

## **ELECTION OF PARENT GOVERNORS: INFORMATION AND DOCUMENTATION FOR THE SCHOOL**

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**Applies to Community Schools, Community Schools, Community Special Schools and Voluntary Controlled Schools (Foundation and Voluntary Aided Schools may also follow this procedure).**

### **1. Constitution of Governing Board**

All schools shall include a minimum of two elected parent governors on their governing bodies in accordance with their Instrument of Government.

### **2. Conduct of Elections**

The election procedure should be implemented if there is a vacancy on the existing governing body. The Director of Children's Services will have overall direction of the conduct of elections; however, the Headteacher of each school shall preside over the election for the school.

### **3. Electorate**

The electorate shall consist of every person who is recorded by the school as either a parent, or as a person in the place of a parent, of a child who at the date of notice of the election is a registered pupil at the school.

For the purpose of these elections a parent is defined as:

- a) all natural parents, whether they are married or not
- b) Any person who, although not a natural parent, has parental responsibility for a child or young person
- c) Any person who, although not a natural parent, has care of a child or young person.

### **Timetable for elections**

a) day 1	Notice of election and invitation to eligible parents for nominations
b) at least 7 days from issue of letter	Return of nomination papers to Headteacher
c) as soon as practicable if more nominations than vacancies	Issue of ballot papers
d) at least 7 days from issue of ballot papers	Return of ballot papers, count votes and publish results

### **4. Distribution of Election Material**

In order to give every assistance to parents to take part in the election, Norfolk County Council undertakes the distribution and return of election material through the pupils in the

school. Parents are expected to play their part by ensuring that the pupils deliver and return election material safely and on time. In particular it should be noted that no election will be invalid by the failure of any notice of election, nomination paper or ballot paper to reach its destination in due time.

## 5. Nominations of Candidates

5.1 Pupils will be issued with a letter from the Headteacher, for their parents, giving notice of the election and seeking nomination(s) for appointment to the governing body. A date and time shall be fixed for the return of the nomination papers to the Headteacher. This shall be not less than seven days after the general issue of the Headteacher's letter to the parents has been issued to the children.

5.2 Electors not disqualified from holding office in accordance with The School Governance (Constitution) (England) Regulations 2012 shall be eligible for nomination as candidates in the election

Under the 2012 School Governance Regulations, a person is disqualified from election or appointment as a parent governor of a school if:

- they are an elected member of the LA (a County Councillor)
- they 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 a school year (at the time of election or appointment).

5.3 To be valid, a nomination paper must be signed by one elector as proposer and two electors as seconders. It must also contain a statement signed by the candidate of willingness to serve as a governor if elected. A candidate shall not propose or second himself/herself.

5.4 Candidates shall be invited to include brief details of their skills, knowledge and background on their nomination form to enable parents to make an informed decision when voting.

## 6. Elections

6.1 If by the time fixed for delivery of nomination papers, the Headteacher has received duly completed nomination forms no greater in number than the number of available vacancies for parent governors, the candidate(s) so nominated shall be declared duly elected. Any remaining parent governor vacancy(ies) shall be appointed by the school governors, in accordance with the legislation and subject to the specific requirements on quorum and constraints on those who are eligible for appointment.

6.2 If an Election is necessary, the Headteacher will prepare ballot papers following the form provided by the Director of Children's Services. The form provided is intended to be used as a master copy.

6.3 **IMPORTANT:** Schools must consider ways of preventing duplication of ballot papers. Numbered papers might be one way of highlighting any such duplication, but other ways could include the copying of ballot papers on unusual coloured papers or the addition of a distinguishing mark in colour or by embossing on each paper.

6.4 If a system of numbered ballot papers is used, the ballot papers must be randomly distributed to ensure anonymity of voting parents/guardians.

## **7. Issue and Return of Ballot Papers**

7.1 Each parent/guardian shall be entitled to return one ballot paper irrespective of the number of children in the family attending the school. The Headteacher shall fix a date and time as soon as practicable after the close of the election for the count to be held.

7.2 Each parent/guardian shall be entitled to vote for as many candidates as there are vacancies in the election. No arrangement shall be made for proxy voting.

## **8. Holding the Election**

8.1 Ballot papers will be issued by the Headteacher to the pupils for their parents and a record of their issue shall be kept. A date and time shall be fixed for the return of the ballot papers not less than seven days after the general issue of the ballot papers to the children. Ballot papers must be returned by the date and time fixed, in a sealed envelope addressed to the Headteacher, indicating it contains a ballot paper, and bearing no other mark. Those ballot papers not returned in sealed envelopes shall be declared invalid. Ballot papers shall remain unopened and in a secure place until the count commences.

## **9. Counting of Ballot Papers**

9.1 The count shall take place in the presence of the Headteacher and one member of the governing body. Any candidate or his/her authorised representative must be invited to attend the count.

9.2 The Headteacher shall determine the validity of any ballot paper and any vote recorded on that ballot paper. A candidate or candidates receiving the highest number of votes shall be declared elected to the vacancy or vacancies. In the case of a tie between any two candidates for a vacancy they shall, as soon as practicable, in the presence of the Headteacher, draw lots to determine which shall take the vacancy. The Headteacher may hold one or more recounts of the votes if he / she thinks it advisable. Prior to any recount, all ballot papers shall be thoroughly mixed.

## **10. Declaration of Results and Objections**

10.1 The Headteacher shall retain a record of the number of votes for each candidate and of the number of invalid votes. The Headteacher shall at the conclusion of the count place all rejected votes in a sealed envelope until the period for objection has elapsed or until any objection has been resolved, whichever is the longer. Ballot papers shall be retained for a period of six months in a secure place.

10.2 A notice of the result of the election shall be posted on the school notice board for a period of 14 days from the "date of the election". During this period any candidate, proposer or seconder of a candidate, or any ten parents may object to the result of the election. Any such objection must be in writing and must state the grounds upon which the objection is made. Objections shall be addressed to the Director of Children's Services and shall be referred by her to the Election Sub-Committee established under this procedure.

## **11. Election Sub-Committee: Local Authority Appointments Group**

11.1 The Local Authority Appointments Group shall have power to determine all matters referred to it by the Director of Children's Services including declaring an election invalid and ordering a further election. Subject to paragraph 11.2 the Local Authority Appointments Group shall be entitled to disregard any irregularity in the conduct of the election if having considered all the circumstances they think it fair and reasonable to do so.

11.2 If the Local Authority Appointments Group find that any breach of the secrecy of the ballot has occurred, they shall declare the result invalid and order a further election unless they are satisfied that the breach(es):

- i. Occurred by accident and is / are unlikely to have affected the result of the election  
or
- ii. Occurred by reason of circumstances outside the control of those conducting the election.

**To be printed onto school headed notepaper. The Notes for Parent Governors on the next page should be printed on the back of this letter.**

Date

Dear Parent or Guardian

Forthcoming Election of Parent Governor(s) at **XXXXXX** School

I am writing to inform you that **(number of)** vacancy or vacancies exist**(s)** on our governing board for a parent governor and we are seeking nominations of parents interested in taking up this role. Being a governor can be very enjoyable and worthwhile.

Parent governors are elected by the parents or guardians of children attending the school. All parents or guardians of children attending the school are entitled to propose or second candidates and vote. Nomination papers for this purpose can be obtained at the school from the Headteacher.

The completed nomination papers must be returned to the above school by:

**XXXXXX**

If the number of nominations received are equal to, or less than, the number of vacancies there will be no need to hold a ballot. If a ballot is necessary, it will be by "postal" ballot and your child will be asked to deliver and return your voting (ballot) paper. One ballot paper per parent or guardian is allowed, irrespective of how many of your children attend the school. Ballot papers must be returned in sealed envelopes to the school no later than:

**XXXXXX**

which will be the "date of the election".

**More information is given in the notes overleaf and you are advised to read them carefully before taking part in the election.**

Thank you for your interest, and involvement in this important process. If you have any queries regarding this election, please contact me at the school.

Yours sincerely,

Headteacher

## **NOTES FOR PARENTS TAKING PART IN PARENT GOVERNOR ELECTIONS**

There will be no need to hold an election (i.e. no ballot will be needed) if the number of nominations received are equal to, or less than, the number of vacancies.

The composition of the governing body detailing the number of parent governors is set out in the Instrument of Government of the school.

After reconstitution a parent governor will have a term of office of four years unless the Instrument of Government states otherwise.

Under the 2012 School Governance Regulations, a person is disqualified from election or appointment as a parent governor of a school if they are an elected member of the LA (a County Councillor) or if they 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 a school year (at the time of election or appointment).

Any governor may resign at any time during their period of office.

A parent governor does not have to resign when his/her child leaves the school, but is able to complete his/her term of office.

Parents standing as candidates in the election may not propose or second themselves.

Each parent/guardian shall be entitled to return one ballot paper irrespective of the number of children in the family attending the school.

Each parent/guardian shall be entitled to vote for as many candidates as there are vacancies in the election. No arrangement shall be made for proxy voting.

Each ballot paper must be returned by the date and time fixed by the Headteacher, in a sealed envelope, addressed to the Headteacher of the school, indicating it contains a ballot paper and bearing no other mark. Any ballot papers received that are not in sealed envelopes will be invalid. The ballot papers will remain unopened in a secure place until the count commences.

All candidates or their representatives will be invited to attend the counting of the ballot papers.

A notice of the result of the election will be posted on the school notice board for a period of 14 days from the "date of the election". During this period any candidate, proposer or seconder of a candidate, or any ten parents may object to the result of the election.

**NOMINATION PAPER FOR ELECTION OF PARENT GOVERNORS**

**Please Note.** Sections A, B and C must be completed. The candidate nominated and those proposing and seconding must be parents (or those with parental responsibility) entitled to vote in the election. Candidates may not propose or second themselves.

**SECTION A**      **The proposer should complete this section**

I\* \_\_\_\_\_ propose \*\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Full name & address of proposer  
(block capitals please)

\*\* Full name & address of candidate  
(block capitals please)

for election as a parent governor of the above school.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
signature of proposer

**SECTION B**      **The two seconders should complete this section**

We the undersigned second the above proposal

Full name &  
address of first  
seconder: \_\_\_\_\_  
(block capitals please)  
Signature: \_\_\_\_\_

Full name and  
address of second  
seconder: \_\_\_\_\_  
(block capitals please)  
Signature: \_\_\_\_\_

**SECTION C**      **The candidate should complete this section**

I am willing to serve as a parent governor at the above school.

Full name &  
address of  
candidate: \_\_\_\_\_  
(block capitals please)  
Telephone No: \_\_\_\_\_  
Signature of  
candidate: \_\_\_\_\_

Please note space is provided overleaf for the candidate to provide brief biographical details to go out with the ballot papers.

Brief Biography of \_\_\_\_\_  
candidate for parent governor election at:

School.

Signature of candidate

Date



**ELECTION OF PARENT GOVERNORS**

**BALLOT PAPER**

Each parent/guardian is entitled to vote for any \*one/ two/ three/ four /five of the following candidates by placing X in the box at the side of the name. Please do not sign this paper or mark it in any other way, as to do so may make your vote invalid.

\*please delete as appropriate

Please print the names of candidates


The candidates have provided information about themselves on the attached sheets.

After marking your paper please return it to the Headteacher of the above school in a sealed envelope addressed as follows:

Please make sure it is received not later than \_\_\_\_\_

**NO OTHER NOTE OR LETTER FOR THE SCHOOL SHOULD BE INCLUDED WITH THIS  
BALLOT PAPER.**

**FORMS NOT RETURNED IN SEALED ENVELOPES WILL BE INVALID**

NB if ballot papers are numbered, anonymity of voters is ensured by random distribution of the ballot papers

## **Qualifications and Disqualifications** (regulation 17 and Schedule 14 to the regulations)

Grounds for disqualification fall into three broad categories:

- general grounds;
- grounds that apply to particular categories of governor; and
- grounds that arise because of particular failings or actions on the part of the governor.

All the grounds for disqualification apply also to associate members except that associate members can be registered pupils at the school and can be under 18.

### **General grounds**

Registered pupils cannot be governors.

A governor must be aged 18 or over at the time of election or appointment.

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

### **Grounds that apply to particular categories of governor**

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 local authority; or
- employed by the local authority in connection with its education functions.

### **Grounds that arise because of particular failings or actions on the part of the governor**

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.