
WELSH STATUTORY INSTRUMENTS

2005 No. 2914

The Government of Maintained
Schools (Wales) Regulations 2005

PART 7

Appointment, functions and removal of officers

Appointment and removal of the clerk to the governing body

42.—(1) This regulation is without prejudice to any rights and liabilities which the clerk may have under any contract with the governing body or with the local education authority.

(2) The governing body must appoint a clerk to the governing body.

(3) The clerk to the governing body must not be—

(a) a governor;

(b) a non-governor member of any committee of the governing body;

or

(c) the head teacher of the school.

(4) Notwithstanding paragraph (2), the governing body may, if the clerk fails to attend a meeting of theirs, appoint any one of their number (who is not the head teacher) to act as clerk for the purposes of that meeting.

(5) The governing body may remove the clerk to the governing body from office.

(6) If at any time the school does not have a delegated budget⁽¹⁾, the local education authority may remove the clerk to the governing body and appoint a substitute, provided the local education authority consults the governing body before taking such action.

⁽¹⁾ See section 39(2) of the 2002 Act.