
WELSH STATUTORY INSTRUMENTS

2014 No. 1132

**The Federation of Maintained
Schools (Wales) Regulations 2014**

PART 3

CATEGORIES OF GOVERNOR

Parent governors

- 14.**—(1) In these Regulations “parent governor” (“*rhiant-lywodraethwr*”) means—
- (a) a person who is elected in accordance with paragraphs 3 to 8 of Schedule 2 as a member of the governing body of a federation by parents of registered pupils at a federated school and is such a parent at the time when that person is elected, or
 - (b) a person appointed as a parent governor in respect of a federated school in accordance with paragraphs 9 to 11 of Schedule 2.
- (2) Schedule 2 applies to the election and appointment of parent governors.
- (3) A person is disqualified from election or appointment as a parent governor of a federation if that person is—
- (a) an elected member of the local authority;
 - (b) employed by the local authority in connection with its education functions; or
 - (c) paid to work at the school in the federation for more than 500 hours in any twelve month period.
- (4) A person is not disqualified from continuing to hold office as a parent governor when that person ceases to be a parent of a registered pupil at a federated school or to fulfil any of the requirements set out in paragraphs 10 and 11 of Schedule 2 (as the case may be) unless that person is otherwise disqualified under these Regulations.

Teacher governors

- 15.**—(1) In these Regulations “teacher governor” (“*athro-lywodraethwr*”) means a person—
- (a) who is elected in accordance with Schedule 3 as a governor by school teachers at any school within the federation; and
 - (b) who is such a school teacher at a time when that person is elected.
- (2) Upon ceasing to work at the school a teacher governor is disqualified from continuing to hold office as such a governor.
- (3) Subject to paragraph (4) a person is disqualified from election as a teacher governor to a governing body if that person—
- (a) has previously been elected as a teacher governor to the same governing body within the last two years; or

(b) is employed to work at the same federated school as any person elected as a teacher governor to that governing body within the last two years.

(4) Paragraph (3)(b) does not apply to any person employed to work at two or more federated schools in the federation.

Staff governors

16.—(1) In these Regulations “staff governor” (*“staff-lywodraethwr”*) means a person —

- (a) who is elected in accordance with Schedule 3 as a member of the governing body of a federation by persons who are employed to work at the federation or at a federated school otherwise than as a school teacher; and
- (b) who is a person so working at the time when that person is elected.

(2) Upon ceasing to work at a school within the federation, a staff governor of a school is disqualified from continuing to hold office as such a governor.

(3) Subject to paragraph (4) a person is disqualified from election as a staff governor to a governing body if that person—

- (a) has previously been elected as a staff governor to the same governing body within the last two years; or
- (b) is employed to work at the same federated school as any person elected as a staff governor to that governing body within the last two years.

(4) Paragraph (3)(b) does not apply to any person employed to work at two or more schools in the federation.

Local authority governors

17.—(1) In these Regulations “local authority governor” (*“llywodraethwr awdurdod lleol”*) means a governor appointed to be a member of the governing body of a federation by the local authority that maintains the federated schools.

(2) Where the federation includes schools which are maintained by two or more local authorities, those local authorities must agree amongst themselves who will appoint such governors and, if more than one governor is to be appointed, in what proportion.

(3) A person is disqualified from appointment or continuing to hold office as a local authority governor if that person is eligible to be a teacher or staff governor.

Community governors

18.—(1) In these Regulations—

“community governor” (*“llywodraethwr cymunedol”*) means a person who is appointed as such by the governing body of a federation and who is—

- (a) a person who lives or works in the community served by the federation; or
- (b) a person who, in the opinion of the governing body, is committed to the good government and success of the federation.

(2) A person is disqualified from appointment or continuing to hold office as a community governor if that person is—

- (a) a registered pupil at one of the federated schools;
- (b) eligible to be a teacher or staff governor; or
- (c) an elected member of the local authority.

Additional community governors

19. In these Regulations “additional community governor” (*“llywodraethwr cymunedol ychwanegol”*) means a governor appointed in accordance with regulation 31.

Foundation governors

20.—(1) In these Regulations—

- (a) “foundation governor” (*“llywodraethwr sefydledig”*) means a person who is appointed to be a member of the governing body of a federation in respect of a particular federated school, otherwise than by the local authority, and who—
 - (i) where the federation includes a federated school which has a particular religious character⁽¹⁾, is appointed for the purpose of securing that that character is preserved and developed at that federated school;
 - (ii) where the federation includes a federated school to which a trust relates, is appointed for the purpose of securing that the federated school is conducted in accordance with that trust, or
 - (iii) where the federation includes a school which has neither a religious character nor a trust, is appointed as a foundation governor of the federation by a person previously named in the federated school’s instrument of government as having the power to appoint foundation governors;
- (b) “ex officio foundation governor” (*“llywodraethwr sefydledig ex officio”*) means a foundation governor who is the holder of an office by virtue of which that person is entitled to be a foundation governor;
- (c) “substitute governor” (*“dirprwy-lywodraethwr”*) means a foundation governor appointed to act in place of an ex officio foundation governor—
 - (i) who is unwilling or unable to act as governor;
 - (ii) who has been removed as a governor under regulation 38(2); or
 - (iii) if there is a vacancy in the office by virtue of which such a governorship exists.

(2) An ex officio foundation governor is, upon ceasing to hold the office from which that person’s governorship derives, disqualified from continuing to hold office as such a governor.

Partnership governors

21.—(1) In these Regulations “partnership governor” (*“llywodraethwr partneriaeth”*) means a person who is nominated as a partnership governor and appointed as such in accordance with Schedule 4.

(2) A person is disqualified from nomination or appointment as a partnership governor of a federation if that person is—

- (a) a parent of a registered pupil at a school within the federation;
- (b) a registered pupil at a school within the federation;
- (c) eligible to be a teacher or staff governor of the federation;
- (d) an elected member of a relevant local authority; or
- (e) employed by a relevant local authority in connection with its functions as a local authority.

(1) As designated by Order of the Welsh Ministers under section 69(3) of the 1998 Act.

Sponsor governors

22. In these Regulations “sponsor governor” (“*noddwr-lywodraethwr*”) means a person nominated as a sponsor governor and appointed as such by the governing body of a federation in accordance with Schedule 5.

Representative governors

23. In these Regulations “representative governor” (“*llywodraethwr cynrychiadol*”) means a person who is appointed as such in accordance with Schedule 6.

Associate pupil governors

24.—(1) In these Regulations “associate pupil governor” (“*disgybl-lywodraethwr cyswllt*”) means a registered pupil nominated by the school council to be a member of the federated governing body and appointed as such by the federated governing body in accordance with regulation 7 of the School Council Regulations.

(2) The maximum number of associate pupil governors on any federated governing body is two.