



## **Policy & Procedures for Electing Parent Governors to the Academy Council**

### **Introduction**

Fylde Coast Academy Trust (FCAT or the Trust) is governed by its Board of Directors. The Board sets the vision and direction for FCAT and has ultimate authority and responsibility for the organisation.

Directors delegate aspects of the governance of each academy within the Trust to a Local Governing Body known as the Academy Council. All appointments to the Academy Council are subject to the approval of the Board of Directors and an Academy Council member can be removed at the discretion of the Board.

The Academy Council is vital in the governance structure of the Trust for the achievements of the academy.

The three core roles of the Academy Council are to:

- Set and review the vision and direction for its Academy within the framework of FCAT's vision;
- Hold the Academy Headteacher to account for standards at their Academy and report regularly via the Chair of Governors to the Directors
- Oversee the finances of their Academy;

In fulfilling these roles the Academy Council will:

- Approve the Academy's budget;
- Act as a critical friend to the Academy Headteacher;
- Approve capital programmes before submission to the Board of Directors;
- Support the Academy Headteacher with a limited number of statutory duties, e.g. pupil exclusions;
- Oversee Safeguarding in the academy through having a representative at the Safeguarding Board;
- Review regularly Health and Safety concerns and the Academy Risk Register.

Academy Councils are not responsible for the operational and day to day management of the Academy. This is the remit of the Academy Headteachers who report to the Executive Headteacher and who is, in turn, responsible to the Chief Executive Officer and the FCAT Board of Directors.

Each Academy Council within the Trust comprises the following:

- 5 FCAT Governors, appointed by the Board of Directors
- 2 Parent Governors, elected to the Academy Council
- 2 Staff Governors, elected to the Academy Council
- The Headteacher of the Academy
- The Executive Headteacher of the Academy

## **Parent Governors**

Each Academy Council will include two Parent Governors. The Parent Governors will be appointed by an election of all parents. The term of office is for four years or for the length of time their child is at the academy, whichever is shortest.

Parent Governors are representatives of students' parents, not their delegates. Parent governors must act according to their own judgement, and not be instructed or guided by others.

As a condition of appointment, elected Parent Governors will be required to:

- Complete a 'Skills Questionnaire' so that the personal skills that they can bring to the Academy Council can be accounted for in the composition of the whole Council.
- Be subject to a Disclosure and Barring Service check
- Provide formal photographic identification e.g. Driving Licence or Passport. (Please enquire if the specified documents are not available, detailing your particular circumstances.)

Failure to complete the above steps within 21 days may lead to disqualification and the position offered to the candidate with the second highest number of votes.

FCAT would like to encourage those parents who have experience and skills from outside the world of education to consider putting themselves forward as candidates.

Parent Governors must be able to:-

- commit to attend the meetings of the Academy Council to which they are elected
- engage in the compulsory training that is provided.
- endeavour to attend the annual FCAT strategic 'Away Day' (usually held in March).
- participate in academy events.
- engage and participate in Academy Council meetings
- commit and adhere to the Nolan Principles of Public Office (Appendix B)

## **Who is Eligible?**

For the purpose of parent governor elections, a "parent" is defined as any individual exercising parental responsibility of a registered pupil at one or more of the academies overseen by the academy council at the time when he/she is elected or appointed, subject to the list of disqualifications at Appendix A.

## Election Procedures

The nomination procedure is initiated when a Parent Governor position becomes vacant or prior to a Parent Governor's term of office coming to an end. However, where a vacancy occurs during a summer term, the procedure should be delayed until the beginning of the autumn term so that parents of pupils who are joining have the opportunity to stand for election. Even if the Parent whose term or office is coming to an end wishes to continue for another term the procedure must be carried out and they must follow the same procedure as all other parents.

1. A message about the vacancy should be distributed to all parents along with a nomination form (PG1) in the manner the academy thinks most appropriate e.g. via email. The nomination form provides space for the candidate to explain in 200 words or less, why he/she would like to be appointed to the position. Returns should be to the FCAT Governance Administrator. The closing date for return of the nomination forms should be 10 school days after the date of notice of the election.
2. Where the number of valid nominations is less than or equals the number of vacancies, the successful candidate will be allotted to the position and provided with further information about the role. All parents will be informed of who the new Parent Governor is via the Academy's normal communication channels.
3. Where the number of nominations exceeds the number of vacancies, an election will need to take place and a voting form (PG2) will be sent to all parents or carers. The form will include details of all the candidates and the information submitted by them on their reasons for wanting to be a governor.
4. The online voting system will close 10 school days after the notification of election. If a parent does not have access to online voting, they should contact the Academy for a paper ballot. The closing date for the return of paper ballots will be 10 school days after the date of notification of election.
5. Each parent or carer is eligible to vote once and only for one candidate, irrespective of how many children are on roll at the academy.
6. Returned paper ballots should be for the attention of the Governance Administrator via the Academy. **The outcome of the voting process is strictly confidential. Only the successful candidate will be disclosed.**
7. The FCAT Governance Administrator will be responsible for ensuring votes are counted. The candidate with the highest number of eligible votes will be elected. The FCAT Chief Executive Officer is responsible for the integrity of the election.
8. An email to the successful candidate along with further information about the role will then be sent out.
9. Where an equal number of votes are cast for a single vacancy, the Governance Administrator should, in the presence of the candidates concerned, draw lots to determine which is elected.
10. All parents should be made aware of who the new Parent Governor is via the Academy's normal communication channels.
11. Nomination forms and voting returns should be retained by the Governance Administrator for two months following the election in case of appeal. Appeals will be considered by the Chair of FCAT.

## Appendix A

### Parent Governors – List of Disqualifications

A Governor must be aged 18 or over at the time of their election or appointment. There is no upper age limit for serving as a governor.

A person is disqualified from holding or from continuing to hold office as a governor if he or she:

- Becomes incapable by reason of illness or injury or managing or administering his/her own affairs;
- Is absent without the permission of the FCAT Directors from all the meetings held within a period of six months
- Is or has been declared bankrupt and/or his 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.
- Is the subject of a bankruptcy restrictions order or an interim order.
- Is subject to:
  - a disqualification order or disqualification undertaking under the Company Directors Act 1986
  - a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989
  - a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
  - an order made under Section 492(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order);
- Has been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of any body;
- Is included in the list of people considered by the Secretary of State as unsuitable to work with children;
- Is disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002;
- Is disqualified from registration for child minding or providing day care;
- Is disqualified from registration under Part 3 of the Childcare Act 2006;
- 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 a maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under 178 of the Charities Act 2011.
- has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;
- refuses to allow an application to the Disclosure and Barring Service (DBS) for a clearance certificate.

*A person is also disqualified from election or appointment as a parent governor if they:*

- work at the academy for more than 500 hours (i.e. for more than one third of the hours of a full time equivalent) in a school year (at the time of election or appointment);
- contravene any aspect of the FCAT Code of Conduct for Directors and Governors or the Nolan Principles in Appendix B.
- fail to provide the relevant documentation within 21 days of election;

## Appendix B

### The Nolan Principles – The 7 Principles of Public Life Published 31<sup>st</sup> May 1995

1. **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 benefits for themselves, their family or their friends.
2. **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.
3. **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.
4. **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.
5. **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 it.
6. **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.
7. **Leadership.** Holders of public office should promote and support these principles by leadership and example.