
STATUTORY INSTRUMENTS

2003 No. 1377

**The School Governance (Procedures)
(England) Regulations 2003**

PART 4

Committees of governing bodies

Application of this Part

19. This Part does not apply to any committee established by the governing body to exercise functions relating to the appointment, grievance, conduct and discipline, capability, suspension or dismissal of individual members of the school staff.

Establishment of committees of the governing body

20.—(1) The governing body must determine the constitution, membership and terms of reference of any committee it decides to establish and review them annually.

(2) The quorum for any meeting of a committee shall be determined by that committee, but in any event shall be not less than three governors who are members of the committee.

(3) A chair shall be appointed annually to each committee by the governing body or elected by the committee, as determined by the governing body.

(4) The governing body may remove the chair to any committee from office at any time.

Clerks to committees

21.—(1) The governing body shall appoint a clerk to each committee established by it, who must not be the head teacher of the school.

(2) Notwithstanding paragraph (1), the committee may, if the clerk fails to attend a meeting of theirs, appoint any one of their number (who is not the head teacher) to act as clerk for the purposes of that meeting.

(3) The governing body may remove any clerk appointed to any of their committees from office at any time.

(4) A clerk appointed to a committee of the governing body shall—

(a) convene meetings of the committee;

(b) attend meetings of the committee and ensure that minutes of the proceedings are drawn up; and

(c) perform such other functions with respect to that committee as shall be determined by the governing body from time to time.

Associate members

- 22.—(1) The membership of any committee may include associate members.
- (2) Subject to paragraphs (3) and (4) of this regulation, an associate member shall have such voting rights in a committee to which he is appointed as shall be determined by the governing body at the date of his appointment.
- (3) An associate member may not vote on any resolution concerning—
- (a) admissions;
 - (b) pupil discipline;
 - (c) election or appointment of governors;
 - (d) the budget and financial commitments of the governing body.
- (4) An associate member may not vote on any other business transacted by any committee unless he was aged 18 or over at the date of his appointment.
- (5) An associate member may be removed from office by the governing body at any time.

Right of persons to attend meetings of committees

- 23.—(1) Subject to regulation 14 and to the Schedule to these Regulations the following persons shall be entitled to attend any meeting of a committee—
- (a) any member of the committee, provided he is not a governor who has been suspended in accordance with regulation 15;
 - (b) the head teacher of the school, whether or not he is a member of the committee;
 - (c) the clerk to the committee; and
 - (d) such other persons as the governing body or the committee may determine.
- (2) A committee may exclude an associate member from any part of its meeting which he is otherwise entitled to attend when the business under consideration concerns an individual member of staff or pupil.

Meetings of committees

- 24.—(1) Meetings of a committee shall be convened by the clerk to that committee who, when exercising this function, shall comply with any direction given by—
- (a) the governing body;
 - (b) the chair of that committee, so far as such direction is not inconsistent with any direction given under sub-paragraph (a).
- (2) Subject to any direction given in accordance with paragraph (1), at least seven clear days in advance the clerk shall give to each member of the committee and to the head teacher (whether or not he is a member of the committee)—
- (a) written notice of the meeting,
 - (b) a copy of the agenda for the meeting, and
 - (c) any reports or other papers to be considered at the meeting;
- provided that where the chair of the committee so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of the meeting states that fact and the notice, agenda and reports or other papers to be considered at the meeting are given within such shorter period as he directs.
- (3) The proceedings of a committee shall not be invalidated by—

- (a) any vacancy among their number; or
 - (b) any defect in the appointment of any member of the committee.
- (4) No vote on any matter shall be taken at a meeting of a committee unless the majority of members of the committee present are governors.
- (5) Every question to be decided at a meeting of a committee shall be determined by a majority of the votes of the members of the committee present and voting on the question.
- (6) Where there is an equal division of votes the person who is acting as chair for the purposes of the meeting shall have a second or casting vote, provided that such person is a governor.
- (7) Minutes of the proceedings of a meeting of a committee shall be drawn up by the clerk to the committee or by the person acting as the clerk for the purposes of the meeting; and shall be signed (subject to the approval of the committee) by the chair of the next meeting of the committee.
- (8) Subject to paragraph (9) the committee shall, as soon as reasonably practicable, make available for inspection by any interested person a copy of—
- (a) the agenda for every committee meeting;
 - (b) the signed minutes of every such meeting; and
 - (c) any report or other paper considered at any such meeting.
- (9) The committee may exclude from any item required to be made available in pursuance of paragraph (8) any material relating to—
- (a) a named person who works, or who it is proposed should work, at the school;
 - (b) a named pupil at, or candidate for admission to, the school;
 - (c) any other matter that, by reason of its nature, the committee is satisfied should remain confidential.