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STATUTORY INSTRUMENTS

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**2009 No. 2680**

**The School Staffing (England) Regulations 2009**

**PART 4**

**Collaboration between schools**

**General**

**35.—**(1) Where two or more governing bodies agree to collaborate on the discharge of any function relating to individual members of the school staff, these Regulations apply, subject to this Part.

(2) In this Part—

“collaborating governing bodies” means two or more governing bodies which arrange for any of their functions to be discharged jointly;

“relevant school” means the school or schools to which any member of staff is, or is to be, appointed.

**Appointment of head teacher and deputy head teacher**

**36.—**(1) In relation to the appointment of a head teacher or a deputy head teacher under regulation 15 or 27—

(a) the collaborating governing bodies may delegate the notification to the authority and the advertisement of any vacancy or post to—

(i) the head teacher of one or more of the collaborating schools;

(ii) one or more governors from any of the collaborating schools;

(iii) one or more head teachers acting together with one or more governors from any of the collaborating schools;

(b) the selection panel must consist of at least three governors taken from any of the collaborating governing bodies other than a governor who is the head teacher or (as the case may be) a deputy head teacher of the relevant school; and

(c) the selection panel must make its recommendation to the governing body of the relevant school.

(2) If the governing body does not approve the recommendation the selection panel of the collaborating governing bodies must repeat the selection process unless the relevant school’s governing body withdraws from the agreement to collaborate.

**Appointment of other teachers and support staff**

**37.—**(1) The collaborating governing bodies may delegate the appointment of any teacher (other than the head teacher and deputy head teacher) and the appointment of any member of the support staff to—

- (a) the head teacher of one or more of the collaborating schools;
  - (b) one or more governors from any of the collaborating schools;
  - (c) one or more head teachers acting together with one or more governors from any of the collaborating schools.
- (2) Where the collaborating governing bodies have delegated the appointment of a member of staff, other than to the head teacher of the relevant school—
- (a) the head teacher of the relevant school may attend all relevant proceedings and offer advice; and
  - (b) the person or persons to whom the delegation has been made must consider any such advice.

**Dismissal of staff**

- 38.**—(1) The collaborating governing bodies may delegate—
- (a) the determination that a member of staff (other than the head teacher) should cease to work at a relevant school; or
  - (b) the power to dismiss a member of staff (other than the head teacher) from a relevant school.
- (2) Any such delegation may be to—
- (a) the head teacher of one or more of the collaborating schools;
  - (b) one or more governors from any of the collaborating schools;
  - (c) one or more head teachers acting together with one or more governors from any of the collaborating schools.
- (3) The collaborating governing bodies may delegate—
- (a) the determination that the head teacher should cease to work at a relevant school; or
  - (b) the power to dismiss the head teacher from a relevant school,
- to one or more governors.

**Authority’s entitlement to offer advice**

- 39.**—(1) Where the authority is entitled to offer advice to any individual governing body in relation to the exercise of any function under regulation 14 or 26, it is also entitled to offer advice to any other collaborating governing bodies in relation to the exercise of any such function.
- (2) The collaborating governing bodies must consider any advice offered by the authority pursuant to paragraph (1).