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STATUTORY INSTRUMENTS

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**2013 No. 1624**

**The School Governance (Roles, Procedures  
and Allowances) (England) Regulations 2013**

**PART 3**

**Appointment, Functions and Removal of Officers**

**Appointment and removal of the clerk to the governing body**

**10.**—(1) This regulation is without prejudice to any rights and liabilities which the clerk may have under any contract with the governing body or with the local authority.

(2) In fulfilling their duty under regulation 6(3) the governing body must ensure that the clerk is not—

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

(3) Notwithstanding regulation 6(3), the governing body may, if the clerk fails to attend a meeting of the school, appoint any one of their number (who is not the head teacher) to act as clerk for the purposes of that meeting.

(4) The governing body may remove the clerk to the governing body from office.

(5) If at any time the school does not have a delegated budget, the local authority may remove the clerk to the governing body and appoint a substitute, provided the local authority consults the governing body before taking such action.