

ELECTION OF A PARENT GOVERNOR – GUIDANCE & PROCEDURES (2019)

GUIDANCE AND ADVICE FOR SCHOOLS AND CANDIDATES

1. All Governors regardless of their category (LA, Foundation, Staff, Parent) are elected or appointed with one common purpose – to govern and make decisions in the best interest of pupils.
2. Elected Governors are **representatives not delegates** of their stakeholder group. This means they may contribute to discussions as a representative and put forward the views of parents but they may vote as they see fit as an individual.
3. Having Board members who bring different perspectives and knowledge to the Board strengthens Governance and diversity should be encouraged.
4. The required number of Parent Governors on a Governing Board, will be set out in the Instrument of Government (for maintained Schools) or the Articles of Association (for Academies).
5. When a vacancy arises, a School must inform all parents and seek nominations, even if the existing Parent Governor is willing to stand again.
6. A Parent Governor is defined as a person who is elected as a member of the Governing Board of the school, by parents of registered pupils at the school, and who is a parent at the time s/he is elected. "Parent" includes 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 19.
7. A person is disqualified from standing for election or appointment as a Parent Governor if s/he is:
 - An elected member of the local education authority; or
 - Paid to work at the school for more than 500 hours in any consecutive 12 month period (at the time of the election or appointment); or
 - Subject to any of the disqualifications under the Regulations.
8. Elections for Parent Governors must be organised by the 'appropriate authority' which must take reasonably practicable steps to ensure that all parents of registered pupils at the school are:
 - Informed of the vacancy and the fact that it is required to be filled by nomination and if necessary, election;

- Informed that they are entitled to stand as a candidate (self-nominate) and vote in any subsequent election; and
 - Given the opportunity to do so.
9. For community, community special, maintained nursery and voluntary controlled schools, the appropriate authority is the local authority (LA).

For voluntary aided, foundation or foundation special schools and academies the appropriate authority is the Governing Board.

10. Where the LA is the appropriate authority, it is common for the responsibility for parent elections to be delegated to the Headteacher, who commonly acts as the 'returning officer'.

In some cases, the school may use the Clerk to Governors or appoint another member of staff as returning officer. Where the appropriate authority is the Governing Board, the Headteacher, Chair or Clerk to Governors may be the returning officer.

11. It is good practice to have an agreed, documented procedure in place so that it is clear to all parents what the process is and that it is transparent and objective.

12. It is recommended that the school website give details of the process and the provided clarity regarding the expectations of Governors.

13. The Regulations provide an entitlement for parents to vote by post or delivery by hand.

14. Schools may provide the opportunity to vote by electronic means. Use of such a system must not preclude voting by post or delivery by hand but should be an extension of the process. Whilst this is permissible under the Regulations Governing Boards will need to be satisfied that the integrity of the secret ballot is maintained. The key things to think about when considering opting for an electronic voting system include:

- A cross-referencing mechanism to account for those parents voting online and those voting by paper, in order to avoid multiple entries from individuals
- An authentication procedure to ensure that only those eligible to vote, actually do so and can only do so once

- Data protection - the school would have to be clear about how personal information may be stored and used by such a system and ensure that this is made clear to parents.
- School resources in terms of set up, maintenance and staffing costs.

15. In the event that there are fewer candidates than vacancies, the Governing Board must appoint a parent of a registered pupil at the school. Although, if it is not possible to do so (for example where no other parent wishes to be appointed), the Governing Board may appoint the parent of a former registered pupil, or a parent of a child under or of compulsory school age.

ELECTION PROCEDURE

1. When a vacancy arises a letter should be sent to all parents notifying them of the vacancy and requesting nominations. The invitation and nomination form could also be placed on the school website.
2. The letter should include information regarding eligibility. It should indicate the closing date for nominations, which will be not less than 10 school days from the date of issue. Candidates should be invited to submit a statement in support of their nomination, which should be no longer than 250 words.
3. The Governing Board may ask for parents with particular skills/experience to put their name forwards for election. This does not preclude any other member of the parent body from standing for election.
4. Parents may self-nominate but if a parent wishes to nominate another parent, they should seek their approval before submitting the nomination.
5. Where the number of candidates nominated is equal to or fewer than the number of vacancies, then all those nominated will be elected unopposed. If too few parents stand for election to fill all the vacancies, the Governing Board will appoint Parent Governors to the vacancy or vacancies in accordance with the School Governance (Constitution) (England) Regulations 2012.
6. If there are more nominations than vacancies, a secret ballot will be conducted. Letters, ballot papers and 2 return envelopes will be sent to all parents.

The letters will set out that:

- a. All parents of registered pupils are entitled to vote. Depending on the number of vacancies, parents may be asked to vote for more than one candidate. Each parent can submit one ballot form, regardless of the number of children they have attending the school;
 - b. The closing date and time for receipt of ballot papers, which will be no less than 5 school days;
 - c. If applicable, the candidates' personal statements will be enclosed
7. In order to ensure confidentiality, parents will be provided with two envelopes. They will be asked to enclose the completed ballot paper in an unmarked envelope, then enclose this in the 2nd envelope and write their name (or the name of their child) on the envelope and sign it. This is to allow the returning officer to check eligibility to vote.
8. A ballot box will be provided in the school [reception area/foyer], and parents will also be given the option to vote by post. No arrangements will be made for proxy voting.
9. Returned envelopes must be locked away unopened until the closing date.
10. At the closing date for return of ballot papers, the returning officer will count the votes in front of a witness. Candidates and Governors will be invited to witness this, but there is no requirement for either to attend. The returning officer is responsible for determining whether a "spoiled" ballot should be included. The outcome of the vote will be decided by the simple majority vote system. In the event of a tie, there should be a recount. If this does not produce a clear result, the returning officer should, in the presence of the witness, draw lots.
11. The Headteacher or Clerk to Governors will inform all candidates individually about the result of the ballot. Other parents will be notified of the result via school newsletter and/or website.
12. The ballot papers will be retained securely for six months in case the election result is challenged.
13. The Clerking Service at Trust GS must be informed of the date of appointment along with the name, address and email of any new Governors. The School must submit a DBS check request within 21 days of appointment.