

Parent Governor Elections

- DEFINITION OF PARENT GOVERNOR AND ELIGIBILITY**
- 1 A parent governor is a person who is elected as a member of the governing body of the school by parents of registered pupils at the school, and who has a child attending at the time of the election. "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.*
- By this definition of a parent it is possible for a child to have more than two parents eligible to participate in an election.
- Parents of children attending nursery classes at the school are eligible to participate in elections.
- Attention is drawn to the regulations prescribing the circumstances which disqualify a person from holding office as a governor (*see paras 21/22 below*).
- PERIOD OF OFFICE**
- 2 The term of office is four years unless the governing body has registered a variation to this in its Instrument of Government.
- Parent governors may serve out their term of office even if their child leaves the school before the end date.
- NOMINATION STAGE**
- 3 Upon receipt of resignation from a parent governor, or at the beginning of the term in which a parent governor's term of office expires, the headteacher should notify parents of the vacancy and invite nominations for the post. Self-nomination is the usual method.

- 4 Statutory guidance published by the Department for Education states that governing bodies should make every effort to conduct informed parent governor elections in which the expectations and credentials of prospective candidates are made clear.

School should set out clearly in its recruitment literature:

- the core functions of the governing body and the role of a governor, and the induction and other training that will be available to new governors to help them fulfil it;
- the expectations they have of governors, for example in relation to the term of office, the frequency and timing of meetings, membership of committees and the willingness to undertake training; and
- any specific skills or experience that would be desirable in a new governor, including a willingness to learn, that would help the governing body improve its effectiveness and address any specific challenges it may be facing.

- 5 The closing date for nominations should be 10 school days from the date the vacancy was advertised. The actual closing date and time should be clearly stated.

- 6 Candidates should also be given the opportunity to submit a personal statement which will be sent to parents if an election is required. This will enable them to set out:

- evidence of the extent to which they possess the skills and experience the governing body desires;
- their commitment to undertake training to acquire or develop the skills to be an effective governor;
- if seeking re-election, details of their contribution to the work of the governing body during their previous term of office; and
- how they plan to contribute to the future work of the governing body.

A limit on the length of the personal statement (commonly 200-300 words) should be set and adhered to.

NOMINATIONS RECEIVED

- 7 If the number of qualified nominees is smaller than or equal to the number of vacancies, no election is required: those nominated are declared to be governors. If there are vacancies remaining, the governing body may appoint parent governors (*see paras 19/20 below*).

If the number of nominations exceeds the number of vacancies a ballot must be held.

CONDUCT OF THE ELECTION

- 8 The governing board should appoint a non-voting Returning Officer to oversee the election process.
- 9 The electoral method to be used will be 'first past the post'.
- 10 Each parent has one vote per vacancy.
- 11 *In advance of the election*, the Governing Body should determine, and publicise, the action to be taken in the event of a tie. This could be:
 - the drawing of lots
 - flipping a coin
 - electing the candidate with the youngest registered pupil
- 12 The ballot paper shall list the names of all the candidates, preferably in alphabetical order. It may also include the short personal statement supplied by each candidate (*see para 6 above*). Clear instructions for voting should be given, stressing that no other mark be put on the paper.
- 13 The Returning Officer shall ensure that each parent entitled to vote is sent a ballot paper. Parents must be given the opportunity to vote by post. It is acceptable for ballot papers to be delivered and returned by pupil post. However, where parents have more than one child at the school care must be taken to ensure that no parent receives more than one ballot paper. Ballot papers will also need to be posted, or otherwise delivered, to parents whose child is absent from school when ballot papers are issued.
- 14 The election shall be conducted by secret ballot, preferably using the double-envelope system: the ballot paper should be sealed in an unmarked envelope which is then placed in a larger envelope, sealed and signed by the voter.
- 15 To ensure confidentiality, such a method will require a two-stage system of recording votes cast and opening ballot papers:
 - i. on receipt of a ballot paper, the name on the outer envelope is checked for entitlement to vote and a record made that the person has voted.
 - ii. the inner, unmarked, envelope containing the ballot paper is then be placed in a ballot box at the school for counting at the appointed time.
- 16 If a ballot paper is inadvertently spoilt or lost the Returning Officer may issue a duplicate. The election is not invalidated by an individual's failure to receive or return a ballot paper.

- THE COUNT** 17 The count should be conducted by the Returning Officer at the school. The Returning Officer should allow the candidates or their nominated representatives to be present and will have responsibility for deciding the validity of dubious or spoilt ballot papers.
- POST ELECTION** 18 The result of the election should be notified by the school to all parents, the governing board and SIL Governor Services. Ballot papers should be retained for six months in case the election result is challenged.
- APPOINTMENT OF PARENT GOVERNOR** 19 Schools must make every reasonable effort to fill parent governor vacancies through elections. However, if insufficient parents stand for election the governing body may *appoint* as a parent governor:
- i. a parent of a registered pupil at the school, or, if that is not possible,
 - ii. a parent of a former pupil at the school, or, if that is not possible,
 - iii. a parent of a child of or under compulsory school age.
- 20 For maintained special schools, the appointment criteria is as follows:
- i. a parent of a registered pupil at the school, or if that is not possible,
 - ii. a parent of a former pupil at the school, or if that is not possible,
 - iii. a parent of a child of or under compulsory school age with special educational needs for which the school is approved, or if that is not possible,
 - iv. a parent with experience of educating a child with special educational needs.
- DISQUALIFICATION FROM BECOMING A PARENT GOVERNOR** 21 A person is disqualified from being a parent governor of a school if, at the time of the election, s/he:
- i. is an elected member of the Local Authority;
 - ii. works at the school for more than 500 hours (*ie* for more than one-third of the hours of a full-time equivalent) in any consecutive 12 month period;

**DISQUALIFICATION
FROM BEING A
GOVERNOR**

- 22 Further disqualification criteria also apply to all governors:
- 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.
 - 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. 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 school governor if 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 sequestered 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 charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement, 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 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 childminding 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 before becoming 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 before becoming 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 premises during the five years prior to or since becoming a governor
- refuses to undergo an enhanced Disclosure and Barring Service check, if requested.

CHECKS ON NEW GOVERNORS

23 All governors, in whatever kind of school - maintained, independent, academy or free school - must have an Enhanced DBS certificate. New governors must apply for this within 21 days.

For further information please contact School Governor Services Tel: 0151 233 3939
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