13 to 30 of...
5. Interpretation

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6. Prescribed cases
7. Procedure for schools proposing to federate
8. (1) Where a governing body propose to federate with the...
9. (1) Where a governing body propose to federate with one...
10. (1) The governing bodies proposing to federate must jointly consider...
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12. (1) Parts 1 to 3 and 5 to 7 of...
13. Incorporation of governing bodies of federations and dissolution of former governing bodies

PART 3

14. Parent governor
15. Staff governors
16. Local authority governors

*Status: This is the original version (as it was originally made).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

17. Foundation governors
18. Partnership governors
19. Co-opted governors
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PART 4

21. Requirements for all federations
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25. Staffing of federations
26. Charitable status of federations
27. Information for the governing body of a federation
28. Financing of federations
29. In their application to a federated school in England, other...

PART 6

30. Procedure for a school to leave a federation
31. Decision to permit federated school to leave a federation
32. Availability of amounts representing budget share
33. Transfer of property, rights and liabilities

PART 7

34. Dissolution of federations following decision by the governing body of a federation
35. Upon receipt of the notice given under regulation 34 the...
36. For the purpose of regulation 35(b)— (a) the reference in...
37. Expenditure of amounts representing budget share
38. Incorporation of governing body of a school leaving a federation
39. Transfer of property, rights and liabilities

PART 8

40. Interpretation of “discontinuance”
41. Dissolution of federations on discontinuance of federated schools
42. (1) For the purpose of regulation 41(3)(b)—
43. Subject to any provision made by or under a scheme...
44. Discontinuance of federated schools where federation not dissolved
45. Expenditure of amounts representing budget share

PART 9

Signature

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SCHEDULE 1 — Temporary governing bodies of new schools intending to federate

1. Composition of temporary governing body
2. (1) A temporary governing body constituted for two or more...
3. Additional requirements for temporary governing bodies comprising proposed foundation and voluntary schools

SCHEDULE 2 — Election and appointment of parent governors

1. Subject to paragraph 2(2), in this Schedule “appropriate body” means—...
2. (1) Where a local authority are the appropriate body in...
3. Subject to paragraphs 4 to 7, the appropriate body must...
4. The duty imposed by paragraph 3 does not confer power...
5. Any election which is contested must be held by ballot....
6. (1) The arrangements made under paragraph 3 must provide for...
7. Where a vacancy for a parent governor arises, the local...
8. The number of parent governors required must be made up...
9. (1) Except where paragraph 10 applies, in appointing a parent...
10. (1) Where the school is a community special school or...

SCHEDULE 3 — Election of staff governors

1. Subject to paragraphs 2 and 3, the governing body of...
2. The duty imposed by paragraph 1 does not confer power...
3. Any election which is contested must be held by ballot....

SCHEDULE 4 — Partnership governors

1. Where a partnership governor is required, the governing body of...
2. No person may be nominated for appointment, or be appointed,...
3. Subject to paragraph 4(2), no governor may nominate a person...
4. (1) The governing body of a federation must appoint such...
5. (1) Where the governing body of a federation makes an...
6. The governing body of a federation must make all necessary...

SCHEDULE 5 — Modification of the Constitution Regulations 2012

1. In regulation 18(2) for “head teacher of the school” substitute...
2. In regulation 24 for “paragraphs 9 to 11 of Schedule...
3. In regulation 26 for “school” substitute “federated school”.
4. In regulation 28— (a) in paragraph (1) for “maintained school”...
5. For regulation 29, substitute— (1) In this regulation, where reference is made to the...
6. In regulation 30— (a) in paragraphs (4) to (7)—
7. In regulation 31— (a) in paragraphs (1) and (2)(a) for...
8. In paragraph 1 of Schedule 4 for “the school” substitute...

SCHEDULE 6 — Modification of the Procedures Regulations

1. In regulation 3— (a) in paragraph (1) for “regulation 11...
2. In regulation 5 for paragraph (3) substitute the following paragraph—...
3. In regulations 5(5)(b), 6(2)(a), 6(2)(c), 8(3)(c), 11(5)(d), 12A, 13(3)(a), 14(1)(b),...
4. In regulations 6(2)(b), 11(5)(c), 12(4), 13(3)(b), 17(3) and 24(9)(b) for...
5. In regulations 8(4), 11(4)(b), 14(1)(a), 16(1)(c), 18(1)(b), 21(2) and 24(2)...
6. In regulation 8(6) for “If at any time the school...
7. In regulations 10(1)(b), 21(1) and 23(1)(b) for “head teacher of...

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8. In regulation 15(1) for sub-paragraph (c) substitute the following sub-paragraph—...
9. In regulation 19 for “school staff” substitute “staff of the...

SCHEDULE 7 — Modification of the Staffing Regulations

1. In regulation 3, after paragraph (5) insert—
2. In regulations 4(4)(a), 7(1)(a) and (b), 8, 18(1)(a)(iii) and (b)...
3. In regulation 6(1)(b), after “send a copy of the report...
4. In regulation 11, after “This Part applies to” insert “federated...
5. In regulations 12(4), 18(1), 21(1), 24(4) and 30(1), for “a...
6. In regulations 13(a) and 25, after “working at a” insert...
7. In regulation 19, for paragraph (1) substitute—
8. In regulation 19(4), after “inform the authority and the” insert...
9. In regulation 23, after “This Part applies to” insert “federated...
10. In regulation 27, after paragraph (3) insert—
11. In regulation 34(1), after “voluntary aided school” insert “which is...
12. In regulation 35(2), for “school or schools” substitute “school, federated...
13. In regulations 36(1), 37(1) and 38(2), for sub-paragraphs (a), (b)...
14. In regulation 40, after “school” insert “which is to be...

SCHEDULE 8 — Modification of Chapter 4 of Part 2 of SSFA 1998

1. Section 49 (maintained schools to have delegated budgets) is modified...
2. Section 50 (effect of financial delegation) is modified as follows—...
3. In section 51 (suspension of financial delegation for mismanagement etc),...
4. (1) Schedule 15 (suspension of financial delegation) is modified as...

Explanatory Note