

## SCHEDULES

### SCHEDULE 7

Section 59.

#### CATEGORIES OF GOVERNORS

##### PART I

###### INTRODUCTORY

###### *Application*

- 1 (1) This Schedule applies, in relation to the governing body of a grant-maintained school, for the purposes of Part II of this Act.
- (2) Part II of this Schedule applies for the purpose of determining who are to be the initial governors of a grant-maintained school.
- (3) Part III of this Schedule applies for the purpose of determining who are to be the governors of a grant-maintained school on and after the incorporation date.

###### *General interpretation*

- 2 References to an initial governor are to any person who becomes a member of the governing body on the incorporation date.
- 3 References to a governor of an elected category are to a person who is a parent or teacher governor within the meaning of the Education (No. 2) Act 1986 or this Schedule.
- 4 In relation to any proposals for acquisition of grant-maintained status in respect of a school, a person who is a governor of an elected category on the existing governing body of the school is an eligible governor of that category if—
  - (a) his term of office as a governor is due to end after the date of implementation of the proposals, and
  - (b) he has notified the existing governing body that he is willing to serve on the proposed governing body and has not withdrawn that notification.

##### PART II

###### INITIAL GOVERNORS

###### *Parent governors*

- 5 (1) In relation to a governing body to be incorporated under Chapter II, “parent governor” means—

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- (a) a person who, immediately before the incorporation date in relation to the school, is a parent governor (within the meaning of the Education (No. 2) Act 1986) in relation to the school, or
  - (b) a person elected or appointed under section 71, or elected, appointed or nominated under section 74, of this Act to hold office as an initial parent governor on the governing body.
- (2) A person elected under section 71 of this Act to hold office as an initial parent governor must be elected by registered parents of registered pupils at the school and a person elected or appointed under that section to hold such office must himself when he is elected or appointed be such a parent.
- (3) A person elected, appointed or nominated under section 74 of this Act to hold office as an initial parent governor—
- (a) in the case of an election, must be elected by registered parents of registered pupils at the school and must himself when he is elected be such a parent, and
  - (b) in the case of an appointment or nomination, must be a registered parent of a registered pupil at the school at the time of his appointment or nomination.

#### *Teacher governors*

- 6 (1) In relation to a governing body to be incorporated under Chapter II, “teacher governor” means—
- (a) a person who, immediately before the incorporation date in relation to the school, is a teacher governor (within the meaning of the Education (No. 2) Act 1986) in relation to the school, or
  - (b) a person elected under section 71, or elected or nominated under section 74, of this Act to hold office as an initial teacher governor on the governing body.
- (2) A person elected under section 71 of this Act to hold office as an initial teacher governor must be elected by teachers at the school and must himself when he is elected be such a teacher.
- (3) A person elected or nominated under section 74 of this Act to hold office as an initial teacher governor—
- (a) in the case of an election, must be elected by teachers at the school and must himself when he is elected be such a teacher, and
  - (b) in the case of a nomination, must be a teacher at the school at the time of his nomination.

#### *First governors*

- 7 (1) In relation to a governing body to be incorporated under Chapter II, “first governor” means a person who is selected under section 73(1), or nominated under section 75(1), of this Act and appears to the persons selecting or nominating him to be committed to the good government and continuing viability of the school.
- (2) In relation to a governing body to be incorporated under Chapter IV, “first governor” means a person appointed by the funding authority who appears to them to be committed to the good government and continuing viability of the proposed school.

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### *Foundation governors*

- 8 (1) In relation to a governing body to be incorporated under Chapter II, “foundation governor” means a person who—
- (a) is selected under section 73(2), or nominated under section 75(2), of this Act,
  - (b) where the statement annexed under paragraph 2 of Schedule 3 to this Act to the proposals for acquisition of grant-maintained status describes the religious character of the school, is appointed for the purpose of securing that (subject to the approval or adoption under section 98 of this Act of any proposals) the religious character of the school is such as is indicated in the statement, and
  - (c) where there is a trust deed relating to the school, is appointed for the purpose of securing that the school is conducted in accordance with the deed.
- (2) In relation to a governing body to be incorporated under Chapter IV, “foundation governor” means a person who—
- (a) is appointed by the promoters,
  - (b) where the statement annexed under paragraph 8 of Schedule 3 to this Act to the proposals for the establishment of a new grant-maintained school describes the religious character of the school, is appointed for the purpose of securing that (subject to the approval or adoption under section 98 of this Act of any proposals) the religious character of the proposed school is such as is indicated in the statement, and
  - (c) where there is a trust deed relating to the proposed school, is appointed for the purpose of securing that the proposed school is conducted in accordance with that deed.

### *Sponsor governors*

- 9 In relation to a governing body to be incorporated under Chapter II, “sponsor governor” means a person appointed by a person named as a sponsor of the school in the proposals for acquisition of grant-maintained status.

## **PART III**

### **GOVERNORS OTHER THAN INITIAL GOVERNORS**

#### *Parent governors*

- 10 (1) “Parent governor” means a person who—
- (a) is elected by registered parents of registered pupils at the school,
  - (b) is appointed under a provision of the instrument of government made by virtue of section 60(3) of this Act,
  - (c) is appointed by virtue of section 60(6) of this Act, or
  - (d) is an initial parent governor.
- (2) To qualify for such election, the person must himself when he is elected be a registered parent of a registered pupil at the school.

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*Teacher governors*

- 11 (1) “Teacher governor” means a person who—
- (a) is elected by teachers at the school,
  - (b) is appointed by virtue of section 61(4) of this Act, or
  - (c) is an initial teacher governor.
- (2) To qualify for such election, the person must himself when he is elected be a teacher at the school.

*First governors*

- 12 “First governor” means—
- (a) a person appointed by the governing body who appears to them to be committed to the good government and continuing viability of the school,
  - (b) a person appointed under a provision of the instrument of government made by virtue of section 64 of this Act who appears to the person appointing him to be committed to the good government and continuing viability of the school, or
  - (c) an initial first governor.

*Foundation governors*

- 13 “Foundation governor” means a person who—
- (a) is appointed otherwise than by a local education authority or the funding authority,
  - (b) where paragraph 8(1)(b) or (2)(b) above applies, is appointed for the purpose there referred to, and
  - (c) where there is a trust deed relating to the school, is appointed for the purpose of securing that the school is conducted in accordance with that deed.

*Sponsor governors*

- 14 “Sponsor governor” means—
- (a) a person appointed by a person named in the instrument of government as a sponsor of the school,
  - (b) while the instrument of government is the initial instrument, a person appointed by a person named as a sponsor of the school in the proposals for acquisition of grant-maintained status or, as the case may be, the proposals for the establishment of a new grant-maintained school, or
  - (c) an initial sponsor governor.