
STATUTORY INSTRUMENTS

2012 No. 1034

**The School Governance (Constitution)
(England) Regulations 2012**

PART 2

Categories of governor

Parent governor

- 6.—(1) In these Regulations “parent governor” means—
- (a) a person who—
 - (i) is elected in accordance with paragraphs 4 to 8 of Schedule 1 as a governor by parents of registered pupils⁽¹⁾ at the school, and
 - (ii) is such a parent at the time of election;
 - (b) where the school is a maintained nursery school, a person who is elected in accordance with paragraphs 4 to 8 of Schedule 1 as a governor by—
 - (i) parents of registered pupils at the school, or
 - (ii) parents of children for whom educational or other provision is made on the premises of the school (including any such provision made by the governing body under section 27 of EA 2002),and is such a parent at the time of election; or
 - (c) a person who is appointed as a parent governor in accordance with paragraphs 9 to 11 of Schedule 1.

Staff governor

7. In these Regulations “staff governor” means a person who—
- (a) is elected in accordance with Schedule 2 as a governor by persons who are employed by either the governing body or the local authority under a contract of employment providing for those persons to work at the school, and
 - (b) is so employed at the time of election.

Local authority governor

8. In these Regulations “local authority governor” means a person who—
- (a) is nominated by the local authority; and
 - (b) is appointed as a governor by the governing body having, in the opinion of the governing body, met any eligibility criteria that they have set.

⁽¹⁾ Within the meaning of section 434(5) of EA 1996.

Foundation governor

9. In these Regulations—

- (a) “foundation governor” means a person who—
 - (i) is appointed as a governor by any person other than the local authority,
 - (ii) is appointed for the purpose of securing that the character of the school including, where the school has a particular religious character⁽²⁾ such religious character, is preserved and developed,
 - (iii) where the school has a foundation, is appointed for the purpose of securing that the school is conducted in accordance with the foundation’s governing documents, including, where appropriate, any trust deed relating to the school, and
 - (iv) would, in the opinion of the person entitled to appoint the foundation governor, be capable of achieving the purposes for which they would be appointed as a foundation governor;
- (b) “ex officio foundation governor” means a person who is a foundation governor by virtue of an office held by the person;
- (c) “substitute governor” means a foundation governor appointed to act in the place of an ex officio foundation governor who is unwilling or unable to act as a governor or has been removed from office under regulation 21(1).

Partnership governor

10.—(1) In these Regulations “partnership governor” means a person who is appointed as such in accordance with Schedule 3.

(2) Where the school has a religious character, “partnership governor” means a person who is appointed for the purpose of securing that such religious character is preserved and developed.

Co-opted governor

11. In these Regulations “co-opted governor” means a person who is appointed as a governor by the governing body and who, in the opinion of the governing body, has the skills required to contribute to the effective governance and success of the school.

Associate members

12. In these Regulations “associate member” means a person who is appointed by the governing body as a member of any committee established by them but who is not a governor.

(2) As designated by order of the Secretary of State under section 69(3) of SSFA 1998.