
WELSH STATUTORY INSTRUMENTS

2005 No. 2914

The Government of Maintained
Schools (Wales) Regulations 2005

PART 2

Categories of Governor

Parent governors

- 4.—(1) In these Regulations “parent governor” (*“rhiant-lywodraethwr”*) means—
- (a) a person who is elected in accordance with paragraphs 4 to 9 of Schedule 1 as a governor by parents of registered pupils at the school and is himself or herself such a parent at the time when he or she is elected, or
 - (b) a person appointed as a parent governor in accordance with paragraphs 10 to 12 of Schedule 1.
- (2) A person is disqualified from appointment as a parent governor in accordance with paragraphs 10 to 12 of Schedule 1 if he or she is—
- (a) an elected member of the local education authority;
 - (b) employed by the local education authority in connection with its functions as a local education authority; or
 - (c) paid to work at the school for more than 500 hours in any twelve month period commencing on 1 August and finishing on 31 July,
- unless he or she is a parent of a registered pupil at the school.
- (3) A person is not disqualified from continuing to hold office as a parent governor when he or she ceases to be a parent of a registered pupil at the school or to fulfil any of the requirements set out in paragraphs 11 and 12 of Schedule 1 (as the case may be) unless he or she is otherwise disqualified under these Regulations.
- (4) Schedule 1 applies to the election and appointment of parent governors.

Teacher governors

- 5.—(1) In these Regulations “teacher governor” (*“athro neu athrawes lywodraethwr”*) means a person—
- (a) who is elected in accordance with Schedule 2 as a governor by school teachers at the school, and
 - (b) who is himself or herself such a school teacher at a time when he or she is elected.
- (2) Upon ceasing to work at the school a teacher governor is disqualified from continuing to hold office as such a governor.

Staff governors

6.—(1) In these Regulations “staff governor” (“*staff lywodraethwr*”) means a person—

- (a) who is elected in accordance with Schedule 2 as a governor by persons employed to work at the school otherwise than as school teachers, and
- (b) who is himself or herself a person so employed at the time when he or she is elected;

and for this purpose “employed” (“*a gyflogir*”) means employed under a contract of employment or a contract for services.

(2) Where the instrument of government of a maintained nursery school makes provision in accordance with regulation 14(3), “staff governor” (“*staff lywodraethwr*”) means a person—

- (a) who is elected in accordance with Schedule 2 as a governor by persons employed to work at the school, and
- (b) who is himself or herself a person so employed at the time when he or she is elected;

and for this purpose “employed” (“*a gyflogir*”) means employed under a contract of employment or a contract for services.

(3) Upon ceasing to work at the school, a staff governor of a school is disqualified from continuing to hold office as such a governor.

LEA governors

7.—(1) In these Regulations “LEA governor” (“*llywodraethwr AAL*”) means a person who is appointed as a governor by the local education authority.

(2) A person is disqualified from appointment or continuing to hold office as a LEA governor of a school if he or she is eligible to be a teacher or staff governor of the school.

Community governors

8.—(1) In these Regulations—

“community governor” (“*llywodraethwr cymunedol*”) means a person who is appointed as a governor by the governing body and who is—

- (a) a person who lives or works in the community served by the school, or
- (b) a person who, in the opinion of the governing body, is committed to the good government and success of the school;

“additional community governor” (“*llywodraethwr cymunedol ychwanegol*”) means a governor appointed in accordance with regulation 20.

(2) A person is disqualified from appointment or continuing to hold office as a community governor of a school if he or she is—

- (a) a registered pupil at the school;
- (b) eligible to be a teacher or staff governor of the school.

(3) A person is disqualified from appointment as a community governor of a school if he or she is an elected member of the local education authority.

(4) Paragraphs (2) and (3) do not apply in the case of an additional community governor.

Foundation governors

9.—(1) In these Regulations—

“foundation governor” (“*llywodraethwr sefydliedig*”) means a person who is appointed as a governor otherwise than by the local education authority and who—

- (a) where the school has a particular religious character⁽¹⁾, is appointed for the purpose of securing that that character is preserved and developed,
- (b) where there is a trust relating to the school, is appointed for the purpose of securing that the school is conducted in accordance with that trust, or
- (c) where the school does not have a religious character and there is no trust relating to it, is appointed as a foundation governor of the school;

“*ex officio* foundation governor” (“*llywodraethwr sefydliedig ex officio*”) means a foundation governor who is the holder of an office by virtue of which he or she is entitled to be a foundation governor;

“substitute governor” (“*dirprwy lywodraethwr*”) means a foundation governor appointed to act in the place of an *ex officio* foundation governor—

- (a) who is unwilling or unable to act as a governor,
- (b) who has been removed as a governor under regulation 27(2), or
- (c) if there is a vacancy in the office by virtue of which such a governorship exists.

(2) An *ex officio* foundation governor is, upon ceasing to hold the office from which his or her governorship derives, disqualified from continuing to hold office as such a governor.

Partnership governors

10.—(1) In these Regulations “partnership governor” (“*llywodraethwr partneriaeth*”) means a person who is nominated as a partnership governor and appointed as such in accordance with Schedule 3.

(2) A person is disqualified from nomination or appointment as a partnership governor of a school if he or she is—

- (a) a parent of a registered pupil at the school;
- (b) a registered pupil at the school;
- (c) eligible to be a teacher or staff governor of the school;
- (d) an elected member of the local education authority; or
- (e) employed by the local education authority in connection with its functions as a local education authority.

Sponsor Governors

11. In these Regulations “sponsor governor” (“*noddwr-lywodraethwr*”) means a person who is nominated as a sponsor governor and is appointed as such by the governing body in accordance with Schedule 4.

Representative Governors

12. In these Regulations “representative governor” (“*llywodraethwr cynrychiadol*”) means a person who is appointed as such in accordance with paragraphs (4) or (5) of regulation 15.

(1) As designated by Order of the National Assembly for Wales under section 69(3) of the 1998 Act. See the Designation of Schools Having a Religious Character (Wales) Order 1999, S.I. 1999/1814 and the Designation of Schools Having a Religious Character and Amendments (Wales) Order 2004, S.I. 2004/1734 (W. 177).

Status: *This is the original version (as it was originally made).*
