



Guidance on the Election of Parent Governors

Introduction

Legislation determines that the responsibility for election of parent governors is held by the Chief Education Officer, but may be delegated. In York, the Director of Children's Services has delegated authority for parent governor elections to Headteachers.

It is recommended that Headteachers conduct elections as soon as reasonably possible after receiving a resignation or, where a term of office is due to expire, on a basis which ensures that a new governor is able to take up office when his/her predecessor's term ends.

1.0 Eligibility

All parents and carers of registered pupils at the school on the date by which nominations for Parent Governor are sought, are eligible to nominate candidates, to vote and, subject to the disqualifications referred to below, to stand for election to the Governing Body of the school. The term "parent" includes a guardian and everyone who has parental responsibility for the child.

2.0 Disqualifications

- 2.1 The disqualifications are set out in **The Constitution of Governing Bodies of Maintained Schools 2017**. Should any parent enquire about the details of these Regulations he/she should be shown the Regulations or referred to the Governance Service.
- 2.2 A person is disqualified from being a parent governor if they are (a) an elected member of the Local Authority or; (b) paid to work at the school for more than 500 hours in any consecutive twelve month period (ie. for more than one-third of the hours of a full-time equivalent). A serving parent governor who subsequently starts to work at the school would serve out his or her term of office.

3.0 Conduct of Elections

- 3.1 A school can choose to run the election process electronically if they wish. If this option is chosen, the Headteacher must satisfy themselves that the process to be used is fair and that:
 - i) all individuals eligible to stand are informed of the vacancy, along with the nomination and election process
 - ii) safeguards are in place to ensure that one person cannot cast two votes
 - iii) voter confidentiality is maintained
 - iv) an **opportunity for postal voting** (including delivery by hand) is available.
- 3.2 The Headteacher will be the Returning Officer who will supervise the election with the assistance of two witnesses, one of whom should be a member of the Governing Body, neither of whom is eligible to participate in the election.

- 3.3 When a vacancy arises for a Parent Governor, the Headteacher will inform the parents of the fact, and of the arrangements for filling the vacancy, either by letter sent by hand of pupils (see model letter PG1) or electronically. Each parent should receive one ballot paper in the parent governor election, irrespective of the number of children he/she has at the school. Where one parent is not living at the child's address, a letter should be sent to him/her at his/her last known postal or email address.
- 3.4 Nomination forms (see sample PG2) and Candidate Information Forms (see sample PG3) will be available from the Headteacher, to be either collected by, posted to, or emailed to parents requesting them.
- 3.5 A parent may nominate as many other eligible parents as there are seats to fill. Each nomination, to be valid, must be seconded by another eligible parent and signed by the nominee, then returned to the Headteacher with a completed Candidate Information Form, by the date entered on the nomination form.
- 3.6 In the event that an insufficient number of candidates come forward to fill the vacancies it is unnecessary to hold an election. Any candidates who have come forward will be automatically appointed to serve a term of four years (or that stated in the Instrument of Government) to run from the day of the proposed election. More details on the process of appointing parents can be found in section 4.
- 3.7 Where the number of nominations exceeds the number of places filled, a ballot will be held, for which **each parent** will be sent:
- i) **one** ballot paper (irrespective of the number of children he/she has at the school) on which will be listed the duly nominated candidates; in alphabetical order (see sample PG4)
 - ii) such details of the candidates as have been provided by them, excluding their home address. These must be in the same order as the ballot paper and each set of details should take the same format
 - iii) where a paper voting system is being run, **two** envelopes for the return of the ballot paper and instruction in the use of the "double envelope" system (see sample PG5a)
 - iv) where an electronic voting system is being run, **clear instructions** on how to complete and return the ballot paper (see sample PG5b)
- 3.8 Ballot papers must be returned by the due date, and, where a paper voting system is being run, envelopes kept UNOPENED, under lock and key, until the hour appointed for the count. Where an electronic voting system is being run, the school must check the eligibility of each email return before saving each ballot paper separately and anonymously.

- 3.9 The count must be carried out at the time and date fixed by the Returning Officer, at which he or she must be accompanied by two witnesses, including a governor of the school, neither of whom is eligible to take part in the election, and by any candidates or their nominees who have accepted the invitation to be present. Where a paper voting system is being run, no envelopes may be opened before this time.
- 3.10 Where a paper voting system is being run, the following procedures must be followed at the count:
- i) if not already actioned, the outer envelopes carrying parents' signatures/names to be checked off against the register of eligible parents, but not opened.
 - ii) at the appointed hour, the outer envelopes are opened in the presence of the two witnesses and the inner envelopes, STILL UNOPENED, placed in a box. The outer envelopes are discarded.
 - iii) any ballot paper which is not enclosed in a sealed, unmarked envelope within an outer envelope which is sealed and signed and capable of being identified as coming from an eligible parent must be regarded as spoiled
 - iv) the sealed inner envelopes are opened in the presence of the two witnesses as detailed above.

N.B: The candidates must not be involved in the actual count.

- 3.11 Where an electronic voting system is being run, the following procedure must be followed at the count:
- i) if not already actioned the person named in the body of the email in which the ballot paper was returned, to be checked off against the register of eligible parents
 - ii) the email address used to send the voting paper back to the school to be checked off against the list of email addresses held on file for that parent
 - iii) ballot paper attachment to be saved anonymously in a folder with restricted access, without opening it
 - iv) email in which the ballot paper was returned to be deleted to retain confidentiality and ensure no risk of double counting
 - v) at the appointed hour, electronic ballot papers to be opened in the presence of the two witnesses
 - vi) ballot papers received electronically and any received via the double envelope system to be counted

N.B: The candidates must not be involved in the actual count.

3.12 For both paper and electronic voting systems, the following are to be regarded as spoiled votes and must not be counted:

- i) any ballot paper where votes are cast for more candidates than are to be elected;
- ii) any ballot paper which is signed;

Where any doubt arises as to whether a vote should be discounted, Returning Officers should contact the Governance Service for guidance on 01904 554210.

3.12 The candidates with the highest number of votes shall be declared elected. In the event of a tie, the election will be decided by the toss of a coin by the Returning Officer in the presence of the candidates concerned, or their nominees.

3.13 The result of the election, the names of the nominee(s) and of those appointed as Parent Governors, will be posted at a suitable place on the school premises for 21 days (see sample PG6). Parents should also be notified as soon as is practicable and whilst a letter to each parent is unnecessary, the information should be imparted to parents in the next communiqué sent out. This might be a newsletter or might simply be included in a letter going out to all parents on a different subject.

3.14 The ballot papers should be kept for at least one year in case the outcome of the election is challenged.

4.0 Appointment of Parent Governors

4.1 The appointment of a Parent Governor shall take effect from:

- the date of the election/appointment where there is a current vacancy
- the first day following that of the completion of the term of office of the current governor

4.2 The Headteacher will inform the Governance Service and the Clerk to the Governors of the names and contact details of the successful candidates/appointees.

4.3 Outstanding vacancies should be filled directly by the governing body. Candidates for appointment should ideally have a child at the school but if this is impractical, a parent of a former pupil or any parent of a child of compulsory school age who is not at the school will be deemed suitable for appointment. Should this prove impossible, an election should be held in the following term. Governing bodies may only appoint as a parent governor a parent who has, in their opinion, the skills to contribute to effective governance and the success of the school.

5.0 Governing Body Continuity

- 5.1 It is desirable to ensure the continuity of the governing body, to aid its effectiveness. It is incumbent upon the Chair to ensure that elections take place on a timely basis. In practice this means that as a parent governor's term of office draws to a close, an election should be held with any new governor(s) term of office commencing from the day after the previous governor's term of office expires. If a parent governor is eligible to stand for a further term and is elected their term should also start at that time.
- 5.2 In the event of a mid-term resignation, the Clerk should, on receipt of the letter of resignation, advise the Chair/Headteacher to instigate election proceedings without delay. It is not necessary to wait until the Governing Body has discussed the situation.

6.0 Different Terms of Office

There are some circumstances where an election is for more than one parent governor and where the starting date for each position will not be the same. For example, it may be felt appropriate to combine the election for a current vacancy with that for a replacement on expiry of current term. In such circumstances the letter (PG1), nomination paper (PG2) and candidate information form (PG3) need not be amended, but the ballot paper (PG4) must have the section below the candidates' names elected to read as follows (or as appropriate)

Number of Candidates to be elected
The candidate with the highest number of votes will serve for four years from
The candidate with the next highest number of votes will serve for four years from
Number of votes on this paper not to exceed

Dear Parent

ELECTION OF PARENT GOVERNORS

I am writing to inform you about an election of Parent Governors. The Governing Body, when it is complete, comprises (number) governors of which (number) will be elected by the parents. There are currently (number) Parent Governor vacancies within school. Parent Governors will serve for four years (unless specified differently on the Instrument of Government), unless they resign during their term of office. They can continue in office even when their children have left the school in order to complete their term.

The Governing Body also comprises (delete as appropriate)

- Foundation Governors (appointed by)
- LA Governors (nominated by the City of York Council)
- Staff Governors (appointed by staff)
- Co-opted Governors (appointed by the Governing Board)
- The Headteacher

What do governors do?

School governors are responsible for strategic leadership and accountability within schools. In practise this means that governing bodies are responsible for such things as setting school policies and ensuring they are adhered to; setting and monitoring the school budget; monitoring the progress that the school is making and setting targets for school improvement. Governors are not involved in the operational running of the school. The daily management of the school is the responsibility of the headteacher.

Do Parent Governors have special responsibilities?

No, Parent Governors do not have extra duties. Governors work as a team, with shared responsibilities. The Parent Governors speak as parents: they can't speak for all parents.

How are Parent Governors appointed?

We take the term 'parent' to include a guardian and anyone who has parental responsibility for the child.

If we receive more nominations than there are places to fill, there will be a secret ballot and I will send ballot forms (1 per parent irrespective of the number of children you have) and 'envelopes/ instructions on how to complete an online election' (*delete as applicable*) to each home by 'hand of the children/email' (*delete as applicable*). The form explains how votes may be cast.

If the number of nominations we receive is the same as the number of places to be filled, then those people will be declared appointed. If there are fewer, they will be declared appointed and the Governing Board will be responsible for filling any vacancies by inviting a parent of a child at the school to become a Parent Governor.

Parent Governors must be people who have children at the school when they are elected. Applicants should also have a strong belief in continually improving the quality of education of children at school and have the time to commit to attend training and governing body meetings. If you decide you wish to stand for election it is necessary to get two parents at the school to propose and second your nomination.

If you are not able to stand for election, you may know of someone who is and parents with children at the school can nominate another parent for election. You can obtain a nomination form from the school and, having signed it yourself and obtained the signatures of the seconder and of the person you are nominating, return the form to me by (insert date). You can nominate as many parents as there are seats to fill but you need a nomination form for each.

The rules for the election are written down in Regulations made by the LA, and these can be inspected at the school.

Result of the Election

The names of those elected will be displayed at the school for 21 days and will be included in the next edition of the school newsletter.

Anyone having any query about the election is invited to contact the school.

Yours sincerely,

THE CLOSING DATE FOR NOMINATIONS IS

NOMINATION PAPER

Name of School _____

Number of Parent Governors to be elected _____

Please read the notes below before completing the form

DECLARATION BY THE CANDIDATE : I agree to stand in the above-named election and confirm that I am not disqualified from being a school governor under the restrictions detailed in **The Constitution of Governing Bodies of Maintained Schools 2017**.

CANDIDATE (Name/Address)

.....
.....
.....

Signed

Date

PROPOSED BY
(Name/Address/Signature)

SECONDED BY
(Name/Address/Signature)

.....
.....
.....

.....
.....
.....

Signed

Signed

NOTES : A parent can propose a candidate, stand for election and vote in the election, if he or she has a child registered at the school on the date of the election.

A PROPOSER must be eligible to vote in the election
must obtain the consent and signature of the nominee
may propose a candidate or candidates up to the number to be elected (see top of form).

A CANDIDATE must be eligible to vote in the election
must have reached the age of 18
must not have been adjudged bankrupt, or been convicted of a criminal offence during the last five years for which a prison sentence (suspended or not) of 3 months or more was imposed.

THIS FORM MUST BE RETURNED TO THE HEADTEACHER WITH THE CANDIDATE INFORMATION FORM BY MARKED 'CONFIDENTIAL - PG NOMINATION'

ELECTION OF PARENT GOVERNORS

CANDIDATE INFORMATION FORM

Election of Parent Governors at SCHOOL

Name Age(s) of child(ren)

Experience and/or interests relevant to serving as a Governor
(maximum 80 words)

.....
.....
.....
.....
.....

Signed

ELECTION OF PARENT GOVERNORS

BALLOT PAPER

Name of School _____

Please read the notes below before casting your vote(s)

CANDIDATES

Place an X opposite
the name(s) voted for

Name in alphabetical order	
Name	
Name	
Name	

Number of Candidates to be elected)

Number of votes on this ballot paper not to exceed)

Please read the notes below before casting your vote(s)

1. Parents must, to be eligible to vote, have a child registered at the school on the date of the election.
2. Each parent will receive one ballot paper (irrespective of the number of children he/she has at the school) and has as many votes as there are seats to be filled. Parents may if they wish, cast fewer votes than the number of seats to be filled.
3. Do not cast more votes than there are seats to fill. If any person or persons do, it will not be possible to count any of their votes. Each candidate can only receive one vote per ballot paper.
4. When you have marked your ballot paper with your vote(s), please follow the instructions for returning your ballot paper as outlined in PG5a/b (delete as applicable)

FAILURE TO COMPLY WITH ELECTION REGULATIONS WILL RESULT IN THE BALLOT PAPER BEING TREATED AS SPOILED.

PAPER VOTING SYSTEM: INSTRUCTIONS ON THE RETURN OF BALLOT PAPERS

1. You are provided with two envelopes. Place your ballot paper inside the first envelope and SEAL it. Do not sign, or otherwise mark, this envelope. Do not place more than one ballot paper in this first envelope.
2. Place the sealed envelope containing the ballot paper inside the second envelope and SEAL it.
3. Write your name in block capitals, and sign your name on the second, outer envelope, and also write "P.G. ELECTION" upon it.
4. Return the envelope to school as soon as possible, to arrive not later than the date shown below. Envelopes may be returned by hand of a pupil, or by post, but they must be delivered at the school by the time and date given below or it will not be possible to count the votes they contain. Votes sent by post must be in two sealed envelopes: the inner one unmarked and the outer one signed, as indicated above. It will also assist the school if envelopes also carry the name of your child.
5. It will not be possible to count votes if
 - votes are cast for more candidates than are to be elected;
 - ballot papers are signed;
 - ballot papers are not returned in envelopes, or only one envelope; or
 - the inner envelope is signed; or the outer envelope is not signed.
6. PLEASE ENSURE, THEREFORE, THAT YOUR BALLOT PAPER IS PLACED IN TWO SEALED ENVELOPES: THE INNER ONE UNMARKED, THE OUTER ONE SIGNED, AND RETURN IT TO THE SCHOOL NOT LATER THAN ON _____
_____.

ELECTION OF PARENT GOVERNORS

ELECTION RESULT NOTIFICATION

Name of School _____

CANDIDATES

Votes received

Candidate A	50
Candidate B	30
Candidate C	20
Candidate D	10
Candidate E	5
Candidate F	2

Number of Candidates to be elected

As returning Officer in this election, I hereby declare that the following is/are elected to serve as Parent Governor(s) on the Governing Body of (your) School, with a term of office to run from (date).

Candidate A
Candidate B

Signed
(Print name and sign)

Date

Witnessed
(Print name and sign)

Date