

Guidelines for the election of parent governors

The appropriate authority

Hampshire County Council is the appropriate authority with regard to the election arrangements for parent governors in Community, Community Special and Voluntary Controlled schools.

In these schools, the County Council has delegated to the headteacher the responsibility for ensuring that an election takes place to fill any parent governor vacancy. Elections must be conducted in accordance with the following guidelines and Schedule 2 of The School Governance (Constitution) Regulations 2012 - www.legislation.gov.uk/uksi/2012/1034/regulation/7/made.

Who can stand as and vote for parent governors?

The definition of parent under education law covers:

all natural parents whether they are married or not;

any person who has parental responsibility for a child or young person;

any person who has care of a child or young person i.e. lives with and looks after the child.

The school will need to decide who comes within the definition of parent in respect of a particular pupil but generally parents include all those with day to day responsibility for a child.

Disqualification Regulations

A summary of the disqualification criteria that apply to school governors are listed on the application form which can be accessed at: www.hants.gov.uk/education/governors/governors-govrecruit.htm

Full details of the criteria are contained in The School Governance (Constitution) (England) Regulations 2012/1034, Schedule 4, which can be found at: www.legislation.gov.uk/uksi/2012/1034/schedule/4/made

Seeking nominations

As soon as a resignation is received from a parent governor, or at the beginning of the term in which a parent governor's term of office expires, the headteacher should send a letter to parents inviting applications for the post.

An example letter is included in Appendix A which covers the standard information that should be sent to all those eligible to be a parent governor. It should be personalised as you see fit to attract the right candidates for your school, including listing any skills, experience or attributes the governing body has identified that it feels would help to strengthen governance within the school.

A copy of these notes should be displayed on the school's website and drawn to the attention of parents in the letter.

Where pupils have more than one person with parental responsibility who are living at different addresses, a letter should be sent to each address.

Where a vacancy arises at short notice, the letter should be sent as soon as possible. Where this situation arises near the end of the summer term, this process may be delayed until the beginning of the next term.

It is important that all those interested in standing as governors should be asked to complete the Hampshire County Council School Governor application form. This will ensure that all potential governors are made aware of the disqualification regulations and that the necessary information is collected to enable the successful applicant to undergo an identity check when joining the board.

Closing date for applications

The closing date for applications should be ten school working days from the date on which letters are distributed. The actual closing date and time should be clearly stated in the letter so that parents are aware of the timescale to submit their application form.

Processing applications

If the number of applications is equal to, or less than the number of vacancies to be filled, a ballot need not be held. The applicant(s) is automatically elected. The headteacher should notify the successful candidate(s), as soon as possible after the closing date. S/he should then complete the relevant section on the School Governor application form(s) to confirm that the candidate(s) has been elected and that their identity has been checked before passing it to the clerk to update their records and the Governor Services' membership database.

If there are more applications than there are vacancies, the headteacher will have to arrange for a secret ballot to be held.

The ballot

The headteacher should issue ballot papers (Appendix B) to all eligible parents as soon as possible after the closing date for the receipt of applications. The 'Reasons for Applying' and 'Experience and personal skills' sections of the form should be used as the election statement.

Ten school working days should be allowed between the ballot papers being sent out and the last date for their return. The return date and time should be clearly stated on the ballot papers.

The election should be held by secret ballot. Ballot papers themselves should not be signed or the voter identified in any way.

We would suggest that they are printed on paper of a distinctive colour.

We recommend the use of the following election procedure.

Double envelope system

1. Two envelopes are sent with each ballot paper.

2. The voter seals his/her completed ballot paper in an unmarked envelope.

3. The unmarked envelope is sealed in an outer envelope on which the voter should clearly write his/her name.

4. The double envelope should be returned to the school by the parent.

5. On receipt of the ballot papers the headteacher, or their nominee, should check the name on the outer envelope against the list of those entitled to vote and tick off the relevant name.

6. The outer envelope is then removed and the inner envelope placed in the ballot box for counting at the appointed time.

Voting

Where parents have more than one child in a school, and bearing in mind that voting is to be on the basis of one vote per parent per vacancy, some system will need to be devised to ensure that no parent receives more than one ballot paper.

The headteacher should arrange to get ballot papers to and from parents by pupil post where possible. Where a pupil does not live with a person who has parental responsibility, or they are absent from school when the ballot papers are issued, they will need to be posted or otherwise delivered to the parents.

If a ballot paper is returned and it is not possible to confirm it is from a person entitled to vote it should be treated as void. Ballot papers must be kept unopened and secure until the count.

Candidates have the right to attend the count, and must be advised of the venue, date and time of the count (see letter in Appendix C) at the same time as the ballot papers are sent out.

The count

The ballot box should be opened on the next school working day after the closing date for the return of ballot papers, as notified to the candidates.

The count will be conducted by the headteacher, or his/her nominee. If there is a tie in the numbers of votes cast, the first step should be to recount the votes. If the votes are still equal for two or more candidates then the headteacher, or his/her nominee, should arrange for them to draw lots.

After the election

The headteacher should notify the result to any candidate not at the count as soon as possible after it has taken place, thanking unsuccessful candidates for their interest and encouraging them to consider taking up a governorship at another school (Appendix D).

S/he should then complete the relevant section on the School Governor application form to confirm that the candidate has been elected and that the identity check has been completed before passing it to the clerk to update their records and the Governor Services' membership database.

Parents and governors should be notified of the result within ten school working days.

The start date

The successful candidate(s) will take up post on the day after the present parent governor's term of office comes to an end. Where the post is already vacant the start date is the date of the count or the day after the closing date for applications when an election has not been necessary.

Appointment of parent governors

If after seeking applications from parents of current pupils at the school, vacancies for parent governors still remain, the governing body can appoint people to the posts in line with paragraphs 10 and 11 of Schedule 1 of The School Governance (Constitution) (England) Regulations 2012/1034, which can be accessed at: www.legislation.gov.uk/ukxi/2012/1034/schedule/1/made

All potential appointed parent governors must be asked to complete an application form so that they are aware of the current disqualification criteria. Applications should be considered at a full governing body meeting as a separate agenda item. The clerk should then complete the relevant section on the School Governor application form to confirm that the candidate has been appointed and that their identity has been checked before updating their records and the Governor Services' membership database. Their start date will be the date of the meeting at which the appointment was made.

If there are still parent vacancies after the governing body has considered any candidates for appointment, another approach will need to be made to parents. In this situation a personal letter from the chair with positive comments from current parent governors has proved successful for many governing bodies. Governors should also exploit other opportunities where parents will be in the school (Parents' evenings, new intake events, etc.) to encourage them to join the governing body.