

SCHEDULE 1

Regulation 10(1)

Appointment of Temporary Community Governors at Community Special Schools or Foundation Special Schools

1. Subject to paragraphs 2 and 3, the local education authority must appoint temporary community governors to the temporary governing body of a new school which is or will be a community special school or foundation special school, in accordance with regulation 10(1).

2.—(1) In relation to a new school which is or will be a community special school or a foundation special school established in a hospital, the local education authority must:

(a) designate:

- (i) one or more primary care trusts;
- (ii) the National Health Service Trust; or
- (iii) the NHS foundation trust;

with which the new school is most closely connected, as the appropriate body; and

(b) invite the appropriate body so designated to nominate (and if more than one, jointly) a person to be appointed as one of the temporary community governors.

(2) For the purposes of this paragraph:

“National Health Service Trust” means a body established by the Secretary of State under section 25 of the National Health Service Act 2006⁽¹⁾;

“NHS foundation trust” has the same meaning as in section 30(1) of the National Health Service Act 2006; and

“primary care trust” means a body established or continuing under section 18 of the National Health Service Act 2006.

3. In relation to a new school which is or will be a community special school or foundation special school not established in a hospital, the local education authority must appoint as one of the temporary community governors:

- (a) if a voluntary organisation is designated by the local education authority as the appropriate voluntary organisation concerned with matters in respect of which the school is specially organised, a person (if any) nominated by that organisation; or
- (b) if two or more voluntary organisations are so designated as appropriate voluntary organisations concerned with such matters, a person (if any) nominated by those organisations acting jointly.

(1) 2006 c.41.