



Children, Young People and Learning
ELECTION OF PARENT GOVERNORS
For Governing Bodies of maintained schools

Guidance Notes
For Election October 2018

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1 Recruitment and Election of Parent Governors

- 1.1 This guidance should be followed for the election of Parent Governors to the Governing Body of maintained schools. The responsible authority for the purposes of the organisation of parent elections is the Local Authority (LA). The LA delegates the arrangement and conduct of elections to Headteachers.
- 1.2 Governing bodies must have regard to the DfE statutory guidance dated May 2014 entitled "The constitution of governing bodies of maintained schools" (DfE-00406-2014), in which it states that governing bodies should make every effort to conduct informed elections in which the expectations and credentials of prospective candidates are made clear. In seeking new governors, governing bodies should set out:
- 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 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, such as the willingness to learn or skills that would help the Governing Body improve its effectiveness and address any specific challenges it may be facing.

2 Matters for the Governing Body to determine before an election

- 2.1 The Governing Body must determine the following before an election takes place:
- Appointment of Returning Officer
 - Election timetable
 - aMethod to ensure secrecy of ballot
 - Treatment of ballot papers returned in a way other than specified
 - Procedure to be adopted in the event of a tie. See point 10.6
- 2.2 The Governing Body will also need to decide which skills they are seeking, in order to communicate this to the electorate in their letter asking for nominations.

3 Timing of Elections

- 3.1 Parent governors should be elected in time for them to participate in the appointment of other governors and the election of Chair and Vice Chair of the Governing Body wherever possible.
- 3.2 Where vacancies arise because a period of office is coming to an end, nominations should be sought at the beginning of the term in which the vacancy will occur. The term of office shall run from the date of the expiry of the previous holder of the office.
- 3.3 Where nominations are sought after a vacancy has occurred eg due to resignation, the term of office shall begin from the date elected.
- 3.4 Elections should take place in term time.

4 Returning Officer

- 4.1 The Governing Body must appoint a Returning Officer to organise the conduct of Parent Governor Elections. The person appointed would usually be the Headteacher, Clerk to Governors or Chair of the Governing Body.

5 On a Vacancy Occurring

- 5.1 A **letter** must be issued to all parents and carers usually via pupil post and/or by electronic means, inviting nominations and setting out the role, the expectations of a governor and any specific skills that are being sought (see 1.2 above). A letter to each household should suffice. The letter should set out the timetable for each stage of the election.
- 5.2 A **nomination form** should be attached or it should be made clear from where it can be obtained eg from the school office or school website.
- 5.3 The Returning Officer should take reasonable steps to ensure that every person who is known to them to be a parent or carer of a registered pupil at the school is advised of the vacancy and his/her right to stand as a candidate/vote in the election. Where pupils have more than one person with parental responsibility living at different addresses, a letter should be sent to each address if known.
- 5.4 7 clear days (including weekends) should be allowed for the return of nomination forms.
- 5.5 All candidates should be made aware of the disqualification criteria.

6 Definition of a Parent

- 6.1 A "Parent" for the purposes of governor elections is defined as any individual person having parental responsibility or in the case of carers, day to day responsibility for a pupil at the school at the time of the election. Any question as to the eligibility of an individual to vote or stand for election shall be decided by reference to the LA.
- 6.2 Parent governors may continue to hold office until the end of their term even if their child leaves the school.
- 6.3 A person is disqualified from being a parent governor if they are an elected member of the local authority or paid to work at the school for more than 500 hours in a consecutive period of 12 months (at the time of election or appointment).

7 Declaration and proof of identity

- 7.1 All governors are required to sign a declaration to confirm their qualification as a governor. This can be done at the same time as nominations are taken or after an election has taken place, but before an appointment is confirmed.
- 7.2 The Headteacher must be satisfied that the person nominated or elected is who they say they are, and should request evidence of identity such as a passport, birth certificate or driving licence. One of the documents provided should include photo identification.

8 Uncontested Elections

- 8.1 If the nominations received are equal to or less than the number of vacancies the Returning Officer shall declare the nominees as elected. The result should be announced by posting a notice on the school notice board and notifying all parents. The Returning Officer / Clerk must advise the LA of the result.
- 8.2 If insufficient nominations are received, the Governing Body can appoint a parent governor in accordance with the regulations and the statutory guidance. The statutory guidance states "Governing bodies may only appoint as parent governor a parent who has in their opinion, the skills to contribute to effective governance and success of the school".

9 Contested Elections

- 9.1 If more nominations than vacancies are received then a secret ballot must be held. A letter should be issued to every parent/ carer eligible to vote (all those with a registered pupil at the school) along with a ballot paper and each nominee's election statement.
- 9.2 Notice of the election and a copy of the election rules should be displayed on the school notice board. Parents should be given the opportunity to vote by post if they wish to.
- 9.3 The Returning Officer should have a list of registered pupils and be aware of siblings on the list to ensure that each parent/carer is issued with only ONE ballot paper regardless of how many children they may have at the school. All individuals with parental responsibility for a pupil at the school must, if reasonably possible, be issued with a ballot paper.
- 9.4 The Governing Body should decide the method to be adopted to maintain the secrecy in the ballot. Any numbering of the ballot papers is for administrative purposes only and must not be used to identify the way individuals have voted.
- 9.5 A period of at 7 clear days (including weekends) should be allowed for the return of ballot papers.
- 9.6 Proxy voting is not permitted.
- 9.7 If a ballot paper is spoilt or lost, a duplicate may be issued at the discretion of the Returning Officer.

10 The Count

- 10.1 The Returning Officer should arrange for the count to take place as soon as possible after deadline for receipt of ballot papers.
- 10.2 The Returning Officer must allow the candidates the opportunity to be in attendance at the count, but candidates do not *have* to be present.
- 10.3 The votes cast for each candidate should be counted in the presence of all parties.
- 10.4 The Returning Officer will decide which ballot papers (if any) are to be classed as "spoilt".
- 10.5 The candidate(s) elected will be those gaining the highest number of votes.
- 10.6 The Governing Body must decide in advance of the election, the action to be taken in the event of a tie. The primary consideration should be the skills and experience that the Governing Body needs to be effective compared to those that the tied candidates have to offer. With this in mind, the action could (for example) be the Chair's casting vote or where the candidates have broadly equal skills, it could be by drawing lots.

11 Notification of Result

- 11.1 The result of the election shall be notified by the Returning Officer to all candidates, all parents, to the Headteacher and the Governing Body.
- 11.2 The Clerk to the Governors must ensure that the LA (Governor Services) is advised of the names and contact details of the new parent governor(s), and their date of election/appointment. Up to date lists of all governing bodies are maintained by the Council. The Clerk to the Governing Body is also required to hold this information.
- 11.3 Ballot papers should be retained securely for six months. The number of ballot papers issued and the number returned at each election should be recorded.

12 Election Inquiry

- 12.1 If any person has cause to query the result or proper conduct of the election, they can submit a request in writing to the Chair of the Governing Body, asking him / her to investigate. Such requests must be submitted within two calendar months after the day on which the election result was declared.

13 Publication of Rules

- 13.1 A copy of these Rules and of all the prescribed forms referred to must be published on a notice board at school with the notice of any election for parent governors.