

## APPENDIX C

Adopted by Full Governors on 22<sup>nd</sup> September 2021

### Governing Body of St Bernadette's Catholic Primary School Procedure for Electing a Chair and Vice-Chair of Governors

#### Notes:

- Any writing in **bold** denotes a legal requirement.
- The procedures for electing a chair and vice chair are almost identical, and often happen at the same time. The only difference is that the chair presides over the election of the vice chair, whereas the clerk\* presides during the election of the chair. The governing body must elect a chair and vice chair at this meeting.
- Local authority maintained schools **must** set the term of office for the chair and vice chair **before** the election takes place. Academy articles usually specify that that the chair and vice chair are elected annually, but each academy needs to check its own articles. The NGA thinks annual election generally works well and does not recommend setting a term of office beyond two years.
- In general, the NGA recommends that chairs should serve no longer than six years in any one school.
- In local authority maintained schools **the quorum for any vote on any matter at a full governing body meeting is half of the current membership of the governing body (excluding vacancies, rounded up to a whole number). Academy model articles usually specify the quorum as three or if greater one third of the governors in post – but each academy will need to check its own articles.**
- The NGA thinks it is good practice to seek written nominations in advance of the meeting. This ensures that every member of the governing body is fully aware of the impending election and has an equal chance to stand.
- Those standing should all be given the opportunity to submit a statement in support of their candidacy, but also to speak about their candidacy at the meeting so that the other governors can make an informed decision. It may be sensible to place a time limit on such speeches.
- The suggested procedure below will apply any time there is a vacancy for chair or vice chair and at the first meeting of the academic year in which re-election is due. When the office of chair or vice chair becomes vacant, the governing body must elect a chair/vice chair at the next meeting.
- The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 do not allow anyone employed at the school as a *teacher or other member of staff* from being chair or vice-chair<sup>1</sup>. This is a change from the previous regulations which prohibited anyone paid to work at the school from being the chair or vice-chair of governors. In theory, someone from a firm contracted by the school – or indeed contracted in their own right - can now become or continue to be chair or vice-chair. There would clearly be conflict of interest issues around such an appointment. The NGA recommends that governing bodies, and indeed the individual concerned, think carefully about whether such an appointment is appropriate or in the best interests of the school.

1. [Regulation 7\(3\) of The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)

## APPENDIX C

### Procedure adopted by St Bernadette's school for the election of chair/vice chair

1. **The governing body will elect a chair and vice-chair** from its number when either the chair/vice chair's term of office has ended or s/he has resigned the position.
  - The governing body of St Bernadette's has decided that the term of office for chair and vice chair will be for 1 year.
2. The clerk to the governors shall give governors at least three weeks' notice prior to the meeting requesting written nominations. These should be submitted to the clerk at least one week before the election. Candidates may submit up to 250 words in support of their nomination. Nominations on the day will only be accepted where no written nominations have been received prior to the meeting. Governors who are employed at the school as a teacher or as another member of the school's staff **cannot** stand for election. Governors may self-nominate, but if you are nominating another governor please seek their approval prior to submitting the nomination.
3. The clerk will act as chair during the election of the chair and **will** ensure the meeting is quorate. Each nominated governor will be invited to speak to the governing body setting out her/his reasons for standing. Candidates will be limited to three minutes. All candidates **must** leave the room while a discussion and vote takes place. This will be the case even if there is a single nomination.
4. A vote by secret ballot will be held, even if there is only one nomination.
5. The clerk will count the votes and announce who has been elected as chair. The successful candidate will be invited to take the chair and will oversee the election of the vice-chair.
6. In the event of a tie, the governing body will re-run the ballot. If it remains a tie, the tied candidates will draw lots.
7. The governors may reject all nominees for chair if they choose. If no candidate has the support of the majority of the governing body, another candidate will be sought from the floor. If this candidate does not receive majority support, the vice-chair will take on the role of acting chair until the next full governing body meeting, at which the election procedure will be repeated. Where a vice-chair must also be elected, and the governing body has the quorum to do, it will proceed with the election.

\*In this document clerk should also be taken to read secretary in the case of an academy