
WELSH STATUTORY INSTRUMENTS

2006 No. 873

The Staffing of Maintained Schools (Wales) Regulations 2006

PART 3

Provisions relating to foundation, voluntary aided and foundation special schools

Selection procedures involving the whole governing body

34.—(1) If the governing body of a voluntary aided school so determine (and regulation 33 does not apply), paragraphs (2) to (6) apply in relation to the filling of a vacancy in the post of head teacher or deputy head teacher of the school, in place of regulation 24(8) to (12).

(2) No selection panel need be appointed by the governing body under regulation 24(8), but the following provisions, namely—

- (a) regulation 24(8)(a) and (b), and
- (b) regulation 24(9),

apply to the governing body or (as the case may be) to any decision of that body taken by virtue of this paragraph as it applies to a selection panel or (as the case may be) to any decision of such a panel taken under regulation 24.

(3) If, within the period of fourteen days beginning with the date when they receive a notification under regulation 24(8)(a) (as it applies in accordance with paragraph (2)) the local education authority make written representations to the governing body that any of the applicants selected by it is not a suitable person for appointment to the post of head teacher, the governing body must not appoint that person unless it has—

- (a) considered those representations, and
- (b) notified the authority of its response to the representations.

(4) The governing body must not appoint any person if he or she does not meet any staff qualification requirements which are applicable in relation to his or her appointment.

(5) If the governing body does not appoint any person interviewed by it, the governing body—

- (a) may, if it thinks fit, re-advertise the vacancy in the manner required by regulation 24(7), and
- (b) whether or not it re-advertises the vacancy, may repeat the steps mentioned in regulation 24(8)(a) and (b) (as they apply in accordance with paragraph (2)).