

# **Parent Governors**

# **Election Procedures and Appointment Processes**

For governing bodies constituted or reconstituted after  
1 September 2012 under the Education Act 2011

2012

## Lancashire County Council

### Parent Governors Election Procedures and Appointment Processes

These procedures give the sequence of events to be followed in an **election** and the processes to be followed if there are insufficient nominations and someone is to be **appointed**.

#### Table of Contents

	<b>Section</b>	<b>Page</b>
Introduction	1	4
Returning Officers	2	4
Notice of Election	3	5
Eligibility for Candidature and Voting	4	6
Disqualifications	5	7
Timetable of Elections	6	7
Nominations	7	8
Voting	8	9
Counting the Votes	9	10
After the Election	10	11
Appointment of Parent Governors	11	12
Further Guidance	12	13
Quick Reference Checklist		14
Summary Flow Chart		16
Appendix A - Information Sheet - Parent Governors		
Appendix B - Sample Notice of Election and Nomination Form		
Appendix C - Sample Letter		
(a) Double Envelope System		
(b) Single Envelope System		

Appendix D - Sample Ballot Paper

Appendix E - Disqualification from holding a Governorship

Appendix F - Appointed Parent Governor Application/Self  
Declaration Form

## 1.0 Introduction

- 1.1 The following procedures apply to all maintained schools. They have been prepared in consultation with the church authorities, the professional associations and the Lancashire Association of School Governing Bodies.
- 1.2 Community, voluntary controlled, community special and maintained nursery schools are required to abide by them, because they have been adopted by the Cabinet Member for Children and Schools, using powers under the terms of the Education Act 2011<sup>1</sup>, as the governor election procedures to be followed in those schools.
- 1.3 The procedures are recommended to the governing bodies of voluntary aided, foundation and foundation special schools for adoption as the procedures to be followed in their schools, subject to guidance from the church authorities where applicable.
- 1.4 They do not extend to temporary governing bodies, the members of which are selected by separate arrangements.
- 1.5 Arrangements for the appointment of parent governors, to be invoked when a parent governor election fails to fill any or all parent governor vacancies on a governing body, are dealt with in a separate section (see section 11 below).

## 2.0 Returning officers

- 2.1 **For community, voluntary controlled, community special and maintained nursery schools**, regulations pursuant to the Education Act 2011 make the local authority “the appropriate authority” for parent governor elections. Using powers under these regulations, the Cabinet Member for Children and Schools has appointed headteachers to act as the returning officers for governor elections in these schools.
- 2.2 In community, voluntary controlled, community special and maintained nursery schools, therefore, the headteacher is the returning officer in parent governor elections.
- 2.3 **For voluntary aided, foundation and foundation special schools**, regulations pursuant to the Education Act 2011, make the governing body “the appropriate authority” for parent governor elections.

---

<sup>1</sup> Section 19 of the Education Act 2002 as amended by section 38 of the Education Act 2011.

- 2.4 Accordingly it is for the governing bodies of voluntary aided, foundation and foundation special schools to determine who is to serve as Returning Officer for their elections.
- 2.5 Governing bodies of voluntary aided, foundation and foundation special schools should formally resolve who is to be appointed to serve on their behalf as Returning Officer for parent governor elections in their schools, and should consider adopting these procedures as the procedures to be followed in these elections.
- 2.6 **For all schools**, ultimate responsibility for the conduct of elections remains with “the appropriate authority” even when that authority has appointed a Returning Officer to act on its behalf.
- 2.7 Section 9.2 below requires returning officers to have an independently appointed Scrutineer to witness the counting of votes. Governing bodies should formally appoint an individual, who will not be a participant in a parent governor election, to serve in this capacity. The independent Scrutineer should not be chosen by the Returning Officer.

### 3.0 Notice of Election

- 3.1 The Returning Officer shall be responsible for appropriate publicity when the need for a parent governor election arises.
- 3.2 A Notice of an Election should be sent to all parents by a letter. Pupil post may be used. The Notice of Election should enclose:-
- (a) information about the reasons for the election;
  - (b) information about the role and term of office of parent governors;
  - (c) a contact name and telephone number for further information;
  - (d) the timetable for the election;
  - (e) an explanation of nomination procedures;
  - (f) details of disqualification criteria;
  - (g) a Nomination Form (see section 7.0 below).

Appendices "A", "B" and "E" contain sample documents that can be used in this process.

- 3.3 In general terms, the letter to parents, which is the Notice of Election, should inform the parent that s/he is entitled to stand as a candidate, and be designed to encourage and help parents to put their names forward correctly if they wish to stand as candidates for election.

- 3.4 The letter should also tell prospective candidates that receipt of their nominations will be acknowledged.
- 3.5 Where there is a reasonable number of parents at a school who have a language other than English as their first language, the Returning Officer may wish to consider whether the letter and its enclosures ought to be issued to those parents in their appropriate language.
- 3.6 In cases where pupil post is not appropriate, other methods of mailing may be used.

## **4.0 Eligibility for candidature and voting**

### **4.1 (a) Primary, secondary and special schools**

All parents of registered pupils at the school at the time of the election are eligible to stand as a candidate and to vote in a parent governor election (except for those parents mentioned in sections 5.3 and 5.4 below). Only a person who is a parent of a pupil at the school may take part in a parent governor election.

### **(b) Maintained nursery schools**

All parents of registered pupils at the school, or all parents of children for whom educational or other provision is made on the premises of the school (including provision made by the governing body under section 27 of the 2002 Education Act) at the time of the election are eligible to stand as a candidate and to vote in a parent governor election (except for those parents mentioned in sections 5.3 and 5.4 below).

- 4.2 A Parent is defined as any individual who:
  - has or has had parental responsibility for, or
  - cares or has cared for
 a child or young person under the age of 19.
- 4.3 Both parents in a case of separation or divorce are entitled to receive information about parent governor elections at the school and to participate in those elections. This also applies to legal guardians and foster parents.
- 4.4 It is for the Returning Officer to determine within these procedures who are the parents of pupils (children in respect of nursery schools) at the school for the purposes of parent governor elections.

- 4.5 In the event of any dispute arising concerning the eligibility of persons to take part in parent governor elections, the matter is to be resolved by the local authority (See section 12 below) in the case of community, voluntary controlled, community special and maintained nursery schools, and by the governing body in the case of voluntary aided, foundation and foundation special schools.

## 5.0 Disqualifications

- 5.1 No person who is less than 18 years old may be a school governor.
- 5.2 An elected member of the local authority may not be a parent governor.
- 5.3 Anyone paid to work at the school for more than 500 hours in any twelve consecutive months may not be a parent governor.
- 5.4 The School Governance (Constitution) (England) Regulations 2012 disqualify certain individuals from becoming or continuing to be a governor. A summary of the disqualification rules is contained in Appendix "E". Prospective candidates will be asked to confirm on their nomination form that they are not disqualified from becoming or continuing as a governor.
- 5.5 (a) **Primary, secondary and special schools**

Only a person who is a parent of a child registered at the school at the time of the election may take part in parent governor elections.

(b) **Maintained nursery schools**

Only a person who is a parent of a child registered at the school, or a person who is a parent of a child for whom educational or other provision is made on the premises of the school (including provision made by the governing body under section 27 of the 2002 Education Act) at the time of the election may take part in parent governor elections.

## 6.0 Timetable of Elections

- 6.1 The general principle to be applied to the period of time to be allowed for each stage of the election process is that maximum participation should be encouraged.

- 6.2 The time between the sending of letters giving Notice of the Election and the closing date for receipt of nominations should exceed one full school week, and include two weekends. It should be given a specific and exact end time, which in no way is to be varied after it is announced. **(For example**, if letters are sent out Monday 1st of month, the closing date should be no sooner than Monday 15th of month at 12.00 noon. Alternatively if letters are sent out on Friday 1st of month, the closing date should be Monday 11th of month at 12.00 noon or some date and time later).
- 6.3 Preparation of the Ballot Papers and their accompanying information should be completed as quickly as possible after the end of the period for receipt of nominations, and their distribution should follow at once.
- 6.4 The time allowed for votes to be returned should be commensurate with that allowed for nominations. Again there must be a specific and exact stated time after which no further votes will be accepted.
- 6.5 The counting of votes should follow as soon as practicable, if not immediately, after the closing of the ballot, with the result announced at once.

## **7.0 Nominations**

- 7.1 Candidates in parent governor elections cannot normally nominate themselves (see 7.3).
- 7.2 Candidates should normally be nominated by both a Proposer and a Secunder who are themselves entitled to vote in the election. However, at schools where participation has been low in the past, the Returning Officer may consider requiring only a Proposer, and not a Secunder as well, to support a nomination.
- 7.3 If there are particular circumstances that would make it difficult for potential candidates to get a Proposer then the Returning Officer may consider allowing self-nomination by candidates.
- 7.4 Nominations should be made on a Nomination Form issued by the Returning Officer (sample at Appendix "B").
- 7.5 Returning Officers should ensure that a record is kept of the date and time each Nomination Form is received.
- 7.6 Candidates should be provided by return with a dated note of receipt of their Nomination Forms.



- 7.7 Candidates may also be invited to provide a short statement of biographical details, which is to be distributed to all voters in the election with the Ballot Papers, for their guidance when they are deciding how to cast their votes.
- 7.8 It is recommended that these statements of biographical detail should be a maximum of 60 words in length.
- 7.9 Returning Officers are advised, when preparing copies of the submitted biographical details for print and circulation, not to exercise any editorial discretion over the text that has been supplied, but to publish it in transcription exactly as it is provided, without correction or embellishment.
- 7.10 Where the content of submitted biographical details causes concern, the matter should be raised with the person making the submission in the first instance. A cause for concern includes a situation where one or more candidates has exceeded the proposed word limit and might be perceived to be gaining an advantage from the longer biography. If no agreement can be reached, then section 12.2 below shall be applied.

## **8.0 Voting**

- 8.1 In the event of the number of nominated candidates being equal to or less than the number of vacancies, the persons nominated shall be declared elected unopposed. (In the event of there being no nominations or an inadequate number of nominations, see section 11 below.)
- 8.2 Each person entitled to vote in a parent governor election shall have a single vote in respect of each vacancy. This shall apply irrespective of the number of children a parent has attending the school.
- 8.3 Ballot Papers should list the candidates in alphabetical order, and the biographical details provided by the candidates should be set out in the same order. (For sample ballot papers and a letter to parents see Appendix "C" and Appendix "D").
- 8.4 Ballot Papers may be sent to parents using pupil post. If a pupil is absent from school, the Ballot Paper should be posted to the child's parent(s). The regulations also allow for every person entitled to vote to have the opportunity to do so electronically.
- 8.5 A separate Ballot Paper should be issued to each person entitled to vote. This means one Ballot Paper to each parent, and NOT one to each household.

- 8.6 When voting in an election takes place, it shall be by secret ballot.
- 8.7 To ensure that voting is by secret ballot, that there is no duplicate voting nor voting by those ineligible to vote, one of the following procedures should be used:-
- (a) Double envelope system
- Ballot Papers should be placed and sealed in an inner unmarked envelope, which in turn should be placed inside another envelope which, when sealed, should be signed by the voter.
- (b) Single envelope system
- Ballot Papers should be placed and sealed inside an envelope which has been pre-stamped using a distinct unique rubber stamp bearing the name of the school and the words "Governor Election". (The rubber stamp should be kept by the Returning Officer to ensure security.)
- (c) Single envelope system - numbered
- Envelopes should be pre-numbered consecutively and pre-stamped using a distinct unique rubber stamp bearing the name of the school and the words "Governor Election". Ballot Papers should be placed and sealed in this envelope. (The rubber stamp should be kept by the Returning Officer to ensure security.)
- 8.8 Returning Officers should enclose appropriate envelopes when they send out Ballot Papers, together with clear guidance about the method to be used when casting a vote.
- 8.9 Voters in parent governor elections should be given the option of returning their sealed envelopes by pupil post, or by using normal mail. They may also be given the option of voting electronically.
- 8.10 No extension to the published time for the close of the ballot, as stated in the Notice of Election, shall be made. Voters should be reminded of this time, when they are sent their Ballot Papers.
- 8.11 The Returning Officer should ensure that immediately a Ballot Paper is received it is placed in a secured ballot box to await the appointed time for the counting of votes. At this stage the validity of any vote cast is not to be questioned.

## **9.0 Counting the Votes**

- 9.1 Votes should be counted on the day and at the time stated in the Notice of Election.

- 9.2 The votes are to be counted in person by the Returning Officer, with an independent Scrutineer chosen by the governing body to act as witness. The independent Scrutineer should not be a participant in the election.
- 9.3 Candidates, or their nominated representatives, should be invited to be present at the counting of the votes.
- 9.4 The Returning Officer is to determine which votes are invalid or are on spoiled Ballot Papers. Decisions of this nature should be cleared with the independent Scrutineer, and, if it is thought advisable, with the candidates who are present.
- 9.5 Any inner envelope containing a Ballot Paper in a double envelope system, or any envelope in a single envelope system, or any Ballot Paper, which reveals the identity of the voter, is invalid.
- 9.6 Returning Officers should use their discretion in cases where the voting system, whether a double or single envelope system, has not been properly used, but the secrecy of the ballot should be protected at all times.
- 9.7 A Ballot Paper should be regarded as spoiled when it is inappropriately completed.
- 9.8 The result of each election is to be by a simple majority, the candidate(s) with the highest vote(s) being elected.
- 9.9 In the event of a tied vote, a reconsideration of Ballot Papers identified as invalid or spoiled shall take place, in the presence of and with the agreement of all those who initially considered them, and thereafter all the valid votes will be recounted.
- 9.10 If after the recount the result is still tied, the outcome of the election shall be determined by a drawing of lots between the candidates whose votes are the highest and equal in number.

## **10.0 After the Election**

- 10.1 The result of the election should be notified by the Returning Officer to:
  - (a) all candidates in the election;
  - (b) all those entitled to participate in the voting;
  - (c) the governing body;
  - (d) the Clerk to Governors, Diocese or Church Authority;

- (e) the Headteacher (where he/she is not the Returning Officer).
- 10.2 The term of office for a parent governor, normally four years unless a shorter term is specified in the Instrument of Government, commences on the day the election result is announced. A parent governor may continue to be a governor until the end of that term of office, even if before that time her/his child ceases to be a pupil at the school (or, in the case of a maintained nursery school, his/her child ceases to receive educational or other provision on the premises of the school).
- 10.3 All documents relating to an election (Notices of Election, Nomination Papers, receipt of nominations, letters with Ballot Papers, returned Ballot Papers, invalid or spoiled papers) should be securely retained for six months in case an election is challenged. Also records of the numbers of Ballot Papers issued and received should be kept.

## **11.0 Appointment of Parent Governors**

- 11.1 In the event of no nominations being received for a parent governor election, or of a vacancy or vacancies remaining after such an election has been held, the situation should be reported to the governing body.
- 11.2 Whenever there is a probability that candidates may be found to contest another election for the vacant places, a second election shall be held.
- 11.3 When clearly there is no probability of a second election being held, the governing body has a duty to appoint a parent governor.
- 11.4 This section of these procedures applies to all schools.
- 11.5 **For all schools except community special and foundation special schools**

When appointing a parent governor, a governing body should:-

- (i) whenever possible appoint a parent of a registered pupil at the school;
  - (ii) (if it proves not possible to appoint someone under paragraph (i)), appoint a parent of a former registered pupil at the school;
  - (iii) (if it proves not possible to appoint someone under paragraph (i) or (ii)) appoint a parent of a child under or of compulsory school age.
- 11.6 **For community special and foundation special schools**

When appointing a parent governor, a governing body should appoint:-

- (i) a parent of a registered pupil at the school;
- (ii) (if it is not possible to appoint someone under paragraph (i)) a parent of a former registered pupil at the school.
- (iii) (if it is not possible to appoint someone under paragraph (i) or (ii)) a parent of a child under or of compulsory school age with special educational needs for which the school is approved; or;
- (iv) (if it is not possible to appoint someone under paragraph (i) or (ii) or (iii)) a parent with experience of educating a child with special educational needs.

11.7 The governing body cannot appoint as parent governors:-

- (a) an elected member of the local authority;
- (b) anyone paid to work at the school for more than 500 hours in any consecutive twelve month period.

11.8 The appointment should be made subject to the completion of an application/self declaration form (sample at Appendix "F").

11.9 The term of office of an appointed parent governor commences on the day the governing body makes the appointment.

## **12.0 Further Guidance**

12.1 Returning Officers who wish to receive advice in the conduct of elections should refer to their Area Governor Services team, or through them to the Head of Governor Services, or, in the case of voluntary aided schools, to their diocese or church authority (if appropriate).

12.2 Any dispute concerning a parent governor election, if it cannot first be resolved by the Returning Officer, should be referred to the Head of Governor Services in the case of community, voluntary controlled, community special and maintained nursery schools, and to the governing body in the case of voluntary aided, foundation and foundation special schools, who may seek advice from the appropriate church authority if appropriate and/or the Head of Governor Services.

## **Parent Governor Elections – Quick Reference Checklist**

Please see pages 3 to 12 of the procedures document.

### **1 Send out Notice of Election**

- invite nominations
- enclose information to encourage nominations
- enclose nomination forms
- give at least one full school week and two weekends for nominations
- state exact time when nomination period ends
- send to all qualified voters

### **2 Receive Nominations**

- record date and time of receipt
- send each nominee an acknowledgement of receipt

### **3 Prepare Ballot Papers**

- set out in alphabetical order
- attach biographical details as supplied and in same order

### **4 Send out Ballot Papers**

- send to all who received Notice of Election
- one vote for each vacancy and one ballot paper per voter
- give same length of time to the close of ballot as given for receipt of nominations
- remind voters of exact time for close of poll
- include information on how to vote using the chosen system
- enclose envelopes

### **5 Accept Votes**

- place in a secure ballot box until the counting of votes

## 6 Count Votes

- ensure the independent scrutineer is present
- invite candidates to be present
- identify invalid and spoiled votes
- check total votes against votes cast

## 7 After the Election

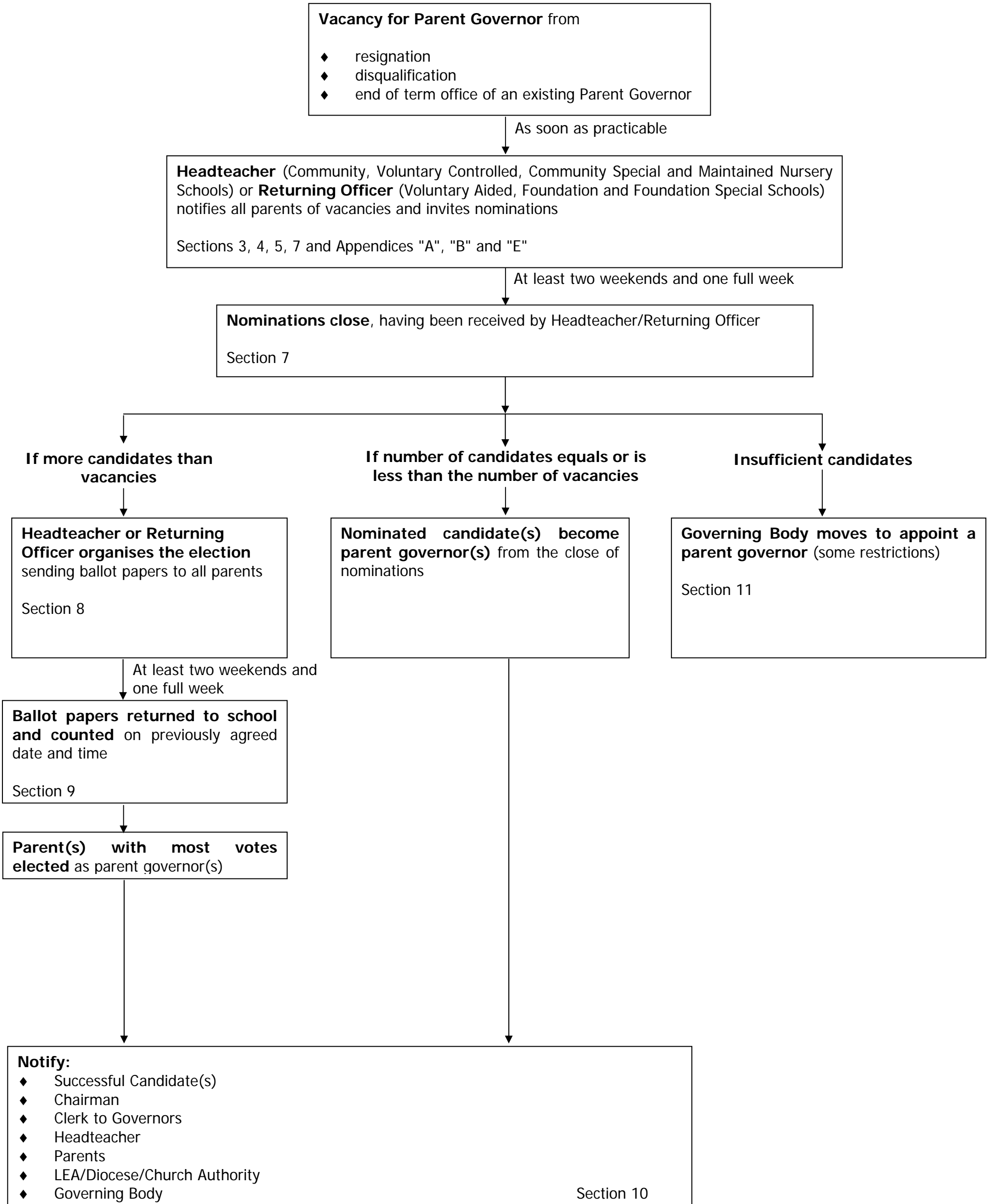
- (i) tell candidates
- (ii) inform voters
- (iii) advise Clerk to Governors and governing body
- (iv) report result to LEA and Diocese/Church Authority if appropriate (via Clerk)

## 8 File all records of the election for six months

**Note:** When no nominations, or insufficient nominations for the number of vacancies are received, then the appointment procedures detailed in section 11 may be followed.

## Parent Governor Elections Summary Flowchart

This chart provides a summary of the processes and procedures to be followed. It does not repeat the detailed procedures which are to be found in the relevant sections of this document.



**KEEP ALL PAPERS FOR SIX MONTHS**



## Parent Governors

All maintained school governing bodies must have at least two parent governors.

### Who are Parent Governors?

Parent governors are elected by parents of children at the school. For a person to stand for election and to vote in a parent governor election he/she must either be the natural parent of a child registered at the school, or be a person with parental responsibility for, or having care of, such a child.

In maintained nursery schools parents of children for whom educational or other provision is made on the premises of the school at the time of the election are also eligible to stand for election and vote in a parent governor election.

If there are insufficient eligible candidates for the vacancies at an election the governing body can appoint a parent governor, but there are restrictions on who can be appointed.

Governors normally serve for four years unless a shorter term is specified in the Instrument of Government for the school. If a parent governor ceases to be the parent of a child registered at the school within the period for which they have been elected, he/she may continue to be a governor for the rest of his/her term of office.

### What are Parent Governors?

**Parent governors** have the same rights, responsibilities and duties as other governors.

**Parent governors** should play a full and active part in the governing body but,

**Parent governors**, like other governors, do not have the power to act as individuals or as a group, unless specifically authorised to do so by the governing body.

**Parent governors** are not on the governing body simply to represent the interest of parents, or to be the only link with parents because all governors must have regard to these issues.

### What do governors do?

All maintained schools have a governing body which together with the headteacher sets the aims and policies of the school. The headteacher is responsible for the day to day management of the school. Together the governing body and headteacher must ensure the school provides good quality education and helps to raise standards.

The governing body:

- is accountable for the performance of the school to the parents and the wider community
- plans the school's future direction
- selects the headteacher
- makes decisions on the school's budget and staffing
- makes sure the National Curriculum is taught
- decides how the school can encourage pupils' spiritual, moral and cultural development
- makes sure the school provides for all its pupils, including those with special educational needs.

### **How much time will it take?**

To be an effective member of the governing body team, it takes time. You will need to prepare for and attend at least three full governing body meetings per year. You will also be involved in one or two committees dealing with finance, staffing, curriculum or premises. These usually meet at least once a term. In addition some governors take on other roles such as Special Educational Needs governor.

The amount of time you will need to give depends on how involved you become but governing bodies cannot operate effectively with passengers. You must be prepared to take more than an interest.

### **What support is available?**

Lancashire County Council and the associated dioceses/church authorities provide a wide range of support services and training for governors.

All new governors receive an introductory pack of materials from the county council which outlines the range of training opportunities available to governors and governing bodies and provides the basic reference documents. There is also a termly newsletter which helps to keep governors up to date with recent developments.

Sometimes governing bodies have difficult decisions to take. In such cases the governing body has access to support and advice from the county council and the church authorities/dioceses as appropriate.

If you require more information about being a governor speak to the headteacher at your child's school or contact Governor Services on 01257 516147, [governors.central@lancashire.gov.uk](mailto:governors.central@lancashire.gov.uk) .



## Information

### A. Eligibility

1. All parents of pupils at the school and, in the case of maintained nursery schools, parents of children for whom educational or other provision is made on the premises of the school can be nominated as a candidate for a parent governor election except for:
  - (a) Elected Members of the Local Authority
  - (b) Anyone paid to work at the school for more than 500 hours in any consecutive 12 month period.

### B. Nomination

1. Any parent who wants to be nominated has to be proposed and seconded by two other parents of pupils (children) at the school using the nomination form on the page opposite. It should be completed and sent to the Returning Officer by 12.00 noon on ..... Please note there can be no extension beyond this time and date.
2. Candidates should complete the reverse of the nomination form with biographical details. This information will be sent with the voting papers to all parents to help them decide how to use their votes.

### C. Parent Governors

(See also information sheet on parent governors)

1. The governing body of the school has several categories of governor, and "parent governor" is one of these categories. All governors carry equal status.
2. Responsibility rests in the governing body as a whole. Individual governors only have responsibility collectively in the governing body. To be a governor does not give personal authority.
3. The term of office for a parent governor is \_\_\_ years, and a parent governor does not have to resign if his/her child ceases to be a pupil at the school before that period of time ends, though s/he may do so if s/he wishes.

### D. Disqualification

1. Regulations disqualify certain individuals from becoming a governor. The attached appendix lists the disqualification criteria. Prospective governors should read it carefully before proceeding with their nomination.

## Nomination Form

Before completing this form, please read the notes on the opposite page.

	NAME Mr/Mrs/Miss/Ms	ADDRESS	SIGNATURE
Nominee	(Capitals)		
Proposer	(Capitals)		
Secunder	(Capitals)		

CUT/TEAR HERE

Declaration of Nominee: I am willing to accept nomination and confirm that I am not disqualified from becoming a governor. Should I be elected I agree that if I subsequently become disqualified I will notify the Clerk to Governors in writing.

Should I be elected I understand that information on my governorship will be made available to the County Council for its use in providing support to school governors\*.

\* In this respect the Data Controller is Lancashire County Council and the nominated officer for data protection is the Data Protection Officer.

Signed: .....

Date: .....

This form must be returned to the Headteacher/Returning Officer by 12.00 noon on ..... Late nominations will not be accepted.

## (a) Double Envelope System

Dear Parent

### Parent Governor Elections

My letter dated \_\_\_\_\_ informed you that we needed to hold an election for parent governor(s) and invited nominations. We have received \_\_\_\_\_ nominations and must proceed to the election process itself. Details of the nominees are to be found on the attached sheet. A ballot paper and two envelopes are also enclosed with this letter.

Please read the information about the candidates and the election process carefully before completing and returning your ballot paper to school. Completed ballot papers, in their envelopes, must be returned to school and placed in the ballot box by 12 noon on \_\_\_\_\_. The vote will be counted at \_\_\_\_\_ on \_\_\_\_\_ after which the result will be announced.

### Casting Your Vote

1. Each person entitled to vote in this parent governor election has a single vote for **each** parent governor vacancy.
2. Place a cross in the box next to the person/s for whom you wish to vote. **Do not write anything else on the ballot paper.**
3. When you have completed the ballot paper place it inside one of the envelopes and seal it. **Do not** mark that envelope in any way.
4. Place the unmarked, sealed envelope in another envelope which you then seal, sign and print your name on it.
5. Return the completed ballot paper in its envelopes to school before the closing time of the ballot and ensure that it is placed in the ballot box to await the end of the voting period.

The process described above may seem complicated but it has been designed to ensure that the ballot is secret yet only those entitled to vote can take part.

Please use your vote, the work of the parent governor as a member of the whole governing body is extremely valuable to this school.

## (b) Single Envelope System

Dear Parent

### Parent Governor Elections

My letter dated \_\_\_\_\_ informed you that we needed to hold an election for parent governor/s and invited nominations. We have received \_\_\_\_\_ nominations and must proceed to the election process itself. Details of the nominees are to be found on the attached sheet. A ballot paper and an envelope are also enclosed with this letter.

Please read the information about the candidates and the election process carefully before completing and returning your ballot paper to school. Completed ballot papers, in their envelopes, must be returned to school and placed in the ballot box by 12 noon on \_\_\_\_\_. The vote will be counted at \_\_\_\_\_ on \_\_\_\_\_ after which the result will be announced.

### Casting Your Vote

1. Each person entitled to vote in this parent governor election has a single vote for **each** parent governor vacancy.
2. Place a cross in the box next to the person/s for whom you wish to vote. **Do not write anything else on the ballot paper.**
3. When you have completed the ballot paper place it inside the envelope provided and seal it. **Do not** mark the envelope in any way.
4. Return the completed ballot paper in the sealed envelope to school before the closing time of the ballot and ensure that it is placed in the ballot box to await the end of the voting period.

The process described above may seem complicated but it has been designed to ensure that the ballot is secret yet only those entitled to vote can take part.

Please use your vote, the work of the parent governor as a member of the whole governing body is extremely valuable to this school.

**School Name**

## Parent Governor Ballot Paper

There are            vacancies. Vote for your choice(s) for parent governor by placing a cross (x) in the box next to his/her name.

**You may vote for no more than            candidate(s).**

Names listed in alphabetical order.

Name	Vote (use a cross (x))

Do not write anything on this form.

Follow the instructions in the accompanying letter to register your vote.

Spoiled ballot papers will not be counted.

## Parent Governor Election

### Disqualification from holding a governorship

Regulations disqualify certain individuals from becoming a governor. Before your nomination can be considered you are required to confirm that you are not disqualified from becoming a governor. **Failure to submit a declaration will debar you from consideration as a governor.** You are required to notify the Clerk to the Governing Body, in writing, if you subsequently become disqualified from continuing as a governor.

Further information on any of the criteria can be found in the School Governance (Constitution) (England) Regulations 2012, Schedule 4. This section refers specifically to disqualification from governorship. Alternatively you may contact Governor Services on 01257 516147.

### Qualification and Disqualification Criteria

#### General

- Registered pupils cannot be governors.
- A governor must be aged 18 or over at the time of election or appointment.
- A person cannot hold more than one governor post at the same school at the same time.

#### Particular categories of governor

- A person cannot be 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 any consecutive twelve month period (at the time of election or appointment).

#### Failure to attend meetings

- A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.
- A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified.



## **Bankruptcy**

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

- their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
- they are the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order.

## **Disqualification of Company Directors**

A person is disqualified from holding, or from continuing to hold, office as a governor of a school at any time when they are subject to:

- a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986;
- a disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002;
- a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or
- an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

## **Disqualification of Charity Trustees**

A person is disqualified from holding, or from continuing to hold, office as a governor of a school if they have:

- been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of misconduct or mismanagement or
- been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body.

## **Persons whose employment is prohibited or restricted**

A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when they are:

- included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people;
- barred from any regulated activity relating to children;
- disqualified from working with children or from registering for childminding or providing day care;
- disqualified from being an independent school proprietor, teacher or employee by the Secretary of State.

### **Criminal Convictions**

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

- been sentenced to three months or more in prison (without the option of a fine) in the five years before becoming a governor or since becoming a governor;
- received a prison sentence of two years or more in the 20 years before becoming a governor;
- at any time received a prison sentence of five years or more;
- 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.

### **Refusal to make an application for a criminal records certificate**

A person is disqualified from holding or continuing to hold office as a governor if they refuse a request by the clerk to the governing body to make an application to the Criminal Records Bureau for a criminal records certificate.

# Appointment of Parent Governors

## Governing Body

The Education Act 2002 provides that:

- The conduct of a maintained school shall be under the direction of the school's governing body.
- The governing body shall conduct the school with a view to promoting high standards of educational achievement.

Within this broad framework, the governing body:

- sets the broad strategy for the school's development;
- is accountable to those who established and fund the school, to parents and the wider community;
- must act in accordance with requirements laid down in Acts of Parliament, statutory regulations and the school's Instrument of Government;
- must at all times act fairly and without prejudice.

## Parent Governors

All governing bodies are made up from people appointed or elected to different categories of governor. At all schools one of the categories of governor is a parent governor.

Parent governors are normally elected by parents of children at the school. However if there are insufficient eligible candidates for the vacancies at an election the governing body can appoint a parent governor but there are restrictions on who can be appointed.

If you wish to be considered for a position of appointed parent governor, please complete the pro-forma application form attached at Annex B and return it as indicated.

Please note that parent governors cannot be elected members of the local authority, or people employed to work at the school for more than 500 hours in any 12 consecutive months.

## ANNEX A

### Disqualification from holding a governorship

**Regulations disqualify certain individuals from becoming a governor. Before you can be appointed as a governor you are required to confirm that you are not disqualified from becoming a governor. You are required to notify the Clerk to the Governing Body, in writing, if you subsequently become disqualified from continuing as a governor.**

Further information on the criteria can be found in the DfE Guide to the Law for School Governors and the School Governance (Constitution) (England) Regulations 2012, Schedule 4. This section refers specifically to disqualification from governorship. Alternatively contact Governor Services on 01257 516147.

#### Qualification and Disqualification Criteria

1. A governor must be aged 18 or over at the time of their election or appointment.
2. A person cannot hold more than one governorship at the same school.
3. A person is disqualified from being a governor if they:
  - have had their estate sequestrated (temporarily repossessed) and the sequestration has not been discharged, annulled or reduced; or they are the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order;
  - are subject to a disqualification order under the Company Directors Disqualification Act 1986, an order or undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002, or an order made under section 429(2) of the Insolvency Act 1986;
  - have 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 Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body;
  - are included in the list of people considered by the Secretary of State as unsuitable to work with children;
  - are subject to a direction under Section 142 of the Education Act 2002;
  - are barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006;
  - are disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000;
  - are disqualified from registration for childminding or providing day care under Part 2 of the Children and Families (Wales) Measure 2010 ;
  - are disqualified from registration under Part 3 of the Childcare Act 2006;
  - have been sentenced to three months or more in prison (without the option of a fine) in the five years before becoming a governor or since becoming a governor;
  - have received a prison sentence of 2½ years or more in the 20 years before becoming a governor;
  - have at any time received a prison sentence of five years or more;
  - have 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;
  - refuse to an application being made to the Criminal Records Bureau for a criminal records certificate.

Additionally parent governors cannot be elected members of the local authority or employed to work at the school for more than 500 hours in any consecutive twelve month period.

**ANNEX B****Application for appointment as a Parent Governor**

**School Name:** .....

\* 1. Surname ..... \* 2. First Name(s) .....

\* 3. Title (Mr/Mrs/Ms/Miss) or other .....

\* 4. Address (including postcode) .....

\* 5. Telephone Number (home) ..... (work) .....

(fax) ..... (e-mail) .....

\* 6. Are you a governor at another school?

(if yes please give the names) .....

\* 7. Have you previous experience as a governor?

(if yes please give name of school(s) and dates) .....

8. Please outline your experience of other work with schools or in educational settings  
(eg volunteer helper, member of PTA etc) .....

9. Please outline any experience, at home, at work or elsewhere which may be relevant to  
you becoming a governor:

10. Please set out below why you would like to become a governor, and any particular areas in  
which you feel you would be able to contribute to the work of the governing body:

**ANNEX B (cont)****Application for appointment as a Parent Governor**

11. (a) What is your interest in/knowledge of the school? .....
- .....
- .....
- (b) Have you a past or present association with the school? If so, what is it? .....
- .....
- .....
12. In appointing a parent governor the governing body may only appoint a person who meets certain criteria. Please tick the relevant box(es) which apply to you:
- (a) All schools except community special and foundation special schools
- I am the parent of a registered pupil at the school
- I am the parent of a former registered pupil at the school
- I am the parent of a child under or of compulsory school age
- (b) Community special and foundation special schools
- I am the parent of a registered pupil at the school
- I am the parent of a former registered pupil at the school
- I am the parent of a child under or of compulsory school age with special educational needs for which the school is approved
- I am a parent with experience of educating a child with special educational needs

**Please complete and sign the following declaration:**

- I would like my application to become a parent governor to be considered.
- I agree to abide by any code of practice which has been adopted by the governing body which outlines the purpose of the governing body and describes the appropriate relationship between individual governors, the whole governing body and the school.
- I am willing for the information on my governorship to be made available to interested parties in relation to the purposes outlined below. (Tick this box if you are not willing )

1. The information on the form will be made available to the governing body in order for the appointment to be considered.
2. If you are appointed the information marked \* will be held and be used by the County Council only to allow the County Council to provide support to school governors. The Data Controller is Lancashire County Council and the nominated officer for data protection is the Data Protection Officer.

- I certify that I have read and considered the criteria for the disqualification of governors set out in Annex A and confirm that I am not disqualified from becoming a governor. I agree to inform the Clerk to Governors, in writing, immediately should I cease to be qualified to serve as a governor.

Signed .....

Date .....

Please return this form to: .....

.....