**Procedures for the Election of Parent Governors**

Guidance for Headteachers, School Office Staff and Clerks to Governing Boards of Maintained Schools

The Parent Governor election process documentation has been updated to reflect best practice (Revised Sept 2022)

Please note that following the process as detailed in this Guidance is **mandatory** for all community and controlled schools and is also recommended for parent governor elections in all schools and academies

**Election Process Overview**

Term of office of current parent governor is coming to an end

Headteacher draws up election timetable and refers to governing board skills audit to draft letter to parent body

Headteacher notifies all parents of registered

pupils of vacancies and invites nominations, highlighting skills needed by the board

Day 1

Nominations close

Day 7

More nominations than vacancies are received

No nominations are received

Nominations less than or equal to number of vacancies

GB move to appoint a parent governor – (contact Governor Services to discuss)

Nominated candidate elected unopposed from date of close of nominations

Candidates, parent body, school and governing board notified of election result.

Headteacher sends out ballot papers to all eligible parents

Day 13

Day 20

Returned ballot papers counted & parents with most votes elected

Candidates, parent body, school and governing board notified of election result.

Who is responsible for arranging a parent governor election?

* In community, community special and voluntary controlled schools and nurseries – delegated to the headteacher.
* In voluntary aided, foundation and foundation special schools - the governing board.

## Who is eligible to be nominated and who can vote in the election?

## Parent governors are elected by the parent body of the school. This includes:

* 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
* 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.
* 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.

The school must ensure that the election process is fair and inclusive

If you are unsure who to include, please contact Oxfordshire Governor Services on

0330 0249046 or email governorservices@oxfordshire.gov.uk for advice.

Can a parent governor be reappointed at the end of their term of office?

No. When the term of office of a parent governor comes to an end, a new election *must* be held. The existing parent governor can stand for election again, but they cannot just be reappointed by the board.

**Parent governor election process**

**Detailed guidance**

If you have any queries about these procedures, please contact Oxfordshire Governor Services on 0330 0249046 or email GovernorServices@Oxfordshire.gov.uk

1. Seeking Nominations

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 governing board should review their skills audit and establish the skills desirable in a new parent governor.

NB this cannot exclude anyone from applying but should be included as a guide for parents considering standing for the position.

The Headteacher **must**inform all parents of the parent governor vacancy, noting the need for relevant skills for effective governance. The letter or email **must** invite nominations from those eligible to vote. A closing date for nominations should be set at 1 week from the date of the letter.

*Appendix A (page7) – documents to send to parents inviting nominations*

* Draft letter/email inviting nominations
* Nomination form
* Eligibility criteria for parent governor election process
* Qualification and disqualification criteria

NB this **must** be sent to *all* parents, including those not living in the family home, via their usual means of contact (eg email, in book bags, ParentMail). If correspondence needs to be hand delivered, it **must** be.

*“The arrangements****must****provide for every person who is entitled to vote to have an opportunity to do so by post. “Post” includes delivery by hand.*

*“The arrangements****may****provide for every person who is entitled to vote to have an opportunity to do so by electronic means.”*

[Constitution (England) Regulations 2012](https://www.legislation.gov.uk/uksi/2012/1034/made)

If an existing parent governor wishes to stand for a second term, they can, but they **must** go through the same nomination and election process with all other eligible parents.

Nomination forms that are returned outside the return dates **should** be treated as invalid.

On the closing date:

* If receiving nominations via email, please ensure you check the Spam folder on the account!
* If only one valid nomination is received, that parent is automatically elected (see [New Governor Checklist](https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/governorservices/recruitment/New%20Governor%20Induction%20Checklist%20Sept%202022.pdf) for next actions)

**OR**

* If there are more nominations than vacancies an election **must** be held (See 2. How To Conduct an Election).

**OR**

* If no one stands for election, the governing board may only appoint, as a parent governor, a parent who has, in their opinion, the skills to contribute to effective governance and the success of the school. Please contact Governor Services for advice on 0330 0249046 or email GovernorServices@Oxfordshire.gov.uk
* If you are approaching the summer holidays, it is advisable to wait until the start of the autumn term to begin the process.
1. How to conduct an election:

Ballot Papers **must** be sent to all parents and others with parental responsibility for registered pupils (the same people as nominations were invited from).

*NB Legally, elections* ***must not*** *be held solely electronically. A paper option* ***must*** *be offered to parents who request it.*

One vote per parent is allowed regardless of how many children they have in school.

Candidates cannot withdraw from election after ballot papers have been circulated.

Parent election must be fair and inclusive.

1. Secret Ballot Procedures

Parent governor elections **must** be held by secret ballot.

Electronic election processes are allowed, provided that secrecy is maintained AND you can be certain that each parent only votes once. A paper voting system **must** be made available to those who ask for it.

* 1. The paper-based system

All parents eligible to vote, must be given:

* Instructions on how to vote
* A ballot paper
* A copy of candidates’ statements (provided as part of the nomination process)
* *Two* envelopes in which the ballot papers are to be returned to ensure secrecy\* (the “double envelope” system)

Schools **must** post or hand deliver ballot papers to absent parents so that they are not disenfranchised.

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

A ballot box **should** be provided in the school for the return of ballot papers

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

* 1. Using Technology in the Voting Process

A separate email address **should** be set up to receive ballot papers. More than one member of staff should have access to the mailbox.

An email **should** be sent to each eligible parent. Where parents are not living in the same household, separate emails should be sent. If you do not have the email address for a parent, nomination and voting information **must** be provided on paper.

The following documents must be attached to the email:

* Details on how to vote
* A copy of candidates’ statements (provided as part of the nomination process)
* Ballot paper

See Appendix B (page15), which includes details on how to vote.

After the deadline, one member of staff should check the name in the title of each email against a list of eligible parents (This person should not open or look at the attachment). This must also be cross checked against a list of paper ballot envelopes to ensure no one has voted twice.

Once it has been established that all votes are valid, another person should print the attachments and record the votes.

Ensure you check the spam folder on the account to ensure no ballot papers are missed.

These votes should then be combined with those received on paper.

1. The Count

The school **must** appoint a returning officer, usually the Headteacher, but could also be the clerk or school business manager.

Those standing for election **should** be invited to attend the count as well as at least one independent scrutineer (e.g. a non-staff, non-parent governor).

Ballot papers that are returned outside the return dates **should** be treated as invalid.

In the event of a tie, a recount should be carried out. If this is also a tie, straws can be drawn or a coin tossed.

1. After the Count

All candidates should be notified of the result.

If the successful candidate declines to take up office a new ballot should be held using the same nominations*.*

Parents and governors should be informed of the result by newsletter and by notices in the school.

Following the acceptance of the position from the successful candidate, the [New Governor Checklist](https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/governorservices/recruitment/New%20Governor%20Induction%20Checklist%20Sept%202022.pdf) should be followed.

**APPENDIX A**

Papers for Nominations Process

* Draft letter/email inviting nominations
* Nomination form
* Qualification and disqualification criteria
* Eligibility criteria for parent governor election process
* Note to nominee if an election is not needed

School Headed Paper with School Address

Date

Dear Parents

**Parent Governor Vacancy**

There is a vacancy for a parent governor on our school’s governing board and I am writing to invite nominations to fill this vacancy.

The governing board has an extremely important role. They are responsible for the strategic direction of the school, working in partnership with the headteacher, promoting high standards of educational achievement and ensuring our resources are used to maximum impact. Governors individually have no power but when they act collectively, as a corporate body instead of as individuals, they are very powerful.

Parent governors are a vital part of the school’s governing board. They also help to ensure the board is connected with the parents at the school (although you are not expected to be a spokesperson for parents).

In looking to fill this vacancy the governors have identified the following skills, experience and attributes that they feel would help strengthen the governing board: **[insert as appropriate].**

All governors receive training to help them carry out their role. Oxfordshire Governor Services runs a wide variety of training courses for governors which you can attend, including an induction course for new governors – we expect all our governors to complete induction training.

Nominations must be from parents or carers with children at the school on the day that nominations close. The enclosed sheet summarises the disqualification criteria to serve as a governor. Anyone standing for election must certify that they are not disqualified for any reason listed. All governors must apply for a DBS check. The school will arrange that. Parents/carers who have paid employment in the school for 500 hours per academic year or more or who are elected members of the Local Authority are not eligible to stand in these elections.

If you would like to stand for election, please complete and sign the enclosed nomination form and return it to the school office no later than 12 noon on **[insert date].** You can nominate yourself. Please include a few details about yourself and why you would like to become a governor. This will then be circulated to all parents to help them decide who to vote for if an election is needed. You do not have to complete this section, but if you don’t you may put yourself at a disadvantage if there is an election.

An election, by secret ballot, will be held if more nominations are received than the number of vacancies. If an election is needed details of the procedure will be sent to all parents.

**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 encourage other parents to volunteer. We need committed parent governors to make the governing board as effective as it can be.

Yours sincerely,

Headteacher Chair of Governors

**Election of Parent Governors**

**Nomination Form**

**Please return this form by midday on [insert date]**

|  |  |
| --- | --- |
| Your name: |  |
| Address: |  |
| Email address: |  |
| Phone number: |  |

Please tick✓

|  |  |  |
| --- | --- | --- |
|  |  | I declare that I have a child on roll at the school and am eligible and willing to serve as a parent governor |

|  |  |  |
| --- | --- | --- |
|  |  | I confirm that I am not disqualified from becoming a parent governor (see attached disqualification criteria) |

|  |  |  |
| --- | --- | --- |
|  |  | I understand that the post requires me to hold a DBS certificate (the school will apply for the check if you are successful) |

|  |  |  |
| --- | --- | --- |
|  |  | 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. |

|  |  |
| --- | --- |
| Signed: |  |
| Date: |  |

Please include a few details about yourself and why you would like to become a governor in the box below (**no more than 100 words**). If an election is needed, this will be circulated to all parents to help them decide who to vote for. You do not have to complete this section, but if you don’t you may put yourself at a disadvantage if there is an election.

|  |
| --- |
|  |

**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 local authority governor if they are eligible to be a staff governor at the school.

A person is disqualified from being a partnership governor if they are:

* a parent of a registered pupil at the school;
* eligible to be a staff governor at the school;
* an elected member of the LA; or
* employed by the local authority in connection with its education functions.

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 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
		- 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.

**Eligibility Criteria – Who is eligible to be nominated and to vote in a parent governor election**

A.1 Parent governors (regulation 6 and Schedule 1) Parent governors are elected by other parents at the school. Subject to disqualifications set out below, any parent which includes a person with parental responsibility, or carer, of a registered pupil at the school at the time of election is eligible to stand for election as a parent governor. Parent governors may continue to hold office until the end of their term of office even if their child leaves the school

[*The constitution of governing bodies of maintained schools*](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/640562/The_constitution_of_governing_bodies_of_maintained_schools_2017.pdf)

*Statutory guidance for governing bodies of maintained schools and local authorities in England August 2017*

**Note or email to nominees if a 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 to governors 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 board is on …………………………..date and time)

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

…………………….. Name of Returning Officer.

**APPENDIX B**

Papers for Election Process

* Ballot Paper and Voting Instructions for parents

**BALLOT Paper**

***(School Name*)…………………………………………**

**Parent Governor Election**

There are **(*number e.g. 2*)** vacancies for **(*number e.g. 2*)** parent governors on the governing board. 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 one of the envelopes provided DO NOT WRITE ANYTHING ON THIS ENVELOPE
3. Put the blank envelope in the second envelope and **write your name on this envelope so that it can be checked against the list of eligible voters.** (This envelope will be opened and discarded by the independent scrutineer without looking at the votes cast.)
4. If ballot papers are returned without a name on the outside 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 the count will be delayed until they have been.
5. 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.**

**APPENDIX C**

Information about Governance for interested parents

* Guidance on Terms of Office
* Parent Governor Fact Sheet
* Composition of the Governing Board

**Guidance on Terms of Office**

* Governors are elected for the term of four years unless specified otherwise on the Instrument of Government, but 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.

**Parent Governor Fact Sheet**

***Words in bold italics vary according to the circumstances of your school. Please edit as necessary***

The governing board 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 board meets ***six times per year***, ***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 i.e. not confidential matters.
* When decisions have to be made by the governing board, each parent governor is free to vote in accordance with his/her own views.

The [Governance handbook and competency framework](https://www.gov.uk/government/publications/governance-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 board team.

**Composition of the Governing Board**

The governing board of …………………………………….School comprises the following members:

|  |  |  |
| --- | --- | --- |
| **Number** | **Governor Type** | **How they are given their place** |
| 1 | LA (Local Authority) Governor | Nominated by County Councillors/LA, appointed by the governing board |
| *Insert Number* | Parent Governors | Elected by parents |
| 1 | Staff Governor | Elected by school staff |
| *Insert Number* | Co-opted Governors | Appointed by the governing board |
| *Insert Number* *if applicable* | Foundation Governors | Appointed by a Diocese, Parochial Church Council or Trust  |
| *Insert Number* *if applicable* | Partnership Governors | Appointed by the governing board |
| 1 | Headteacher | Ex-officio: by virtue of the position they hold |