

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

**Procedures for the Election of
Parent Governors**

ELECTION OF GOVERNORS

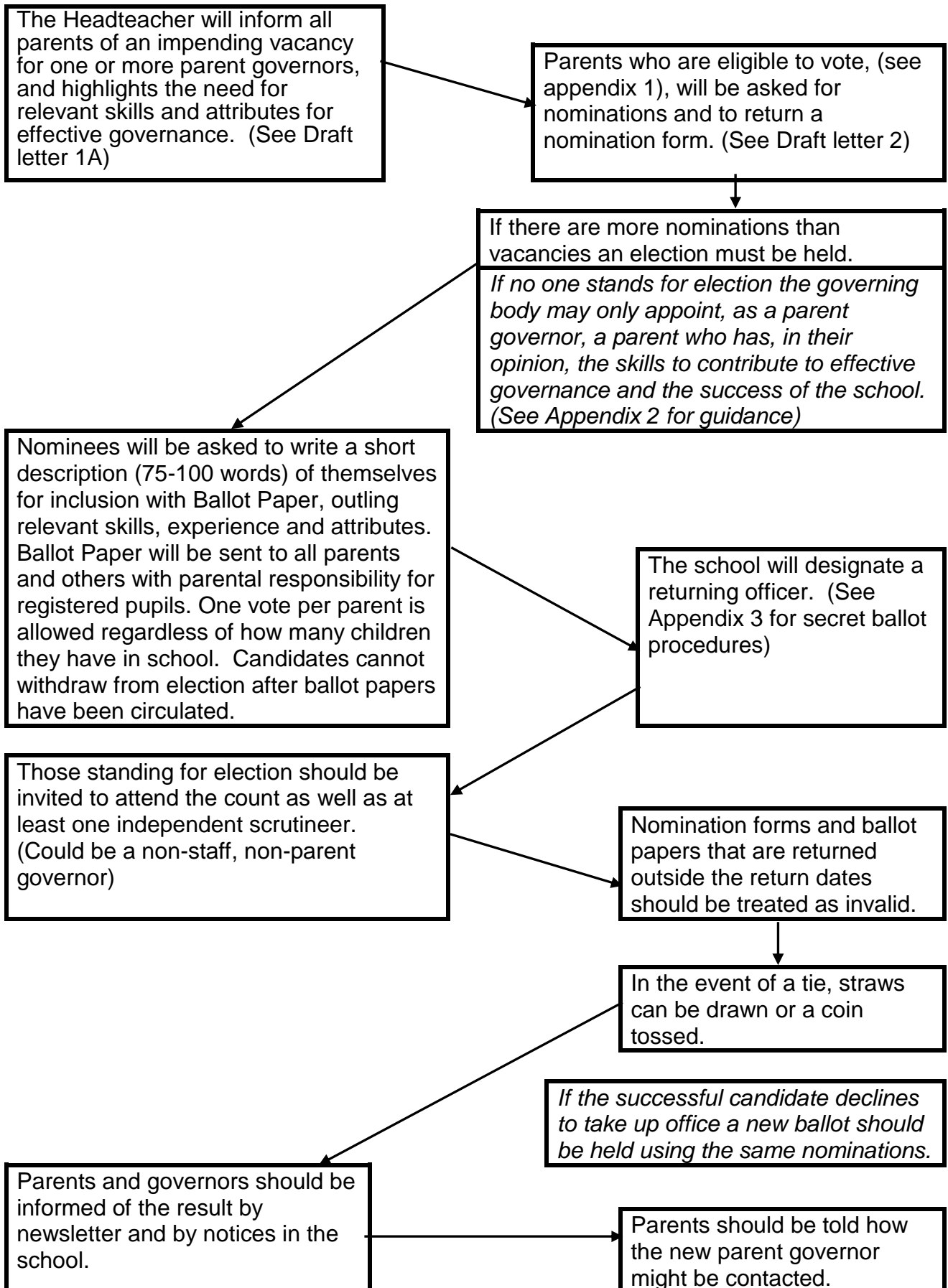
We have produced guidelines that we hope will help you with the process for the election of Parent Governors. Information listed as follows:

A	How to conduct elections
B	A suggested timetable for elections
Draft 1A	A draft letter to parents about election
Draft 1B	A draft note or email to nominees if ballot is required
Draft 1C	A draft note or email to nominees if ballot is not required
Draft 2	A sample nomination form
Appendix 1	Rules for eligibility to become a governor
Appendix 2	Definition of a 'parent'
Appendix 3	Secret ballot
Appendix 4	Guidance on terms of office
Draft 3	A sample ballot paper
Draft 4	A sample composition form for a governing body
Draft 5	A sample parent governor fact sheet (A candidate is a <i>representative</i> member of the parent body rather than a delegate.)

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 7	Day 12	DAY 13	Day 20	Day 21	Day 24
<p>Email and/or letter to be sent out, notice on school door detailing the vacancy and asking for nominations as soon as possible (NB: if a future start date you must make this clear.)</p>	<p>Closing date for return of nominations.</p> <p>Ask nominees for pen portraits if election is required.</p> <p>Otherwise, inform nominees that they have been elected unopposed</p>	<p>Deadline for receipt of nominee pen portraits (election statement)</p> <p>Prepare ballot paper</p> <p>Last day for candidate to withdraw from ballot</p>	<p>Ballot papers (indicating return date) and election statement to be taken home by pupils: directed to every parent</p>	<p>Closing date for return of ballot papers</p>	<p>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.)</p>	<p>A Governor’s Details Form, provided by the Clerk, to be completed by new or reappointed governor then emailed to Governor Support Officer at Governor Services as soon as possible</p> <p>Notice to be published notifying parents and governors of the results of the ballot or, where appropriate, the names of those elected unopposed.</p>

Governor Services Contact Details: Governor Support Officer, Governor Services, Learning and School Improvement, Oxfordshire County Council, County Hall, 4th Floor, New Road, Oxford, OX1 1ND
 Tel. 03300 249046

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

Dear Parents

ELECTION OF PARENT GOVERNORS

We currently have **two** Parent Governor vacancies and so must hold an election. As many of you may already know, the governing body has an extremely important role: it is responsible for working strategically in partnership with the headteacher and staff to identify the most important aspects of the school that need to be improved, approving plans to achieve this and ensuring progress. Governors individually have no power but when governors act collectively as a corporate team they are very powerful, as a corporate body not as individuals. All governors receive training to help them carry out their role. Oxfordshire Governor Services runs special induction courses for new governors – we expect all our governors to attend this training.

Parents or anyone who has parental responsibility* for a registered pupil at the time of the election are entitled to apply**. You can nominate someone for election and can vote in the election. We also have a factsheet (see Draft 5) about becoming a governor that we can send you if you want more information.

Parent governors, like all governors, will be most effective if they bring relevant skills and experience, **(school could include specifics if appropriate)** as well as the ability to work as part of a team.

All nominations should be sent in to the school office by **date/time**. You can nominate yourself. Every nomination must be signed by the candidate, stating that they are willing to stand.

On **date** we will send the ballot forms with the names of the candidates and their details home with the children so please watch out for the letter!

If you would like to know a little more about becoming a parent governor, please get in touch with Mrs X who is at present herself a parent governor.

Please think about taking on the role, or suggesting someone who will do it well. We need committed parent governors to make the governing body as effective as it can be.

Yours sincerely,

Headteacher

Chair of Governors

* See Appendix 2 Definition of a Parent.

** Parents who work at the school for 500 hours or more in any twelve month period – in practice this means any parent who is paid to work more than 12.5 hours per week at the school - are not eligible to be parent governors but they are eligible to vote in parent governor elections.

DRAFT 1B

Note or email to nominees if ballot is required

Thank you for your nomination as a Parent Governor. We have received **X** nominations for the **Y** vacancies. This means we must hold an election.

I should be grateful, therefore if you would write a few words about yourself and why you would like to be a governor. The maximum you can write is **75/100 words**. Parent governors, like all governors, will be most effective if they bring relevant skills and experience, commitment to undertake training and development, as well as the ability to work as part of a team.

The descriptions provided by all candidates will be circulated with the ballot papers to help parents decide who to vote for.

It would be very helpful if your statement could be emailed to the school office so that it can be copied in to the ballot papers without having to be re-typed.

The deadline for us to receive your statement is mid-day on (date)

If you submit more than **ZZZ** words (**insert maximum word count here**) we will cut your statement off at the **ZZZ** word.

Candidates cannot withdraw from the election once ballot papers have been issued.

..... Name of Returning Officer.

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**DRAFT 1C**

**Note or email to nominees if ballot is not required**

Thank you for your nomination as a Parent Governor. We have received **Z** nominations for the **Y** vacancies. This means that you have been elected unopposed. I congratulate you on your election.

The clerk will send you a formal appointment letter and the school will contact you soon to make arrangements for your induction.

The next meeting of the governing body is on .....date and time)

I hope you will enjoy a fulfilling time as a parent governor.

..... Name of Returning Officer.

**Sample**

# **NOMINATION FORM**

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

**Name:**

**Address:**

**Children in Year(s):**

**I am willing and eligible to stand for election as a parent governor at (*School*).  
I confirm that I am able to fulfil the role including by attending meetings as  
required, and by contributing to governance work outside formal meetings.**

*(Please ensure that you have read the rules regarding the eligibility to become a  
governor which you should have received with this nomination form).*

**Full name: (*Print*)**

**Signed:**

**Date:**

# APPENDIX 1

## 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 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 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 sequestered 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



- has been removed from office as an elected governor within the last five years
- 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. Legislation is often amended and new Regulations introduced: for legislation applying to school governors refer to [Governance handbook and competency framework](#) this may point to legislation that has been superseded.**

## **APPENDIX 2**

### **DEFINITION OF A PARENT**

(The Education Act 1996: Section 576 defines “Parent” to include):

- ◆ all natural parents, whether they are married or not; and
- ◆ any person who, although not a natural parent, has parental responsibility for a child or young person; and any person who, although not a natural parent, has care of a child or young person

(The Education Act 1996: Section 576 (1), (3) and (4), read together with the Education Act 2002: Section 212(2), gives a definition of “parent” )

- ◆ “Parent” is defined for the purposes of the Constitution Regulations as including “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”.
- ◆ It includes a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child. The reference in the definition must be to someone involved in the full-time care of the child on a settled basis.

## **SECRET BALLOT PROCEDURES**

All parents 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 parent/person eligible to vote. You may wish to use the school register to control the issue of envelopes/documentation to parents.

Schools will need to post ballot papers to absent parents so that they are not disenfranchised.

Schools can use electronic communication to alert parents to look out for ballot papers coming home via their child.

The clerk, 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.

Parents should be informed of the result by letter, email or newsletter and notices in the school with details of how the new parent governor can be contacted.

The school needs to ensure that the mechanism in place is a fair process. As if not, the school needs to be mindful of parental complaint.

\* If a school chooses not to provide envelopes and asks parents to provide their own envelope it will discourage disadvantaged (and disorganised) parents who do not have easy access to envelopes.

\*\* A non-parent, non-staff governor would be an example of an independent scrutineer.

## **APPENDIX 4**

### **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).
- ◆ Parent governors may continue to hold office until the end of their term of office even if their child leaves 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.

**Sample**

**BALLOT PAPER**

**(School Name)**..... Parent Governor Election

There are **(number e.g. 2)** vacancies for **(number e.g. 2)** parent governors on the governing body. You may vote for up to **(number e.g. 2)** candidates. Please put an 'X' in the box next to your preferred candidate(s). **If you vote for more than (number e.g. 2) candidates your votes will not be counted.**

**VOTE FOR UP TO (number e.g. 2) CANDIDATES ONLY**

|   |                               |  |
|---|-------------------------------|--|
| 1 | Ms Anybody (parent of.....)   |  |
| 2 | Mr Nobody (parent of.....)    |  |
| 3 | Mrs Somebody (parent of.....) |  |

**(Below/Attached/Overleaf)** is a brief note prepared by each candidate about themselves.

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

When you have chosen your preferred candidates, please:

1. Fold the ballot paper - **do not write your name on the ballot paper.**
2. Place your folded ballot paper in the envelope provided and **write your name on the envelope so that it can be checked against the list of eligible voters.** (The envelope will be opened and discarded by the independent scrutineer without looking at the votes cast.)
3. If envelopes are returned without a name on the envelope all candidates will be asked if they wish to accept them. If all candidates agree to accept unnamed envelopes; the result goes ahead. If one candidate disagrees all unnamed envelopes are disregarded. If candidates cannot be contacted on the day of the ballot delay the count until they have been.
4. Deliver your ballot to the school (in person) and place in the ballot box which will be available between **(time)** and **(time)** in **(place)**.

**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 of .....School comprises the following representatives:

| <b>Number</b>            | <b>Governor Type</b>          | <b>How they are given their place</b>                               |
|--------------------------|-------------------------------|---------------------------------------------------------------------|
| 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**

# **PARENT 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 ***three*** parent governors. Parent 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, and 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.

To be eligible to stand for election as a parent governor you have to have parental responsibility for a pupil at the school. Having "parental responsibility" is not limited to biological parents, but will cover you if you are a step-parent, foster parent, grandparent bringing up the child, or permanent partner of the child's biological parent. A few people cannot be school governors; those who have been made bankrupt or who have been in prison for certain offences may not serve for some years afterwards. School staff are not eligible to stand as parent governors if they are employed for 500 hours or more per year. If you have any doubts as to your eligibility on any of these grounds, please contact the school office/headteacher.

A candidate for parent governor post must be a parent of a registered pupil at the time the election is held. However, parent governors do not have to resign if their children leave the school before their term of office has expired.

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

- Parent governors do not have to try to represent the views of all parents.
- 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, each parent governor is free to vote in accordance with his/her own views.

The [Governance handbook and competency framework](#) 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.

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