

# **Procedure for the Election of Parent Governors and Staff Governors**

Updated: June 2020



**Northamptonshire  
County Council**

This booklet provides guidance for the election and appointment of Parent and Staff Governors

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In order to remain within the legal requirements of the School Standards and Framework Act 1998, and Education Act 2002 it is important that these procedures are followed. If any difficulties are anticipated, please contact Leadership & Governance Team on [governors@childrenfirstnorthamptonshire.gov.uk](mailto:governors@childrenfirstnorthamptonshire.gov.uk) or 01604 365086

## **Election Procedure for Parent Governors**

1. The headteacher/chair of governors will inform all parents of an impending election, as soon as possible after the vacancy arises.
2. Parents should be asked to indicate their intention of becoming a governor by returning a self nomination form and a pen portrait and statement in support of their application no more than 250 words. The form will indicate the closing date for nominations which will be no less than 10 school days from the date of issue. If the number of nominations received are fewer than, or equal to, the number of vacancies available, no voting is required; those nominated are simply declared to be governors as if they were elected. In the case of parent elections, all parents of registered pupils should be informed of the result by letter and by notices posted in the school.
3. If there are more nominations than vacancies available then an election will be needed. Ballot papers with pen portrait for each nomination, and the closing date, which will be no less than 10 school days, for voting will be sent to all parents with parental responsibility for registered pupils. One vote per parent is allowed regardless of how many children they have in school.
4. A ballot box will be provided in the school reception and parents will be given the option to vote by post.
5. Those standing for election should be invited to attend the count, as well as at least one independent scrutineer, who can be anyone not directly connected to the candidates or the governing body. The returning officer is responsible for determining whether a "spoiled" ballot should be included
6. Nomination forms and ballot papers that are returned outside the return dates are to be treated as invalid.
7. The outcome of the vote will be decided by a simple majority system. In the event of a tie (after a recount) the decision can be made on the toss of a coin. However, the Board could consider the skills of each nominee and appointment the most suitable person.
8. The ballot papers will be retained securely for six months in case the election result is challenged.
9. If no one stands for election as parent governor the governing body can appoint a person to fill the vacancy. This person must have one or more children of compulsory school age? There must be 50% of current governors present at a meeting to appoint a parent through voting.

**NB:** *Information concerning new parent appointments should be entered on the Pro-forma (Appendix 4) and sent to [governors@northamptonshire.gov.uk](mailto:governors@northamptonshire.gov.uk)*

### **Persons ineligible to stand as parent governors**

2.1. Staff who are eligible for election as staff governors (i.e. who are paid to work at the school) are not eligible to serve as LA governors at their school. If they are paid to work at the school for more than 500 hours in any consecutive twelve month period they are not eligible for election or appointment as parent governors. Staff can, however, vote in parent governor elections if they are parents and can also be governors at another school. Their employment status will not affect their qualification for governorships in other categories at another school.

2.2 An Elected member of the Local Authority is ineligible to stand as a parent governor.

2.3 Subject to any disqualifications under the regulations (See appendix 6)

### **Election of Staff Governors under the 2012 Regulations.**

The process is the same for parent governor elections in terms of the time line. The requirement is 1 staff governor (who must be elected) plus the Head Teacher. The total number of staff must not exceed a third of the total number of governors, in the event that members of staff are appointed as a co-opted governors.

It is important that prospective staff governors understand the nature of the role of a governor – and specifically that their role will not be to represent staff, nor to stand alongside the Head Teacher in being held to account by the governing body, but to operate as part of the governing body to provide strategic leadership.

**TIMETABLE FOR ELECTION OF PARENT GOVERNOR**  
 (please note that the timetable is calculated on Working Days)

Day 1	Day 10	Day 13	Day 23	Day 24	Day 27
Letter to be sent out detailing the election as soon as possible after a vacancy occurs.	Closing date for return of nominations  If only one nomination is received and there is only one place, that parent is automatically appointed.	Ballot papers (indicating return date) and election statements to be taken home by pupils to every parent eligible to vote	Closing date for return of ballot papers	Counting of ballot papers (N.B. In the event of a tie, the result will be decided by the toss of a coin) See previous note above	Name/s email address and home address/es of governors to be sent to Learning, Skills and Education. Leadership & Governance as soon as possible. Letters to be sent out notifying people of the results of the ballot or, where appropriate, the names of those unopposed.

The above timetable can be adapted for the election of Staff Governors

If the full period of the election timetable cannot be carried out, it would be advisable to hold the parent or staff governor election when there is a clear 24 day period for the process to take place. The election can be deferred to the next term or half term

## SAMPLE LETTER TO PARENTS – AMEND AS APPROPRIATE

School Address

Dear Parents

### Nomination of Parent Governors

This is to let you know that we will be electing new parent governors this term to join the governing body from (*date*). Our parent governors are very valuable members of the governing body. We rely on them to help us to keep in touch with what parents are thinking.

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.

A school governor will be supported in these duties by other experienced members of the governing body, the headteacher, the clerk to the governors and the County Council.

The governing body of xxxx school regularly conducts a skills audit to inform the recruitment of new governors. The school is currently looking for people with the following skills: xxxxxxxxxx but a willingness to learn, attend meetings and be committed to school improvement are also very important qualities.

The governing body works together as a group, meeting at least once a term. If you are thinking of standing as a governor, remember that you will need to attend a minimum of three meetings a year, plus committee meetings and monitoring visits during the term. As a governor, you will normally hold office for a period of four years, even if your child leaves the school during this time. You can, however, resign from the governing body at any time. The governing body expects all new governors to attend training, complete a DBS clearance and agree to the Governors' Code of Conduct. (Appendix 7).

Parents from ethnic minorities, younger parents and people with disabilities are generally under represented on school governing bodies in the county. The school would like to encourage nominations from under represented groups in our community.

Anyone who has parental responsibility for a pupil on the school roll at the time of the election can stand for election and can vote in the election. ***Please find attached a copy of the Disqualification Regulations for your information. Please ensure you read these before deciding whether to put yourself forward for nomination.***

If you wish you can include a few details about yourself and why you would like to become a governor and how you meet the following criteria (up to 250 words):

- evidence that demonstrates the skills and experience the governing body requires as stated above;
- Your commitment to undertake training and development to acquire or develop the skills to be an effective governor;
- if seeking re-election, details of your contribution to the work of the governing body during previous term of office; and

- how you plan to contribute to the future work of the governing body

This will then be circulated to all parents to help them decide who to vote for. You do not have to complete this section, but if you don't you may put yourself at a disadvantage if there is an election. An election will be held if more nominations are received than the number of vacancies.

All nominations should be sent in to the school office by (*date/time*). Every nomination must be signed.

On the (*date*) we will send out ballot papers with the names of the candidates and their details. We send the ballot forms home with the children so please watch out for the letter! Each parent will have one vote per vacancy regardless of the number of children you have in the school. The ballot is secret; you can send or post the ballot papers back in a sealed envelope, or drop it into the ballot box outside the school office. All the votes must be in by (*date/time*) when they will be counted.

Please think about becoming a governor or encouraging others as we need committed parent governors.

If you would like to talk to one of the governors about any of these issues or what the work of the GB entails please contact .....

Yours sincerely  
Headteacher

**EXAMPLE**

**Nomination Form**

Election for a parent governor at .....*School*

Name:

Children in year(s):

Pen Portrait - How I meet the skills required by the Governing Body (Up to 250 words)

**For office use ONLY (this information must not be distributed to the electorate):**

**I am willing and eligible to stand for election as a parent governor at (*school*).**

I have read the rules regarding the eligibility to become a governor which I received with the nomination form.

Full name (please print).....

Address.....

Email: .....

Telephone.....

Signed:.....



What if?	Action to be taken
<p>You have <b>two</b> vacancies  You receive <b>one</b> nomination</p>	<p>The nominated parent governor would take up office on the closing date for nomination (<b>not at the first governing body meeting</b>) subject to a successful DBS and disqualification check.</p> <p>Governors have the power to appoint to fill the second vacancy</p>
<p>You have <b>two</b> vacancies  You receive <b>two</b> new nominations</p>	<p>The two nominated parent governors would take up office from the closing date of the nominations subject to a successful DBS and disqualification check.</p>
<p>You have <b>two</b> vacancies  You receive <b>three</b> nominations</p>	<p>Ballot procedure put in place. Two candidates elected according to the number of votes received. Their appointments will take effect from the closing date for the return of the ballot forms subject to a successful DBS and disqualification check.</p>

**DEFINITION OF A PARENT**

'Parent' is defined for the purposes of the Constitution Regulations as including 'any individual who has, or has had, parental responsibility for, or cares for, or has cared for, a child or young person under the age of 18. It includes a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child. The reference in the definition must be someone involved in the full-time care of the child on a settled basis.

## **SECRET BALLOT PROCEDURES**

All parents, or staff eligible to vote, must be given:

- A ballot paper (see Appendix 5)
- An envelope in which the ballot papers are to be returned (pre-printed envelopes available from Governors Service, £2.50 for 50 envelopes)

Copies of the candidates' statements must be sent to each parent/person eligible to vote. **Do not send the candidates home address or personal contact information.**

You may wish to use the school register to control the issue of envelopes/documentation to parents.

The headteacher, school bursar or Office Manager will act as a returning officer.

Any count has to be undertaken with an independent scrutineer present and the candidates invited to attend.

Parents should be informed of the result by letter and notices posted in school and parents should be told how they can contact the new parent governor e.g. through a school email address.

**INSTRUCTIONS ON HOW TO VOTE (Sample)**

Each parent or guardian who has the actual custody of a pupil or pupils currently on the roll of the above named school is entitled to only **ONE** ballot paper.

Not more than **ONE** vote can be given to any one candidate

Place an 'X' against the name of the person you are voting for

Once you have recorded your vote(s), the ballot paper should be placed in the envelope provided by (*date/time*). Voting papers received after this date will not be counted.

Enclosed with the ballot paper are copies of the candidate(s) statement(s)



**Appointment/Resignation/Change of Address form**

**Date:**

**School:**

**Type of governor (e.g. parent):**

**Date of appointment/resignation:**

**New appointment**

**Re-appointment**

**Resignation**

**Change of address**

**Name:**

**Address:**

**Post Code:**

**Tel no:**

**E-mail:**

Please email completed form to [governors@northamptonshire.gov.uk](mailto:governors@northamptonshire.gov.uk)



**BALLOT PAPER**

**This Ballot paper is for the election of Parent Governors at**

.....School

**To be returned to the school by.....**

Name of Candidate	Mark X



## **DISQUALIFICATIONS (ELIGIBILITY) THE SCHOOL GOVERNANCE CONSTITUTION REGULATIONS 2012**

### ***You should be:***

- aged 18 or over at the date of this election or appointment

### ***You should not:***

- have been paid to work at the school for more than 500 hours (i.e. for more than one-third of the hours for a full-time equivalent) in any consecutive twelve months period at the time of election or appointment as a parent governor
- fail to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months, beginning with the date of the first meeting missed without the consent of the governing body
- be the subject of a bankruptcy restrictions order ; an interim order; debt relief order; interim debt relief order
- have had your estate sequestrated and the sequestration not discharged, annulled or reduced
- have been removed from the office of a charity trustee or trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of any misconduct or mismanagement or, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 (f), from being concerned in the management or control of any body
- be the subject of a disqualification order or undertaking under the Company Directors Disqualification Act 1986, a disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002 or an order made under section 429(2)(b) of the Insolvency Act 1986
- be included in the list of people considered by the Secretary of State as unsuitable to work with children or young people
- been barred from any regulated activity relating to children
- be subject to a direction of the Secretary of State under section 142 of the Education Act 2002 or section 128 of the Education & Skills Act 2008
- be disqualified from working with children or from registering for child-minding or providing day care
- be 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 have been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment/election as a governor or since becoming a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, have received a prison sentence of two years or more in the 20 years ending with the date preceding the date of appointment/election as a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, have at any time received a prison sentence of five years or more
- have been convicted and fined for causing a nuisance or disturbance on educational premises during the five years ending with the date immediately preceding appointment prior to or since appointment or election as a governor
- have refused a request by the clerk to make an application to the Criminal Records Bureau for a criminal records certificate

## CODE OF CONDUCT FOR SCHOOL GOVERNING BOARDS (Taken from the NGA Model Code of Conduct)

### 2019 Version

This code sets out the expectations on and commitment required from school governors, trustees and academy committee members in order for the governing board to properly carry out its work within the school/s and the community. It can be amended to include specific reference to the ethos of the particular school. Unless otherwise stated, 'school' includes academies, and it applies to all levels of school governance.

This code can also be tailored to reflect your specific governing board and school structure, whether that is as a maintained school or academy, either as a single school or group of schools. Where multiple options are given, i.e. senior executive leader/headteacher and governor/trustee/academy committee member, please amend to leave the option relevant to your governing board.

Once approved by the governing board, the Code will apply to all governors/trustees/academy committee members.

**This Code should be read in conjunction with the relevant law and for academies, their articles of association and agreed scheme of delegation. It should be adapted as appropriate depending on the governance setting and level of delegation.**

### **The governing board has the following core strategic functions:**

Establishing the strategic direction, by:

- Setting and ensuring clarity of vision, values, and objectives for the school(s)/trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the lead executive/headteacher (where delegated)
- Monitoring the educational performance of the school/s and progress towards agreed targets
- Performance managing the lead executive/headteacher (where delegated)
- Engaging with stakeholders
- Contributing to school self-evaluation

Overseeing financial performance, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring money is well spent and value for money is obtained
- Ensuring risks to the organisation are managed

NGA recognises the following as the fourth core function of governance:



Ensure that other key players with a stake in the organisation get their voices heard by:

- Gathering the views of pupils, parents and staff and reporting on the results.
- Reaching out to the school's wider community and inviting them to play their part.
- Using the views of stakeholders to shape the school's culture and the underpinning strategy, policies and procedures.

-

## **As individuals on the board we agree to the following:**

### **Role & Responsibilities**

- We understand the purpose of the board and the role of the executive leaders.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open governance and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the governing board.
- We will actively support and challenge the executive leaders
- We will accept and respect the difference in roles between the board and staff, ensuring that we work collectively for the benefit of the organisation;
- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements;
- We agree to adhere to the school's rules and policies and the procedures of the governing board as set out by the relevant governing documents and law
- When formally speaking or writing in our governing role we will ensure our comments reflect current organisational policy even if they might be different to our personal views;
- when communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the organisation
- We will avoid, as far as possible, becoming involved in any communication which may lead to a conflict of interest with the role of the governing board.

## Commitment

- We acknowledge that accepting office as a governor/trustee/academy committee member involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school/s well and respond to opportunities to involve ourselves in school activities.
- We will visit the school/s, with all visits arranged in advance with the senior executive leader/headteacher and undertaken within the framework established by the governing board.
- When visiting the school in a personal capacity (i.e. as a parent or carer), we will maintain our underlying responsibility as a governor/trustee/academy committee member.
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school's website.
- In the interests of transparency we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (Get information about schools GIAS).

## Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors/trustees/academy committee members, the clerk to the governing board and school staff both in and outside of meetings.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We will confront malpractice by speaking up against and bringing to the attention of the relevant authorities' any decisions and actions that conflict with the Seven Principles of Public Life (see annex) or which may place pupils at risk.
- We are prepared to answer queries from other board members in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the executive leaders, staff and parents, the trust, the local authority and other relevant agencies and the community.

## Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.
- We will ensure all confidential papers are held and disposed of appropriately.

## Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time.
- We accept that the Register of Business Interests will be published on the school/trust's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.

## Ceasing to be a governor/trustee/academy committee member

- We understand that the requirements relating to confidentiality will continue to apply after a governor/trustee/academy committee member leaves office

## Breach of this code of conduct

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another governing board member, such as the vice chair will investigate.

### The Seven Principles of Public Life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

**Selflessness** - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**Integrity** - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** - Holders of public office should promote and support these principles by leadership and example.

Adopted by the governing board of [name of school] on [date].