

Parent Governor Elections

DEFINITION OF PARENT GOVERNOR AND ELIGIBILITY

- 1 A parent governor is a person who is elected as a member of the governing body of the school by parents of registered pupils at the school, and who has a child attending at the time of the election. "Parent" is defined in section 114 of the Education Act 1944 in the following terms:

"Parent" in relation to any child or young person, includes a guardian and every person who has the actual custody of the child or young person.

By this definition of a parent it is possible for a child to have more than two parents eligible to participate in an election.

Parents of children attending nursery classes at the school are eligible to participate in elections.

Attention is drawn to the general regulations prescribing the circumstances which disqualify a person from holding office as a governor (bankruptcy, criminal convictions, membership of more than two governing bodies etc.) These circumstances are detailed in the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014 and also appear as a part of a sample letter below inviting nominations from parents.

PERIOD OF OFFICE

- 2 The governing body shall determine a period of office for its parent governors of between one and four years. Parent governors may serve out their full term of office even if their child leaves the school before that date.

NOMINATION STAGE 3

- 3 As soon as a resignation is received from a parent governor, or at the beginning of the term in which a parent governor's term of office expires, the headteacher shall send a letter to parents inviting nominations for the post. Self-nomination is permissible.

Statutory guidance published by the Department for education states that governing bodies should make every effort to conduct informed parent governor elections in which the expectations and credentials of prospective candidates are made clear. The best governing bodies set out clearly in published recruitment literature:

- the core functions of the governing body and the role of a governor, and the induction and other training that will be available to new governors to help them fulfil it;
- the expectations they have of governors, for example in relation to the term of office, the frequency of meetings, membership of committees and the willingness to undertake training; and
- any specific skills or experience that would be desirable in a new governor, such as the willingness to learn or skills that would help the governing body improve its effectiveness and address any specific challenges it may be facing.

- 4 Completed nomination forms must be returned to the school by a set date and time.
- 5 Candidates should also be given the opportunity to submit a personal statement which will be sent to parents if an election is required. This will enable them to set out:
 - evidence of the extent to which they possess the skills and experience the governing body desires;
 - their commitment to undertake training to acquire or develop the skills to be an effective governor;
 - if seeking re-election, details of their contribution to the work of the governing body during their previous term of office; and
 - how they plan to contribute to the future work of the governing body.

A limit on the length of personal statements should be agreed and adhered to.

NO ELECTION NECESSARY

- 6 If the number of qualified nominees is smaller than or equal to the number of vacancies no voting is required: those nominated are declared to be governors. If there are vacancies remaining, the governing body may appoint parent governors (*see paras 18/19 below*).

CONDUCT OF THE ELECTION

- 7 The head teacher or chair of governors shall be the presiding or returning officer.

- 8 The electoral method to be used will be 'first past the post'.
- 9 Each parent has one vote per vacancy.
10. The ballot paper shall list the names of all the candidates, preferably in alphabetical order. It may also include the short personal statement supplied by each candidate (*see para 5 above*). Clear instructions for voting shall be given, stressing that no other mark shall be put on the paper.
- 11 The head teacher shall ensure that each parent entitled to vote is sent a ballot paper. Parents must be given the opportunity to vote by post. It is acceptable for ballot papers to be delivered and returned by pupil post. However, where parents have more than one child at the school care must be taken to ensure that no parent receives more than one ballot paper. Ballot papers will also need to be posted, or otherwise delivered, to parents whose child is absent from school when ballot papers are issued.
12. The election shall be conducted by secret ballot using the double envelope system. The ballot paper shall be sealed in an inner, unmarked envelope which shall then be sealed in an outer envelope signed on the back by the voter.
- 13 To ensure confidentiality, such a method will require a two-stage system of recording votes cast and opening ballot papers:
 - i. on receipt of the ballot papers, the presiding/returning officer will check the name on the outer envelope for entitlement to vote and record the return of the ballot paper.
 - ii. the inner envelope containing the ballot paper will then be placed in a ballot box at the school for counting at the appointed time later.
- 14 If a ballot paper is inadvertently spoilt or lost the presiding/returning officer may issue a duplicate. The election is not invalidated by an individual's failure to receive or return a ballot paper.

THE COUNT

- 15 The count shall be conducted by the presiding/returning officer at the school. The officer should allow the candidates or their nominated representatives to be present and will have responsibility for deciding the validity of dubious or spoilt ballot papers.
- 16 In advance of the election, the Governing Body should determine, and publicise, the action to be taken in the event of a tie.

This could be:

- the drawing of lots
- flipping a coin
- electing the candidate with the youngest registered pupil
- Chair's casting vote

POST ELECTION

- 17 The result of the election shall be notified by the school to all parents, the LA (School Governor Services) and to other members of the governing body. The ballot papers shall be retained for six months in case the election result is challenged.

APPOINTMENT OF PARENT GOVERNOR:

- 18 Schools must make every reasonable effort to fill parent governor vacancies through elections. Only if insufficient parents stand for election can the governing body appoint:
- i. a parent of a registered pupil at the school, or if that is not possible,
 - ii. a parent of a former pupil at the school, or if that is not possible,
 - iii. a parent of a child of or under compulsory school age.
- 19 For community special schools, the appointment criteria is as follows:
- i. a parent of a registered pupil at the school, or if that is not possible,
 - ii. a parent of a former pupil at the school, or if that is not possible,
 - iii. a parent of a child of or under compulsory school age with special educational needs for which the school is approved, or if that is not possible,
 - iv. a parent with experience of educating a child with special educational needs.

- DISQUALIFICATION FROM BECOMING A PARENT GOVERNOR** 20 A person shall be disqualified from election or appointment as a parent governor of a school if, at the time of the election, s/he:
- i. is an elected member of the Local Authority;
 - ii. works at the school for more than 500 hours (*ie* for more than one-third of the hours of a full-time equivalent) in a school year;
 - iii. refuses to undergo a Disclosure and Barring Service check, if requested.
- DISQUALIFICATION FROM BEING A GOVERNOR** 21 Under the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014, the grounds for disqualification from being a parent governor are as follows
- Registered pupils cannot be governors.
 - A governor must be aged 18 or over at the time of election or appointment.
 - A person cannot hold more than one governor post at the same school at the same time.
 - A person is disqualified from being a parent governor if they are an elected member of the LA or paid to work at the school for more than 500 hours (i.e. for more than one-third of the hours of a full-time equivalent) in any consecutive twelve month period (at the time of election or appointment).
 - A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.
 - A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified.
 - A person is disqualified from holding or continuing to hold office if that person:
 - is the subject of a bankruptcy restrictions order or an interim order, debt relief restrictions order, an interim debt relief restrictions order or their

estate has been sequestrated and the sequestration has not been discharged, annulled or reduced

- is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002, or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
- has been removed from the office of charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
- is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people
- is barred from any regulated activity relating to children is disqualified from working with children or from registering for childminding or providing day care
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- has been sentenced to three months or more in prison (without the option of a fine) in the
- five years before becoming a governor or since becoming a governor
- has received a prison sentence of two years or more in the 20 years before becoming a governor
- has at any time received a prison sentence of five years or more
- has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor
- refuses a request by the clerk to make an application to the Criminal Records Bureau for a criminal records certificate.

CHECKS ON NEW GOVERNORS

- 22 It is important that appropriate checks are made on anybody who will be working in a school to prevent unsuitable people from gaining access to children.
- 23 At present there is no legal requirement for governors to make an application to the Disclosure and Barring Service for a criminal records certificate. However, governing bodies may request a governor to undergo this process.

More information on checks for new governors is available from School Governor Services.

Last updated August 2014

For further information please contact:

School Governor Services

Tel: 0151 233 3939/3911

email: terry.brown@liverpool.gov.uk or dave.cadwallader@liverpool.gov.uk

To: Parents/and those with parental responsibility of
Registered Pupils of

..... School

Dear Parent,

ELECTION OF PARENT GOVERNOR(S)

I write to invite nominations from parents to fill (*number*) vacancies for Parent Governor on the Governing Body.

The successful candidate will become a full member of the Governing Body and serve for (*term of office*) with effect from (*date*).

To be eligible for election, your child must be a registered pupil of this school when the election takes place. Details of the election procedure and nomination form are enclosed.

Governing Body meetings of this school are usually held (*one/twice*) per term at (*time of meeting*) on (*day of the week*) but this could be changed if necessary to suit the convenience of the majority of Governors. Meetings usually last for approximately two hours.

It is important that appropriate checks are made on anybody who will be working in a school to prevent unsuitable people from gaining access to children. Accordingly, new governors must agree to provide proof of identity and undergo a check in line with current advice issued by the Department for Education.

If you wish to have further information regarding being a governor I should be pleased to answer your queries. Alternatively, you may wish to contact the city council's School Governor Services team: telephone 233 3939 or email terry.brown@liverpool.gov.uk.

Yours sincerely,

Headteacher

Exemplar

(SCHOOL NAME)

Election of Parent Governor(s)

NOMINATION FORM

Name - Name to be entered on ballot paper (if different from above) – Address - Name(s) of child/ children attending the school -	First Name(s)	Surname
	Name	School Year

Statement in respect of your application for election as Parent Governor
(not to exceed ?? words)

DECLARATION

Under the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014, the grounds for disqualification from being a parent governor are as follows

- Registered pupils cannot be governors.
- A governor must be aged 18 or over at the time of election or appointment.
- A person cannot hold more than one governor post at the same school at the same time.
- A person is disqualified from being a parent governor if they are an elected member of the LA or paid to work at the school for more than 500 hours (i.e. for more than one-third of the hours of a full-time equivalent) in any consecutive twelve month period (at the time of election or appointment).
- A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.
- A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified.
- A person is disqualified from holding or continuing to hold office if that person:
 - is the subject of a bankruptcy restrictions order or an interim order, debt relief restrictions order, an interim debt relief restrictions order or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced
 - is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002, or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
 - has been removed from the office of charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
 - is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people
 - is barred from any regulated activity relating to children is disqualified from working with children or from registering for childminding or providing day care
 - is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
 - has been sentenced to three months or more in prison (without the option of a fine) in the
 - five years before becoming a governor or since becoming a governor
 - has received a prison sentence of two years or more in the 20 years before becoming a governor
 - has at any time received a prison sentence of five years or more
 - has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor
 - refuses a request by the clerk to make an application to the Criminal Records Bureau for a criminal records certificate.

I have read the above grounds for disqualification from membership of a governing body and I declare that I am not disqualified on any of these grounds.

Signature..... **Date**.....

Sample

Timetable of Election of Parent Governors of (Name of School)

<u>Date</u>	<u>Stage in Procedure</u>
(date and time)	Nominations to be received at the school marked " <i>For the attention of</i>"
(date)	Ballot papers will be sent to all parents if an election is necessary (only if the number of nominations is greater than the number of vacancies)
From - (date and time) To - (date and time)	Ballot boxes will be available at the school in "...(<i>location in school</i>)...."
(date and time)	Last date for proxy votes to be received at the school marked "For the attention of"
(date and time)	Votes will be counted at approximately ..(time)..., the Returning Officer being (Head and/or Chair)
(date)	Successful nominee(s) will be declared Parent Governor(s) until(<i>Date</i>) (Governors may resign during their term of office if they wish to do so)
(date)	Unsuccessful nominees will be notified and thanked for their interest
(date)	All parents will be notified of the result of the election
	First business meeting in ...(location)... at ...(time)...

Signed

Head Teacher

Sample

E X A M P L E

**ELECTION OF FOUR PARENT GOVERNORS
ON THE SCHOOL GOVERNING BODY**

Voting Slip. Please put **X** in the box opposite the candidates of your choice.
(You may vote for up to four candidates) Any other marks will disqualify your vote.

Mrs. P. Austin	
Mrs. J. Bingham	
Mr. A. Carter	
Mrs. S. Davies	
Mr. P. Edwards	

[NB: THIS EXAMPLE ASSUMES FIVE CANDIDATES FOR FOUR VACANCIES]

Sample

Dear

I am pleased to confirm that you have been elected as Parent Governor on the Governing Body for *(term of office)* commencing on

In line with current good practice all new governors must produce evidence of identity such as birth certificate, driving licence or passport. I should be grateful if you would contact the school to arrange a time and date to complete this.

The first meeting of the new Governing Body will be held at the school on *(date)*, from *(time)* and is expected to last for approximately hours.

Congratulations on your election. I look forward to your attendance at the meeting.

Yours sincerely,

Head Teacher
Name of School

cc School Governor Services

Sample

Dear

I am sorry to inform you that you were not successful in the recent election for Parent Governor on the Governing Body.

The successful candidate(s) were

They will serve as Parent Governor(s) for *(term of office)* commencing on (date).

I am grateful for your interest and hope that, if the opportunity occurs, you will consider applying again to serve as Parent Governor.

Yours sincerely,

Head Teacher
Name of School

Sample

To: Parents/and those with parental responsibility of
Registered Pupils of
..... School

Dear Parent,

ELECTION OF PARENT GOVERNORS

I am pleased to inform you that (*names of successful nominees*) are elected as Parent Governors of this school for (*term of office*) commencing (*date*).

Thanks are extended to those who were not successful, but the calibre of nominees was high, as might be expected from the parents of this school.

The Governing Body of this School now comprises:-

Thank you for your interest in this school.

Yours sincerely,

Head Teacher
Name of School