



## Electing a Parent Governor



## Election of Parent Governors

It is important that schools make every effort to fill parent vacancies through elections and it is a requirement that nominations are sought once the term of office of an existing parent governor comes to an end or if a parent governor resigns in Order to ensure the continuity of the governing body.

In accordance with Section 15 of the Education Act 1986, parent governors must be elected by secret ballot. The Local Authority has delegated the role of the returning office to headteachers.

Headteachers are recommended not to wait until the term of office of the existing parent governor comes to an end before starting the election process.

## Parent Governors Terms of Office

The term of office of a parent governor cannot be extended either by the wish of the parent governor to remain in office or by a decision of the Governing Body for that parent governor to remain in office. The term in office of a parent governor is a minimum of one year and up to a maximum of four years as stated in the Instrument of Government. Once a parent governor's term of office comes to an end, nomination must be sought.

## Eligibility

Parents including carers of registered pupils at the school are eligible to stand for election as parent governors. A 'Parent' is defined as including *'any individual who has or has had parental responsibility or cares or has cared for, a child or young person under the age of 18'* it also includes a person who a child lives with and who looks after the child, irrespective of what their relationship is with the child. This means that it is possible for a child to have more than two 'parents' eligible to participate in an election.

A person is disqualified from becoming a parent governor if they are an elected member of the Local Authority (Staffordshire County Council), or if they work at the school for more than 500 hours in any consecutive 12-month period (at the time of election or appointment).

Prospective governors should confirm that they are not disqualified from being a school governor in general (see page 2) and that they meet the eligibility criteria for being a Parent Governor at the school.

If the governing body has a code of conduct, it is good practice to advise prospective governors that, on becoming a governor, they will be expected to sign up to and adhere to that code. They should also be aware that if their duties as a governor require them to have a CRB check, this will reveal information about previous cautions and convictions.

**You cannot be a governor if:**

- You are under 18 at the time of your election or appointment or you are a registered pupil at the school; or
- You are **already** a governor of a different category at the **same** school; or
- You have been detained under the Mental Health Act 1983 during your period of office; or
- You have failed to attend governing body meetings, without the consent of the governing body, for a continuous period of six months, beginning with the date of the first meeting missed (not applicable to ex-officio governors); or
- You are subject to a bankruptcy restriction order or an interim order; or
- You have had your estate sequestrated and the sequestration order has not been discharged, annulled, or reduced; or
- You are subject to:
  - i) a disqualification order or disqualification undertaking under the Company Directors Act 1986.
  - ii) a disqualification order under Part 2 of the Companies (Northern Ireland) order 1989.
  - iii) a disqualification underrating accepted under the Company Directors Disqualification (Northern Ireland) Order 2002.
  - iv) an order made under Section 492(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order); or
  - v) you have been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 32 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of anybody; or
- You are included in the list of people considered by the Secretary of State as unsuitable to work with children; or
- You are disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002; or
- You are disqualified from registration for childminding or providing day care; or
- You are disqualified from registration under Part 3 of the Childcare Act 2006; or
- You have received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) in the five years before becoming a governor or since becoming a governor; or
- You have received a prison sentence of two and a half years or more in the twenty years before becoming a governor; or
- You have, at any time, received a prison sentence of five years or more; or
- You have 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; or
- You refuse to allow an application to the Criminal Records Bureau for a criminal records certificate.

## Seeking Nominations

- The headteacher should distribute a letter informing parents that an election for parent governors is to be held. The letter (see model 1) should also inform parents of their right to stand as a candidate for election and that nomination forms are available from the school office. The date by which the nomination form should be returned should be stipulated. Two weeks is a reasonable period of time for the return of nomination forms.
- Any pupil not at school on the day that the letter is sent out should be identified and every effort made to send the letter by first class post that same day.
- Candidates should have a proposer and seconder and nomination forms signed by all three. Candidates returning nomination forms should be advised to also submit a brief statement about themselves (see model 2).

## Conducting the Ballot

A ballot will need to take place if there are more nominations than there are vacancies for Parent Governors.

- Following the closing date for receipt of nomination forms the headteacher should write to parents enclosing a ballot paper and a list of candidates, in alphabetical order, with a brief statement of each candidate. The ballot paper should clearly indicate the number of votes each parent has and the date on which they must be returned (see model 3).
- Letters should be sent, and returned, via pupil post. Again, any pupil not at school on the day that the letter is sent out should be identified and every reasonable effort made to send the letter by first class post that same day.
- Remember to send the appropriate number of ballot papers for the 'parents' entitled to vote.
- Each parent is entitled to only return one ballot paper, irrespective of the number of children in the family attending school.
- To ensure that duplicated ballot papers are not returned, each one should be numbered (ballot papers posted at random cannot be traced back to individual parents by the reference number).
- Instructions to parents on returning completed ballot papers should be clear, whilst ensuring that the ballot is undertaken secretly. Papers could be returned in the following ways:
  - by pupil post with ballot papers, whether in an envelope or not, placed immediately in the ballot box;
  - by Royal Mail with envelopes addressed to the school and marked 'Parent Governor Elections'. Again, the unopened envelopes should be placed immediately in the ballot box;
  - by hand, with parents given the opportunity to put the ballot paper directly into the ballot box.
- the ballot box should be placed in an area to allow easy access whilst at the same time preventing it from being tampered with e.g. School's Office.
- one or two weeks is a reasonable period of time for the return of ballot papers but a specific date and time must be given and any received after that time must not be counted.

## Counting the Votes.

- All candidates, or their chosen representative, should be given the opportunity of being present when the count takes place. Inability to attend, however, will not invalidate the count taking place at the agreed date and time.
- Care should be taken to ensure that all ballot papers are removed before discarding envelopes.
- In the event of a tie, the candidates' names should be drawn from a hat, in the presence of an independent parent witness.

## Announcing the Result

- The headteacher should announce the result of the election by posting a notice on the school's notice board. The name and contact details of the person(s) appointed should be sent to staff in Governor Services together with the effective date.
- The result of the election should be included in the next newsletter or general information letter sent to parents.

## Appointment of Parent Governors

In the event of insufficient parents standing for election the Governing Body may appoint to the vacancy.

The appointment of a Parent Governor **must** be made at a meeting of the full Governing Body and should appear as an agenda item. All Governors are entitled to vote. The appointment must be recorded in the minutes of the meeting.

A Parent Governor **cannot** be appointed at a Committee Meeting or by the Chair using emergency powers in between termly meetings.

The governing body must first attempt to appoint a parent of a registered pupil at the school but, if that is not possible, they may appoint a parent of a former pupil at the school. As a final resort, they may appoint any parent of a child of or under compulsory school age. Note that the criteria for appointing parent governors in special schools is slightly different. Contact Governor Services if you require information about this.

The appointment of a parent governor can only be undertaken at a meeting of the full Governing Body, all Governors are entitled to vote and the meeting must be quorate. The appointment must be recorded in the minutes of the meeting.