

Island of  Guernsey

Ordinance of the States **XXXVI**

1962

Made 12th December, 1962.
Coming into Operation .. 1st January, 1963.

The Ladies' College Ordinance, 1962

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The Ladies' College Ordinance, 1962

THE STATES, in exercise of the powers conferred upon them by section twelve of the Ladies' College (Guernsey) Law, 1962, and of all other powers thereunto them enabling, hereby order:—

PART I

Interpretation

1. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

Interpreta-
tion.

“the Board” means the Board of Governors constituted under the provisions of section seven of the Law;

“the Bursar” has the meaning assigned to it by subsection (1) of section thirteen of this Ordinance;

“the College” has the meaning assigned to it by subsection (1) of section six of the Law;

“the Company” has the meaning assigned to it by section one of the Law;

“the Education Council” means the States Education Council;

“the Law” means the Ladies' College (Guernsey) Law, 1962;

“the Lower School” has the meaning assigned to it by subsection (2) of section six of the Law;

“parent”, in relation to any pupil, includes a guardian and every person who has the actual custody of the pupil;

“pupil” means a person for whom education may be provided in the College under the provisions of the Law and of this Ordinance;

“the Upper School” has the meaning assigned to it by subsection (2) of section six of the Law.

PART II

Staff of the College

Head-
mistress and
assistant
teachers.

2. There shall be a Headmistress of the College and such number of assistant teachers as the Board shall deem necessary for the purpose of providing adequate instruction in each subject of the curriculum.

Head-
mistress and
assistant
teachers to
be employed
under written
contract of
service.

3. The Headmistress and every assistant teacher shall be employed under a contract of service with the Board which shall, in the case of appointments made after the coming into force of this Ordinance, be reduced to writing.

Appoint-
ment of
Head-
mistress.

4. The Headmistress shall be appointed by the Board and shall be a graduate of a university in the United Kingdom or have such other equivalent qualification as may be approved by the Board.

Termina-
tion of
contract of
service of
Head-
mistress and
suspension of
Head-
mistress
from office.

5. (1) The contract of service of the Headmistress shall not be terminated otherwise than in accordance with the provisions of the next two succeeding subsections except by agreement between the Board and the Headmistress.

(2) The contract of service of the Headmistress may be terminated by the Board or by the Headmistress at pleasure and without assigning any cause at the end of any school term upon written notice being served by the Board on the Headmistress or by the Headmistress on the Board, as the case may be, on or before the commencement of that school term.

(3) The contract of service of the Headmistress may be terminated by the Board at any time without notice for misconduct or other good and urgent cause:

PROVIDED that the Board shall not terminate the contract of service of the Headmistress in pursuance of the provisions of this subsection unless and until—

- (i) the resolution of the Board to terminate her contract of service has been confirmed at a meeting of the Board held not less than fourteen days after the date of the meeting at which the resolution was passed;
- (ii) the Board has used every reasonable means of informing her of any charge against her; and
- (iii) she has been given an opportunity of explanation at a meeting of the Board and accompanied, if she so desires, by her legal adviser or by a friend.

(4) The Board may suspend the Headmistress from her office for misconduct or any other good and urgent cause for any period not exceeding four weeks pending the decision of the Board on the question of the termination of her contract of service.

6. The Headmistress shall give her personal attention to her duties as Headmistress and shall not undertake any office or employment which may interfere with the proper performance of her duties as Headmistress.

Headmistress not to have other employment.

7. The Headmistress shall be entitled to attend throughout every meeting of the Board except on such occasions and for such times as the Board may for good cause otherwise determine.

Attendance of Headmistress at Board meetings.

8. (1) The Board shall from time to time, after consultation with the Headmistress, appoint any

Deputy-Headmistress.

person who has been appointed an assistant teacher under the provisions of this Part of this Law to act as Deputy-Headmistress.

(2) Any assistant teacher so appointed to act as Deputy-Headmistress shall, during the absence of the Headmistress or pending the appointment of the Headmistress, carry out the functions of the Headmistress and in any such case the provisions of this Ordinance shall apply in all respects as if any reference therein to the Headmistress included a reference to the Deputy-Headmistress.

(3) The appointment of any assistant teacher to act as Deputy-Headmistress may be revoked by the Board at any time without notice.

Appoint-
ment of
assistant
teachers.

9. Every assistant teacher shall be appointed by the Headmistress, after the approval of the Board to the appointment has been obtained, and shall have such qualifications as the Board shall deem necessary for providing adequate instruction in at least one subject of the curriculum.

Termina-
tion of
contract of
service of
assistant
teachers and
suspension of
assistant
teachers.

10. (1) The contract of service of any assistant teacher shall not be terminated otherwise than in accordance with the provisions of the next two succeeding subsections except by agreement between the Board and the assistant teacher.

(2) The contract of service of any assistant teacher may be terminated by the Board or by the assistant teacher at pleasure and without assigning any cause at the end of any school term upon written notice being served by the Board on the assistant teacher or by the assistant teacher on the Board, as the case may be, on or before the commencement of that school term.

(3) The contract of service of any assistant teacher may be terminated by the Board at any time

without notice for misconduct or other good and urgent cause:

PROVIDED that the Board shall not terminate the contract of service of any assistant teacher in pursuance of the provisions of this subsection unless and until—

- (i) the Board has used every reasonable means of informing her of any charge against her;
- (ii) she has been given an opportunity of explanation at a meeting of the Board and accompanied, if she so desires, by her legal adviser or by a friend.

(4) The Board or the Headmistress may suspend any assistant teacher from her employment by the Board for misconduct or any other good and urgent cause for any period not exceeding four weeks pending the decision of the Board on the question of the termination of her contract of service.

(5) In any case where any assistant teacher has been suspended by the Headmistress from her employment by the Board—

- (a) the Headmistress shall, as soon as may be, report the matter to the Board;
- (b) the Board may countermand the decision of the Headmistress to suspend that teacher.

11. The Headmistress and every assistant teacher shall be paid a salary in accordance with such scales as shall be prescribed from time to time by the Board and approved by the Education Council.

Salaries of Headmistress and assistant teachers.

12. The provisions of this Part of this Ordinance, other than the provisions of the last preceding section, in so far as they apply in relation to assistant teachers, shall not apply in relation to any assistant teacher employed by the Board for the period of any one term or for any shorter period.

Saving in respect of occasional teachers.

Bursar and other non-teaching staff.

13. The Board shall employ a person to act as bursar of the College (hereinafter referred to as "the Bursar") and may employ such other persons as may be necessary for any of the purposes of the College, other than the instruction of the pupils in the College.

PART III

Organisation and curriculum of the College

General conduct of the College.

14. The College shall be kept at a level of efficiency satisfactory to the Education Council.

Organisation and curriculum.

15. (1) Subject to the provisions of this Ordinance, the Board shall have the general direction of the conduct and curriculum of the College.

(2) Subject to the provisions of this Ordinance, the Headmistress shall have under her control the choice of books, the method of teaching, the arrangement of classes and arrangements for school meals so far as may be necessary for the purposes of the College, and generally the whole internal organisation, management and discipline of the College.

(3) The Headmistress shall have the power to expel any pupil or to suspend any pupil from attendance for any cause which she considers adequate and shall, upon expelling any pupil or suspending any pupil from attendance, as soon as may be reasonably practicable—

(a) inform the parents of that pupil that they may appeal to the Board from the decision of the Headmistress; and

(b) report the case to the Board.

(4) The Board may confirm, vary or reverse the decision of the Headmistress to expel any pupil or

suspend any pupil from attendance, having regard to any representations made to it by the Headmistress and the parents of that pupil.

(5) There shall be full consultation at all times between the Headmistress and the Board in connection with any matter affecting the conduct and curriculum of the College.

(6) Suitable arrangements shall be made for enabling assistant teachers to submit their views and proposals to the Board through the Headmistress.

16. The Board shall determine the times at which the school session shall begin and end on any day, the times at which the school term shall begin and end and the school holidays and shall have power to grant such mid-term holidays and other occasional holidays as they think fit.

School sessions, terms and holidays.

17. The Board shall make adequate provision by arrangement with the Education Council for the medical inspection of all pupils in the College and for the medical and dental treatment of any such pupil under any scheme for the time being maintained by the Education Council.

Medical inspection and treatment of pupils.

18. (1) Subject to the provisions of this section, every school day shall begin with collective worship on the part of all pupils in attendance at the College.

Religious worship and instruction.

(2) Subject to the provisions of this section, religious instruction shall be given to every pupil in attendance at the College in accordance with a syllabus prescribed by the Board.

(3) The collective worship required by subsection (1) of this section shall not be distinctive of any particular religious denomination and the religious instruction given to any pupils in attendance at the College shall not include any catechism or formulary

which is distinctive of any particular religious denomination.

(4) If the parent of any pupil requests in writing that she be wholly or partly excused from attendance at religious worship at the College or from attendance at religious instruction at the College, or from both religious worship and religious instruction at the College, then, until the request is withdrawn, the pupil shall be excused from such attendance accordingly.

(5) Where any pupil has been wholly or partly excused from attendance at religious worship or instruction at the College in accordance with the provisions of the last preceding subsection, and the Headmistress is satisfied that the parent of the pupil desires her to receive religious instruction of a kind which is not provided at the College and that arrangements have been made for her to receive religious instruction elsewhere than at the College, the pupil shall be allowed to receive religious instruction in accordance with such arrangements as, in the opinion of the Headmistress, shall not interfere unreasonably with the pupil's education at the College.

(6) It shall not be required, as a condition of any pupil being admitted to or remaining in the College, that the pupil shall attend or abstain from attending any Sunday School or any place of religious worship.

Fees.

19. (1) Subject to the provisions of this section, the Board shall be entitled to charge fees in respect of the education provided for every pupil in the College and such fees shall be payable at such yearly rates as the Board shall determine from time to time with the approval of the Education Council and different rates may be so determined in respect of different categories of pupils.

(2) The Board may exempt the parent of any pupil in the Upper School from liability to pay the whole or any part of the fees payable in respect of that pupil in any case where the Board is satisfied that owing to exceptional circumstances the parent of that pupil is no longer able to pay the full amount of those fees and that the withdrawal of that pupil from the Upper School would be detrimental to the education of that pupil.

(3) The whole of the fees payable in respect of any pupil—

- (a) admitted to the Upper School in pursuance of the provisions of subsection (1) of section twenty-three of this Ordinance;
- (b) admitted to the Upper School in pursuance of the provisions of subsection (2) of section twenty-six of this Ordinance and in respect of whom fees were paid to the Company by the States immediately before the coming into force of this Part of this Ordinance;

shall be paid to the Board by the States during the whole of the period that the pupil remains in the Upper School.

20. (1) Any reference in this section to the admission of pupils shall be deemed to be a reference to the admission of pupils to the Lower School and the expression "admitted" shall be construed accordingly.

Admission of
pupils to the
Lower
School.

(2) Subject to the provisions of subsection (1) of section twenty-six of this Ordinance, a pupil shall not be admitted otherwise than in pursuance of the provisions of this section.

(3) The parent of any pupil who desires to obtain the admission of that pupil shall make a written application in that behalf to the Bursar in such form

and containing such particulars as the Board may from time to time prescribe.

(4) Subject to the following provisions of this section, pupils shall be admitted at the discretion of the Headmistress.

(5) Where an application for the admission of a pupil has been made in accordance with the provisions of this section, the Headmistress shall, as soon as may be reasonable having regard to the school term at the beginning of which or during which, as the case may be, it is desired to obtain the admission of the pupil, serve on the applicant a notice in writing stating—

- (a) whether the application has been accepted or rejected;
- (b) if the application has been accepted, the date on which the pupil may be admitted;
- (c) if the application has been rejected—
 - (i) the reasons why it has been rejected;
 - (ii) that the applicant may appeal to the Board against the decision of the Headmistress.

(6) In any case where the Headmistress has rejected an application for the admission of a pupil, the Board may, upon an appeal made to it by the applicant against the decision of the Headmistress, confirm or reverse the decision of the Headmistress.

(7) An application for the admission of a pupil shall not be rejected other than on reasonable grounds.

(8) A pupil who has attained the age of eleven years shall not be admitted during any school year if that pupil attained that age before the day on which that school year commenced.

(9) A pupil who has attained the age of eleven years shall not be allowed to remain in the Lower School:

PROVIDED that a pupil who has attained that age during any school year shall be allowed to remain in the Lower School until the end of that school year.

21. (1) Any reference in this section to the admission of pupils shall be deemed to be a reference to the admission of pupils to the Upper School and the expression "admitted" shall be construed accordingly.

Admission of pupils to the Upper School.

(2) Subject to the provisions of subsection (1) of section twenty-three and of subsection (2) of section twenty-six of this Ordinance, a pupil shall not be admitted otherwise than in pursuance of the provisions of this section.

(3) The parent of any pupil who desires to obtain the admission of that pupil shall make a written application in that behalf to the Bursar in such form and containing such particulars as the Board may from time to time prescribe.

(4) An application for the admission of a pupil shall not be accepted unless—

- (a) the pupil has been found fit for admission by the Headmistress in an examination held under the direction of the Board; and
- (b) the pupil is capable of profiting from the education provided in the Upper School.

(5) For the purposes of the last preceding section—

- (a) preference shall be given to pupils who by reason of their ability and aptitude are most likely to profit from the education provided in the Upper School; and
- (b) the minimum educational standard qualifying a pupil for admission shall be the same for pupils of the same age.

(6) Where upon an application having been made for the admission of a pupil, the pupil has undergone an examination in pursuance of the provisions of paragraph (a) of subsection (4) of this section, the Headmistress shall, as soon as may be after the examination, serve on the applicant a notice in writing stating—

- (a) whether the application has been accepted or rejected; and
- (b) if the application has been accepted, the date on which the pupil may be admitted;
- (c) if the application has been rejected—
 - (i) the reasons why it has been rejected; and
 - (ii) that the applicant may appeal to the Board against the decision of the Headmistress.

(7) In any case where the Headmistress has rejected an application for the admission of a pupil, the Board may, upon an appeal made to it by the applicant against the decision of the Headmistress, confirm or reverse the decision of the Headmistress.

Register of applications for admission.

22. The Bursar shall keep a register of all applications for the admission of pupils to the Lower School or to the Upper School made in pursuance of the provisions of section twenty or section twenty-one of this Ordinance, as the case may be, and there shall be entered in such register the particulars of every application so made and a statement as to whether the application was accepted or rejected and, if it was rejected, of the reasons why it was rejected.

Free places in the Upper School.

23. (1) There shall be admitted to the Upper School at the commencement of each school year such number of pupils, not exceeding thirty or such other number as the States may from time to time by Resolution prescribe, as shall have—

- (a) been found fit by the Education Council for admission to the Upper School in an examination held under the direction of the Education Council; and
- (b) satisfied the Education Council that they are capable of profiting from the education provided in the Upper School.

(2) In determining which pupils shall be admitted to the Upper School in pursuance of the provisions of subsection (1) of this section the Education Council shall give preference to pupils who by reason of their ability and aptitude are most likely to profit from the education provided in the Upper School.

24. No boy pupil shall be admitted to the College after he has attained the age of eight years and no boy pupil shall be allowed to remain in the College after he has attained that age:

Admission of
boy pupils to
the College.

PROVIDED that if any boy pupil attains that age during any school year he shall be allowed to remain in the College until the end of that school year.

25. The Board shall make arrangements for the withdrawal from the Upper School of any pupil who, in the opinion of the Headmistress, from idleness or incapacity to profit from the education provided in the Upper School is materially below the standard of attainment proper to the pupil's age.

Withdrawal
of pupils
from the
Upper
School.

26. (1) The provisions of section twenty of this Ordinance, other than the provisions of subsection (9) thereof, shall not apply in relation to any pupil—

Saving.

- (a) who was immediately before the coming into force of this Ordinance a pupil in the school conducted by the Company; and
- (b) who shall not have attained the age of eleven years before the commencement of the school year next following the coming into force of this Ordinance;

and any such pupil shall, if the parent of that pupil so desires, be admitted to the Lower School.

(2) The provisions of section twenty-one of this Ordinance, shall not apply in relation to any pupil—

(a) who was immediately before the coming into force of this Ordinance a pupil in the school conducted by the Company; and

(b) who has or shall have attained the age of eleven years before the commencement of the school year next following the coming into force of this Ordinance;

and any such pupil shall, if the parent of that pupil so desires, be admitted to the Upper School.

PART IV

Service of notices, citation and commencement

Service of notices.

27. A notice required by this Ordinance to be served upon any person may be served by delivering it to that person, or by leaving it, or by sending it by post addressed to that person, at his usual or last known place of abode.

Citation and commencement.

28. (1) This Ordinance may be cited as the Ladies' College Ordinance, 1962.

(2) This Ordinance shall come into force on the first day of January, nineteen hundred and sixty-three.

R. H. VIDELO,

Her Majesty's Greffier.

Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.

PRICE 1/-