STATUTORY INSTRUMENTS

1987 No. 1160

EDUCATION, ENGLAND AND WALES

The Education (Governing Bodies of Institutions of Further Education) Regulations 1987

Made - - - -	*2nd July 1987*
Laid before Parliament	*20th July 1987*
Coming into force	*1st September 1987*

In exercise of the powers conferred on the Secretary of State by sections 61(2), 62 and 63(3) of the Education (No.2) Act 1986**(a)**, the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Education (Governing Bodies of Institutions of Further Education) Regulations 1987 and shall come into force on 1st September 1987.

Interpretation

2. In these Regulations–

"relevant institution" means an institution–

(a) which is maintained by a local education authority; and

(b) for which section 1 of the Education (No. 2) Act 1968**(b)** requires there to be an instrument of government; and

"student governor" means a person who is a member of the governing body of a relevant institution of which he is a student.

Publication of minutes and papers

3. (1) Subject to paragraph (2) below, a copy of

(a) the agenda for every meeting of the governing body of a relevant institution;

(b) the draft minutes of every such meeting if they have been approved by the chairman of the meeting;

(c) the signed minutes of every such meeting; and

(d) any report, document or other paper considered at any such meeting;

shall, in each case as soon as may be, be made available at the institution by the governing body to any person wishing to inspect them.

(a) 1986 c.61.
(b) 1968 c.37.

(2) There may be excluded from any item required to be made available in pursuance of paragraph (1) above, any material relating to–

(a) a named teacher or other person employed at or proposed to be employed at the institution;

(b) a named student at, or candidate for admission to, the institution; and

(c) any matter which, by reason of its nature, the governing body are satisfied should be dealt with on a confidential basis.

Restrictions on participation of student governors in proceedings of governing bodies

4.—(1) Subject to paragraph (4) below, this regulation shall have effect for the purpose of prescribing restrictions on the participation of a student governor member of the governing body of a relevant institution in the proceedings of the governing body of that institution.

(2) A student governor who is present at a meeting of the governing body of the relevant institution shall not, if he is under the age of eighteen, vote on any question concerning any proposal–

(a) for the expenditure of money by the governing body; or

(b) under which the governing body, or any members of the governing body, would enter into any contract, or would incur any debt or liability (whether immediate, contingent or otherwise).

(3) Any student governor present at a meeting of the governing body of the relevant institution at which the subject of discussion is the appointment, remuneration, conditions of service, promotion, suspension, dismissal or retirement of a member or prospective member of the staff of the institution shall–

(a) where the instrument of government for the institution contains a provision requiring a student governor, in the circumstances mentioned in this paragraph, to withdraw from the meeting if any one member of the governing body present at the meeting so requires, and a member present at the meeting does so require, withdraw from the meeting;

(b) where the instrument of government for the institution contains the provision mentioned in sub-paragraph (a) above but no member of the governing body present at the meeting requires the withdrawal of student governors therefrom, take no part in the consideration or discussion of the matter in question and not vote on any question with respect to the matter; and

(c) where the instrument of government for the institution does not contain the provision mentioned in paragraph (a) above, withdraw from the meeting.

(4) The instrument of government for a relevant institution may contain provisions specifying restrictions on the participation of student governors in the proceedings of the governing body of the institution additional to those imposed by paragraphs (2) and (3) above.

Kenneth Baker
2nd July 1987 Secretary of State for Education and Science

Peter Walker
2nd July 1987 Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision with respect to the governing bodies of those institutions of further education which are both maintained by local education authorities and required, by virtue of section 1 of the Education (No. 2) Act 1968, to have instruments of government.

Regulation 3 requires certain documents and papers (as specified therein), relating to the meetings of the governing bodies of such institutions, to be made available for inspection at the institution concerned.

Regulation 4 contains provisions restricting the participation, in the proceedings of the governing body of such an institution, of any member of that body who is also a student of the institution concerned; and provisions allowing additional such restrictions to be imposed by the instruments of government for such institutions.