
WELSH STATUTORY INSTRUMENTS

2014 No. 1132

**The Federation of Maintained
Schools (Wales) Regulations 2014**

PART 10

**RESTRICTIONS ON PERSONS TAKING PART IN PROCEEDINGS
OF THE GOVERNING BODY OR ITS COMMITTEES**

Restrictions on persons taking part in proceedings

75.—(1) In this regulation and in Schedule 10—

- (a) “relevant person” (“*person perthnasol*”) means a governor, a member of a committee who is not a governor, the head teacher of the federation or of a federated school (whether or not that person is a governor) or any person appointed as clerk to the governing body or to a committee; and
- (b) any reference to “meeting of the federation or a federated school” (“*cyfarfod o’r ffederasiwn neu ysgol ffederal*”) is a reference to a meeting of the governing body or of a committee, including a selection panel established under the Staffing Regulations (as modified by Schedule 8).

(2) Subject to paragraph (4), where—

- (a) in relation to any matter there may be a conflict between the interests of a relevant person and the interests of the governing body;
- (b) a fair hearing is required and there is any reasonable doubt about a relevant person’s ability to act impartially in relation to any matter; or
- (c) a relevant person has a pecuniary interest in any matter;

that person, if present at a meeting of the federation or a federated school at which the matter is the subject of consideration, must disclose that person’s interest, withdraw from the meeting and not vote on the matter in question.

(3) Nothing in this regulation or in Schedule 10 is to be construed as precluding—

- (a) the governing body, or a committee, from—
 - (i) allowing a person who appears to it to be able to give evidence to attend any hearing conducted by it into any matter and to present that person’s evidence; or
 - (ii) hearing representations from a relevant person acting in a capacity other than that of a relevant person; or
- (b) a relevant person from entering into a contract with the governing body from which that person is entitled to profit.

(4) A person who is acting as the clerk to a meeting of the federation or a federated school is not required to withdraw from a meeting by this regulation or Schedule 10 unless that person’s appointment to office, that person’s remuneration, or disciplinary action against that person is the

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subject of consideration, but if this regulation or Schedule 10 would have otherwise required that person to withdraw, that person may not act in any capacity other than that of a clerk.

(5) Where there is any dispute as to whether a relevant person is required by this regulation, or by Schedule 10 to withdraw from a meeting of the federation or a federated school and not vote, that question is to be determined by the other governors present at the meeting.

(6) Schedule 10 makes provision about pecuniary interests and other specified conflicts of interest.