



# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 3

#### FURTHER PROVISIONS ABOUT MAINTAINED SCHOOLS

##### *Foundation, voluntary and foundation special schools*

#### **34 Parent councils for certain foundation or foundation special schools**

After section 23 of EA 2002 insert—

##### **“23A Parent councils**

- (1) A school is for the purposes of this section a “qualifying school” if—
  - (a) it is a foundation or foundation special school in England,
  - (b) it has a foundation established otherwise than under the School Standards and Framework Act 1998, and
  - (c) the instrument of government for the school provides that the majority of governors are to be foundation governors.
- (2) The governing body of any qualifying school must establish in accordance with regulations a body to be known as a parent council.
- (3) The purpose of a parent council is to advise the governing body on matters relating to the conduct of the school and the exercise by the governing body of their powers under section 27.
- (4) Regulations may make provision as to—
  - (a) the person or persons by whom, and the manner in which, members of a parent council are to be elected or appointed,
  - (b) eligibility for election or appointment,
  - (c) the duration of membership, and
  - (d) meetings and proceedings of a parent council.

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*Changes to legislation: Education and Inspections Act 2006, Section 34 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (5) Regulations—
- (a) must require the majority of members of a parent council to be parent members, and
  - (b) may enable a person who is not the parent of a registered pupil to be a member of a parent council if appointed in accordance with the regulations by the parent members.
- (6) Regulations may confer functions relating to parent councils on the governing bodies of qualifying schools.
- (7) The governing body of a qualifying school must, in exercising their functions under this section with respect to the school's parent council, have regard to any guidance given from time to time by the Secretary of State.
- (8) The reference in subsection (1)(b) to a foundation is to be read in accordance with section 21 of the School Standards and Framework Act 1998.
- (9) In this section “parent member”, in relation to a parent council, means a member of the council who is the parent of a registered pupil at the school.”

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**Commencement Information**

**II** S. 34 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(i\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)