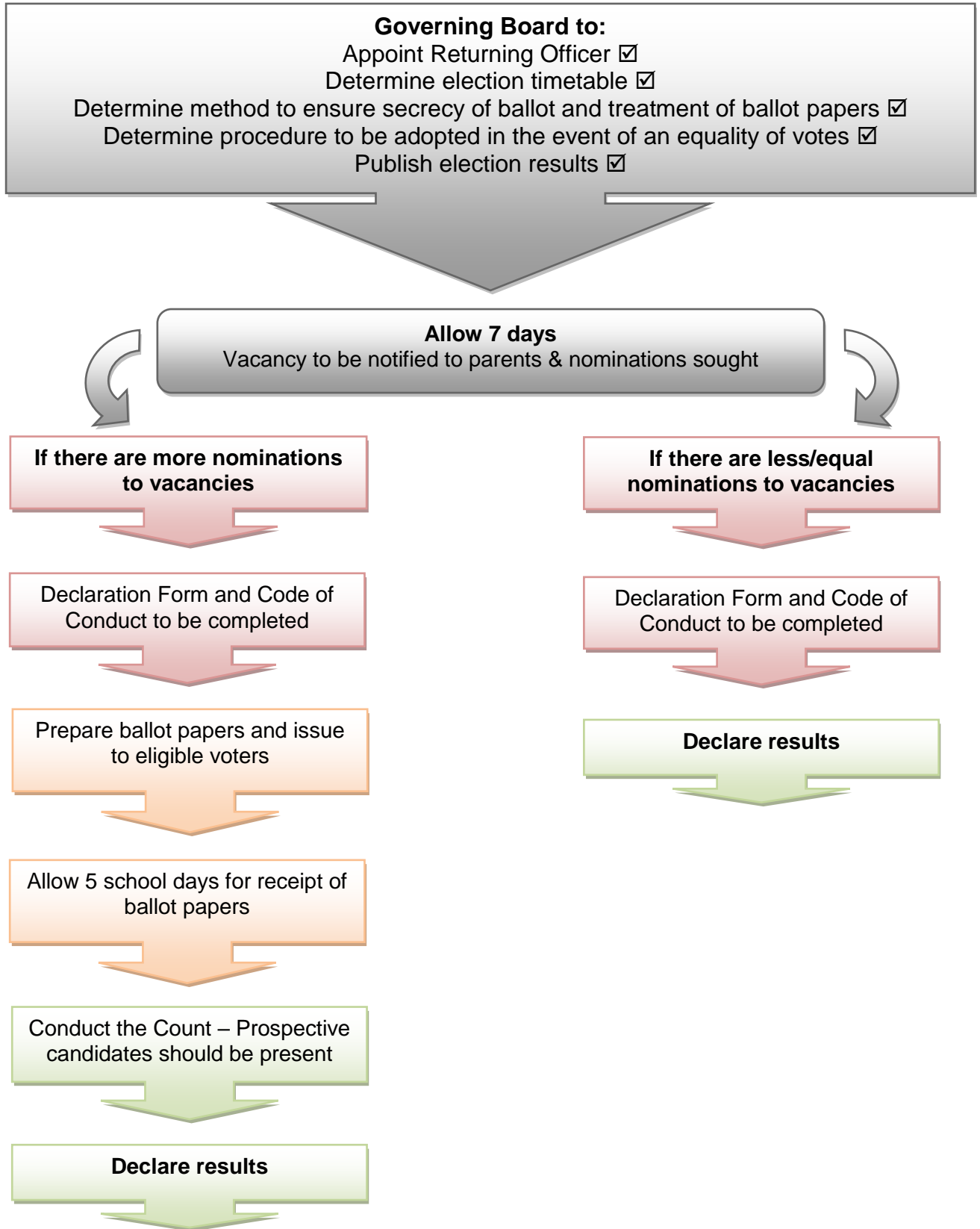


ELECTION OF PARENT GOVERNORS

Election of Parent Governors – Flow Chart



Guidance notes for Head teachers and governing boards

West Berkshire Council, as the local authority, has agreed the following arrangements for the election of parent governors to schools' governing boards. The responsible authority for the purposes of the organisation of parent elections is the local authority (LA) except for voluntary aided, foundation and academy schools, where the responsible authority is the governing board.

The LA delegates the arrangement and conduct of elections to Head teachers.

Matters for the governing board to determine in advance of an election

1. Appointment of Returning Officer
2. Election Timetable
3. Method to ensure secrecy of ballot
4. Treatment of ballot papers returned in a way other than specified
5. Procedure to be adopted in the event of an equality of vote.

Timing of elections

Parent governors should be elected in time for them to participate in the co-option of other governors, and the election of the Chair and the Vice Chair of the Governing Board at their first meeting of the academic year, wherever possible.

In circumstances where vacancies arise because a period of office is coming to an end, nominations should be sought at the beginning of the term in which the vacancy is likely to occur, the term of office to run from the date of the expiry of the previous holder of the office.

Casual vacancies: nominations should be sought after a vacancy has occurred, the term of office to begin from the date elected.

Returning Officer

The governing board must appoint a Returning Officer to organise the conduct of parent governor elections. The person appointed would usually be the Head teacher, Clerk to Governors or the Chair of the governing board. The Clerk to the governing board shall manage the administration process of parent governor elections.

On a vacancy occurring

A letter (sample on request) must be issued to all parents via pupil post inviting nominations. A letter to each household should suffice together with nomination forms (sample on request). Declaration Forms can be sent once nominations are received. The letter should set out the timetable for each stage of the election.

The Returning Officer should take reasonable steps to ensure that every person who is known to them to be a parent of a registered pupil at the school is advised of the vacancy and of his/her right to stand as a candidate/vote in the election. Seven clear days should be allowed for the return of nomination forms.

Definition of a Parent

A “parent” for those purposes of governor elections is defined as any individual person having parental responsibility for, or care of, a child. Any question as to the eligibility of an individual to vote, or stand for election, shall be decided by reference to the Governor Services Team.

A parent is disqualified from election as Parent Governor if:

- He/she is an elected member of the local authority;
- He/she is paid to work at the school for more than 500 hours in any consecutive twelve- month period.

Informed elections

The [DfE Statutory Guidance August 2017](#) makes clear that governing boards should make every effort to conduct informed parent elections in which expectations and credentials of prospective candidates are made clear.

The best governing boards set out clearly in published recruitment literature:

- Core functions of the governing board
- The role of the governor
- Induction training available
- Other training available
- The term of office
- Frequency of meetings
- Membership of committees
- A willingness to undertake training
- Skills desirable in a new governor and a willingness to learn those skills

The purpose of publishing this information is to inform potential candidates. Regulations do not allow the governing board to create its own eligibility criteria.

The candidate’s election statement should include:

- Evidence of the extent to which they possess the skills the governing board wants;
- Their commitment to learn the skills they need to be an effective governor; If any candidate is seeking re-election, additionally;
- Details of how they have contributed to the work of the governing board;
- How they plan to contribute in the future.

Once again, the purpose of publishing this information is to inform the electorate.

Declaration, proof of identity and Disclosure and Barring Service (DBS) certificate

All governors are required to sign a declaration to confirm their qualification as a governor. This is available from Governor Services. This can be completed at the same time as nominations are taken or, after an election has taken place but, before an appointment is confirmed.

The Head teacher must be satisfied that the person nominated or elected is who they say they are, and must request evidence of identity such as a passport, birth certificate or driving licence. One of the documents provided should include photo identification. In law, every governor who does not hold an enhanced DBS certificate must apply for a certificate within 21 days of her/his election or appointment.

Uncontested Elections

If nominations received are less than the number of vacancies, the Returning Officer shall declare the person or persons so nominated as elected. The result should be announced by posting a notice on the school notice board and/or by notifying all parents via pupil post. The Returning Officer must advise the Governor Services Team at West Berkshire Council of the result.

Contested Elections

If more nominations than vacancies are received, then a ballot is necessary. A letter (sample on request) should be issued via pupil post to each parent eligible to vote along with a ballot paper (sample on request). Notice of the election and a copy of the election rules should be displayed on the school notice board. Parents must be given the opportunity to vote by post if they so choose. If some parents do choose to vote by post, it will be necessary for the Returning Officer to ensure that no parent receives more than one ballot paper.

The governing board should decide the method to be adopted to maintain the secrecy of the ballot. Suggested methods are:

- the issue of an envelope with each ballot paper for return to the school
- the issue of 2 envelopes with each ballot paper, one plain and one pre-printed. The pre-printed envelope is addressed to the Returning Officer and provides for the voter to fill in his/her details. The second envelope containing the ballot paper is sealed and placed inside the pre-printed envelope. This method ensures that only those eligible to vote do so and preserves the secrecy of the ballot.
- Ballot papers could be printed on coloured paper to eliminate duplicates being submitted.

A period of at least one school week should be allowed for the return of voting papers (Monday to Friday).

Proxy voting is not permitted.

If a ballot paper is spoilt or lost, a duplicate may be issued by the Returning Officer.

The Count

As soon as possible after the closing date that has been specified for the receipt of ballot papers, the Returning Officer will arrange the count. The Returning Officer must allow the candidates the opportunity to be in attendance at the count. The votes cast for each candidate should be counted in the presence of all parties.

The Returning Officer will decide which ballot papers (if any) are to be classed as "spoilt" before votes are counted. The candidate(s) elected will be those gaining the highest number of votes.

The governing board must determine, in advance of the election, the action to be taken in the event of a tie. This could be:

- the drawing of lots
- flipping a coin
- electing the candidate with the youngest registered pupil

Double envelope system

In those cases where 2 envelopes have been issued (the double envelope system):-

The outer (pre-printed envelope) should be checked to ensure that the voter is eligible. This may happen when the envelopes are received rather than at the count. The inner envelope should be removed from the outer envelope;

The inner envelopes containing the ballot papers should be collected together, unopened and kept in a safe place. The inner envelope should always be opened at the count separately from the outer envelopes to ensure the secrecy of the ballot.

One envelope system

In those cases where one envelope has been issued all envelopes should be kept unopened in a safe place.

The Returning Officer must allow the candidates and their nominated representatives the opportunity to be in attendance at the count.

The envelopes should be opened in the presence of all parties.

The votes cast for each candidate should be counted in the presence of all parties. The Returning Officer will decide which ballot papers (if any) are to be classed as “spoilt” before votes are counted.

The candidate(s) elected will be those gaining the highest number of votes under the “first past the post” system.

The result of the election shall be notified to all parents and to other members of the governing board by the Returning Officer.

The Clerk to the Governors must ensure that Governor Services is advised of the name, address, telephone number and email address of the person elected as parent governor together with their date of appointment. Governor Services are legally processing this data under the requirements of the DfE’s Governance Handbook where it states ‘*The board of a maintained school must give the LA any relevant information or reports in connection with the discharge of the board’s functions that the LA may need.*’ In accordance with direction from the [Governance Handbook](#) and the [constitution of governing bodies or maintained schools: statutory guidance](#), the governing board must also publish a list of its governors and detail the structure, responsibilities and committees on the school’s website, together with their register of interests (business and material). In addition, this information is required by [Get Information About Schools](#) (formerly Edubase). Each governing board is also required to maintain and update this information regularly.

Ballot papers shall be retained securely for six months in case the election result is challenged. The number of ballot papers issued and the number returned at each election shall be recorded.

Election Inquiry

If, before the expiry of two calendar months after the day on which the election result had been declared, representations in writing have been made to the Principal School Improvement Adviser – School Improvement & Governance Team, alleging improper behaviour or dispute at an election or a non-compliance with, or breach of, these rules, West Berkshire Education Service shall appoint a person or persons (excluding any person involved in the election) to investigate such allegation and, if necessary, to examine election papers.

Publication of Rules

A copy of these rules, and of all the prescribed forms referred to, must be published on the notice board of each school with the notice of any election for parent governors.

Notes

When a vacancy occurs during the summer term it may be appropriate to delay the election procedure until early in the autumn term so that parents of children joining the school in September have the opportunity to participate.

Where a substantial number of parents have a language other than English as their first language, all documents relating to the elections should be translated into other languages. If an individual requests the documents in a different format such as audio tape or in another language you should make every effort to do this swiftly, so the individual will be able to meet the returns deadlines.