
STATUTORY INSTRUMENTS

2010 No. 1918

The School Governance (Transition from an Interim Executive Board) (England) Regulations 2010

PART 5

Conduct of a Shadow Governing Body

Chair and vice-chair of the shadow governing body

19.—(1) The shadow governing body must, at their first meeting, elect a chair and vice-chair of the shadow governing body from among their number.

(2) A person employed to work at the school may not be elected as chair or vice-chair, however nothing in this regulation prevents an interim executive member from being elected as chair or vice-chair.

(3) The chair or vice-chair of the shadow governing body may, at any time, resign that office by giving notice in writing to the clerk to the shadow governing body.

(4) The chair or vice-chair of the shadow governing body ceases to hold office if that person ceases to be a shadow governor, or becomes employed to work at the school.

(5) Where a vacancy arises in the office of chair or vice-chair, the shadow governing body must at their next meeting elect one of their number to fill that vacancy.

(6) Where the chair is absent from any meeting or there is at the time a vacancy in the office of the chair, the vice-chair must act as the chair for all purposes.

Appointment of the clerk to the shadow governing body

20.—(1) The local authority must appoint the clerk to the shadow governing body.

(2) The clerk to the shadow governing body must not be:

- (a) a shadow governor; or
- (b) the head teacher of the school.

(3) Despite paragraph (2), the shadow governing body may, where the clerk fails to attend a meeting of theirs, appoint any one of their number to act as clerk for the purposes of that meeting.

Proceedings of the shadow governing body

21. The shadow governing body may determine their own procedure, subject to regulations 23 and 24.

Delegation of functions

22. The shadow governing body must exercise any functions which have been delegated to them by the interim executive board (1).

Functions of the clerk to the shadow governing body

23. The clerk to the shadow governing body must:

- (a) attend meetings of the shadow governing body and ensure that minutes of the proceedings are produced and signed (subject to the approval of the shadow governing body) by the chair of the meeting; and
- (b) perform such other functions determined by the shadow governing body from time to time.

Minutes of the shadow governing body

24.—(1) Subject to paragraph (2), the shadow governing body must, as soon as reasonably practicable, make available for inspection a copy of—

- (a) the agenda for every meeting;
- (b) the signed minutes of every meeting; and
- (c) any report or other paper considered at the meeting.

(2) There may be excluded from any item required to be made available in pursuance of subparagraph (1) any material relating to—

- (a) a named person who works, or it is proposed should work, at the school;
- (b) a named pupil at or candidate for admission to the school; or
- (c) any other matter that, by reason of its nature, the shadow governing body is satisfied should remain confidential.

(1) An interim executive board may make such arrangements as they think fit for the discharge of their functions by any other person under paragraph 11(2) of Schedule 6 to the Act.