
WELSH STATUTORY INSTRUMENTS

2005 No. 3200 (W.236)

EDUCATION, WALES

The School Councils (Wales) Regulations 2005

Made - - - - 15 November 2005

Coming into force - - 31 December 2005

The National Assembly for Wales, in exercise of the powers conferred on it by sections 19(2), 19(3), 20(2), 21(3), 210(7) and 214(1) of the Education Act 2002⁽¹⁾, hereby makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the School Councils (Wales) Regulations 2005 and they come into force on 31 December 2005.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these regulations—

“school” (*“ysgol”*) means a maintained school other than a maintained nursery school or an infant school; and

“infant school” (*“ysgol fabanod”*) means a maintained school that does not admit pupils who are 8 years of age or older; and

“special educational needs resource base” (*“canolfan adnoddau anghenion addysgol arbennig”*) means a class or department within a school for pupils with special educational needs.

School Councils

3.—(1) The governing body of a school must establish a school council, the purpose of which is to enable pupils to discuss matters relating to their school, their education and any other matters of concern or interest and to make representations on these to the governing body and the head teacher;

(2) The head teacher of a school must:

- (a) ensure that meetings of the school council are convened on six occasions during the school year and, in so far as practicable, at regular intervals, the first of such meetings to take place by 1 November 2006; and
 - (b) ensure that all school council meetings are supervised by at least one member of the school staff.
- (3) Both the governing body and the head teacher of a school must consider any matter communicated to them by the school council and provide a response to the school council.
- (4) The governing body and head teacher of a school may agree to perform their functions under these Regulations jointly with the governing body and head teacher of other schools.

Membership

- 4.—(1) The membership of the school council must consist solely of registered pupils at the school.
- (2) The governing body of a school and the head teacher must make arrangements for at least one registered pupil of each year group, from Year 3 and above, to be elected to membership of the school council.
- (3) A person who is not a registered pupil at the school for which a school council is established is disqualified from membership of that council.
- (4) The governing body and the head teacher of any school which has a special educational needs resource base, must make arrangements for at least one registered pupil from that special educational needs resource base to be elected to membership of the school council.

Special Schools

5. Regulations 3(2)(a), 4(2), 6 and 7 do not apply to community special schools or foundation special schools.

Elections

- 6.—(1) Subject to paragraph (2), appointment to the school council must be by election in a secret ballot in which all registered pupils are entitled to vote for candidates (if any) in their year group or within their special educational needs resource base.
- (2) Paragraph (1) does not apply where arrangements are made for all registered pupils to be members of the school council.

Associate Pupil Governors

- 7.—(1) The head teacher of a school must ensure that the school council has the opportunity to nominate up to two pupils from years 11 to 13 (inclusive) from its membership to be associate pupil governors on the school's governing body.
- (2) The governing body must accept any pupil nominated in accordance with paragraph (1) above, and appoint him or her as an associate pupil governor on the governing body, provided the pupil is not disqualified from membership in accordance with Schedule 5 of the Government of Maintained Schools (Wales) Regulations 2005(2).