



# Delegation of Functions to the Chair of Governors in cases of Urgency

## Power of the Chair to take action

Regulation 6 of the School Governance (Procedures) (England) Regulations 2003 empowers the Chair to exercise:

- Any function of the Governing Body which can be delegated to an individual;
- Any function under regulation 17(2) regarding exclusion of pupils which under normal circumstances could not be delegated to an individual;

The School Governance (Procedures) (England) (Amendment) Regulations 2007 amended the functions which cannot be delegated to an individual and the circumstances in which the Chair has the power to call a meeting at short notice. Those amendments are incorporated in this guidance.

## Functions which can be exercised by the Chair in cases of urgency

The chair can exercise all the functions of the Governing Body except functions concerning:

- Alteration or discontinuance of the school
- Change of category of the school
- Change of school name
- Approval of first formal budget plan of the financial year
- School discipline policies
- Admission arrangements
- Admission of a child to the school
- Suspension of a Governor
- Any functions conferred/imposed on Governing Bodies under the Constitution Regulations (unless specifically provided in those regulations).

## Circumstances in which the Chair can exercise the functions

The Chair can take action where a delay in exercising the functions would be likely to be seriously detrimental to the interests of:

- The school, or
- A pupil at the school or their parent, or
- A person who works at the school.

**(Delay** means - delay for a period beyond the earliest date on which it would be reasonably practicable for a meeting of the Governing Body to be held (or a committee to which the function had been delegated).

## Timescale for calling a meeting of the Governing Body

Regulations require that normally written notice of a meeting (plus agenda and papers) is given seven clear days in advance of the meeting.

However the Chair has the power to determine a shorter period than seven days, on the grounds that there are matters demanding urgent consideration. (The Chair does not have the power to direct a shorter period than seven days if the meeting is about:

- a) The removal of the chair/vice-chair from office
- b) The suspension of a Governor
- c) Serving notice of discontinuance of the school, or
- d) A decision to change the name of a school

## **Notes**

- The regulations imply that the power of the Chair to act in cases of urgency should only be used in exceptionally urgent situations.
- The Chair is given leeway to call a meeting of the Governing Body at very short notice (the seven day requirement can be waived).
- It is preferable for decisions to be taken by the Governing Body acting corporately (or by a committee if the matter has been delegated to them).
- Decisions taken by the Chair as an individual without the involvement of other Governors could leave the chair exposed.
- Any action taken under this power must be reported to the Governing Body.