



## **LONDON BOROUGH OF REDBRIDGE**

### **GUIDELINES FOR THE CONDUCT OF PARENT GOVERNOR ELECTIONS:**

#### **A The Statutory Framework**

##### 1 Definition of Parent Governor

- 1.1 An elected parent governor is a person who is elected as a member of the governing body of the school and who is himself/herself such a parent at the time he/she is elected. "Parent" is defined in section 114 of the Education Act 1944 in the following terms:

"Parent", in relation to any child or young person, includes a guardian and every person who has the actual custody of the child or young person.

- 1.2 Any person who has the care of the child, even if that person is not the birth parent of the child and even if that person has no parental responsibility for the child is to be regarded as a parent. This includes parents of children in the school's nursery. However it does not include parents/carers who only have children attending the children's centre attached to the school.

- 1.3 A person is disqualified from election or appointment as a parent governor of a school if he/she is an elected member of the LA or if he/she works 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).

- 1.4 Regulations 5 to 8 and 15 shall have effect for the purpose of prescribing the circumstances and cases in which a person is to be disqualified for holding, or continuing to hold, office as a governor of a school and the circumstances and cases so prescribed shall be the only circumstances and cases in which a person is to be disqualified for holding, or continuing to hold, office as such a governor.

##### 2 Delegation of Authority

- 2.1 The 'responsible authority' is used to refer to those responsible for the organisation of parent governor elections. In the case of community, voluntary controlled or maintained special schools this is the Local Authority. In the case of aided or special agreement schools the 'responsible authority' is the governing body.

- 2.2 The LEA has delegated the responsibility for the conduct and arrangement of parent governor elections to the Head teacher who acts as the 'Returning Officer'. In the case of linked primary schools, the Head teachers of the Infants and Junior schools are responsible jointly for the election. The constituency for the elections should be that of both schools.

## **B Conduct of elections**

### 3 Pre-election Publicity

3.1 The regulations state that “where a vacancy arises, the appropriate authority (the school) must take such steps as are reasonably practicable to secure that every person who is known to them to be a parent of a registered pupil at the school is:

- a) informed of the vacancy and that it is required to be filled by election
- b) informed that s/he is entitled to stand as candidate and vote in the election
- c) given the opportunity to do so”.

Schools must choose to notify parents that a vacancy exists and through their newsletter or website, invite interested parents to request more information. The method chosen will depend on the usual communication channels used by the school, for example if a school has an established routine with parents using a website to pass on information then advertising the vacancy via the website would be acceptable.

Schools do not have to issue copies of the leaflet previously supplied by the Governors Support Team “Why not become a parent governor?”

### 4 Nominations

4.1 When a vacancy arises, nominations should be invited as soon as possible. Governors Support Service should be informed of the vacancy. (Annex A and B – Nomination Letter and Form)

4.2 Nominations are to be returned within a set reasonable period of at least 10 school days. All parents should be informed of the exact closing date for nominations. Any nominations received after the school closes on that day are no valid.

Nominations are valid if:

- a) The nominations are returned before the published date of the closure of nominations
- b) The nominee is a parent of a child on roll at the school, including the nursery
- c) The nomination is supported by a proposer and seconder
- d) The proposer and seconder are parents of a child on roll at the school, including the nursery
- e) A husband cannot propose a wife or vice-versa
- f) The nominee has the skills and experience required by the governing body to contribute to the effective governance and success of the school

4.3 The parent nominated should also supply a brief statement of not more than 100 words in support of his/her candidature. Before sending out the supporting statements, the school should ensure that the statement does not contain more than 100 words.

4.4 If any of the statements contain more than 100 words then the head teacher as the Returning Officer should decide to either send out the statement deleting any words over the 100, to treat the statement as null and void or to ask the parent/carer to re-write the statement by return of post.

The parent/carer who wrote the statement should be advised of the course of action chosen by the Returning Officer at the same time as the statements are released.

## 5. Procedures for Election

5.1 If the number of nominees is smaller than or equal to the number of vacancies, no voting is required. Those nominated are simply declared to be governors.

5.2 If at any time the number of parents standing for election is less than the number of vacancies, the required number should be made up by persons appointed by the other members of the governing body. The following restrictions apply in the case of the appointment of parent governors:

- a) To appoint a person who is the parent of a registered pupil at the school where it is reasonably practicable to do so, or where it is not, to appoint a person who is the parent of one or more children of statutory school age
- b) Not to appoint any person as a parent governor if that person is:
  - i) An elected member of the Authority
  - ii) Paid to work at the school for more than 500 hours in any 12 month period commencing on 1<sup>st</sup> August and finishing on 31<sup>st</sup> July.

5.3 If more nominations than vacancies are received then a secret ballot must be held.

## 6 Secret Ballot

6.1 The voting franchise for parent governor elections is one vote per vacancy for each parent/guardian in the household. That is one vacancy – one vote per parent, four vacancies – four votes per parent. Where there is more than one child in the family, send ballot papers with either the youngest child or the eldest, not both. Parents of children in the nursery are eligible to vote also.

Each parent is entitled to a ballot paper.

6.2 Voting papers should be sent out immediately following the closing date for nominations.

6.3 Each ballot paper must be numbered and stamped with the school stamp (or coloured paper). Accompanying the ballot papers should be the written statement of no more than 100 words received from each candidate.

6.4 The ballot paper should list the candidates.

- 6.5 Clear instructions for voting should be given and it should be stressed that no other mark should be made on the ballot paper.
  - 6.6 Voting papers should be returned to the school by a set reasonable date. All parents should be informed of this date.
  - 6.7 Parents should be able to vote by post or if s/he prefers, by having his/her ballot paper returned to the school by a registered pupil at the school.
  - 6.8 Each school (including linked primary schools) has been provided with a ballot box and all voting papers are to be put in the box, preferably by parents or pupils as they arrive.
  - 6.9 The ballot box should be kept in a secure place until the count takes place.
  - 6.10 Care should be taken to ensure that each family gets the appropriate number of voting papers (one per parent). This could be done by sending them via the eldest child. Schools should remind parents of this in the literature sent out with the ballot papers.
  - 6.11 Where children are absent from school for a prolonged period, ballot papers should be sent to the home address.
  - 6.12 If a ballot paper is inadvertently spoilt (or lost) a duplicate may be issued by the Returning Officer. A record should be kept of the number of duplicates issued.
  - 6.13 An election is not invalidated by an individual's failure to receive or return a ballot paper.
  - 6.14 Parent Associations (PTAs) may not use the school organisation and associated facilities for the publication and distribution of election materials in respect of parent governor elections.
- 7 The Count
- 7.1 The count should be conducted by the Returning Officer (who is normally the head teacher).
  - 7.2 The counting of ballot papers and declaration of results should take place within two school days of the close of the poll.
  - 7.3 All candidates should be invited to attend the count.
  - 7.4 The head teacher is responsible for deciding the best method of carrying out the count. When the ballot box is opened the Returning Officer should check that all ballot papers have been stamped and numbered.
  - 7.5 A suggested way of doing the count might be the tally method; one person reading and one person recording.

- 7.6 The total number of votes cast should then be counted for checking purposes. The votes for each candidate are then totalled to ensure that they are equal to the number of votes cast. If not the ballot papers should be re-counted until agreement is reached. In the result of a tie following a recount lots will be drawn.
- 7.7 Any candidate can request a re-count if the difference between the number of votes cast for individual candidates is small (e.g. 2%).
- 8 Post Election
  - 8.1 When counting and checking are complete the results can be announced to any candidates present.
  - 8.2 A written notice of the results must also be prepared and displayed in a prominent place in the school and a copy of this sent to all candidates without delay.
  - 8.3 The written notice of the election should also be sent to Governors Support Service (including the date of the election) without delay.
  - 8.4 The ballot papers should be retained securely for a period of six months, in case the election result is challenged.

Dear Parent/Carer,

Autumn 2019

**PARENT GOVERNORS' ELECTION**

I am writing to you to invite you to stand for election as a parent governor, or nominate another parent to do so. In our school we have provision for two parent governor vacancies this term.

The governing body, with the headteacher, has overall responsibility for the running of the school. Governing bodies have three core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its pupils; and
- Overseeing the financial performance of the school and making sure its money is well spent.

No special qualifications are needed and the most important thing is to have a keen interest in the school and be prepared to play an active part in the governing body's work.

All parents/carers who qualify to apply are encouraged to do so, although we particularly welcome nominations from those individuals with links to local businesses. Training is available for all governors, and this governing body has an expectation that those new to being a governor attend free induction training.

The enclosed Guidelines summarises the circumstances under which someone cannot serve as a governor. In addition, parents/carers who have paid employment in the school for 500 or more hours per academic year or who are elected members of the Local Authority are not eligible to stand in these elections. Nominations must be from parents or carers with children at the school on the day that nominations close.

If you would like to stand for election please complete the enclosed nomination form (Appendix B, as described in section 4 in the Guidelines) and return it to the school no later than **3.15pm on Friday 27<sup>th</sup> September 2019**. Candidates must submit a statement in support of their nomination, which must be no longer than 100 words (see section 4.3 in the Guidelines, which are very strict concerning this point). Parents may self-nominate (although a separate seconder **MUST** be provided) but if a parent wishes to propose another parent for nomination, they should seek their approval before submitting the nomination form.

If there are more nominations than vacancies, the election will be by secret ballot. If that is necessary, voting papers will be sent to all parents together with details of the ballot procedure.

Yours faithfully,



Frank Gordon  
School Business & Finance Manager and Clerk to the Governing Body

## **Annex B: Nomination Form**

### Election of TWO Parent Governors

Please enter IN BLOCK LETTERS the name and address of the person being nominated for election:

Name: \_\_\_\_\_

Address:

\_\_\_\_\_

Signature of person nominated:

\_\_\_\_\_

Signature of proposer (if different to nominee):

\_\_\_\_\_

Name and address in BLOCK letters of proposer (if different to nominee):

\_\_\_\_\_

Signature of seconder:

\_\_\_\_\_

Name and address in BLOCK letters of seconder:

\_\_\_\_\_

**NOTE:** The proposer and seconder above must be a parent/carer of a child currently on the school roll.

**PTO**

Personal Statement (maximum 100 words)-You may type this on a separate sheet as an attachment:

I wish to submit my nomination for the election of one of the two vacant parent governor positions.

I confirm (i) that I am willing to stand as a candidate for election as a parent governor and (ii) that I am not disqualified from holding office for any of the reasons set out in the Guidelines (Section C).

**Signature:**

**Date:**

***-Completed nomination forms must be returned to: Mr F. Gordon, School Business & Finance Manager and Clerk to the Governing Body, Woodbridge High School, by 3.15pm on Friday 27<sup>th</sup> September 2019.***

## **Annex C: Qualifications and disqualifications to serve as a school governor**

A governor must be aged 18 or over at the time of his/her election or appointment and cannot hold more than one governorship at the same school.

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

- is subject to a bankruptcy restriction order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order;
- has had his/her estate sequestrated and the sequestration has not been discharged, annulled or reduced;
- is subject to:
  - a disqualification order or disqualification undertaking under the Company Directors Act 1986
  - a disqualification order under the Companies Directors Disqualification (Northern Ireland) Order 2002
  - a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
  - an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a county court administration order);
- has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on the grounds of any misconduct or mismanagement in the administration of the charity, or under section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from being concerned in the management or control of anybody;
- is included in the list of people considered by the Secretary of State as unsuitable to work with children;
- is disqualified from working with children or subject to a direction under section 142 of the Education Act 2002;
- is disqualified from working with children under sections 28,29, or 29A of the Criminal Justice and Court Services Act 2000;
- is disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 for child minding or providing day care;
  - is disqualified from registration under Part 3 of the Childcare Act 2006;
- has received a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months (without the option of a fine) in the 5 years before or since becoming a governor;
- has received a prison sentence of 2½ years or more in the 20 years before becoming a governor;
- has at any time received a prison sentence of 5 years or more;
- has been convicted under section 547 of EA 1996 (nuisance or disturbance on school premises) or under section 85A of the Further and Higher Education Act 1992 (nuisance or disturbance on educational premise) during the 5 years prior to or since appointment or election as a governor;
- is employed at the school for more than 500 hours per academic year if wishing to stand for parent governor at the same school;
- is an elected member of the Local Authority (applies to parent and community governors only);

- has refused a request by the clerk to the governing body to make an application under section 113B of the Police Act 1997 for a criminal records certificate
- has been disqualified from holding office as a governor of this school due to failure to attend governing body meetings for a continuous period of six months