

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

PROJET DE LOI

Entitled

THE EDUCATION (GUERNSEY) (AMENDMENT) LAW, 2025

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Education (Guernsey) (Amendment) Law, 2025", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

EXPLANATORY MEMORANDUM

This Law amends the Education (Guernsey) Law, 1970 ("the 1970 Law"), principally by substituting a new section 6.

The current section 6 of the 1970 Law created "committees of management" for each primary and secondary school (as defined), committees of management of primary schools being Primary School Committees and committees of management of secondary schools being Secondary School Committees. It also created an Ordinance-making power to enable further provision to be made about Primary School Committees and Secondary School Committees, and under this power the Education (School Committees) (Guernsey) Ordinance, 1970 was enacted.

In a similar way, the substituted section 6 (inserted at section 1(3) of this Law) creates governance boards for each "relevant educational establishment", and creates an Ordinance-making power to enable further provision to be made about them. The definition of "relevant educational establishment" is at inserted section 6(6), and means an educational establishment listed in Schedule 2, which Schedule (under inserted section 6(7)) may be amended by regulations of "the Committee" (defined in the 1970 Law as the Committee *for* Education, Sport & Culture). The Law also amends (at section 1(2)) the definitions in the 1970 Law, to delete the definition of "committee of management" and insert new definitions, and at section 1(4) – 1(11) makes other amendments to the 1970 Law consequential on the substitution of the new section 6.

PROJET DE LOI

ENTITLED

The Education (Guernsey) (Amendment) Law, 2025

THE STATES, in pursuance of their Resolutions of the 7th February, 2025^a have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Amendment of the Education Law.

1. (1) The Education (Guernsey) Law, 1970^b ("**the Law**") is amended as follows.

(2) In section 1(1) delete the definition of "committee of management" and in the appropriate alphabetical order insert -

""**the Diocese**" means the Catholic Diocese of Portsmouth, or such other Catholic Diocese in England the jurisdiction of which Guernsey falls under at the relevant time,"

""**the Bishop**" means the Bishop of the Diocese,"

""**governance board**", in relation to any relevant educational

^a Article VII of Billet d'État No. III of 2025.

^b Ordres en Conseil Vol. XXII, p. 318; this enactment has been amended.

establishment, means the governance board constituted under section 6 with powers and duties under that section in relation to that establishment,"

""**governor**" shall be construed in accordance with section 6(2)(c),"

""**relevant educational establishment**": see section 6(6),".

(3) For section 6 (constitution of Primary Schools Committees and Secondary Schools Committees), substitute –

"Governance Boards.

6. (1) There shall be, for every relevant educational establishment, a committee to be known as a "**governance board**", with authority to exercise such powers and to perform such duties in relation to the management and governance of the educational establishment, and related matters, as the States shall from time to time by Ordinance confer and impose upon it.

(2) Without prejudice to the generality of the foregoing, the States may make provision by Ordinance under subsection (1) in respect of the following matters –

- (a) the composition of governance boards,
- (b) the mode of appointment or election of the Chairs, Vice-Chairs and other members of governance boards, including eligibility for

being elected or appointed a Chair, Vice-Chair and other member of a governance board,

- (c) the term of office of the members of governance boards (who shall be referred to as "**governors**"), including (but not limited to) provision as to their re-appointment, re-election, and resignation,
- (d) the maximum number of governance boards of which one person may be a member,
- (e) the periodicity of, the quorum of, and the procedure to be followed at, meetings of governance boards,
- (f) the powers of the Committee in respect of governance boards and governors, including (but not limited to) the circumstances in which the Committee may remove one or more governors from a governance board,
- (g) the attendance of non-members (including members of the Committee, and, in respect of Notre Dame du Rosaire Primary School and St Mary and St Michael Primary School, the Bishop and members of the Bishop's office) at meetings of governance boards,

- (h) the exclusion of personal liability in civil proceedings of governors in respect of specified matters relating to their functions, and
- (i) the payment by the Committee of a stipend to the Chairs of governance boards.

(3) For the avoidance of doubt, an Ordinance under subsection (1) may –

- (a) allow for an individual to be Chair, Vice-Chair or other governor of more than one governance board,
- (b) provide for different provisions to apply to the governance boards of specified categories of relevant educational establishment,
- (c) provide for the Chair, Vice-Chair and other governors to have different, specified powers and duties,
- (d) confer powers on the Committee to make further provision in relation to governance boards, governors and related matters by way of regulation.

(4) An Ordinance under subsection (1) may confer a power on the Committee to make regulations that –

- (a) delegate the function of providing one or more specified services from the States of Guernsey to the governance board or boards of one or more specified relevant educational establishments (and, for the avoidance of doubt, that negate such a delegation, thereby transferring the function in question from the governance board to the States), and
- (b) make related provision, including (but not limited to) in respect of –
 - (i) funding the provision of the services in question, and
 - (ii) imposing a requirement to undertake consultation before such a delegation may be made.

(5) Services that may be specified in an Ordinance made under subsection (4) as being services the function of the provision of which may be delegated to one or more specified relevant educational establishments by regulations made under such an Ordinance include (but are not limited to)–

- (a) information technology services,
- (b) human resources,

- (c) financial management,
- (d) property and estates management,
- (e) procurement and contract management,
- (f) public and media communications, and
- (g) services provided (at the time of the delegation) by the Committee.

(6) For the purposes of this section, "**relevant educational establishment**" means an educational establishment listed in Schedule 2.

(7) The Committee may amend the list in Schedule 2 by regulations, but regulations made under this subsection may not amend that list to include any grant-funded or independent school, or any other grant-funded or independent education provider."

(4) In the following provisions, for "committee of management" substitute "governance board" –

- (a) section 7(1),
- (b) section 10(1),
- (c) section 12(1) and (2),
- (d) section 35(4),

(e) section 36(1),

(f) section 37(5) (in both places), and

(g) section 56(2)(b).

(5) In section 7(1), for "the committee shall", substitute "the governance board shall".

(6) In section 9(1), for "any representative of a committee of management" substitute "the Chair (or other governor nominated by the Chair) of the governance board", and for "such committee" substitute "the governance board".

(7) In section 12(1), for "the committee is" substitute "the governance board is".

(8) In section 37(5), for "the committee to" substitute "the governance board to".

(9) In section 56(2)(b), for "the committee" substitute "the governance board".

(10) In section 60, for "the Schedule" substitute "Schedule 1".

(11) Renumber the Schedule as Schedule 1, and after Schedule 1 insert the Schedule 2 set out in the Schedule to this Law.

Citation.

2. This Law may be cited as the Education (Guernsey) (Amendment) Law, 2025.

Commencement.

3. This Law shall come into force on the day appointed for this purpose by Ordinance of the States; and different dates may be appointed for different provisions and for different purposes.

SCHEDULE

"SCHEDULE 2

Section 6(6).

RELEVANT EDUCATIONAL ESTABLISHMENTS

- (a) Amherst Primary School
- (b) Les Beaucamps High School
- (c) Castel Primary School
- (d) Forest Primary School
- (e) The Guernsey Institute
- (f) Hautes Capelles Primary School
- (g) La Hougette Primary School
- (h) La Mare de Carteret Primary School
- (i) Le Murier School
- (j) Notre Dame du Rosaire Primary School
- (k) Le Rondin School

- (l) St Martin's Primary School
- (m) St Mary and St Michael Primary School
- (n) St Sampsons High School
- (o) The Sixth Form Centre
- (p) Vale Primary School
- (q) Les Varendes High School
- (r) Vauvert Primary School
- (s) Les Voies School"