

Number: WG14945



Llywodraeth Cymru
Welsh Government

www.cymru.gov.uk

Welsh Government

Consultation Document

Consultation on the School Governance (Transition from an Interim Executive Board) (Wales) Regulations 2012

Date of issue: **28 February 2012**

Action required: Responses by **22 May 2012**

Consultation on the School Governance (Transition from an Interim Executive Board) (Wales) Regulations 2012

Overview

These draft regulations make provision relating to the transition of a school's governing body from being constituted as an interim executive board in accordance with Schedule 1A to the School Standards and Framework Act 1998 to being a governing body constituted in accordance with Section 19(1) of the Education Act 2002.

To promote continuity and a smooth transfer of functions it is proposed to provide for the appointment of a shadow governing body, initially to work alongside the Interim Executive Board (IEB) for at least six months and to later act alone once the IEB has been wound up.

Under the consultation proposals at least six months before the IEB ceases to operate the local authority must make arrangements to establish a Shadow Governing Body. The Shadow Governing Body will be constituted in the same way as a fully constituted governing body under the Government of Maintained Schools (Wales) Regulations 2005, so it will have the same categories of governors and the same numbers of governors for different types of schools.

How to respond

Consultation responses should be sent by post to:
Julie Webster
Schools Management and Effectiveness Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Or by e-mail to: sef@wales.gsi.gov.uk using the consultation response form at the end of the document.

Further information and related documents

Large print, Braille and alternate language versions of this document are available on request.

Education Act 2002 (English only)
<http://www.legislation.gov.uk/ukpga/2002/32/contents>

School Standards and Framework Act 1998 (English only)
<http://www.legislation.gov.uk/ukpga/1998/31/contents>

Contact details

If your enquiry is related to the policy content of the consultation please contact:

Jacqui Moyle
Schools Management and Effectiveness Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

e-mail: sef@wales.gsi.gov.uk

Tel: 029 2082 6363

Data protection**How the views and information you give us will be used**

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

1. Background

Interim Executive Boards

1.1 Sections 57 and 58 of the Education Act 2002 amend the School Standards and Framework Act 1998 to give local authorities and Welsh Ministers powers to replace a school governing body with an Interim Executive Board (IEB).

1.2 An Interim Executive Board (IEB) is a small body appointed on a short-term basis by a local authority to turn around a school that is judged to be in urgent need of improvement. An IEB replaces the governing body of a school that has either been placed in special measures or deemed as in need of significant improvement by Estyn, or that has not complied with a warning notice from its local authority (LA).

1.3 The IEB's main functions are to secure a sound basis for future improvement in the school and promote high standards of educational achievement.

1.4 Once a decision has been taken for the LA to put in place an IEB at a school, it issues a notice which provides that from a date specified, the governing body is to consist of interim executive members. This notice may also specify the date when the IEB is to become a normally constituted governing body, or this may be specified in a later notice.

1.5 Schedule 1A of the School Standards and Framework Act 1998 provides that arrangements for the transition from an IEB back to a normally constituted governing body may be prescribed in regulations made by Welsh Ministers.

1.6 These draft regulations make provision relating to the transition of a school's governing body from being constituted as an interim executive board in accordance with Schedule 1A to the School Standards and Framework Act 1998 to being a governing body constituted in accordance with Section 19(1) of the Education Act 2002.

1.7 These regulations require that, at least six months before the IEB ceases to operate the local authority makes arrangements to establish a Shadow Governing Body (SGB). The SGB will be constituted in the same way as the school's governing body.

1.8 The IEB may delegate functions to the SGB during this period.

1.9 When the IEB steps down, the SGB is treated as if it were the normally constituted governing body of the school.