

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Diocesan Boards of Education Measure 2021, Cross Heading: Composition. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 2

DBE: GOVERNANCE

Composition

- 1 (1) The DBE for a diocese consists of—
 - (a) the bishop of the diocese, and
 - (b) at least 10 other members.
- (2) The joint DBE for two or more dioceses consists of—
 - (a) each of the diocesan bishops concerned, and
 - (b) a sufficient number of other members to give a total membership of at least 12.
- (3) In the case of a DBE which is a separately registered charity, each member is, by virtue of that membership, a charity trustee of the DBE.
- (4) In the case of a DBE which is a company limited by guarantee or a CIO, each member of the DBE, and no other person, is a member of the company or CIO.
- (5) In a case where the Board of Finance is designated as the DBE for the diocese, each member of the committee established by virtue of section 3 must be a person who is not disqualified from being a charity trustee.
- (6) A person other than the bishop of the diocese may become a member of the DBE by being—
 - (a) appointed by the bishop,
 - (b) elected by the diocesan synod, or
 - (c) co-opted by the DBE.
- (7) A scheme under section 4 for the designation of a body as a joint DBE must include provision for the appointment, election or co-option of members; and that provision must include—
 - (a) provision for each of the diocesan bishops concerned to appoint at least one person, and
 - (b) provision for each of the diocesan synods concerned to elect at least one person.
- (8) In the application of this paragraph to a joint DBE, sub-paragraph (6) has effect subject to the provision which, for the purposes of sub-paragraph (7), is included in the scheme under section 4.

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- (9) In making an appointment or co-option to the DBE for a diocese or selecting candidates for election to it, regard must be had to the desirability of securing that a variety of relevant skills is available among the members.
- (10) A scheme under section 3 must include provision as to the term of office of a member of the DBE, including the circumstances in which a person ceases to hold office and the grounds on which a person may be removed or suspended from office; and the scheme may for that purpose make different provision depending on whether a person became a member by virtue of sub-paragraph (6)(a), (b) or (c).
- (11) A conflict of loyalty which would or might arise as a result of a member of the DBE for a diocese also being a director of the Board of Finance or a member of the diocesan synod, or both, is authorised by virtue of this sub-paragraph if—
 - (a) the conflict relates to a duty of loyalty owed to the Board of Finance or diocesan synod and does not involve a direct or indirect benefit of any nature to the member or a connected person, and
 - (b) the member in question declares the conflict.
- (12) In sub-paragraph (11)(a), “connected person”, in relation to a member of the DBE of a diocese, has the meaning it has in accordance with section 188 of the Charities Act 2011 in relation to a charity trustee.

Commencement Information

- II** [Sch. 2](#) comes into force in relation to each diocese on the day certified in relation to that diocese under s. 23(1), see [s. 24\(4\)](#)

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