

SCHEDULE 4

Regulations 12 and 13

PART I

Instrument of Government: Foundation Schools and Foundation Special Schools

- 1 The name of the school is
- 2 The category to which the school belongs is
- 3 The name of the governing body is

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4 The governing body shall consist of:

- (a) x parent governors;
- (b) x LEA governors;
- (c) x teacher governors;

(if applicable)

- (d) one staff governor:

(if applicable)

- (e) x foundation governors;

(if applicable)

- (f) x partnership governors;

- (g) x co-opted governors (including any governors referred to in paragraph 6 or 7 below);

- (h) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).

5 Total number of governors (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).

(if applicable)

6 x co-opted governor[s] will be a | governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.

(if applicable)

7 One co-opted governor will be governor for whose appointment nominations are to be sought from the Education Action Forum for the Education Action Zone in relation to which the school is a participating school.

(Where the school is to have foundation governors)

8 Subject to regulation 15 of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, which provides for the continuation of certain governors, set out the name of any foundation body or person entitled to appoint foundation governors. If there is more than one such person set out the basis on which such appointments are made both on the change of category and thereafter when there are vacancies to be filled.

(if applicable)

9 (a) The holder of the following office shall be a foundation governor ex-officio:

name of office

- (b) |or and jointly| shall appoint a foundation governor to act in the place of the ex-officio foundation governor whose governorship derives from the office named in (a) above, in the event that the ex-officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists.

Repeat 9(a) and (b) as necessary where there is to be more than one ex-officio foundation governorship.

10 Set out procedure for eliminating any excess in the number of foundation governors.

(Under regulation 16 of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, this procedure will not apply on the reconstitution of the governing body).

11 *If the school has a religious character, describe the ethos of the school.*

12 Subject to regulation 11(3) of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, this instrument of government comes into effect on the *[insert implementation date]*.

13 This instrument was made by order of Local Education Authority on

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PART II

Instrument of Government: Voluntary Aided Schools

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1 The name of the school is

2 The school is a voluntary aided school.

3 The name of the governing body is

4 The governing body shall consist of:

(a) ~~x foundation governors (except at any time when the head teacher has given notice that he chooses not to be a governor, when the number of foundation governors will be x);~~

(b) x parent governors;

(c) x I.F.A governors;

(d) x teacher governors;

(if applicable)

(e) one staff governor:

(if applicable)

(f) x co-opted governors *(insert total number of governors referred to in paragraphs 6, 7 or 8 below, if any);*

(g) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).

5 Total number of governors (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).

(if applicable)

6 One co-opted governor will be a governor for whose appointment nominations are to be sought from the minor authority or (as the case may be) from one or more of the minor authorities in relation to the school).

(if applicable)

7 x co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)

(if applicable)

8 One co-opted governor will be governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.

9 Subject to regulation 15 of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, which provides for the continuation in office of certain governors, set out the name of any foundation body or person entitled to appoint foundation governors. If there is more than one such person set out the basis on which such appointments are made both on transition to the new framework and thereafter when there are vacancies to be filled.

(if applicable)

10 (a) The holder of the following office shall be a foundation governor ex-officio:
name of office

(b) [or and jointly] shall appoint a foundation governor to act in the place of the ex-officio foundation governor whose governorship derives from the office named in (a) above, in the event that the ex-officio foundation governor

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is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists.

Repeat 10(a) and (b) as necessary where there is more than one ex-officio foundation governorship.

11 Set out procedure for eliminating any excess in the number of foundation governors. *(Under regulation 16 of the Education (Change of Category of Maintained Schools) (England) Regulations 2000 this procedure will not apply to the reconstitution of the governing body).*

12 If the school has a religious character, describe the ethos of the school.

13 Subject to regulation 11(3) of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, this instrument of government comes into effect on the *[insert implementation date]*.

14 This instrument of government was made by order of
Local Education Authority on

PART III

Instrument of Government: Voluntary Controlled Schools

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1 The name of the school is

2 The school is a voluntary controlled school.

3 The name of the governing body is

4 The governing body shall consist of:

- (a) x parent governors;
- (b) x LEA governors;
- (c) x teacher governors;

(if applicable)

- (d) one staff governor;
- (e) x foundation governors;
- (f) x co-opted governors *(including any governors referred to in paragraph 6, 7 or 8 below)*;
- (g) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).

5 Total number of governors (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).
(if applicable)

6 One co-opted governor will be a governor for whose appointment nominations are to be sought from the minor authority or (as the case may be) from one or more minor authorities in relation to the school).
(if applicable)

7 x co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.)
(if applicable)

8 One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the Education Action Zone in relation to which the school is a participating school.)

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9 Subject to regulation 15 of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, which provides for the continuation in office of certain governors, set out the name of any foundation body or person entitled to appoint foundation governors. If there is more than one such person set out the basis on which such appointments are made both on transition to the new framework and thereafter when there are vacancies to be filled.

(if applicable)

10 (a) The holder of the following office shall be a foundation governor ex-officio:

name of office

(b) [or and jointly] shall appoint a foundation governor to act in the place of the ex-officio foundation governor whose governorship derives from the office named in (a) above, in the event that that ex-officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists.

Repeat 10(a) and (b) as necessary where there is more than one ex-officio foundation governorship.)

11 Set out the procedure for eliminating any excess in the number of foundation governors. *(Under regulation 16 of the Education (Change of Category of Maintained Schools) (England) Regulations 2000 this procedure will not apply to the reconstitution of governing bodies)*

12 If the school has a religious character describe the ethos of the school.

13 Subject to regulation 11(3) of the Education (Change of Category) (England) Regulations 2000 this instrument of government comes into effect on *[insert implementation date]*.

14 This instrument was made by order of Local Education Authority on

PART IV

Instrument of Government: Community Schools

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 1 The name of the school is
- 2 The school is a community school.
- 3 The name of the governing body is
- 4 The governing body shall consist of:
 - (a) parent governors;
 - (b) L.F.A governors;
 - (c) teacher governors;
 - (if applicable)*
 - (d) one staff governor;
 - (e) co-opted governors *(including any governors referred to in paragraph 6, 7 or 8 below);*
 - (f) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor).
- 5 Total number of governors (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).
(if applicable)
- 6 One co-opted governor will be a governor for whose appointment nominations are to be sought from the minor authority or (as the case may be) from one or more minor authorities in relation to the school.
(if applicable)
- 7 co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.
(if applicable)
- 8 One co-opted governor will be a governor for whose appointment nominations are to be sought from the Education Action Forum for the Education Action Zone in relation to which the school is a participating school.
- 9 Subject to regulation 11(3) of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, this instrument of government comes into effect on *(insert implementation date)*.
- 10 This instrument was made by order of Local Education Authority on

PART V

Instrument of Government: Community Special Schools

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 1 The name of the school is
- 2 The school is a community special school.
- 3 The name of the governing body is
- 4 The governing body shall consist of:
 - (a) parent governors;
 - (b) LEA governors;
 - (c) teacher governors;

(if applicable)

 - (d) one staff governor;
 - (e) co-opted governors *(including any governors referred to in paragraph 6, 7 or 8 below)*;
 - (f) the head teacher (except at any time when he has given written notice to the clerk to the governing body of the school that he chooses not to be a governor);

(if applicable)

 - (g) one representative governor appointed by [or and jointly].
- 5 Total number of governors (except at any time when the head teacher has given notice as above that he chooses not to be a governor, when the total number of governors will be).

(if applicable)
- 6 co-opted governor[s] will be [a] governor[s] for whose appointment nominations are to be sought from the sponsor or from amongst the sponsors of the school.

(if applicable)
- 7 One co-opted governor will be governor for whose appointment nominations are to be sought from the Education Action Forum for the education action zone in relation to which the school is a participating school.
- 8 Subject to regulation 11(3) of the Education (Change of Category of Maintained Schools) (England) Regulations 2000, this instrument of government comes into effect on the *insert implementation date*.
- 9 This instrument was made by order of Local Education Authority on

PART VI

PROVISIONS OF SCHEDULE 12 TO THE ACT HAVING EFFECT IN RELATION TO INSTRUMENTS OF GOVERNMENT AS ARE MENTIONED IN REGULATIONS 11 AND 12

1. The paragraphs in Schedule 12 to the Act specified in the left hand column of the table mentioned below shall have effect in relation to instruments of government such as are mentioned

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in regulations 11 and 12 and, where modifications are specified in the right hand column of the table shall have effect with those modifications.

TABLE

Provision	Modification
Paragraph 1(2)	That paragraph shall have effect as if the words “in accordance with sub-paragraph (1)(d)” were deleted and the word “belongs” were substituted by “will belong”.
Paragraph 1(3)	
Paragraph 1(4)	
Paragraph 2	That paragraph shall have effect as if— (a) in sub-paragraph 2(1) the words “for a maintained school subject to any relevant modifications” were omitted and were substituted by “for a school changing its category in accordance with Schedule 8”, and (b) sub-paragraph (2) were omitted.
Sub-paragraphs 3(1), and (2)	Those sub-paragraphs shall have effect as if sub-paragraph (2) were omitted and the following substituted— “(2) Where the school has foundation governors or it is proposed will have foundation governors, the governing body shall not submit the draft to the local education authority unless the following persons have agreed to the contents of the draft, namely— (a) the existing foundation governors; or (b) if there are no existing foundation governors, the persons whom it is proposed will be entitled to appoint foundation governors; (c) any trustees under a trust deed relating to the school; and (d) in the case of a Church of England School or Roman Catholic Church School, the appropriate diocesan authority.”
Paragraph 3(3)	That paragraph shall have effect as if the words “or it is proposed that the school will have foundation governors” were inserted after “foundation governors”.
Paragraph 3(4)	That paragraph shall have effect as if (a) the words “or it is proposed should have foundation governors” were inserted after “foundation governors”, and

Provision	Modification
	(b) the words “to the category of school to which the school belongs” were omitted and the following were substituted “to the category of school to which it is proposed the school should belong”.
Paragraph 3(5)	That paragraph shall have effect as if (a) the words “or it is not proposed should have foundation governors” were inserted after “a school which does not have foundation governors”, and (b) the words “to the category of school to which the school belongs” were omitted and the following were substituted “to the category of school to which it is proposed the school should belong”.
Paragraph 3(6)	That paragraph shall have effect as if the words “or it is proposed should have foundation governors” were inserted after “(if the school has foundation governors)”.
Paragraph 3(7)	
Paragraph 4	
Paragraph 5	