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STATUTORY INSTRUMENTS

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**2007 No. 957**

**The School Governance (Constitution)  
(England) Regulations 2007**

**Part 3**

**Composition of Governing Bodies**

**General Principles**

**12.**—(1) The instrument of government of a school is to specify the size and membership of the governing body, which is to be no fewer than 9 and no more than 20 governors.

(2) In determining the size of their membership, the governing body must not include—

- (a) any sponsor governors, or
- (b) foundation governors appointed in accordance with regulations 16(2)(b) or 18(2)(b).

(3) Subject to regulations 13 to 18, the instrument of government is to specify the numbers of governors from each of the following categories of governor to be elected or appointed—

- (a) parent governor;
- (b) staff governor;
- (c) LEA governor;
- (d) community governor;
- (e) foundation governor;
- (f) partnership governor;
- (g) sponsor governor.

(4) In calculating the number of governors required in each category in accordance with regulations 13 to 18, the number is to be rounded up or down to the nearest whole number and regulations 13 to 18 are to be interpreted subject to this provision.

(5) In calculating the number of staff governors required, the head teacher must be included whether or not he has resigned his governorship.

**Community schools, maintained nursery schools and community special schools**

**13.**—(1) The governing body of a community school, a maintained nursery school or a community special school<sup>(1)</sup> is to comprise the following:

- (a) one third or more parent governors;
- (b) at least two but no more than one third staff governors;
- (c) one fifth LEA governors; and
- (d) one fifth or more community governors.

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(1) Within the meaning of section 20 of and Schedule 2 to the SSFA 1998 and section 39(1) of the EA 2002.

(2) The governing body may in addition appoint up to two sponsor governors, or where the school is a secondary school<sup>(2)</sup>, up to four sponsor governors.

#### **Foundation and foundation special schools which do not have a foundation**

**14.**—(1) The governing body of a foundation school or a foundation special school<sup>(3)</sup> which, in either case, does not have a foundation, is to comprise the following:

- (a) one third or more parent governors;
- (b) at least two but no more than one third staff governors;
- (c) at least one but no more than one fifth LEA governors;
- (d) one tenth or more community governors; and
- (e) at least two but no more than one quarter partnership governors.

(2) The governing body may in addition appoint up to two sponsor governors or, where the school is a secondary school, up to four sponsor governors.

#### **Foundation and foundation special schools which have a foundation but which are not qualifying foundation schools**

**15.**—(1) The governing body of a foundation school or a foundation special school<sup>(4)</sup> which, in either case, has a foundation but which is not a qualifying foundation school, is to comprise the following:

- (a) one third or more parent governors;
- (b) at least two but no more than one third staff governors;
- (c) at least one but no more than one fifth LEA governors;
- (d) one tenth or more community governors; and
- (e) at least two but no more than 45 per cent foundation governors.

(2) The governing body may in addition appoint up to two sponsor governors or, where the school is a secondary school, up to four sponsor governors.

#### **Qualifying foundation schools**

**16.**—(1) The governing body of a qualifying foundation school is to comprise the following:

- (a) at least one parent governor;
- (b) at least two but no more than one third staff governors;
- (c) at least one but no more than one fifth LEA governors;
- (d) one tenth or more community governors;
- (e) such number of foundation governors as out number all the other governors listed in subparagraphs (a) to (d) by up to two; and
- (f) such number of foundation governors who are eligible for election or appointment as parent governors that, when they are counted with the parent governors, comprise one third or more of the total membership of the governing body.

(2) In addition—

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(2) Within the meaning of section 5(2) of EA 1996.

(3) Within the meaning of section 20 of and Schedule 2 to SSFA 1998.

(4) Within the meaning of section 20 of and Schedule 2 to SSFA 1998.

- (a) the governing body may appoint up to two sponsor governors, or where the school is a secondary school up to four sponsor governors; and
- (b) the foundation may appoint such number of foundation governors (up to two or, where the school is a secondary school, up to four) as are required to preserve their majority.

### **Voluntary controlled schools**

**17.**—(1) The governing body of a voluntary controlled school<sup>(5)</sup> is to comprise the following:

- (a) one third or more parent governors;
- (b) at least two but no more than one third staff governors;
- (c) at least one but no more than one fifth LEA governors;
- (d) one tenth or more community governors; and
- (e) at least two but no more than one quarter foundation governors.

(2) The governing body may in addition appoint up to two sponsor governors or, where the school is a secondary school, up to four sponsor governors.

### **Voluntary aided schools**

**18.**—(1) The governing body of a voluntary aided school<sup>(6)</sup> is to comprise the following:

- (a) at least one but no more than one tenth LEA governors;
- (b) at least two but no more than one third staff governors;
- (c) at least one parent governor;
- (d) such number of foundation governors as out number all the other governors listed in subparagraphs (a) to (c) by two; and
- (e) such number of foundation governors who are eligible for election or appointment as parent governors that, when they are counted with the parent governors, comprise one third or more of the total membership of the governing body.

(2) In addition—

- (a) the governing body may appoint up to two sponsor governors, or where the school is a secondary school up to four sponsor governors; and
- (b) the person who is entitled to appoint foundation governors may appoint such number of foundation governors (up to two or, where the school is a secondary school, up to four) as are required to preserve their majority.

### **Notification of appointments**

**19.** Where any person makes an appointment or nominates a person to be appointed to the governing body, he must give written notice of the appointment or the nomination to the clerk to the governing body specifying the name and usual place of residence of the person appointed or nominated.

### **Surplus governors**

**20.** Where a maintained school has more governors of a particular category than are provided for by the instrument of government for the school, a governor of that category may serve out his term of office.

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(5) Within the meaning of section 20 of and Schedule 2 to SSFA 1998.

(6) Within the meaning of section 20 of and Schedule 2 to SSFA 1998.

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

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