

Parent Governor Election Guidance

OLP LOCAL PARENT GOVERNOR ELECTION PROCESS

Parent Governor Election Procedure

1. Where there is a vacancy or prospective vacancy for a parent governor every eligible parent or carer known to the academy must be given the opportunity to take part in the elections. There is no expectation that the academy will track down parents. The academy should give consideration to ensuring that the communications sent are understandable to as many recipients as possible and that offering translated letters may be advisable.
2. The Headteacher should write to parents (a model letter is available at Appendix A) inviting nominations, and enclosing the leaflet, invitation to a meeting or other information the governors have decided to send. This should tell parents what skills the LAB is looking for in its new governors. The letter should also include a nomination form (see Appendix B) and disqualification criteria (see Appendix H).
3. The letter should give a closing date for the receipt of nominations which must not be less than 7 days. Letters and enclosures may be sent by post, via the pupils or via email.
4. The nomination form should require the candidates full name and address, and should include a space for the candidate to write a personal statement in response to the published information on required skills and attributes, and the Headteacher may set a reasonable word limit on this.
5. Where the number of candidates is the same as, or fewer than, the number of vacancies all those nominated will be elected unopposed. If there are more candidates than vacancies a ballot will be required.
6. When a ballot is held it must be secret.
7. The Headteacher should draw up a voting paper in accordance with the standard format on which the names of the candidates are listed in alphabetical order. The Headteacher should ensure that each voting paper is stamped with a distinguishing mark and that a record is kept of the number of voting papers issued.
8. Voting papers will be distributed on the basis of one paper per parent irrespective of the number of children they may have on roll at the date of distribution, e.g. mother and father with one child on roll – one voting paper for each parent; single parent with two children on roll – one voting paper; mother and father with three children on roll – one voting paper for each parent.
9. The voting papers will be distributed to all parents via their children or by post if the child is absent, and parents will have votes on each voting paper according to the number of governors being elected. There will be no proxy voting.

10. Voting papers should be returned to school by a set time on the prescribed day – not less than five clear school days should elapse between the distribution of the voting papers and closing the vote.
11. Parents may return voting papers to school personally by post or via their children. As the ballot paper must be secret, parents returning their voting papers with their children should be advised that the voting papers should be returned in sealed envelopes.
12. Schools should record the number of voting papers issued and returned, but not how individuals have voted.
13. Responsibility for counting the votes should rest with the Headteacher who shall act as returning officer. An opportunity should be afforded to each candidate or their nominee to be present when the votes are counted. The Headteacher should determine the validity of any spoiled voting papers, after consultation if necessary with the Senior Governance Advisor.
14. Election will be by simple majority vote. In the event of a tie after a recount the election shall be determined by the drawing of lots. No other method of breaking a tie will be acceptable.
15. The number of votes cast for each candidate should be recorded. Parents and Governors should be notified of those parents thus elected to the LAB, and a notice should be displayed in the school.
16. The ballot papers should be retained securely for six months in case the election result is challenged.

After the election

The successful and unsuccessful candidates should be contacted and notified of the result.

Parents and governors should be notified in writing of the result of an election by the headteacher as soon as possible after the election. Parents should be told the name/s of the successful candidate/s. The result should be posted on the school noticeboard/website and recorded in the LAB minutes. The name, address, telephone number and e-mail address of the successful candidate/s should be notified to the clerk as soon as possible for adding to GIAS and GovernorHub.

Where, in the absence of sufficient candidates, the LAB appoints one or more parent governors, that fact, and the identity of the appointed parent/s, as well as being recorded in the LAB minutes, should be notified to parents as soon as possible. The clerk should be sent details (name/address/email/telephone number/date of appointment) of the new governor/s immediately so they can update GIAS and GovernorHub.

Qualifications and Disqualifications

1.1 No person shall be qualified to be a Local Governor unless he/she is aged 18 or over at the date of his/her election or appointment. No current pupil of any of the Academies shall be a Local Governor.

1.2 A Local Governor shall cease to hold office if he/she becomes incapable by reason of illness or injury of managing or administering his own affairs.

1.3 A Local Governor shall cease to hold office if he/she is absent without the permission of the Local Governors from all their meetings held within a period of six months and the other Local Governors resolve that his/her office be vacated.

1.4 A person shall be disqualified from holding or continuing to hold office as a Local Governor if:

1.4.1 he/she has been declared bankrupt and/or his/her estate has been seized from his/her possession for the benefit of his/her creditors and the declaration or seizure has not been discharged, annulled or reduced; or

1.4.2 he/she is the subject of a bankruptcy restrictions order or an interim order.

1.5 A person shall be disqualified from holding or continuing to hold office as a Local Governor at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

1.6 A Local Governor shall cease to hold office if:

1.6.1 he/she would, by virtue of any provision in the Companies Act 2006 or section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision), be disqualified from acting as a trustee; or

1.6.2 he/she is otherwise found to be unsuitable by the Secretary of State under the provisions of the Funding Agreements.

1.7 A person shall be disqualified from holding or continuing to hold office as a Local Governor if He/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he was privy, or which he/she by his conduct contributed to or facilitated.

1.8 A person shall be disqualified from holding or continuing to hold office as a Local Governor where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.

1.9 A person shall be disqualified from holding or continuing to hold office as a Local Governor if he/she

has not provided to the chairman of the LAB, by the date of the Local Governor's appointment or within 21 days of their appointment, a disclosure and barring service certificate (previously known as a criminal records certificate) at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which confirms their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

1.10 Where a person becomes disqualified from holding, or continuing to hold office as a Local Governor; and he/she is, or is proposed, to become such a Local Governor, he/she shall upon becoming so disqualified give written notice of that fact to the Clerk.

1.11 A Local Governor's term of office shall be terminated if:

1.11.1 he/she resigns by serving written notice to the Clerk;

1.11.2 the Trustees terminate his/her appointment;