

SCHEDULE 2

Regulation 14

Election and appointment of parent governors

1. Subject to paragraph 2(2), in this Schedule “appropriate body” (“*corff priodol*”) means—
 - (a) the local authority where the federated school is a community school, community special school, a voluntary controlled school or a maintained nursery school; or
 - (b) the governing body of the federation where the federated school is a foundation school or voluntary aided school.

- 2.—(1) Where a local authority is the appropriate body in relation to a school, that local authority may delegate to the head teacher of the school, or to the head teacher of the federation, any of its functions under this Schedule.
(2) The local authority is the appropriate body in relation to a school within paragraph 1(b) if the governing body of the federation and the local authority so agree.

3. Subject to paragraphs 4 to 8 the appropriate body must make all necessary arrangements for the election of parent governors.

4. The appropriate body must determine for the purposes of an election of parent governors, any question whether a person is a parent of a registered pupil at the school.

5. The duty conferred by paragraph 3—
 - (a) does not include power to impose any requirement as to the minimum number of votes required to be cast for a candidate to be elected, but
 - (b) does include the power to make provision as to qualifying dates.

6. Any election which is contested must be held by secret ballot.

- 7.—(1) The arrangements made under paragraph 3 must provide for every person who is entitled to vote to have an opportunity to do so by post.
(2) For the purposes of sub-paragraph (1), “post” (“*post*”) includes delivery by hand.
(3) The arrangements made under paragraph 3 may provide for every person who is entitled to vote to have an opportunity to do so by electronic means.

8. Where a vacancy for a parent governor arises, the appropriate body must take such steps as are reasonably practicable to secure that every person who is known to them to be a parent of a registered pupil at the school is—
 - (a) informed of the vacancy and that it is required to be filled by election;
 - (b) informed that that person is entitled to stand as a candidate and vote in the election; and
 - (c) given the opportunity to do so.

9. The number of parent governors required must be made up of parent governors appointed by the governing body if one or more vacancies for parent governors arises and either—
 - (a) the number of parents standing for election is less than the number of vacancies;
 - (b) at least 50 per cent of the registered pupils at the school are boarders and it would, in the opinion of the appropriate body, be impractical for there to be an election of parent governors; or
 - (c) in the case of a school which is a community special school in a hospital, it would, in the opinion of the appropriate body, be impractical for there to be an election of parent governors.

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

10.—(1) Except where paragraph 11 applies, in appointing a parent governor to represent a federated school, the governing body of a federation must appoint—

- (a) a parent of a registered pupil at the school;
- (b) a parent of a registered pupil at another school within the federation; or
- (c) a parent of a child of compulsory school age, or in the case of a maintained nursery school, of or under compulsory school age.

(2) The governing body must only appoint a person referred to in paragraph (1)(b) or (c) if there is no other person to be appointed from an earlier paragraph in the list set out in sub-paragraph (1).

11.—(1) Where the school is a community special school, in appointing a parent governor the governing body of a federation must appoint—

- (a) a parent of a registered pupil at the school;
- (b) a parent of a child of compulsory school age with special educational needs;
- (c) a parent of a person of any age with special educational needs; or
- (d) a parent of a child of compulsory school age.

(2) The governing body of a federation must only appoint a person referred to in paragraph (1) (b), (c) or (d) if there is no other person to be appointed from an earlier paragraph in the list set out in sub-paragraph (1).