
STATUTORY INSTRUMENTS

2010 No. 1918

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

PART 6

Transition to a Normally Constituted Governing Body

End of the interim period

25. From the transfer date—

- (a) the shadow governing body are to be treated as if they were a normally constituted governing body; and
- (b) despite regulation 4(1), Part 5 of the Constitution Regulations applies to the shadow governing body as if they were the governing body of the school.

Constitution of the governing body in accordance with the instrument of government

26.—(1) The local authority must give one term's notice of a date ("the constitution date"), no later than 13 months after the transfer date, on which—

- (a) the shadow governors vacate office; and
- (b) the governing body of the school are to be constituted as a normally constituted governing body.

(2) Sub-paragraph (1) (a) does not prevent the appointment of a shadow governor as a governor of the normally constituted governing body.

(3) The local authority must secure that the required appointment or election of governors takes place in accordance with the instrument of government before the constitution date and takes effect on that date.

27. Where a local authority have not appointed a shadow governing body, they must secure that:

- (a) a new instrument of government is made for the school in accordance with Part 5 of the Constitution Regulations; and
- (b) on the transfer date the governing body of the school are constituted as a normally constituted governing body in accordance with that new instrument of government.