



Children, Young People and Learning
ELECTION OF PARENT GOVERNORS
For Governing Bodies of maintained schools

Guidance Notes
September 2014

CONTENTS

- Section 1 Election of parent governors
- Section 2 Matters for the Governing Body to determine before an election
- Section 3 Timing of elections
- Section 4 Returning Officer
- Section 5 On a vacancy occurring
- Section 6 Definition of parent
- Section 7 Declaration of proof of identity
- Section 8 Uncontested elections
- Section 9 Contested elections
- Section 10 The count
- Section 11 Notification of result
- Section 12 Election enquiry
- Section 13 Publication of rules
- Notes
- Election of parent governors - summary
- Annex 1 Model letter seeking nominations
- Annex 2 Nomination form for the election of parent governors and proforma for election statement
- Annex 3 Disqualification criteria
- Annex 4 Declaration and proof of identity
- Annex 5 Model letter for sending out ballot papers
- Annex 6 Model ballot paper
- Annex 7 Secret ballot – suggested methods

1 Recruitment and Election of Parent Governors

- 1.1 This guidance should be followed for the election of Parent Governors to the Governing Body of maintained schools. The responsible authority for the purposes of the organisation of parent elections is the Local Authority (LA). The LA delegates the arrangement and conduct of elections to Headteachers.
- 1.2 Governing bodies must have regard to the DfE statutory guidance dated May 2014 entitled "The constitution of governing bodies of maintained schools" (DfE-00406-2014), in which it states that governing bodies should make every effort to conduct informed elections in which the expectations and credentials of prospective candidates are made clear. In seeking new governors, governing bodies should set out:
- 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.

2 Matters for the Governing Body to determine before an election

- 2.1 The Governing Body must determine the following before an election takes place:
- Appointment of Returning Officer
 - Election timetable
 - aMethod to ensure secrecy of ballot
 - Treatment of ballot papers returned in a way other than specified
 - Procedure to be adopted in the event of a tie. See point 10.6
- 2.2 The Governing Body will also need to decide which skills they are seeking, in order to communicate this to the electorate in their letter asking for nominations.

3 Timing of Elections

- 3.1 Parent governors should be elected in time for them to participate in the appointment of other governors and the election of Chair and Vice Chair of the Governing Body wherever possible.
- 3.2 Where vacancies arise because a period of office is coming to an end, nominations should be sought at the beginning of the term in which the vacancy will occur. The term of office shall run from the date of the expiry of the previous holder of the office.
- 3.3 Where nominations are sought after a vacancy has occurred eg due to resignation, the term of office shall begin from the date elected.
- 3.4 Elections should take place in term time.

4 Returning Officer

- 4.1 The Governing Body must appoint a Returning Officer to organise the conduct of Parent Governor Elections. The person appointed would usually be the Headteacher, Clerk to Governors or Chair of the Governing Body.

5 On a Vacancy Occurring

- 5.1 A **letter** (*model at Annex 1*) must be issued to all parents and carers usually via pupil post and/or by electronic means, inviting nominations and setting out the role, the expectations of a governor and any specific skills that are being sought (see 1.2 above). A letter to each household should suffice. The letter should set out the timetable for each stage of the election.
- 5.2 A **nomination form** (*model at Annex 2*) should be attached or it should be made clear from where it can be obtained eg from the school office or school website.
- 5.3 The Returning Officer should take reasonable steps to ensure that every person who is known to them to be a parent or carer of a registered pupil at the school is advised of the vacancy and his/her right to stand as a candidate/vote in the election. Where pupils have more than one person with parental responsibility living at different addresses, a letter should be sent to each address if known.
- 5.4 7 clear days (including weekends) should be allowed for the return of nomination forms.
- 5.5 All candidates should be made aware of the disqualification criteria (see Annex 3).

6 Definition of a Parent

- 6.1 A "Parent" for the purposes of governor elections is defined as any individual person having parental responsibility or in the case of carers, day to day responsibility for a pupil at the school at the time of the election. Any question as to the eligibility of an individual to vote or stand for election shall be decided by reference to the LA.
- 6.2 Parent governors may continue to hold office until the end of their term even if their child leaves the school.
- 6.3 A person is disqualified from being a parent governor if they are an elected member of the local authority or paid to work at the school for more than 500 hours in a consecutive period of 12 months (at the time of election or appointment).

7 Declaration and proof of identity

- 7.1 All governors are required to sign a declaration to confirm their qualification as a governor. This is attached at Annex 4. This can be done at the same time as nominations are taken or after an election has taken place, but before an appointment is confirmed.
- 7.2 The Headteacher must be satisfied that the person nominated or elected is who they say they are, and should request evidence of identity such as a passport, birth certificate or driving licence. One of the documents provided should include photo identification.

8 Uncontested Elections

- 8.1 If the nominations received are equal to or less than the number of vacancies the Returning Officer shall declare the nominees as elected. The result should be announced by posting a notice on the school notice board and notifying all parents. The Returning Officer / Clerk must advise the LA of the result.
- 8.2 If insufficient nominations are received, the Governing Body can appoint a parent governor in accordance with the regulations and the statutory guidance. The statutory guidance states "Governing bodies may only appoint as parent governor a parent who has in their opinion, the skills to contribute to effective governance and success of the school".

9 Contested Elections

- 9.1 If more nominations than vacancies are received then a secret ballot must be held. A letter (*Model at Annex 5*) should be issued to every parent/ carer eligible to vote (all those with a registered pupil at the school) along with a ballot paper (*example at Annex 6*), and each nominee's election statement.
- 9.2 Notice of the election and a copy of the election rules should be displayed on the school notice board. Parents should be given the opportunity to vote by post if they wish to.
- 9.3 The Returning Officer should have a list of registered pupils and be aware of siblings on the list to ensure that each parent/carers is issued with only ONE ballot paper regardless of how many children they may have at the school. All individuals with parental responsibility for a pupil at the school must, if reasonably possible, be issued with a ballot paper.
- 9.4 The Governing Body should decide the method to be adopted to maintain the secrecy in the ballot. Any numbering of the ballot papers is for administrative purposes only and must not be used to identify the way individuals have voted. Suggested methods are described at Annex 7.
- 9.5 A period of at 7 clear days (including weekends) should be allowed for the return of ballot papers.
- 9.6 Proxy voting is not permitted.
- 9.7 If a ballot paper is spoilt or lost, a duplicate may be issued at the discretion of the Returning Officer.

10 The Count

- 10.1 The Returning Officer should arrange for the count to take place as soon as possible after deadline for receipt of ballot papers.
- 10.2 The Returning Officer must allow the candidates the opportunity to be in attendance at the count, but candidates do not *have* to be present.
- 10.3 The votes cast for each candidate should be counted in the presence of all parties.
- 10.4 The Returning Officer will decide which ballot papers (if any) are to be classed as "spoilt".
- 10.5 The candidate(s) elected will be those gaining the highest number of votes.
- 10.6 The Governing Body must decide in advance of the election, the action to be taken in the event of a tie. The primary consideration should be the skills and experience that the Governing Body needs to be effective compared to those that the tied candidates have to offer. With this in mind, the action could (for example) be the Chair's casting vote or where the candidates have broadly equal skills, it could be by drawing lots.

11 Notification of Result

- 11.1 The result of the election shall be notified by the Returning Officer to all candidates, all parents, to the Headteacher and the Governing Body.
- 11.2 The Clerk to the Governors must ensure that the LA (Governor Services) is advised of the names and contact details of the new parent governor(s), and their date of election/appointment. Up to date lists of all governing bodies are maintained by the Council. The Clerk to the Governing Body is also required to hold this information.

11.3 Ballot papers should be retained securely for six months. The number of ballot papers issued and the number returned at each election should be recorded.

12 Election Inquiry

12.1 If any person has cause to query the result or proper conduct of the election, they can submit a request in writing to the Chair of the Governing Body, asking him / her to investigate. Such requests must be submitted within two calendar months after the day on which the election result was declared.

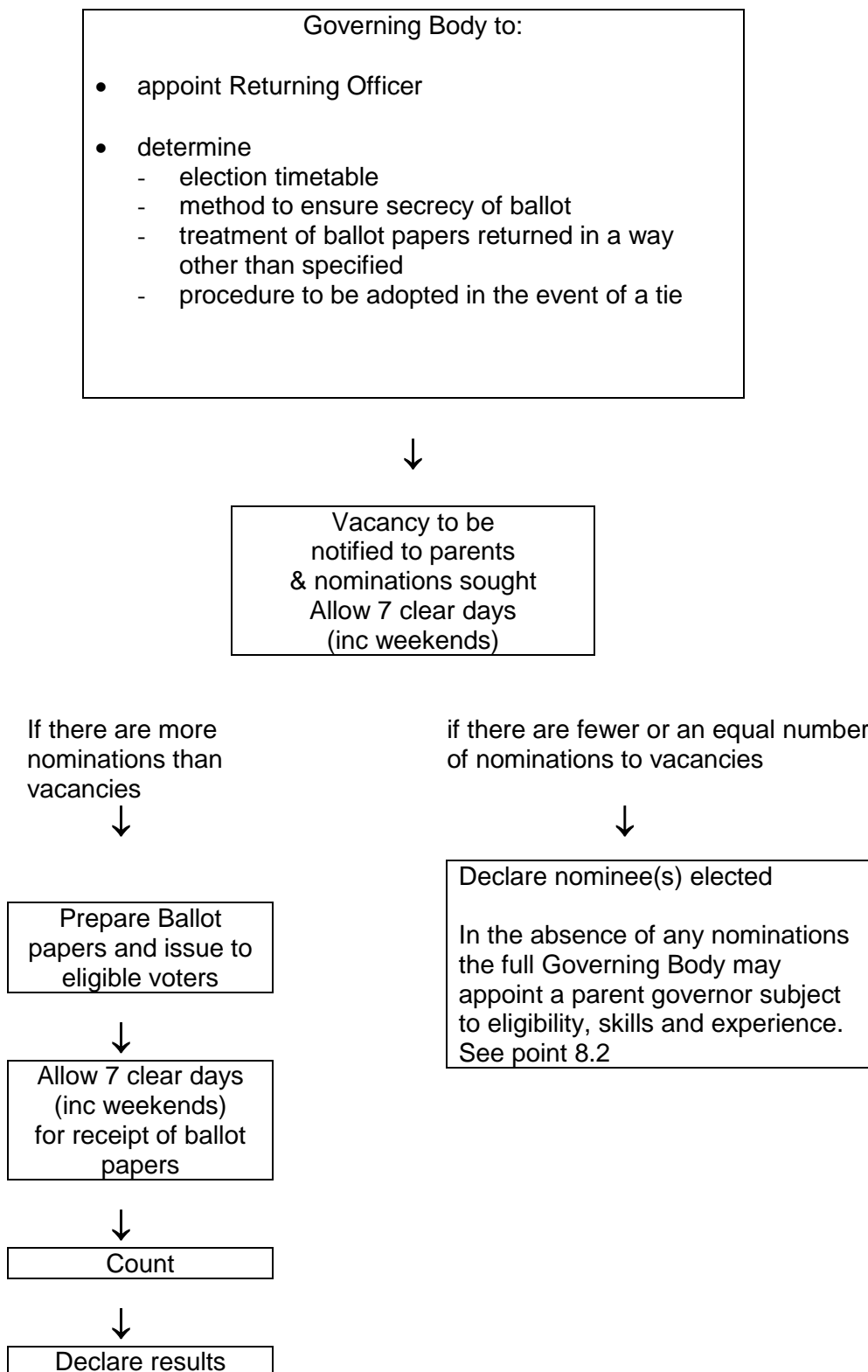
13 Publication of Rules

13.1 A copy of these Rules and of all the prescribed forms referred to must be published on a notice board at school with the notice of any election for parent governors.

Notes

- i When a vacancy occurs during the Summer term it may be appropriate to delay the election procedure until early in the Autumn term so that parents of children joining the school in September have the opportunity to participate.
- ii Where a substantial number of parents share a language other than English as their mother tongue, all documents relating to elections should be translated into such languages.
- iii An election is not invalidated by an individual's failure to receive or return a ballot paper.
- iv Each and every parent/carer has one vote per vacancy regardless of how many children he/she has attending the school.
- v A candidate may withdraw his/her nomination prior to the preparation of the ballot papers. Once ballot papers have been prepared the election must proceed unless the number of candidates remaining equals the number of vacancies.
- vi The procedure to be adopted in the event of a tie should be decided prior to the start of the election by the Governing Body and notified to candidates.
- vii If the result is very close or a tie, it is recommended that a recount takes place.
- viii Unsuccessful candidates should be thanked for their interest in becoming a school governor and encouraged to consider other vacancies for which they are eligible.
- ix The Governing Body can make a standing decision on the matters to be decided in section 2.1 and can delegate specific matters such as the timetable to the Returning Officer.

ELECTION OF PARENT GOVERNORS SUMMARY



Model letter seeking nominations

Dear Parent or Carer

Notice of Election of Parent Governor

I am writing to let you know that there is/are _____ vacancy(ies) for parent governor(s) on the Governing Body of _____ School, and to invite parents who wish to stand for election as a parent governor to put their names forward. A person is disqualified from election or appointment as a parent governor if they are an elected member of the local authority (a Councillor) or if they work at the school for more than 500 hours in a consecutive period of 12 months (at the time of their appointment).

We know that parents are interested in the education of their children and share the school's commitment to ensuring the best possible education and opportunities for our pupils. One of the most significant ways to build on this is to volunteer to be a parent governor. Parent governors play an important role in ensuring that the parent viewpoint is represented in decision making.

The skills you have could be very useful to our Governing Body. At the moment the Governing Body is lacking governors who have expertise *in [insert what skills you need]*. If you are someone with the required skills, please consider applying.

The main role of the Governing Body is to provide the strategic direction for the school, to hold the headteacher to account and to ensure that the school budget is well spent.

Further information on what being a governor would involve in terms of your time and commitment *is attached / can be found at...* (provide information giving details of meetings and committees etc and any other relevant information relating to your school). There is an expectation that governors will attend training provided free of charge by the local authority.

If you are eligible, and wish to stand for election as a parent governor, you should complete a nomination form, have your nomination supported by another parent or carer of a child also attending the school, and insert a personal election statement for circulation to voters as set out on the nomination form. Please return it to the school marked for the attention of the Returning Officer by the closing date and time. (You may also want to ask them to submit a photo for circulation to voters with their statements)

Nominations forms must be received by (time and date) No nomination will be accepted after that date and time.

If the number of nominations received does not exceed the number of vacancies, all those nominated will be appointed without a ballot. If there are more nominations than vacancies, a secret ballot will be held. Each parent / carer will be issued with a voting paper.

The following timetable will apply if it is necessary to hold a ballot:

- Last day for returning nominations (date and time)
- Ballot paper dispatched to parents (date)
- Deadline for voting and date of count of ballot papers (date and times)

Prospective nominees are advised that they may be subject to a check by the Disclosure and Barring Service. Full details of eligibility and disqualification criteria are contained in the guidance for elections and are attached / can be viewed at the school.

Yours sincerely

Returning Officer (Add contact details and email address as appropriate)

Nomination form for the Election of Parent Governor(s)

..... **School**

1 Mr / Mrs / Miss / Ms/ other (full name)

Of (full address)

Parent/carer of

I wish to stand for election as a Parent Governor of school. The following parent/carer of a child/children attending the school supports my nomination:

	Name and Signature	Parent /carer of
Supported by

I am prepared to undertake training to acquire or develop the skills to be an effective governor.

Signed Dated

Please complete the election statement on the next page.

Please return the completed nomination form to the Returning Officer no later than (*time*) on (*date*). (*details of where to send eg via school office*)

Election Statement

The government requires that candidates are given the opportunity to set out why they think they are suitable to be a governor. Please use the following headings.

- General information about you.

- Evidence of the extent to which you possess the skills that the Governing Body has stated they need.

- *If seeking re-election*, details of the contribution you have made to the work of the Governing Body during your term of office.

- How you would contribute to the future work of the Governing Body.
(This could include which committees you would want to sit on or any specific role you would want to take)

Please return to the Returning Officer no later than *(Date and time)*

Note *to Returning Officer - You may want to add*

- *Any limitation on length (eg confine to one page of A4 or state number of words)*
- *A request for the statement to be sent electronically if possible*
- *A request for a photo to accompany statement*

DISQUALIFICATION CRITERIA

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

- Fails to attend meetings of the Governing Body for a continuous period of 6 months beginning with the date of the first meeting missed, without the consent of the Governing Body (excludes ex-officio governors)
- 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 subject to a direction of the Secretary of State under section 128 of the Education and Skills Act 2008
- is disqualified from working with children or from registering for child-minding 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 Disclosure and Barring Service (DBS) for a criminal records certificate.

In addition there are eligibility criteria for the different categories of governor.

BRACKNELL FOREST COUNCIL

DECLARATION - QUALIFICATION AS A GOVERNOR or ASSOCIATE MEMBER

Please read this form carefully, complete the relevant sections and return it to the Clerk as soon as possible.

I declare that I am not disqualified from serving as a school governor/ associate member * (* delete as appropriate) and that:

- I am aged 18 or over at the date of this election or appointment. (does not apply to associate members)
- I am not a registered pupil of the school. (does not apply to associate members)
- I do not already hold a governorship of the same school.
- I meet the qualification criteria for the category of governor that I have been nominated for/ appointed or elected to.
- I am not the subject of a bankruptcy restrictions order or an interim order, debt relief restrictions order, an interim debt relief restrictions order or my estate has been sequestrated and the sequestration has not been discharged, annulled or reduced.
- I am not 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).
- I have not 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.
- I am not included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people.
- I am not barred from any regulated activity relating to children.
- I am not subject to a direction of the Secretary of State under section 128 of the Education and Skills Act 2008.
- I am not disqualified from working with children or from registering for child-minding or providing day care.
- I am not disqualified from being an independent school proprietor, teacher or employee by the Secretary of State.
- I have not been sentenced to three months or more in prison (whether suspended or not) without the option of a fine, in the five years before becoming a governor or since becoming a governor.
- I have not received a prison sentence of two and a half years or more in the 20 years before becoming a governor.
- I have not at any time received a prison sentence of five years or more.
- I have not 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.
- I will not refuse a request by the Clerk to make an application to the Disclosure and Barring Service (DBS) for a criminal records certificate.

Anyone proposed or serving as a governor who is disqualified for one of these reasons must notify the clerk to the Governing Body.

Signature: Date:

Name:.....

First section to be completed by the person who signed the declaration:-

First Name: **Last Name:**

Previous Name(s)/Aliases:
.....

Address:
.....
.....
.....

..... **Postcode:**
.....

Tel. No: (home)(.....)
.....

(work) (.....)
.....

School:
.....

DfE Teacher Reference No: **Date of Birth**
(if appropriate)

Second section to be completed by the Headteacher:

The headteacher must be satisfied that the person above is who they say they are.
Provision of one or more of the following documents may assist (one to be photo ID).

CONFIRMATION OF IDENTITY

	Document	✓
	Birth Certificate (check date of birth with information given above) <u>or</u>	
	Driving Licence Licence No:	
	Passport Passport No:	

I confirm that I am satisfied that the person named above is who they say they are.

Signed: **Date:**
(Headteacher)

This form together with the Declaration of qualification as a governor should be **retained by the Clerk to the Governing Body**

Model letter for sending out ballot papers

Dear Parent/Carer

Election of Parent Governors

You will recall that I wrote to you a short while ago notifying you of the election to the parent governor vacancy(ies) on the school's Governing Body. As more nominations than vacancies have been received a ballot will be held. The ballot paper and personal election statements submitted by the candidates are enclosed/attached. Every parent or carer of a registered pupil at this school is eligible to vote. The voting procedure is as follows:-

- Every eligible voter may vote for up to (*number of vacancies*) candidate(s)
- A vote shall be indicated by placing the mark x against the candidate's(s') name(s) on the ballot paper
- An envelope is provided and the ballot paper should be placed in the envelope and sealed

Or

Two envelopes are provided and your ballot paper should be placed in the plain (*secret*) envelope and this envelope should then be placed in the preprinted / labelled envelope. Your details (name and address) should be on the outer envelope.

- The envelope must be delivered to the school by (*time*) on _____ (day).

The poll will close on (*date and time*) and the result of the election will be posted on the school notice board after the count and will be notified to all parents.

Yours sincerely

Returning Officer

BRACKNELL FOREST COUNCIL
BALLOT FOR ELECTION OF PARENT GOVERNOR(S)

School

There is/are **one/two** vacancy/ies to be filled and you should vote for not more than one/two candidates. Please indicate your choice by placing an "X" in the box opposite the name(s) of the candidate(s) you wish to vote for:

JENNIFER SMITH	
ROBERT JONES	
ANDREW GREEN	

Candidates' election statements are attached separately.

Do not mark in any way other than to put an X against the name(s) of the candidate(s) you wish to vote for. If you vote for more than one/two candidates, your ballot paper will be invalid.

Please return to the Returning Officer in the envelope provided, to arrive at the school no later than (*time*) on (date).

Secret Ballot - suggested methods

Other methods may be used if the secrecy of the vote can be maintained and the possibility of duplicate voting eliminated.

It is suggested that you use coloured paper for the ballot papers.

Two Envelope System (Preferred)

Issue 2 envelopes with each ballot paper; one plain and one pre-printed.

The pre-printed envelope should provide for the voter to fill in his/her details (so that you can identify the voter – alternatively you could use a preprinted label)

The second (plain) envelope containing the ballot paper is sealed and placed inside the pre-printed envelope.

The information on the outer envelope which includes the voter's name should be checked against a register or list of people to whom ballot papers were issued. Once this is done the outer envelope is opened and discarded (and recycled).

This method ensures that only those eligible to vote do so and preserves the secrecy of the ballot.

Count votes in normal way.

File the ballot papers and keep securely for 6 months in case result is disputed.

Single Envelope / Numbering system

Issue ballot paper plus envelope to each eligible voter. Ask for the ballot paper to be returned sealed in the envelope provided, addressed to the Returning Officer and placed in a ballot box at the school.

Prepare a list of all eligible voters (if you are printing address labels - print out the labels on plain paper - this acts as your list).

Number ballot paper(s) in manuscript when you send out to voters.

Note number(s) against the individuals on your master list.

Provide return envelope with ballot paper for return to school.

Send home with children or post to eligible voters living away from children.

Keep a note of how many papers have been issued. There are some circumstances where it may be necessary to issue a duplicate paper e.g. if the paper is spoilt or lost. Give the paper a new number and make it clear on your master list what you have done.

Before the count, put your master list in a sealed envelope and keep somewhere safe for 6 months then destroy....you will only need to look at this if the election result is disputed. Nobody else should be allowed to look at the list.

Prepare a sequential list of numbers (not related to individuals) as used on the ballot papers

As each envelope is opened mark off the number from your list of numbers ...you should not have any duplicates

Count votes in normal way.

File the numerical list with the ballot papers and keep securely for 6 months in case the result is disputed.