

Governor Services Guidance for School Office Staff/Clerks to Governing Bodies of Maintained Schools

Procedures for the Election of Staff Governor



ELECTION OF STAFF GOVERNOR

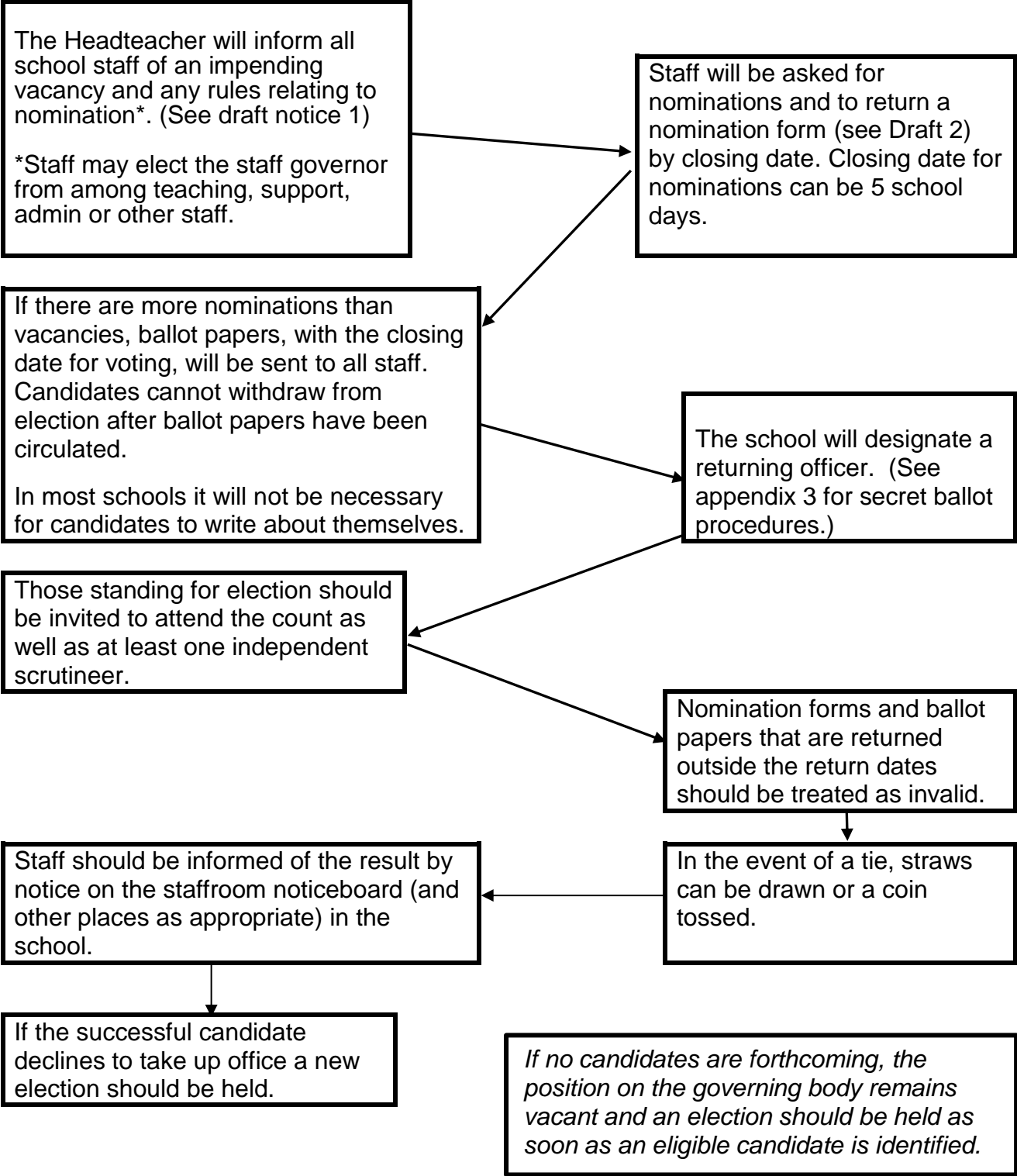
This is to remind you of the procedure for the election of Staff Governor. We have produced guidelines that I hope will help you with the process. Information listed as follows:

A	How to conduct elections
B	A suggested timetable for elections
Draft 1	A draft notice to staff about staff vacancy
Draft 2	A sample nomination form
Draft 3	Sample ballot paper for staff governor
Draft 4	A sample composition form for a governing body
Draft 5	A sample staff governor fact sheet (A candidate is a <i>representative</i> member of the staff body rather than a delegate.)
Appendix 1	Rules for eligibility to become a governor
Appendix 2	Secret ballot
Appendix 3	Rules regarding staff governors
Appendix 4	Guidance on terms of office

Where appropriate we have indicated where you should customise the documents to suit your school.

If any difficulties are anticipated in their implementation, or during the election process itself, please contact Governor Services (see B for contact details).

HOW TO CONDUCT ELECTIONS



Suggested Timetable for Elections (School days)

DAY 1	DAY 6	Day 8	DAY 10	Day 15	Day 16	Day 17-22
Notice to be published detailing the vacancy as soon as possible (NB: if a future start date you must make this clear.)	Closing date for return of nominations	Last day for candidate to withdraw from ballot	Ballot papers (indicating return date) circulated to all staff	Closing date for return of ballot papers	Counting of ballot papers (NB: In the event of a tie the result will be decided by the drawing of straws or the tossing of a coin.)	Name, contact numbers and email address of new governor to be sent to Admin Officer (Appointments) at Governor Services. Notice to be published notifying staff and governors of the results of the ballot or, where appropriate, the names of those elected unopposed.

Governor Services Contact Details: Administrative Officer (Appointments), Governor Services, Education & Learning, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND

Tel. 03300 249046

Email. governorapt@oxfordshire.gov.uk (In the subject line please state your School/Governing Body name)

Notification of Staff Governor Vacancy

(for staffroom noticeboard and elsewhere as appropriate)

As a result of (e.g. resignation, imminent expiry of the term of office) there is a vacancy for staff governor.

If you would like to put yourself forward as a governor to fill this vacancy, please complete a nomination form and return it to(school office?) by(time and date).

If you would like to know a little more about becoming a staff governor, please get in touch with

Please think about taking on the role, or suggesting someone who will do it well. We need committed staff governors to make the governing body as effective as it can be. Staff governors, like all governors, will be most effective if they bring relevant skills (school could include specifics if appropriate) and experience, as well as the ability to work as part of a team.

Headteacher

Sample

NOMINATION FORM

Election for a staff governor for (*School name*)

I agree to be nominated for the staff governor vacancy.

Name:

Signed:

Date:

Sample

STAFF BALLOT PAPER

(School Name)..... Staff Governor Election

There is one vacancy for the staff governor position on the governing body. You may vote for ONE candidate. Please put an 'X' in the box next to your preferred candidate. **If you vote for more than ONE candidate your votes will not be counted.**

VOTE FOR ONE CANDIDATE ONLY

1	Ms Anybody	
2	Mr Nobody	
3	Mrs Somebody	

(N.B. candidates should be listed in alphabetical order of surname.)

(Below/Attached/Overleaf) is a brief note prepared by each candidate about themselves. Only include the sentence above if candidates' statements are used in this election.

All staff can vote in staff governor elections.

When you have chosen your preferred candidates, please fold the ballot paper. **Do not write your name on the ballot paper** (place in the envelope provided and return it to **the school office**).

All ballot papers must be received by (time and date). Ballot papers received after this date, for whatever reason, will not be counted.

SAMPLE**COMPOSITION FORM**

The governing body ofSchool comprises the following representatives:

Number	Governor Type	How they are given their place
1	LA (Local Authority) Governor	Nominated by County Councillors/LA appointed by the governing body
Insert No:	Parent Governors	Elected by parents
1	Staff Governor	Elected by school staff
Insert No:	Co-opted Governors	Appointed by the governing body
Insert No: if applicable	Foundation Governors	Appointed by a Diocese, Parochial Church Council or Trust
Insert No: if applicable	Partnership Governors	Appointed by the governing body
1	Headteacher	Ex-officio: by virtue of the position they hold

SAMPLE

STAFF GOVERNOR FACT SHEET

The governing body consists of parent governors, staff governor, the headteacher, co-opted governors, ***foundation governors, partnership governors*** and LA governor. Our school has one staff governor. Staff governors have all the same powers and duties as other governors.

The governing body meets ***twice*** a term, ***usually in the evening***. If possible every governor joins at least one of our committees. These are responsible for different aspects of the school such as ***Resources*** (including Finance, Premises, Staffing) ***and Standards and Performance***. Committees meet ***twice*** a term at times which suit the committee members. We also invite governors to come into school occasionally during the school day so they can understand how the school operates and see improvements for themselves.

Being a staff governor enables you to see your school in a wider context, to hear the views of parents and members of the community and to contribute a staff perspective to strategic discussions and decisions determining the school's future. You will be in a position to explain staff views to the governing body and to explain governing body thinking to the staff.

A candidate is a *representative* member of the staff body rather than a delegate.

- Staff governors do not have to try to represent the views of all staff, nor stand alongside the headteacher in being held to account by the governing body.
- They should communicate with them about issues that arise, but only in so far as is reasonable: not confidential matters.
- When decisions have to be made by the governing body, the staff governor is free to vote in accordance with his/her own views.

The [Governors handbook](#) emphasises the importance of the skills, experience and personal attitudes brought by each governor. In addition, it is essential that all new governors attend the Induction Course provided by Governor Services for newly appointed governors so that you are fully aware of your role and contribute effectively to the work of the governing body team.

You will be encouraged to attend governor induction training and other sessions to help you to carry out your role as a governor and to contribute effectively to the governing body team.

Words in bold italics vary according to the circumstances of your school.

QUALIFICATIONS AND DISQUALIFICATIONS Governors and Associate Members

Regulation 17, Schedule 4 of The School Governance (Constitution) (England) Regulations 2012 covers the qualifications and disqualifications of governors for Maintained Schools.

All disqualifications apply to associate members except that they can be registered pupils at the school and can be under 18.

A governor must be aged 18 or over at the time of his or her election or appointment and cannot be a registered pupil at the school.

A governor must not also be a clerk to the governing body at which they are a governor.

A person cannot hold more than one governor post at the same school at the same time.

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

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 person is disqualified from holding or continuing to hold office as a governor of a school if, in summary, that person:

- is the subject of a bankruptcy restrictions order; an interim bankruptcy restrictions 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 the Companies (Northern Ireland) Order 2002; 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 trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement in the administration of the charity, 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 people 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 142 of the Education Act 2002 or 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
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment/election as a governor or since becoming a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has received a prison sentence of two and a half years or more in the 20 years ending with the date preceding the date of appointment/election as a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has at any time received a prison sentence of five years or more
- has been convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years ending with the date immediately preceding appointment/election or since appointment or election as a governor
- refuses a request by the clerk to make an application to the Disclosure And Barring Service 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.

THE LAW

N.B. As legislation is often amended and new Regulations introduced, references made in 'Governors' Handbook' may point to legislation that has been superseded. For an up-to-date list of legislation applying to schools refer to the Department for Education website. <https://www.gov.uk/government/publications/governors-handbook--3>

SECRET BALLOT PROCEDURES

All staff eligible to vote, must be given:

- A ballot paper
- An envelope in which the ballot papers are to be returned
- Instructions on how to vote

Copies of the candidates' statements must be sent to each staff member.

The headteacher, school bursar or school secretary may act as a returning officer.

Any count should be undertaken with an **independent** scrutineer* present and the candidates invited to attend.

In the event of a tie the election can be decided on the toss of a coin or by drawing straws.

Staff should be informed of the result by notice in the staffroom and elsewhere in the school as appropriate.

*Independent scrutineer could be a non-staff member of the governing body.

APPENDIX 3

RULES REGARDING STAFF GOVERNOR

Staff governor must be working at the school at the time of their election. They must resign from the governing body if their employment ceases before their term of office.

Part-time and temporary staff, (not short-term supply staff) can normally stand for election and have a vote. The headteacher or chair of governing body should write/email to all staff advising of the vacancy, inviting nominations with a closing date.

Procedures for the ballot are as for parent governors [*Schedule 4, The Education (School Government) (England) Regulations 1999*].

Staff Governor Vacancies

Governing bodies constituted in line with the 2012 regulations must have one staff governor place on their Instrument of Government in addition to the Headteacher.

The headteacher position within the staff category is ex-officio and cannot be made available to other members of the school staff even if the headteacher declines to be a governor.

Extract from Statutory Guidance of The School Governance (Constitution) (England) Regulations 2012

Staff governors (regulation 7 and Schedule 2)

Teaching and support staff who, at the time of election, are employed by either the governing body or the local authority to work at the school under a contract of employment, are eligible to be staff governors.

Staff governors are elected by this same category of school staff. They cease to hold office when they cease to be employed at the school.

It is important that prospective staff governors understand the nature of the role of a governor – and specifically that their role will not be to represent staff, nor to stand alongside the headteacher in being held to account by the governing body, but to operate as part of the governing body to provide strategic leadership and to hold the headteacher to account.

As with elected parent governors, staff governors cannot be removed from office (though they could be suspended). Clear expectations of role and conduct should therefore be communicated and agreed upfront.

If no candidates are forthcoming, the position on the governing body remains vacant and an election should be held as soon as an eligible candidate is identified.

GUIDANCE ON TERMS OF OFFICE

- Governors are elected for the term of four years unless specified otherwise on the Instrument of Government (they may resign at any time).
- Staff governors are elected by this same category of school staff. They cease to hold office when they cease to be employed at the school.
- If an elected governor decides to resign before their term of office is up the school must hold new elections.
- Any governor elected to take the place of another governor who has resigned early is elected for a full term of office.
- Governor Services must be notified of the result of the ballot within seven days of the return date included on the ballot paper. (Or if appropriate, the names of those appointed unopposed).
- In the case of Maintained Nursery Schools all governors and their categories must be listed in the Annual Report to Parents.