

Electing Parent Governors

If you are a governor at a local authority (LA) maintained school, the number of parent¹ governors on your governing body will be set out in the instrument of government. For academies this will depend on your articles of association; where these state that parent governors are elected, the election procedure below will apply. If your academy is part of a multi-academy trust or umbrella trust and you govern on a local governing body, this information is likely to be in a delegation or procedural document rather than your articles.

For LA maintained schools the Constitution Regulations (either 2007 or 2012) set out the minimum number/proportion of elected parent governors a governing body must have.

The 2007 Regulations require that:

- In community schools, maintained nursery schools, community special schools and voluntary controlled schools, parent governors must comprise one third or more of the governing body. This also applies to foundation schools without a foundation, and those which have a foundation but are not qualifying foundation schools.
- Qualifying foundation schools and voluntary aided schools must have at least one parent governor.

If you have chosen to reconstitute, or your school was established after 1st September 2012, you will follow the 2012 Regulations. The 2012 Regulations state that the governing body of every maintained school must have at least two elected parent governors.

Both sets of regulations define an elected parent governor as 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 is a parent at the time s/he is elected. A person is disqualified from standing for election (or appointment) as a parent governor if s/he is:

- an elected member of the local education authority; or
- paid to work at the school for more than 500 hours in any consecutive twelve month period (at the time of the election or appointment).

Elections for parent governors must be organised by the 'appropriate authority':

- For a community school, a community special school, a maintained nursery school or a voluntary controlled school this will be the LA.
- For a voluntary aided school, foundation school or foundation special school this will be the governing body. The governing body can give responsibility for parent governor elections to the LA, providing that both the governing body and LA agree to the arrangement. If it chooses not to do this, it must determine its own arrangements in compliance with the Regulations. (It is extremely unusual for an LA to organise parent governor elections for a VA or foundation school)

Most LAs choose to delegate the responsibility for parent elections to the headteacher, who commonly acts as the 'returning officer'. In some cases, the school may use the clerk to the governors or appoint another member of staff as returning officer. Where the appropriate authority is the governing body, the chair or clerk to governors may be the returning officer.

It is good practice to have an agreed procedure in place so that it is clear to all parents what the process is and that it is transparent and objective. In addition to the formal election procedure, you might want to consider providing additional guidance on other aspects of the

1. "Parent" includes any individual who has or has had parental responsibility for, or cares or has cared for, a child or young person under the age of 18;

election process. For example, nowadays many parents use social media, and may use this as a canvassing tool to garner support. The school cannot prevent parents from using social media - indeed this may be a good way for the school to raise awareness of the school governor role. However it may be wise to remind parents that not all use social media and that the full range of candidate information is available on the school website.

(see Annex A for a model nomination letter, Annex B for a model nomination form, Annex C for a model ballot letter, Annex D for a model ballot paper, Annex E for a model ballot envelope and Annex F for a list of the qualifications and disqualifications to serve as a school governor)

1. When a serving parent governor is reaching the end of his/her term of office, the clerk to governors will inform the governing body and headteacher. A timetable for an election is agreed that minimises delay and avoids school holidays.
2. The returning officer (in this school the returning officer is the headteacher, Mrs Morris) will send a letter to all parents notifying them that an election for a parent governor is required and inviting nominations on an enclosed nomination form. The invitation and nomination form will also be placed on the school website and parents will be alerted to the election via a text message and reminder in the newsletter. The returning officer will also enclose a sheet setting out the circumstances in which someone is not allowed to serve as a governor. The nomination form will indicate the closing date for nominations, which will be not less than ten school days from the date of issue. Candidates will be invited to submit a statement in support of their nomination, which should be no longer than 250 words.
3. The governing body of Eastway Primary School carries out a regular skills audit of governors and on occasion may ask for parents with particular skills/experience to put their name forwards for election. This does not preclude any other member of the parent body from standing for election.
4. Parents may self-nominate, but if a parent wishes to nominate another parent they should seek their approval before submitting the nomination.
5. Where the number of candidates nominated is the equal to or fewer than the number of vacancies, then all those nominated will be elected unopposed. If not enough parents stand for election to fill all the vacancies, the governing body will appoint parent governors to the vacancy or vacancies in accordance with the School Governance (Constitution) (England) Regulations 2012.
6. If there are more nominations than vacancies, a ballot will be conducted. Letters, ballot papers and return envelopes will be sent to all parents. The letters will set out that:
 - All parents of registered pupils are entitled to vote. Depending on the number of vacancies parents may be asked to vote for more than one candidate. Each parent can submit one ballot form, regardless of the number of children they have attending the school.
 - The closing date and time for receipt of ballot papers, which will be not less than ten school days.
7. If applicable, the candidates' personal statements will be enclosed
8. A ballot box will be provided in the school main office foyer area, and parents will also be given the option to vote by post. No arrangements will be made for proxy voting.
9. Returned envelopes must be locked away unopened until the closing date.
10. At the closing date for return of ballot papers, the returning officer will count the votes in front of at least two witnesses. Candidates and governors will be invited to witness this, but there is no requirement for either to attend. The returning officer is responsible for determining whether a "spoiled" ballot should be included. The outcome of the vote will be decided by the simple majority vote system.
11. In the event of a tie there should be a recount. If this does not produce a clear result, the returning officer should, in the presence of the witnesses, draw lots.

12. The clerk to governors will inform all the candidates individually about the result of the ballot. The clerk will also notify the local authority of the names of successful candidates, stating the period of appointment as set out in the instrument of government.
13. Other parents will be notified of the result via school newsletter and website
14. The ballot papers will be retained securely for six months in case the election result is challenged.

Notes

Some schools may be concerned about the confidentiality of voting and might consider using a “double envelope” voting system. These schools may wish to replace steps 7 and 8 with the following:

- In order to ensure confidentiality, parents will be provided with two envelopes – one unmarked and one printed. They will be asked to enclose the completed ballot paper in the unmarked envelope, then enclose this in the printed envelope, which the voter should complete and sign. This is to allow the returning officer to check eligibility to vote. A ballot box will be provided in the school [foyer], and parents will also be given the option to vote by post. No arrangements will be made for proxy voting.
- As and when ballot papers are returned, the returning officer will check the name on each outer envelope for entitlement to vote and make a record of the return of the ballot paper. This should be done in the presence of at least one witness. The inner envelope will then be removed and placed in the ballot box for counting when the ballot closes.

PARENT GOVERNOR ELECTION LETTER

Dear Parent/Carer,

I am writing to you to invite you to stand for election as a parent governor, or nominate another parent to do so. In our school we have provision for four parent governors and there are currently two vacancies.

The governing body, with the headteacher, has overall responsibility for the running of the school. Governing bodies have three core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its pupils; and
- Overseeing the financial performance of the school and making sure its money is well spent.

No special qualifications are needed and the most important thing is to have a keen interest in the school and be prepared to play an active part in the governing body's work. However, we would particularly welcome nominations from parents with the following skills buildings and maintenance, health and safety or education. Training is available for all governors and this governing body has an expectation that those new to being a governor attend free induction training.

The enclosed sheet summarises the circumstances under which someone cannot serve as a governor. In addition, parents/carers who have paid employment in the school for 500 or more hours per academic year or who are elected members of the Local Authority are not eligible to stand in these elections. Nominations must be from parents or carers with children at the school on the day that nominations close.

If you would like to stand for election please complete the enclosed nomination form and return it to the school no later than 19th March. You may also include a short personal statement to support your nomination, which should be no longer than 250 words. Self-nominations will be accepted, but if you are nominating another parent please seek their prior consent.

If there are more nominations than vacancies the election will be by secret ballot. If that is necessary, voting papers will be sent to all parents together with details of the ballot procedure.

Yours faithfully,

Mrs Morris
Headteacher / Governing Body Returning Officer



Nomination Form

Election of parent governors

Please enter IN BLOCK LETTERS the name and address of the person being nominated for election:

Name: _____

Address: _____

Signature of person nominated:

Signature of proposer (if different to nominee):

Name and address in BLOCK letters of proposer (if different to nominee):

Personal Statement (maximum 250 words)

I wish to submit my nomination for the election of parent governor

I confirm (i) that I am willing to stand as a candidate for election as a parent governor and (ii) that I am not disqualified from holding office for any of the reasons set out in the School Governance Regulations.

Signature

Date

Completed nomination forms must be returned to the school by

Qualifications and disqualifications to serve as a school governor

A governor must be aged 18 or over at the time of his/her election or appointment and cannot hold more than one governorship at the same school.

A person is disqualified from holding or continuing to hold office as a governor or associate member if he or she:

- is subject to a bankruptcy restriction order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order;
- has had his/her estate sequestrated and the sequestration has not been discharged, annulled or reduced;
- is subject to:
 - a disqualification order or disqualification undertaking under the Company Directors Act 1986
 - a disqualification order under the Companies Directors Disqualification (Northern Ireland) Order 2002
 - a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
 - an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a county court administration order);
- has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on the grounds of any misconduct or mismanagement in the administration of the charity, or under section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from being concerned in the management or control of anybody;
- is included in the list of people considered by the Secretary of State as unsuitable to work with children;
- is disqualified from working with children or subject to a direction under section 142 of the Education Act 2002;
- is disqualified from working with children under sections 28,29, or 29A of the Criminal Justice and Court Services Act 2000;
- is disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 for child minding or providing day care;
 - is disqualified from registration under Part 3 of the Childcare Act 2006;
- has received a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months (without the option of a fine) in the 5 years before or since becoming a governor;
- has received a prison sentence of 2½ years or more in the 20 years before becoming a governor;
- has at any time received a prison sentence of 5 years or more;
- has been convicted under section 547 of EA 1996 (nuisance or disturbance on school premises) or under section 85A of the Further and Higher Education Act 1992 (nuisance or disturbance on educational premise) during the 5 years prior to or since appointment or election as a governor;
- is employed at the school for more than 500 hours per academic year if wishing to stand for parent governor at the same school;
- is an elected member of the Local Authority (applies to parent and community governors only);

- has refused a request by the clerk to the governing body to make an application under section 113B of the Police Act 1997 for a criminal records certificate

has been disqualified from holding office as a governor of this school due to failure to attend governing body meetings for a continuous period of six months

Model ballot letter

Dear Parent/Carer

PARENT GOVERNOR ELECTION

I wrote to you on *<insert date>* to invite nominations for the vacancy/vacancies for a parent governor/parent governors.

I am delighted to say that there has been a good response and there are *<insert number>* candidates for the *<insert number>* vacancy/vacancies. This means we must now hold a ballot.

Attached to this letter is:

- a ballot paper with the names of the candidates (in alphabetical order)
- a copy of the personal statements from the candidates who are *<insert parents' names>*

You may vote for up to *<insert number equal to the number of vacancies>* of the candidates. Each parent can submit one ballot paper, regardless of the number of pupils you have attending the school. As indicated on the ballot paper you should vote by marking an X alongside the name(s) of the parent(s) you support.

Once you have marked the ballot paper you should seal it in the envelope. This should then be put in the ballot box, which can be found *<named location, e.g. school foyer>* by *<ten school days from the date of this letter>*. If it is not possible for you to vote in person, please return to the following address: *<insert address for returning officer>*.

The election will be decided by a simple majority of votes cast. In the event of a tie, lots will be drawn.

When the election has been completed I will let you know the outcome. If in the meantime you have any queries, please let me know.

Yours faithfully,

Returning Officer

Model ballot paper

This ballot paper includes the candidates' personal statements in the same document. You may choose to provide these as a separate document.

Election of Parent Governors Eastway Primary School

There are *<insert number>* vacancies for parent governors. You may vote for *<insert number>* candidates, but NOT vote more than once for each candidate.

Candidates

<Insert a copy of candidates' personal statements>

Election of parent governors - Eastway Primary School

Candidate	Mark an 'X' to indicate your vote

Annex E - Model ballot envelope (if using a double envelope system)

Election of parent governor at Eastway Primary School

Voting form returned by:

Name

Signature

Parent of

Class