



Education Act 2011

2011 CHAPTER 21

PART 5

EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

Governing bodies: constitution and dissolution

38 Constitution of governing bodies: maintained schools in England

(1) Section 19 of EA 2002 (governing bodies) is amended as follows.

(2) After subsection (1) insert—

“(1A) Regulations must provide for a governing body of a maintained school in England to consist of—

- (a) persons elected or appointed as parent governors,
- (b) the head teacher of the school,
- (c) a person elected as a staff governor,
- (d) a person appointed as a local authority governor,
- (e) in the case of a foundation school, a foundation special school or a voluntary school, persons appointed as foundation governors or partnership governors, and
- (f) such other persons as may be prescribed.”

(3) In subsection (2), after “governing body” insert “of a maintained school in Wales”.

(4) After subsection (4) insert—

“(4A) Regulations made by virtue of subsection (3)(c) in relation to a maintained school in England may include provision for eligibility criteria for the school’s local authority governor to be such as may be specified by the school’s governing body.

(4B) Regulations made by virtue of subsection (3)(e) in relation to a maintained school in England may include provision allowing the head teacher of the

Status: This is the original version (as it was originally enacted).

school to resign from office as a governor (and to withdraw any such resignation).”

39 Discontinuance of federated school: governing body not to be dissolved

In paragraph 5 of Schedule 1 to EA 2002 (dissolution of school governing body on discontinuance of school), after sub-paragraph (1) insert—

“(1A) Sub-paragraph (1) does not apply if—

- (a) the school is a federated school in England, and
- (b) immediately after the discontinuance date, there will be more than one other school remaining in the federation.

(1B) “Federation” and “federated school” have the meanings given by section 24(2).”