
WELSH STATUTORY INSTRUMENTS

2005 No. 2912

The New Maintained Schools (Wales) Regulations 2005

PART 5

Tenure of Office and Qualifications

Resignation

22.—(1) Any member of a temporary governing body may resign his or her governorship by giving written notice to the clerk to the temporary governing body of the school.

(2) An *ex officio* temporary foundation governor may resign as a temporary governor either permanently or temporarily but his or her resignation does not prejudice the temporary governorship of his or her successor in the office from which the *ex officio* temporary governorship derives.

(3) The head teacher may withdraw his or her resignation at any time by giving written notice to the clerk to the temporary governing body.

Removal

23.—(1) Any temporary governor of a new school may be removed from office by the person or persons who appointed him or her.

(2) In the case of the removal from office of a temporary governor mentioned in regulation 24(1), the governing body must follow the procedure set out in that regulation, and in all other cases the person removing the temporary governor from office must give written notice thereof to the clerk to the temporary governing body and to the governor so removed.

Procedure for removal of temporary governors by the temporary governing body

24.—(1) This regulation applies in relation to the removal from office of:

- (a) a temporary parent governor appointed by the temporary governing body,
- (b) a temporary teacher governor appointed by the temporary governing body, or
- (c) a temporary sponsor governor.

(2) A resolution to remove a temporary governor from office which is passed at a meeting of the temporary governing body does not have effect unless—

- (a) before the temporary governing body resolve to remove the temporary governor from office, the temporary governor or governors proposing his or her removal, at that meeting, state their reasons for doing so and the governor whom it is proposed be removed is given an opportunity to make a statement in response;
- (b) the matter of the temporary governor's removal from office is specified as an item of business on the agenda for the meeting.

(3) After a resolution to remove a governor from office has been passed, the temporary governing body must inform the person removed from office of the reasons for the removal in writing.

Qualifications and disqualifications

25. Schedule 5 to the Government Regulations applies, subject to the general modifications, for the purpose of setting out the circumstances in which a person is qualified or disqualified for holding or continuing to hold office, or for being appointed or nominated as a temporary governor of a new school.

Expenses

26. Where a temporary governing body is constituted for a new school the local education authority is under the same duty to defray the expenses incurred in relation to the temporary governing body as they would be if the relevant proposals had been implemented and the temporary governing body were the governing body of the school⁽¹⁾.

Explanatory information

27. The local education authority must secure that the members of the temporary governing body of a new school are, on being appointed, provided (free of charge) with such information as the authority consider they require to enable the temporary governing body to discharge its functions effectively.

(1) See the Education (Governor Allowances) (Wales) Regulations 2005, [S.I. 2005/2915 \(W.212\)](#).